PART III — ADAPTATION OF BALLOT ACT, 1872 (THIRD SCHEDULE TO PRINCIPAL ORDER).

The Third Schedule to the original Order (which adapts and alters the provisions of the Ballot Act, 1872, in their application to the election of Aldermen and Councillors in County Boroughs) shall have effect as if in the Form of Directions for the Guidance of the Voter in Voting prescribed by the Second Schedule to the Ballot Act, 1872, the following additional direction were included therein :—

" The Voter, at the time of applying for a ballot paper, must produce for the inspection of the Presiding Officer a document of identity which may be any one of the following :—

(*a*) a National Registration Identity Card ; or

(*b*) a valid British Passport ; or

(*c*) a Travel Permit Card ; or

(*d*) a Document of Identity issued by the Head or other Constable of the Royal Ulster Constabulary in charge of a Station

which bears the same name and address as are shown on the entry in the Register in respect of which the person is applying to vote.

Unless such a document of identity is produced a ballot paper will not be issued."

County and Rural District Councillors

REGULATIONS, DATED 7TH AUGUST, 1946, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER THE ELECTIONS AND FRANCHISE ACT (NORTHERN IRELAND), 1946.

1946. No. 117

WHEREAS the Ministry of Home Affairs for Northern Ireland in exercise of the powers vested in it by the Local Government Acts (Northern Ireland), 1898 to 1923, made an Order entitled The County and Rural District Councillors (Northern Ireland) Election Order, 1924, framing Rules for the conduct of elections of County and Rural District Councillors, (hereinafter referred to as the " original Order ") ;

AND WHEREAS the original Order has from time to time been amended by the County and Rural District Councillors (Northern Ireland) No. 2 Election Order, 1924, and by the County and Rural District Councillors (Northern Ireland) Orders of 1929, 1930 and 1931 ;

AND WHEREAS it is provided by Sub-Section (2) of Section Fifty-one of the Elections and Franchise Act (Northern Ireland), 1946 (hereinafter referred to as " the Act of 1946 ") that any rules relating to the conduct of such elections in force at the passing of the Act of 1946 in so far as they are not repugnant to the provisions of the Act of 1946 shall continue in force until amended or revoked by regulations made under the Act of 1946 ;

AND WHEREAS certain of the provisions of the original Order as amended are repugnant to the provisions of the Act of 1946 ;

AND WHEREAS for the purposes of the election of County and Rural District Councillors in the year 1946, it is expedient that the original Order as amended should be further amended in manner hereinafter appearing ;

NOW, THEREFORE, the Ministry of Home Affairs in exercise of the powers vested in it by Section Fifty-one of the Act of 1946 and of all other powers in that behalf thereunto enabling the Ministry, hereby makes the following regulations amending the original Order, that is to say :—

1. The following shall be substituted for Article 1 of the original Order as amended :—

"1. (1) The Returning Officers for the election of County Councillors and Rural District Councillors shall be the officers specified in that behalf in Section Twenty of the Act of 1946.

(2) If the office of Secretary of a County Council or of the Clerk of a Rural District is vacant at the time when any duty relative to the election of County or Rural District Councillors respectively has to be performed by him, or if he, from illness or other sufficient cause is unable to perform such duty or fails to do so the County Council or Rural District Council of which he is respectively Secretary or Clerk shall immediately appoint some other competent person to act as Returning Officer or to perform such of the duties of the Returning Officer as then remain to be performed as the case may be. The person so appointed shall give to the Council such security for the performance of his duties as it may require.

(3) The Returning Officer for the election of County Councillors shall appoint some place or places within the administrative County as an office or offices for the purpose of the election of County Councillors, and the Returning Officer for Rural District Councillors in each Rural District shall appoint some place or places within the said Rural District as an office or offices for the election of Rural District Councillors ;

Provided that where the office of a Rural District Council, or the Workhouse of the Union in which such Rural District is situated is within an Urban District in the same County, such office or Workhouse may be used as an office for the election of Rural District Councillors for the Rural District.

(4) (*a*) A Returning Officer for the election of County Councillors may, if he thinks fit, in writing appoint a Deputy for any purposes for which a Deputy may be required in any County Electoral Division in connection with the election of County Councillors, and may also, in writing, appoint one or more other competent persons to act as his Deputy or Deputies in respect of the custody and opening of ballot boxes, counting and recording of the votes, and the declaration of the number of votes given for each candidate, and of the election of the candidate or candidates to whom the largest number of votes has been given.

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

(*c*) In any County Electoral Division wholly contained in a Rural District the Deputy shall be the Clerk of the Rural District Council.

(*d*) If the office of the Town Clerk of a Borough or Clerk of 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 as the case may be in the County Electoral Division.

(*e*) The Returning Officer for the election of Rural District Councillors may, if he thinks fit, appoint some competent person or persons to act as his Deputy or Deputies in respect of the custody and opening of the ballot boxes, the counting and recording of the votes, and the declaration of the number of votes given for each candidate, and of the election of the candidate or candidates to whom the largest number of votes has been given.

(5) Where the position of Clerk of 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 to the Council of which he is Clerk, and for the purposes of these Rules 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.

(6) A Deputy Returning Officer shall have all the 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.

2. The following shall be substituted for Article 2 of the original Order :—

" 2. The day of election of County and Rural District Councillors in the year 1946 shall be that prescribed in paragraph (*a*) of sub-section (2) of Section Forty-five of the Act of 1946."

3. Article 3 of the original Order shall be read and have effect as if the words " or his Deputy " were omitted.

4. Paragraph (2) of Article 4 of the original Order shall be read and have effect as if after the words " his consent to such nomination " there were inserted the words " and his intention to take his seat, if elected ", and as if for the references to Form No. 1A and (in the proviso) to Form No. 1B there were substituted references to Form No. 1B and Form No. 1C respectively.

5. Paragraph 3 of Article 4 of the original Order shall be read and have effect as if for the last sentence thereof there were substituted the words " It shall be in the Form No. 1A in the Second Schedule to this Order or in a Form to the like effect ".

6. Articles 5, 6 and 7 of the original Order shall be read and have effect as if the words " or his Deputy " were omitted, wherever such words occur.

7. The following shall be substituted for Article 8 of the original Order :—

" 8. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer for the election of County Councillors in each County shall make out a statement in the Form No. 2 in the Second Schedule to this Order or in a form to the like effect, containing the names, places of abode and descriptions of the persons nominated for election as County Councillors for the several County Electoral Divisions, and the Returning Officer for the election of Rural District Councillors in each Rural District shall make out a similar statement containing the names, places of abode and descriptions of

the persons nominated for election as Rural District Councillors for the several District Electoral Divisions of the District.

Every such statement, whether it refers to nominations for election to the office of County Councillor, or to that of Rural District Councillor, shall contain a notice of the decision of the Returning Officer with respect to each candidate as to whether he has been deemed to have been duly nominated or not. The Returning Officer shall forthwith cause a copy thereof to be suspended in the Courthouse or room in which the meetings of the County Council, or of the Rural District Council, as the case may be, are held, and in the Board Room of the Guardians of the Union in which any of the County or District Electoral Divisions affected by the statement are situated, and also a copy to be affixed on the principal external gate or door of the Workhouse of every such Union or other office of the Rural District Council, and on that of the Courthouse or other office of the County Council, as the case may be."

8. Articles 9 and 10 of the original Order shall be read and have effect as if the words " or his Deputy " were omitted, wherever such words occur.

9. Article 11 of the original Order shall cease to have effect, and the conditions affecting Deposits shall be in accordance with the provisions of Sections Thirty and Thirty-one of the Act of 1946.

10. The following shall be substituted for Article 12 of the original Order :—

" 12. The poll, if any, in any County or District Electoral Division shall, in accordance with the provisions of the Act of 1946, be held on the Third day of October, 1946, and the hours during which the polls shall be open shall be from 8.30 a.m. to 8.30 p.m."

11. The following shall be substituted for Article 14 of the original Order :—

" 14. The Returning Officer for the election of County Councillors shall determine the number and situation of the polling stations in all County and District Electoral Divisions in the County of the Council of which he is Secretary :

Provided that :—

(*a*) No premises licensed for the sale of intoxicating liquor shall be used for a polling station.