# ELECTIONS AND FRANCHISE

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## Local Government Elections

REGULATIONS, DATED 10TH FEBRUARY, 1949, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SUB-SECTION (1) OF SECTION FIFTY-ONE OF THE ELECTIONS AND FRANCHISE ACT (NORTHERN IRELAND), 1946 (REPRINT TO 1948).

1949. No. 18.

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The Ministry of Home Affairs (hereinafter referred to as " the Ministry ") in exercise of the powers vested in it by sub-section (1) of Section fifty-one of the Elections and Franchise Act (Northern Ireland), 1946 (Reprint to 1948) (hereinafter referred to as the " Act of 1946 ") and of every other power it thereunto enabling, hereby makes the following Regulations :—

**1.**—(1) These Regulations may be cited as the Electoral (Local Government Elections) Regulations (Northern Ireland), 1949.

(2) The Interpretation Act, 1921, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

(3) These Regulations shall come into force on the 1st day of April, 1949.

**2.** These Regulations shall apply to the conduct of all ordinary Local Government Elections and save as otherwise provided in these Regulations, to elections specially held to fill casual vacancies in County Boroughs and Boroughs.

*Returning Officer.*

**3.**—(1) The Returning Officer, being the officer designated in section twenty of the Act of 1946, in respect of the several local authorities therein mentioned, shall carry out his duties in accordance with the provisions of these Regulations.

(2) The Returning Officer may, in writing, appoint a competent person or persons to be his deputy or deputies for all or any of the duties appertaining to his office subject to the following conditions :—

(*a*) In any County Electoral Division containing, or contained in, a Borough or an Urban District the Town Clerk of the Borough, or Clerk to the Urban District Council shall be the deputy.

(*b*) In any County Electoral Division wholly contained in a Rural District, the Clerk to the Rural District Council shall be the deputy.

(*c*) If the office of Town Clerk of a Borough or the Clerk to an Urban or a Rural District Council is vacant, or such Clerk, from illness, or other sufficient cause is, or becomes, unable to perform the duties of deputy, the Returning Officer may, if he thinks fit, appoint some other competent person to perform the duties of deputy or such of the said duties as remain to be performed in the County Electoral Division concerned.

(3) Where the position of Clerk to two or more Rural District Councils is held by the same officer, that officer shall act as Returning Officer for such one of the said Rural Districts as he may elect and

shall appoint some other competent person to act as Returning Officer in his stead in each of the other Rural Districts of the Council of which he is Clerk, and for the purposes of these Regulations the person so appointed shall be deemed to be the Returning Officer for all purposes in connection with the election of Rural District Councillors for the Rural District for which he is so appointed.

*Deputy Returning Officer.*

**4.** A Deputy Returning Officer shall have all the rights, powers, duties and liabilities of the Returning Officer by whom he is appointed in relation to the matters in respect of which he is appointed as deputy.

*Place of Election and Offices for purpose of Election.*

**5.**—(1) The Returning Officer shall appoint the place of election in accordance with the provisions of sub-section (3) of Section twenty-seven of the Act of 1946.

Provided, however, that where a Direction of the Ministry is sought under the provisions of paragraph (*c*) of the said sub-section, the Returning Officer shall apply for such Direction not less than seven days before the day on which the Notice of Election required under Regulation 8 hereof is to be published under Regulation 6 hereof.

(2) The place so appointed as aforesaid shall be the principal office for the purpose of the election but the Returning Officer may, if he so desires, appoint such other place or places within the Local Government Electoral area as he considers necessary, to be subsidiary offices for the conduct of the election.

*Time-table.*

**6.** The Returning Officer shall, in the conduct of an election, adhere to the appropriate time-table as set out in the First Schedule hereto for the local authority with which he is concerned.

*Publication of Notices.*

**7.** Unless otherwise prescribed by these Regulations, any public notice required shall be given by :—

(*a*) advertisement in one or more newspapers circulating in the area to which the notice relates ; or

(*b*) the exhibition of posters in suitable positions throughout the area ; or

(*c*) both the foregoing methods ; or

(*d*) any other method which is, in the opinion of the Returning Officer, desirable for the purpose of bringing the contents of the Notice to the attention of the persons interested.