



Isle of Man

Ellan Vannin

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**REPRESENTATION OF THE PEOPLE
REGULATIONS 2015**



REPRESENTATION OF THE PEOPLE REGULATIONS 2015

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Statutory Document No. 2015/0379



Representation of the People Act 1995

REPRESENTATION OF THE PEOPLE REGULATIONS 2015

Approved by Tynwald: 19 January 2016

Coming into operation in accordance with regulation 2

The Governor in Council makes the following Regulations under sections 16, 18, 22, 26, 27, 31 and 80 of the Representation of the People Act 1995.

1 Title

These Regulations are the Representation of the People Regulations 2015.

2 Commencement

- (1) If approved by Tynwald, these Regulations come into operation on the day after their approval.
- (2) These Regulations apply to the general election of the Keys in 2016 and every election to that House thereafter.

3 Interpretation

- (1) In these Regulations —
 - “**the Act**” means *the Representation of the People Act 1995* and a reference to a numbered section (without more) is a reference to the section of the Act so numbered;
 - “**advance voter ballot paper account**” means a written account rendered by the returning officer showing —
 - (a) the total number of advance voters ballot papers issued;
 - (b) the total number of such papers returned;
 - (c) the total number of such papers rejected; and
 - (d) the total number of such papers counted;
 - “**ballot paper account**” means a written account rendered by the presiding officer showing —
 - the number of ballot papers entrusted to him or her;

- (a) the number of ballot papers in the ballot box;
- (b) the number of unused ballot papers;
- (c) the number of spoilt ballot papers; and
- (d) the number of tendered ballot papers;

“**elector**” means a person who is registered as an elector in the constituency in the register to be used at the election;

“**electoral number**” means a person’s number in the register to be used at the election;

“**list of advance voters**” has the meaning assigned by paragraph 4(1)(a) of Schedule 2;

“**list of tendered votes**” has the meaning assigned by regulation 41(3);

“**nomination day**” means the final day for the delivery of nomination papers (day 13);

“**spoilt ballot paper**” has the meaning assigned by regulation 42;

“**tendered ballot paper**” has the meaning assigned by regulation 41(1).

- (2) In these Regulations references to polling agents and counting agents are references to agents who have been duly appointed by candidates, those appointments have been duly notified and, if the number of agents is limited, who are within the permitted number.
- (3) For the purposes of these Regulations “day 0” is the day on which the writ for an election is issued and corresponding references to day *n* are references to the day which falls the corresponding number of days after that day.
- (4) In computing any period of time under these Regulations do not disregard excluded days but if —
 - (a) anything is required or permitted to be done on or before a specified day or event (however expressed), and
 - (b) apart from this paragraph the last day for doing it would be an excluded day,

it must be done on or before the last day before the excluded day which is a working day (see section 77).

Here “excluded day” means a day which is not a working day.

4 Forms specified under these Regulations

Any reference in these Regulations to a specified form is to the form specified, for that purpose, by the Chief Secretary.

5 Oath of office and declaration of secrecy of returning officers

- (1) The form of oath required by section 16(1) to be taken by a returning officer is set out in Part 1 of Schedule 1 and a copy of the oath must be annexed to the writ.

Note: section 21 contains provision about the writ for an election.

- (2) The form of declaration of secrecy required to be taken by a returning officer is set out in Part 4 of Schedule 1 and must be signed in the presence of a justice of the peace or commissioner for oaths.

6 Oath of office and declaration of secrecy of deputy returning officers

- (1) On appointing a deputy returning officer under section 18 the returning officer must immediately administer to the deputy returning officer an oath in the form set out in Part 2 of Schedule 1, and the certificate of the oath must be attached to each appointment.
- (2) The deputy returning officer must then sign a declaration of secrecy in the form set out in Part 4 of Schedule 1 in the presence of a justice of the peace or commissioner for oaths.

PART 2 – STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

7 Issue of writ

The Governor must issue the writ of election —

- (a) in the case of a general election, immediately on the dissolution of the Keys;
- (b) in the case of a by-election, within 2 months of receiving the report of a casual vacancy; or
- (c) if the returning officer has made a special return of the writ to the effect that the number of candidates elected is less than the number of vacancies to be filled or that no candidate has been elected, within one month of the receipt of the special return.

Despite paragraph (b) the Governor must not issue the writ under that paragraph if it appears to him or her that the Keys will be dissolved within 4 months of the date on which the writ would otherwise be issued.

8 Delivery of writ

- (1) Every writ of election must be delivered by hand to the returning officer no later than 5pm on day 1.
- (2) On receiving the writ the returning officer must immediately endorse on it the date on which he or she received it.

9 Notice of election

- (1) The Chief Secretary must as soon as practicable after the issue of the writ publish a notice—
 - (a) for electors containing information on advance and proxy voting; and
 - (b) for potential and prospective candidates containing information about the nomination process.
- (2) The notice mentioned in paragraph (1)(b) must contain —
 - (a) a warning as to corrupt practices; and
 - (b) advice on obtaining a copy of the Act, these Regulations and a copy of the register of electors.
- (3) The notice of election is a composite notice for —
 - (a) all the constituencies, in the case of a general election;
 - (b) all the constituencies to which the writs relate, where writs for more than one by-election are issued on the same day.
- (4) The notice of election must be published —
 - (a) by insertion in a newspaper published and circulating within the Island; and
 - (b) by display on an appropriate website in an appropriate manner, and may be published by placard posted up in some public and conspicuous situation in the constituency to which the notice refers.

10 Nomination of candidates

- (1) Every candidate must be nominated by a separate nomination paper delivered in accordance with regulation 12.
- (2) The nomination paper must be in the form specified and must state —
 - (a) the full names, place of residence, telephone number, email address (if any) and political party (if any) of the person named as the candidate; and
 - (b) whether the person named as the candidate meets the qualification requirements for membership of the Keys set out in section 1(1).
- (3) Each person named as the candidate must produce (or cause to be produced) to the returning officer his or her passport, a certified copy of his or her passport or other evidence to the satisfaction of the returning officer as proof of compliance with section 1(1)(b).

11 Subscription of nomination paper

- (1) The nomination paper must be subscribed by 2 electors as proposer and seconder, and by not less than 20 other electors assenting to the nomination, but only 20 of those electors are treated for the purposes of paragraph (3) as having subscribed the nomination paper.
- (2) The nomination paper must give the electoral number of each person subscribing it.
- (3) The same elector may subscribe as many nomination papers as there are vacancies to be filled, but no more, and the elector's signature is invalid on any nomination paper duly delivered in excess of that number.

12 Delivery of nomination papers

- (1) Nomination papers and proof of compliance with section 1(1)(b) must be delivered to the returning officer for a constituency —
 - (a) at a place specified by the returning officer;
 - (b) by the person named as the candidate personally or by his or her proposer or seconder; and
 - (c) at a time agreed between the returning officer and the person named as the candidate, being a time between 10.00 a.m. on day 6 and 1.00 p.m. on nomination day (day 13).
- (2) The only persons who may attend at the delivery of a nomination paper are —
 - (a) the returning officer and any person assisting the returning officer;
 - (b) the person named as the candidate;
 - (c) the proposer or seconder of the person named as the candidate; and
 - (d) one other person selected by the person named as the candidate.
- (3) The right to attend conferred by this regulation includes the right to inspect, and to object to the validity of, any nomination paper.

13 Consent to nomination

If a nomination paper is not delivered personally by the person named as the candidate, the returning officer may not hold the person validly nominated unless that person's written consent to the nomination, attested by a witness, is delivered at a place and time agreed with the returning officer within the time appointed for the delivery of nomination papers in accordance with paragraph 12(1)(c).

14 Objections to nominations

- (1) The returning officer must attend and invite the persons standing nominated as a candidate to attend at a specified venue between 1.00 p.m. and 2.00 p.m. on nomination day (day 13) (“**the period for objections**”).
- (2) The only persons who may attend the proceedings during the period for objections are –
 - (a) the returning officer and any person assisting the returning officer;
 - (b) a person standing nominated as a candidate;
 - (c) the proposer or seconder of a person standing nominated; and
 - (d) one other person selected by a person standing nominated.
- (3) The right to attend conferred by this regulation includes the right to inspect, and to object to the validity of, any nomination paper.

15 Decisions as to validity of nomination papers

- (1) This regulation applies when a nomination paper and, consent to a nomination paper (if required), has been delivered to a returning officer in accordance with these Regulations.
- (2) The returning officer must determine as soon as practicable whether the nomination paper of a person named as the candidate is valid.
- (3) Where the returning officer determines that a nomination paper is valid, the returning officer must notify the person named as the candidate.
- (4) The returning officer may only hold a nomination paper invalid for one of the following reasons –
 - (a) the person named as the candidate is, on the face of the nomination paper, ineligible for the election;
 - (b) the particulars of the person named as the candidate or the persons subscribing the paper are not as required by law;
 - (c) the paper is not subscribed as so required;
 - (d) proof is given to the satisfaction of the returning officer of the person named as the candidate’s death; or
 - (e) the candidate withdraws in accordance with regulation 16.
- (5) The returning officer may hold a nomination paper invalid at any time before the close of the period for objections to nominations under regulation 14.
- (6) The returning officer must give a decision on any objection to a nomination paper as soon as practicable after it is made.

- (7) If the returning officer decides that a nomination paper is invalid, the returning officer must as soon as practicable –
- (a) notify the person named as the candidate in order to provide him or her with the opportunity to cure the invalidity, if appropriate; or
 - (b) endorse and sign on the paper the decision and the reasons for it and notify the person named as the candidate.
- (8) The returning officer's decision on the validity of a nomination paper may only be questioned in proceedings on an election petition.

For the sake of clarity, this paragraph does not preclude the institution of proceedings for an offence under the Act.

16 Withdrawal of candidates

- (1) A candidate may, at any time before the close of the period for objections to nominations under regulation 14, but not afterwards, withdraw from the candidature by giving a notice in writing to that effect to the returning officer.
- (2) A notice under this regulation must be –
- (a) signed by the candidate or, if the candidate is unable to do so, by his or her proposer;
 - (b) if signed by the proposer, accompanied by a signed declaration by the proposer as to the candidate's inability to sign; and
 - (c) if delivered by any person other than the candidate, attested by a witness.

17 Method of election

- (1) If at the close of the period for objections to nominations under regulation 14 more candidates stand nominated than there are vacancies to be filled, a poll must be taken in accordance with Part 3.
- (2) If at that time no more candidates stand nominated than there are vacancies to be filled, the relevant provisions of Parts 4 and 5 apply.

PART 3 – CONTESTED ELECTIONS

DIVISION 1 - GENERAL PROVISIONS

18 Poll to be taken by ballot

The votes at the poll are to be given by ballot, the votes given to each candidate counted and the result determined in accordance with the following provisions of this Part.

19 The ballot papers

- (1) The ballot of every voter is to consist of a ballot paper, and only the candidates standing nominated may have their names on the ballot paper.
- (2) Every ballot paper must –
 - (a) be in the form specified;
 - (b) be printed in accordance with the Chief Secretary's directions;
 - (c) contain the full names, place of residence and the name and a monochrome representation of the emblem of the political party (if any) of the candidates nominated as shown in their respective nomination papers;
 - (d) be capable of being folded up;
 - (e) have a number printed on the back; and
 - (f) have attached a counterfoil with the same number printed on the face.
- (3) The list of candidates on the ballot paper must be arranged alphabetically in the order of their surnames and, if there are 2 or more candidates of the same surname, in the order of their other names.

20 The official mark

- (1) Every ballot paper must be marked with an official mark in the manner specified by the Chief Secretary so as to preclude false ballot papers being included in the count.
- (2) The official mark must be kept secret and an interval of not less than 7 years must intervene before the use of the same official mark at elections for the same constituency.

21 Prohibition of disclosure of votes

A person who has voted at the election may not be required, in any legal proceedings to question the election or return, to state for whom he or she voted.

22 Use of schools and public rooms

- (1) The returning officer may use, free of charge, for the purpose of taking the poll any room –
 - (a) in a school –
 - (i) maintained by the Department of Education and Children;or

- (ii) in respect of which grants are made out of moneys provided by Tynwald to the person or body of persons responsible for the management of the school; or
 - (b) the expense of maintaining which is payable out of any rate.
- (2) The returning officer must make good any damage done to, and defray any expense incurred by the persons having control over, any room mentioned in paragraph (1) by reason of its being used for the purpose of taking the poll.

DIVISION 2 - ACTION TO BE TAKEN BEFORE THE POLL

23 Notice of poll

The returning officer must, as soon as practicable after the close of the period for objections to nominations, give public notice of the poll in the form specified.

24 Distribution of election manifestos

- (1) The funding of the cost of delivery of a manifesto under section 31(2)—
 - (a) is limited to the minimum charge for a standard letter;
 - (b) is disregarded in computing election expenses and donations; and
 - (c) if 2 or more candidates issue a manifesto jointly, is limited to the supply of one copy of the manifesto to each household.
- (2) If the candidate supplies to the Isle of Man Post Office for delivery –
 - (a) a manifesto, the cost of delivery of which would exceed the minimum charge for a standard letter; or
 - (b) more than one copy of the manifesto per household,the Isle of Man Post Office may refuse to deliver them unless the candidate pays for the increase in postage.
- (3) If a candidate delivers manifestos to the Isle of Man Post Office after the time which would permit the Isle of Man Post Office to frank and deliver them before polling day the, Isle of Man Post Office may refuse to deliver them.
- (4) If a candidate pays the Isle of Man Post Office for any increase in postage, that counts as an election expense.
- (5) If a candidate uses a delivery service provider other than the Isle of Man Post Office, the funding of the cost of delivery under section 31(2) is payable by the Treasury up to the amount that would be incurred using the Isle of Man Post Office (and is accordingly to be disregarded in computing election expenses and donations).

Note: This regulation places no restriction on the ability of a candidate to arrange delivery of manifestos by any means not out of money provided by Tynwald. However,

any costs incurred above those funded under section 31(2) are to be taken into account in computing election expenses and, if applicable, donations.

25 Death of candidate

- (1) This regulation applies if, after publication of the notice of the poll and before the result of the election is declared, proof is given to the satisfaction of the returning officer of the death of one of the candidates.
- (2) Where this regulation applies the returning officer must countermand notice of the poll or, if the poll or the count has begun, direct that such proceedings be abandoned, and all proceedings with reference to the election must be commenced afresh in all respects as if the writ had been received on the day on which proof was given to the returning officer of the death.
- (3) No fresh nomination is necessary in the case of a person whose name has been published as a candidate.
- (4) If the poll is abandoned under this regulation and the proceedings at or consequent on that poll are interrupted the presiding officer at each polling station for the relevant constituency must take like steps for delivery to the returning officer of ballot boxes, ballot papers and other documents as he or she is required to take on the close of the poll, and the returning officer must dispose of ballot papers and other documents in his or her possession as required on the completion of the counting of the votes.
- (5) However —
 - (a) it is not necessary for any ballot paper account to be prepared or verified; and
 - (b) the returning officer, without taking any step or further step for the counting of the ballot papers or of the votes, must seal up all the ballot papers, whether the votes on them have been counted or not, but it is not necessary to seal up counted and rejected ballot papers in separate packets.
- (6) If a poll is abandoned or countermanded after advance voter ballot papers have been issued by reason of death of a candidate, the returning officer —
 - (a) must not take any step or further step to open covering envelopes or deal with the contents in accordance with Schedule 2; and
 - (b) must, despite paragraphs 19 and 20 of Schedule 2, treat all unopened covering envelopes and the contents of those that have been opened as if they were counted ballot papers.
- (7) The provisions of these Regulations as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election apply to any such documents relating to a poll

abandoned by reason of a candidate's death, with the following modifications —

- (a) ballot papers on which the votes were neither counted nor rejected are treated as counted ballot papers; and
- (b) no order, except one made by a court in connection with a prosecution, may be made for —
 - (i) the production or inspection of any ballot papers; or
 - (ii) the opening of a sealed packet of counterfoils or of certificates of appointment.

26 Advance votes

Schedule 2 has effect in respect of applications to vote in advance.

27 Proxy votes

Schedule 3 has effect in respect of applications to vote by proxy.

28 Provision of polling stations

- (1) The returning officer must provide one or more polling stations for each polling district.
- (2) If two or more polling stations are provided for a polling district, allot the electors to the polling stations in such manner as the returning officer thinks most convenient.
- (3) Two or more polling stations may be provided in the same room.
- (4) A polling station must be within the polling district that it is intended to serve unless it is determined by the returning officer that there is no such suitable accommodation available, in which case he or she must make every effort to secure a polling station as close as possible to the polling district that it is intended to serve.

29 Appointment of presiding officers and clerks

- (1) The returning officer must appoint, in writing and in the form specified, and pay the following officers and clerks —
 - (a) not more than 2 presiding officers to attend at each polling station;
 - (b) a chief counting officer; and
 - (c) such poll clerks and counting clerks as may be necessary for the purposes of the election.
- (2) But no person who has been employed by or on behalf of a candidate in or about the election may be appointed under paragraph (1).

- (3) The presiding officer must be in possession at the polling station of the document of appointment in respect of his or her own appointment together with those of the poll clerks and the returning officer must retain the documents of appointment of the chief counting officer and counting clerks.
- (4) If 2 presiding officers are appointed to attend at the same polling station, the returning officer must ensure that only one of them is on duty at the polling station at any one time.
- (5) On making the appointments under paragraph (1) the returning officer must immediately administer to each of the persons there mentioned an oath in the form set out in Part 3 of Schedule 1, and the certificate of the oath must be attached to each appointment.
- (6) The returning officer may, if he or she thinks fit, preside at a polling station, in which case the provisions of these Regulations relating to a presiding officer apply to the returning officer with any necessary modifications.
- (7) A presiding officer may delegate to any poll clerk any act (including the asking of questions) that the presiding officer is required or authorised by these Regulations to do at a polling station, except ordering —
 - (a) the arrest of any person; or
 - (b) the exclusion or removal of any person from the polling station.

30 Issue of official poll cards

- (1) As soon as is practicable the Chief Secretary must send an official poll card to each elector other than an elector whose application under section 26 to be treated as an advance voter has been allowed by 5.00 p.m. on day 28 according to the return delivered by the returning officer under paragraph 4(4) of Schedule 2.
- (2) An elector's official poll card must be sent or delivered to the elector's qualifying address.
- (3) The official poll card must be in the form specified and must set out —
 - (a) the name of the constituency;
 - (b) the elector's name, qualifying address and number on the register of electors;
 - (c) the date and hours of the poll; and
 - (d) the location of the elector's polling station.

31 Equipment of polling stations

- (1) The returning officer must provide the presiding officer for each polling station with —

- (a) such number of ballot boxes as the returning officer considers necessary, which must be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it without it being unlocked or the seal being broken; and
 - (b) such number of ballot papers and tendered ballot papers as the returning officer considers necessary.
- (2) The returning officer must provide each polling station with –
 - (a) sufficient compartments so that voters can mark their votes screened from observation;
 - (b) materials to enable voters to mark the ballot papers;
 - (c) instruments for stamping the official mark on the ballot papers;
 - (d) copies of the register of electors, or such part of it as contains the names of the electors allotted to the station, but with the names ruled out of those electors whose applications to be treated as advance voters have been allowed; and
 - (e) a copy of the list of proxies, or such part of the list as contains the names of electors allotted to the station.
- (3) A notice in the form specified, giving directions for the guidance of the voters in voting, must be printed in conspicuous characters and exhibited in every compartment of every polling station.

32 Appointment of polling and counting agents

- (1) Each candidate may, before 5.00 p.m. on day 39, appoint –
 - (a) polling agents to attend at each polling station in the constituency for the purpose of detecting personation, but not more than 2 may attend any one polling station at any one time, up to the maximum number permitted for each and every candidate by the returning officer; and
 - (b) such number of counting agents to attend at the counting of the votes as the candidate may wish, up to the maximum number permitted for each and every candidate by the returning officer.
- (2) The candidate must give notice in writing in the form specified of such appointments stating the names and addresses of the persons appointed to the returning officer before 5.00 p.m. on day 39.
- (3) If an agent dies, or becomes incapable of acting, the candidate may appoint another agent, and must as soon as practicable give notice in writing in the form specified of the name and address of the new agent appointed to the returning officer.
- (4) The returning officer must provide the presiding officer with a list of all polling agents appointed to attend the relevant polling station.

- (5) The returning officer must ensure a list of all counting agents appointed is available at the counting of the votes.
- (6) If no polling or counting agent has been appointed by a candidate, or such an agent is not present, that candidate may personally do any act or thing which the agent could have done under these Regulations.
- (7) Where by these Regulations any act or thing is required or authorised to be done in the presence of the polling or counting agents, the non-attendance of any agents or agent at the time and place appointed for the purpose does not, if the act or thing is otherwise duly done, invalidate the act or thing done.

33 Declaration of secrecy

- (1) Before the opening of the poll a declaration of secrecy in the form set out in Part 6 of Schedule 1 must be signed by —
 - (a) every officer or clerk authorised to attend at a polling station;
 - (b) every accredited observer attending at a polling station;
 - (c) every candidate attending at a polling station; and
 - (d) every polling agent.
- (2) Before the counting of the votes a declaration of secrecy in the form set out in Part 6 of Schedule 1 must be signed by —
 - (a) every officer or clerk authorised to attend at the counting of the votes;
 - (b) every accredited observer attending at the counting of the votes;
 - (c) every candidate attending at the counting of the votes;
 - (d) every counting agent;
 - (e) the individual, if any, nominated by a candidate attending the count other than as a counting agent; and
 - (f) every other individual permitted by the returning officer to attend at the counting of the votes,unless that person has already signed a declaration of secrecy under paragraph (1).
- (3) The declaration of secrecy must be signed in the presence of either the returning officer, a justice of the peace or a commissioner for oaths.

DIVISION 3 - THE POLL

34 Admission to polling station

The presiding officer must regulate the number of voters to be admitted to the polling station at the same time, and must exclude all other persons except —

- (a) the candidates;

- (b) the polling agents appointed to attend at the polling station;
- (c) the poll clerks;
- (d) the returning officer;
- (e) any constables on duty;
- (f) any accredited observer;
- (g) the companions of voters with disabilities at the discretion of the presiding officer; and
- (h) persons under the age of 16 who accompany voters at the discretion of the presiding officer.

35 Keeping of order in polling station

- (1) The presiding officer must keep order at the polling station.
- (2) If a person misconducts himself or herself in a polling station, or fails to obey the lawful orders of the presiding officer, the person may immediately, by order of the presiding officer, be removed from the polling station by a constable, and the person so removed may not re-enter the polling station during that day without the permission of the presiding officer.
- (3) Any person so removed may, if charged with the commission of an offence in the polling station, be dealt with as a person taken into custody by a constable for an offence without a warrant.
- (4) Unless the interests of good order require it, the powers conferred by this regulation may not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

36 Sealing of ballot boxes

Immediately before the commencement of the poll, the presiding officer must —

- (a) show that the ballot box is empty to such persons, if any, as are present in the polling station;
- (b) lock it up or seal it and place his or her seal on it in such manner as to prevent it being opened without breaking the seal;
- (c) place it in his or her view for the receipt of ballot papers: and
- (d) keep it so locked and sealed.

37 Questions to be put to voters

- (1) The presiding officer may, and if required by a polling agent must, put to any person applying for a ballot paper at the time of such application, but not afterwards, any of the following questions —
 - (a) in the case of a person applying as an elector —

- (i) “Are you the person registered in the register of electors for this election as follows [read the whole entry from the register]?”;
 - (ii) “Have you already voted, here or elsewhere, at this election for the constituency of [name the constituency], otherwise than as proxy for another person?”;
 - (iii) “What is your date of birth?”.
 - (b) in the case of a person applying as proxy —
 - (i) “Are you the person whose name appears as [name the proxy] in the list of proxies for this election as entitled to vote as proxy on behalf of [name the person who has appointed the proxy]?”;
 - (ii) “Have you already voted, here or elsewhere, at this election for the constituency of [name the constituency] as proxy on behalf of [name the person who has appointed the proxy]?”.
- (2) In the case of a person applying as proxy, the presiding officer may, and must if required by a polling agent, put the following additional question —
- (a) “Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of [name the person who has appointed the proxy]?”,
- and if that question is not answered in the affirmative —
- (b) “Have you already voted, here or elsewhere, at this election for the constituency of [name the constituency] on behalf of 2 persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild?”.
- (3) A ballot paper must not be delivered to any person required to answer the above questions, or any of them, unless the person has given a satisfactory answer to the question or questions.
- (4) No inquiry may be made into a person’s right to vote except in accordance with this regulation.

38 Challenge of voter

- (1) If at the time or after a person applies for a ballot paper for the purpose of voting but before the person has left the polling station, a polling agent —
 - (a) declares to the presiding officer that he or she has reasonable cause to believe that the applicant has committed an offence of personation; and
 - (b) undertakes to substantiate the charge in a court of law,

the presiding officer may order a constable to arrest the applicant, which order is sufficient authority for the constable to do so.

- (2) A person against whom a declaration is made under this regulation is not, by reason of that declaration, prevented from voting.
- (3) A person arrested under this regulation is to be dealt with as a person taken into custody by a constable for an offence without a warrant.

39 Voting procedure

- (1) A ballot paper, marked with the official mark, must be delivered to a voter who applies for it, and immediately before delivery —
 - (a) the number and name of the elector as stated in the copy of the register of electors must be called out;
 - (b) the number of the elector must be marked on the counterfoil; and
 - (c) a mark must be placed on the register of electors against the number of the elector to denote that a ballot paper has been received, but without showing the particular ballot paper which has been received.
- (2) The voter, on receiving the ballot paper, must proceed immediately and alone into one of the compartments in the polling station and there must —
 - (a) secretly mark the paper; and
 - (b) fold the paper so that the vote is concealed.
- (3) After leaving the compartment the voter must —
 - (a) return immediately to the presiding officer's table and show the back of the folded paper to the presiding officer so as to disclose the official mark; and
 - (b) put the folded ballot paper into the ballot box in the presence of the presiding officer.
- (4) The voter must leave the polling station immediately after putting the ballot paper into the ballot box.
- (5) The voter must not show the ballot paper after marking it to any person other than the presiding officer, and must show it to the presiding officer only if the voter wishes to prove that it has been spoiled.
- (6) In the case of a proxy voter, the procedure set out above is modified in accordance with paragraph 5 of Schedule 3.

40 Votes marked by presiding officer

- (1) The presiding officer, on the application of a voter who declares orally that he or she is —

- (a) incapacitated by blindness or other physical cause from voting in the manner directed by these regulations; or
 - (b) unable to read,
must, in the presence of the polling agents, cause the vote of the voter to be marked on a ballot paper in the manner directed by the voter, and the ballot paper to be placed in the ballot box.
- (2) The name and number on the register of electors of every voter whose vote is marked in pursuance of this regulation and the reason why it is so marked, must be entered on a list of votes marked by the presiding officer.
 - (3) In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name is the elector's number.

41 Tendered ballot papers

- (1) If a person representing himself or herself to be —
 - (a) a particular elector named on the register, whose name has not been ruled out as an advance voter; or
 - (b) a particular person named in the list of proxies as proxy for an elector,
applies for a ballot paper after another person has voted either as the elector or as the elector's proxy, as the case may be, the applicant must, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled to mark a ballot paper (a "**tendered ballot paper**") in the same manner as any other voter.
- (2) A tendered ballot paper must —
 - (a) be of a different colour from the other ballot papers;
 - (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by the presiding officer with the name of the voter and the voter's number in the register of electors and set aside in a separate packet.
- (3) The name of the voter and his or her number on the register of electors must be entered on a list (the "**list of tendered votes**").
- (4) In the case of a person voting as proxy for an elector, the number to be endorsed or entered together with the voter's name is the elector's number.

42 Spoilt ballot papers

A voter who has inadvertently dealt with his or her ballot paper in such manner that it cannot conveniently be used as a ballot paper may, on delivering it to the presiding officer and proving to the presiding officer's satisfaction the fact of the inadvertence, obtain another ballot paper in the place of the ballot paper so

delivered (a “**spoilt ballot paper**”), and the spoilt ballot paper must be immediately endorsed “spoilt” by the presiding officer and set aside in a separate packet.

43 Adjourning of poll in case of riot

- (1) If the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer must adjourn the proceedings until the following day and must immediately give notice to the returning officer.
- (2) Where the poll is adjourned at any polling station —
 - (a) the hours of polling on the day to which it is adjourned must be the same as for the original day; and
 - (b) references in these Regulations to the close of the poll are construed accordingly.

44 Procedure on close of poll

- (1) As soon as practicable after the close of the poll, the presiding officer must, in the presence of the polling agents (if any) —
 - (a) make up the items listed in paragraph (2) into separate packets, sealed with the presiding officer’s own seal and the seals of any polling agents wishing to affix their seals; and
 - (b) deliver them to the returning officer to take charge of.
- (2) The items are —
 - (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened but with the key (if any) attached;
 - (b) the unused ballot papers;
 - (c) the spoilt ballot papers;
 - (d) the tendered ballot papers;
 - (e) the ballot paper account;
 - (f) the marked copies of the register of electors;
 - (g) the list of proxies;
 - (h) the counterfoils of the used ballot papers;
 - (i) the list of tendered votes;
 - (j) the list of votes marked by the presiding officer, including the number of votes so marked under the heads “physical incapacity” and “unable to read”; and
 - (k) the appointments and certificates of oaths of the presiding officer and poll clerks.

DIVISION 4 - COUNTING OF VOTES

45 Attendance at count

- (1) The returning officer must make arrangements for counting the votes as soon as practicable after the close of the poll.
- (2) Only the following may be present at the counting of the votes —
 - (a) the returning officer, presiding officer, chief counting officer, poll clerks and counting clerks;
 - (b) any accredited observer;
 - (c) the candidates;
 - (d) the counting agents;
 - (e) one individual, if any, nominated by each candidate to attend; and
 - (f) any individual permitted by the returning officer to attend,and the returning officer must ensure that all such persons are informed of the arrangements for the counting of the votes.
- (3) The returning officer may impose conditions as to the conduct of persons permitted under paragraph (2) and may restrict the number of persons attending under sub-paragraph (e) of that paragraph.
- (4) The returning officer must keep order at the counting of the votes.
- (5) If a person misconducts himself or herself at the counting of the votes, or fails to obey the lawful orders of the returning officer, the person may immediately, by order of the returning officer, be removed from the place for the counting of the votes by a constable, and the person so removed may not re-enter the place for the counting of the votes during that day without the permission of the returning officer.
- (6) Any person so removed may, if charged with the commission of an offence in the place for the counting of the votes, be dealt with as a person taken into custody by a constable for an offence without a warrant.
- (7) The returning officer must give the counting agents —
 - (a) all such reasonable facilities for overseeing the proceedings (including in particular facilities for satisfying themselves that the ballot papers are correctly sorted); and
 - (b) all such information with respect to the proceedings as he or she can give them consistent with the orderly conduct of the proceedings and the discharge of his or her duties in connection with those proceedings.
- (8) In particular, if the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and counting the

number of ballot papers for each candidate, the counting agents are entitled to satisfy themselves that the ballot papers are correctly sorted.

46 The count

- (1) Before the returning officer proceeds to count the votes, the returning officer must —
 - (a) in the presence of the counting agents open each ballot box, take out the ballot papers in it, count and record them and verify each ballot paper account in accordance with paragraph (2);
 - (b) count and record such of the advance voter ballot papers as have been duly returned in accordance with paragraph (3); and
 - (c) merge the ballot papers mentioned in sub-paragraphs (a) and (b).
- (2) The returning officer must —
 - (a) verify each ballot paper account by comparing it with the number of ballot papers recorded and opening, counting the contents and resealing the packets containing the unused ballot papers, spoilt ballot papers and the list of tendered votes and adding all but the tendered ballot papers to the total; and
 - (b) draw up a statement as to the result of the verification, which any counting agent may copy.
- (3) An advance voter ballot paper is not to be taken to be duly returned unless it meets the requirements of Schedule 2.
- (4) While counting and recording the number of ballot papers and counting the votes the returning officer must keep the ballot papers face up and take all proper precautions to prevent any person seeing the numbers printed on the back.
- (5) The returning officer must, so far as practicable, proceed continuously with counting the votes.

47 Re-count

- (1) When the count or any re-count of the votes is completed, a candidate, or in a candidate's absence, any of his or her counting agents, may request the returning officer to have the votes re-counted or again re-counted, and the returning officer may refuse to do so only if he or she considers the request unreasonable.
- (2) No step may be taken on the completion of the count or any re-count of votes until the candidates or, in a candidate's absence, any of his or her counting agents then present have been given a reasonable opportunity to exercise the right conferred by this regulation.

48 Rejected ballot papers

- (1) Any ballot paper —
 - (a) not bearing the official mark;
 - (b) on which votes are given for more candidates than there are vacancies to be filled;
 - (c) on which anything is written or marked by which the voter can be identified except the printed number on the back; or
 - (d) that is unmarked or void for uncertainty,is void and must not be counted.
- (2) However, if the voter is entitled to vote for more than one candidate, a ballot paper is not void for reasons of uncertainty as respects any vote as to which no uncertainty arises, and that vote must be counted.
- (3) A ballot paper on which the vote is marked —
 - (a) elsewhere than in the proper place;
 - (b) otherwise than by means of a cross; or
 - (c) by more than one mark against the same candidate's name,is not for that reason void if it is clear that the vote is for a particular candidate and the way the paper is marked cannot identify the voter.
- (4) The returning officer must endorse the words "rejected" on any ballot paper which under this regulation is not to be counted, and if a counting agent objects to that decision must add to the endorsement the words "rejection objected to".
- (5) The returning officer must draw up a statement showing the number of ballot papers rejected under the following heads —
 - (a) want of official mark;
 - (b) voting for more candidates than there are vacancies to be filled;
 - (c) writing or mark by which voter could be identified;
 - (d) unmarked or void for uncertainty,and any counting agent may copy the statement.

49 Decisions on ballot papers

The decision of the returning officer on any question arising in respect of a ballot paper is final, but is subject to review on an election petition.

50 Equality of votes

If, after the counting of the votes (including any re-count) is completed, an equality of votes is found to exist between any candidates and the addition of a vote would entitle any of those candidates to be declared elected, the returning

officer must immediately decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

PART 4 – FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

51 Declaration of result

- (1) In an uncontested election the returning officer must immediately after the close of the period of objections to nominations –
 - (a) declare the candidate or candidates nominated to be elected; and
 - (b) give public notice of the candidate or candidates elected.
- (2) In a contested election, when the result of the poll has been ascertained, the returning officer must immediately and in public –
 - (a) declare inside, or if the returning officer considers it necessary or desirable to promote wider knowledge of the result, outside, the place of the count the candidate or candidates to whom the majority of votes has been given to be elected; and
 - (b) give notice of –
 - (i) the candidate or candidates elected;
 - (ii) the total number of votes given for each candidate;
 - (iii) the total number of voters voting at the election (other than voters whose ballot papers have been rejected under regulation 48); and
 - (iv) the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.
- (3) Notice under paragraph (1)(b) and (2)(b) must be given by posting it in one or more conspicuous places in the constituency and by depositing a copy of the notice with the Chief Secretary.
- (4) The Chief Secretary must as soon as practicable publish a notice of the names of the candidates elected, stating (in the case of a contested election) that a copy of the notice under paragraph (2)(b) may be inspected at any reasonable time at a place determined by the Chief Secretary.
- (5) The notice under paragraph (4) –
 - (a) in the case of a general election, must be a composite notice relating to all the constituencies; and
 - (b) in any other case, may be a composite notice relating to more than one constituency.
- (6) The notice under paragraph (4) must be published –

- (a) by insertion in a newspaper published and circulating within the Island; and
- (b) by display on an appropriate website in an appropriate manner, and a copy of the notice under paragraph (1)(b) or (2)(b) may also be included.

52 Return of the writ

- (1) If no candidates stand nominated at the close of the period for objections to nominations and therefore no candidates be elected, the returning officer must make a special return of the writ setting out the facts.
- (2) In an uncontested election —
 - (a) the return of a member or members elected for any constituency must be made by a certificate in the form specified endorsed by the returning officer on the writ of election;
 - (b) a photocopy of the certificate or a handwritten copy of it must be handed by the returning officer to each candidate elected at a time and place agreed between the returning officer and the candidate within 24 hours of the close of the period for objections to nominations; and
 - (c) if the number of candidates elected is less than there are vacancies to be filled up, the returning officer must make a special return of the writ setting out the facts.
- (3) In a contested election —
 - (a) the return of a member or members elected for any constituency must be made by a certificate in the form specified endorsed by the returning officer on the writ of election;
 - (b) a photocopy of the certificate or a handwritten copy of it must be handed by the returning officer to each candidate elected at a time and place agreed between the returning officer and the candidate within 24 hours of the declaration of the result; and
 - (c) if the number of candidates elected is less than there are vacancies to be filled up, the returning officer must make a special return of the writ setting out the facts.

PART 5 – DISPOSAL OF DOCUMENTS

DIVISION 1 – UNCONTESTED ELECTIONS

53 Delivery of documents to Clerk of the Rolls

- (1) The returning officer must as soon as practicable and, in any event, within 7 days of nomination day (day 13) —

- (a) endorse on each of the packets of documents listed in paragraph (2) a description of its contents, the date of the election to which it relates and the name of the constituency for which the election was held; and
 - (b) Forward the packets to the Clerk of the Rolls.
- (2) The packets of documents are –
 - (a) the oath of the returning officer annexed to the writ, the latter endorsed in accordance with regulation 52(2)(a);
 - (b) the appointments attached to the oaths for each deputy returning officer; and
 - (c) the nomination papers.
- (3) Any other documents in the returning officer's possession must be dealt with by the returning officer in a secure and appropriate manner.

DIVISION 2 – CONTESTED ELECTIONS

54 Sealing up of ballot papers

- (1) On the completion of the counting of the votes the returning officer must seal up in separate packets the counted and rejected ballot papers.
- (2) The returning officer must not open the sealed packets of tendered ballot papers or of counterfoils, or of the marked copies of the register of electors.

55 Delivery of documents to Clerk of the Rolls

- (1) The returning officer must as soon as practicable and in any event within 7 days of declaring the result of the poll –
 - (a) endorse on each of the packets of documents listed in paragraph (2) a description of its contents, the date of the election to which it relates and the name of the constituency for which the election was held; and
 - (b) forward the packets to the Clerk of the Rolls.
- (2) The packets of documents are –
 - (a) documents present or generated at the count –
 - (i) the ballot papers (including the advance voter ballot papers which will have been mixed in with the other ballot papers accepted at the polling station);
 - (ii) the rejected ballot papers;
 - (iii) the constituency ballot paper account;
 - (iv) the statements of rejected ballot papers;

- (v) the statements of the result of the verification of the ballot paper accounts;
 - (vi) the oath of the returning officer annexed to the writ, the latter endorsed in accordance with regulation 52(3)(a);
 - (vii) the rejected advance votes under paragraph 24 of Schedule 2;
 - (viii) the rejected declarations of identity under paragraph 24 of Schedule 2;
 - (ix) the rejected ballot paper envelopes under paragraph 24 of Schedule 2;
 - (x) the lists of spoilt and lost advance voter ballot papers under paragraph 24 of Schedule 2;
 - (xi) valid declarations of identity under paragraph 24 of Schedule 2; and
 - (x) the list of rejected advance voter ballot papers under paragraph 21 of Schedule 2;
- (b) documents in the returning officer's possession —
- (i) the appointments attached to the oaths for each deputy returning officer, certifying officer, presiding officer, poll clerk, chief counting officer and counting clerk;
 - (ii) the nomination papers;
 - (iii) applications for an advance vote under paragraph 1 of Schedule 2;
 - (iv) counterfoils of issued advance voter ballot papers, unused advance voter ballot papers and list of advance voters under paragraph 16 of Schedule 2;
 - (v) the packet of spoilt advance voter ballot papers, declarations of identity and ballot paper envelopes under paragraph 14(7) of Schedule 2;
 - (vi) list of spoilt advance voter ballot papers under paragraph 14(9) of Schedule 2;
 - (vii) the advance voter ballot paper account;
 - (viii) the notifications of appointment of polling agents and counting agents; and
 - (viii) the declarations of secrecy;
- (c) documents from the presiding officers (keeping each item in a separate packet, but including all such items from all polling stations) —
- (i) the unused ballot papers;
 - (ii) the spoilt ballot papers;
 - (iii) the tendered ballot papers;

- (iv) the polling station ballot paper accounts;
 - (v) the marked copies of the registers of electors;
 - (vi) the lists of proxies;
 - (vii) the counterfoils of the used ballot papers;
 - (viii) the list of tendered votes; and
 - (ix) the list of votes marked by the presiding officer, including the number of votes so marked under the heads “physical incapacity” and “unable to read”.
- (3) If any covering envelopes are received by the returning officer after the close of the poll or any envelopes addressed to advance voters are returned as undelivered too late to be re-addressed, the returning officer must put them unopened into a separate packet, seal it up and forward it to the Clerk of the Rolls within 7 days of declaring the result of the poll or the receipt of the relevant envelope, whichever is later.
- (4) Any other documents in the returning officer’s possession must be dealt with by the returning officer in a secure and appropriate manner.

56 Orders for production of documents

- (1) An order –
- (a) for the inspection or production of any rejected ballot papers in the custody of the Clerk of the Rolls; or
 - (b) for the opening of a sealed packet of counterfoils or the inspection of any counted ballot papers in the custody of the Clerk of the Rolls,
- may be made by the Keys or, if satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers or for the purpose of an election petition, by a Deemster.
- (2) An order under this regulation may be made subject to conditions as to persons, time, place and mode of inspection, production or opening as the Keys or the judge making the order thinks expedient.
- (3) In making and carrying into effect an order for the opening of a packet of counterfoils or for the inspection of counted ballot papers, care must be taken not to disclose the way in which the vote of any particular elector has been given until it has been proved that the vote was given and has been declared by a competent court to be invalid.
- (4) If an order is made for the production by the Clerk of the Rolls of any document in the possession of the Clerk of the Rolls relating to any specified election, the production of the document by the Clerk of the Rolls or an agent of the Clerk of the Rolls, in such manner as may be required by that order –

- (a) is conclusive evidence that the document relates to the specified election; and
 - (b) any endorsement on a packet of ballot papers so produced is *prima facie* evidence that the ballot papers are what they are stated to be by the endorsement.
- (5) The production from proper custody of —
- (a) a ballot paper purporting to have been used at an election, and
 - (b) a counterfoil marked with the same printed number and having a number marked on it in writing,
- (6) is *prima facie* evidence that the elector whose vote was given by that ballot paper was the person who at the time of the election had affixed to his or her name in the register of electors the same number as the number written on the counterfoil.
- (7) No person may —
- (a) inspect any rejected or counted ballot papers in the possession of the Clerk of the Rolls; or
 - (b) open any sealed packets of counterfoils,
- except as provided in accordance with this regulation.

57 Retention and public inspection of documents

- (1) The Clerk of the Rolls must retain for a year all documents relating to an election received under regulation 53 or regulation 55 from a returning officer, and then, unless otherwise directed by order of the Keys or a Deemster, must cause them to be destroyed.
- (2) The documents, apart from ballot papers and counterfoils, must be open to public inspection at such time and subject to such conditions as the Clerk of the Rolls may decide.

MADE 17 DECEMBER 2015

W GREENHOW
Chief Secretary

SCHEDULE 1

[Regulations 5, 6 and 33]

[Schedule 2 paragraph 7]

OATHS OF OFFICE AND DECLARATION OF SECRECY**PART 1 – OATH OF OFFICE OF RETURNING OFFICER**

I, _____ having been appointed
Returning Officer for the constituency of

do solemnly swear [or affirm] that I am qualified according to law to act as Returning
Officer for the said constituency and that I will act faithfully in that capacity, without
partiality, fear, favour or affection.

Signature _____

Date _____

In the presence of _____

([Justice of the Peace] [Commissioner for Oaths])

Date _____

**PART 2 – OATH OF OFFICE OF DEPUTY RETURNING
OFFICER**

I, _____ having been appointed
Deputy Returning Officer for the constituency of

do solemnly swear [or affirm] that I am qualified according to law to act as Deputy
Returning Officer for the said constituency and that I will act faithfully in that capacity,
without partiality, fear, favour or affection.

Signature _____

Date _____

In the presence of _____

(Returning Officer)

Date _____

PART 3 – OATH OF OFFICE OF OTHER OFFICERS AND CLERKS

I, _____ having been appointed
*[Presiding Officer] [Poll Clerk] [Chief Counting Officer] [Counting Clerk] [Certifying
Officer] for the constituency of

_____ do solemnly swear [or affirm] that I am qualified according to law to act as such for the
said constituency and that I will act faithfully in that capacity, without partiality, fear,
favour or affection.

Signature _____

Date _____

In the presence of _____

(Returning Officer)

Date _____

PART 4 – DECLARATION OF SECRECY OF RETURNING OFFICER/DEPUTY RETURNING OFFICER

I, _____, having been appointed *[Returning
Officer] [Deputy Returning Officer] solemnly promise and declare that I will not,
except for any purpose authorised by law, communicate to any person any information
as to –

- (a) the name or number on the register of electors of any person who has or has not applied for an advance vote ballot paper;
- (b) the candidate to whom any advance voter has given his or her vote; or
- (c) the official mark for advance vote ballot papers,

and I will not do anything forbidden by section 47 of the Representation of the People Act 1995, which reads –

“47 Requirement of secrecy

- (1) Every person to whom this subsection applies shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to –

- (a) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;

- (b) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
 - (c) the official mark.
- (2) Subsection (1) applies to —
 - (a) a returning officer;
 - (b) a presiding officer or clerk attending at a polling station;
 - (c) every candidate or agent so attending.
- (3) Every person attending at the counting of votes shall maintain and aid in maintaining the secrecy of the voting and shall not —
 - (a) ascertain at the counting of the votes the number on the back of any ballot paper;
 - (b) communicate any information obtained at the counting of the votes as to the candidates for whom any vote is given in any particular ballot paper.
- (4) No person shall —
 - (a) interfere with a voter when recording his or her vote;
 - (b) otherwise obtain, or attempt to obtain, in a polling station information as to the candidate for whom a voter in that station is about to vote, or has voted;
 - (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number on the back of the ballot paper given to a voter at that station;
 - (d) directly or indirectly induce a voter to display his or her ballot paper after he or she has marked it so as to make known to any person the name of the candidate for whom he or she has or has not voted.
- (5) If any person acts in contravention of this section, he or she is guilty of an offence and liable on summary conviction to custody for a term not exceeding 6 months.”

Signature _____

Date _____

In the presence of _____

([Justice of the Peace] [Commissioner for Oaths])

Date _____

PART 5 – DECLARATION OF SECRECY OF CERTIFYING OFFICER

I, _____, having been appointed Certifying Officer solemnly promise and declare that I will not, except for a purpose authorised by law, communicate to any person any information as to —

- (a) the name or number on the register of electors of any person who has or has not applied for an advance vote ballot paper;
- (b) the candidate to whom any advance voter has given his or her vote; or
- (c) the official mark for advance vote ballot papers.

Signature _____

Date _____

In the presence of _____

(Returning Officer)

Date _____

PART 6 – DECLARATION OF SECRECY OF OTHERS

I, _____, as [*insert description of category under which declaration is being made*] solemnly promise and declare that I will not do anything forbidden by section 47 of the Representation of the People Act 1995, which reads –

“47 Requirement of secrecy

- (1) Every person to whom this subsection applies shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to —
 - (a) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
 - (b) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
 - (c) the official mark.
- (2) Subsection (1) applies to —
 - (a) a returning officer;
 - (b) a presiding officer or clerk attending at a polling station;
 - (c) every candidate or agent so attending.
- (3) Every person attending at the counting of votes shall maintain and aid in maintaining the secrecy of the voting and shall not —

- (a) ascertain at the counting of the votes the number on the back of any ballot paper;
 - (b) communicate any information obtained at the counting of the votes as to the candidates for whom any vote is given in any particular ballot paper.
- (4) No person shall —
- (a) interfere with a voter when recording his or her vote;
 - (b) otherwise obtain, or attempt to obtain, in a polling station information as to the candidate for whom a voter in that station is about to vote, or has voted;
 - (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number on the back of the ballot paper given to a voter at that station;
 - (d) directly or indirectly induce a voter to display his or her ballot paper after he or she has marked it so as to make known to any person the name of the candidate for whom he or she has or has not voted.
- (5) If any person acts in contravention of this section, he or she is guilty of an offence and liable on summary conviction to custody for a term not exceeding 6 months.”

Signature _____

Date _____

In the presence of _____

([Justice of the Peace] [Commissioner for Oaths] [Returning Officer])

Date _____

SCHEDULE 2

[Regulation 26]

ADVANCE VOTES**PART 1 - APPLICATIONS****1 General requirements for applications for an advance vote**

- (1) An application under section 26 must be made in writing on a form specified and be signed and dated by the elector or, if the elector has nominated one, the elector's proxy ("the applicant").
- (2) The application must include the following —
 - (a) the full name of the applicant and address in respect of which the applicant is registered; and
 - (b) identification of the election in respect of which it is made.For the sake of clarity, sub-paragraph (2) does not prevent further information from being required.
- (3) The returning officer may take such steps as he or she deems necessary to ensure an application is from the person purporting to be that elector.

2 Closing date for applications

An application for an advance vote must be made to the returning officer so as to reach the returning officer —

- (a) where the advance voter's ballot paper is to be marked in the Island, by 5.00 p.m. on day 36; or
- (b) where the advance voter's ballot paper is to be marked in the British Islands but outside the Island, by 5.00 p.m. on day 32.

3 Grant or refusal of applications

- (1) Where the returning officer grants an application under section 26 to allow an advance vote, the returning officer must —
 - (a) notify the applicant of the decision;
 - (b) enter the applicant's number and name on the list of advance voters; and
 - (c) rule out, initial and place the letter "A" against the particulars of the elector on the register of electors to be used at the polling station.
- (2) When refusing an application, the returning officer must notify the applicant of the decision and of the reason for it.

4 List of advance voters

- (1) The returning officer must, in respect of each election, keep –
 - (a) a list of those whose applications to be advance voters have been granted (the “**list of advance voters**”); and
 - (b) a list of the addresses provided in their applications as the addresses to which their ballot papers are to be sent.
- (2) A record of all communications sent to or by the returning officer in respect of advance votes must be kept, together with all such particulars as will enable the sender of incoming communications and the recipient of outgoing communications to be identified and the date and time of receipt or despatch (as the case requires).
- (3) The lists under sub-paragraph (1) and the record under sub-paragraph (2) may –
 - (a) be held in electronic form; and
 - (b) in any event, be contained in a single document.
- (4) The returning officer must send a copy of the list of advance voters to the Chief Secretary by 5.00 p.m. on day 28.

PART 2 - ISSUE AND RECEIPT OF ADVANCE VOTER BALLOT PAPERS

DIVISION 1 - ISSUE

5 Time when advance voter ballot papers are to be issued

If a returning officer is satisfied that the applicant is entitled to be treated as an advance voter the returning officer must issue an advance voter ballot paper –

- (a) where it is to be marked in the Island, by 5.00 p.m. on day 39; or
- (b) where it is to be marked in the British Islands but outside the Island, by 5.00 p.m. on day 36.

6 Certifying officers

- (1) The following persons may act as a certifying officer under paragraphs 9 and 13, namely –
 - (a) where the advance voter ballot paper is marked in the Island –
 - (i) the returning officer for the constituency in which the advance voter is entitled to vote; or
 - (ii) a person appointed by the returning officer in accordance with paragraph 7.

- (b) where the advance voter ballot paper is marked in the British Islands but outside the Island, a person –
 - (i) of reasonable standing in the community; or
 - (ii) approved by the returning officer.

This is subject to sub-paragraph (2).

- (2) Although a person may be otherwise qualified to act as a certifying officer, no person may act as such if the person is –
 - (a) a candidate;
 - (b) the spouse or civil partner of a candidate; or
 - (c) a polling agent or counting agent appointed by a candidate.
- (3) For the purposes of paragraph (1) a person is “of reasonable standing in the community” if he or she is any of the following –
 - (a) a consular official;
 - (b) a justice of the peace;
 - (c) a minister of religion authorised to solemnise marriages;
 - (d) an advocate, barrister, solicitor or notary public;
 - (e) a physician, surgeon or dental surgeon;
 - (f) an accountant;
 - (g) a commissioned officer in Her Majesty’s armed forces;
 - (h) a master of a British ship;
 - (i) a manager of a commercial bank or of any branch of such a bank;
 - (j) a member of the academic staff of a university, university college or other institution of further or higher education;
 - (k) a civil servant of the grade of Executive Officer or above;
 - (l) a police officer; or
 - (m) the manager of a hospital, nursing home or residential care home where the advance voter is resident.

7 Appointment of certifying officer by returning officer

- (1) The returning officer may appoint one or more certifying officers and must do so in a form specified.
- (2) On making an appointment under sub-paragraph (1) the returning officer must –
 - (a) immediately administer an oath in the form set out in Part 3 of Schedule 1;
 - (b) attach the certificate of the oath to the appointment; and
 - (c) provide the certifying officer with written evidence of his or her appointment.

- (3) Every certifying officer appointed under sub-paragraph (1) must, before entering upon his or her duties as such, sign a declaration of secrecy in the form set out in Part 5 of Schedule 1 in the presence of the returning officer.
- (4) A certifying officer may be appointed for a number of constituencies.

8 Provision of advance voter ballot papers to be marked in the Island

- (1) The returning officer must issue a ballot paper, a declaration of identity and envelopes in accordance with paragraphs 10, 11 and 12 and these documents will be collated into a packet and delivered to the advance voter and the advance voter must present these documents to a certifying officer before proceeding to vote in accordance with paragraph 13.
- (2) For the delivery of the packet mentioned in sub-paragraph (1), the returning officer may use —
 - (a) a universal postal service provider;
 - (b) a commercial delivery firm; or
 - (c) a person designated to do so by the returning officer.
- (3) Where communications are posted or delivered on behalf of the returning officer, any cost of so doing must be paid in advance by the returning officer.
- (4) The returning officer may invite the advance voter to attend for the purposes of voting, with proof of identity, at a location specified by the returning officer.
- (5) If, however, the advance voter provides a reason acceptable to the returning officer as to why he or she requires to vote at the place where he or she is residing, the returning officer must make the necessary arrangements.

9 Provision of advance voter ballot papers to be marked in the British Islands but outside the Island

- (1) The returning officer must issue a ballot paper, a declaration of identity and envelopes in accordance with paragraphs 10, 11 and 12 and these documents will be collated into a packet and delivered to the advance voter, and the advance voter must present these documents to a certifying officer before proceeding to vote in accordance with paragraph 13.
- (2) For the delivery of the packet mentioned in sub-paragraph (1), the returning officer may use —
 - (a) a universal postal service provider; or
 - (b) a commercial delivery firm.
 - (c) a person designated to do so by the returning officer.

- (3) Where communications are posted or delivered on behalf of the returning officer, any cost of so doing must be paid in advance by the returning officer.

10 Procedure on issue of advance voter ballot paper

- (1) No person may be present at the proceedings on the issue of advance voter ballot papers other than the returning officer, certifying officer or advance voter.
- (2) Every advance voter ballot paper issued must be stamped with an official mark that is different from the official mark to be used in that constituency on polling day.
- (3) The number of the elector as stated in the register must be marked on the counterfoil attached to the ballot paper.
- (4) A mark must be placed on the list of advance voters against the number of the elector to denote that a ballot paper has been issued to the elector, but without showing the particular ballot paper issued.
- (5) The number of an advance voter ballot paper must be marked on the declaration of identity issued with that paper.
- (6) The returning officer must take proper precautions for the security of the list of advance voters and the counterfoils of those ballot papers that have been issued until the packets containing them have been sealed.

11 Form of declaration of identity

The form of the declaration of identity accompanying the ballot paper provided to an advance voter must include the advance voter ballot paper number and incorporate a certificate as to the execution of the declaration and be in the form specified.

12 Envelopes

- (1) For every advance vote, in addition to the ballot paper and declaration of identity, the returning officer must issue —
 - (a) an envelope for the ballot paper (a “ballot paper envelope”) marked with —
 - (i) the letter “A”;
 - (ii) the words “ballot paper envelope”; and
 - (iii) the number of the ballot paper;
 - (b) a larger “covering envelope” marked with the letter “B” for the advance voter’s sealed ballot paper envelope and the declaration of identity.

- (2) The covering envelope must be marked “Advance Voter Ballot Paper” and addressed to the returning officer at such place as the returning officer thinks most convenient and expeditious.

13 Voting by advance voters

- (1) Before marking the ballot paper, the advance voter must produce to a certifying officer satisfactory evidence of the voter’s identity.
- (2) For the purposes of sub-paragraph (1) any of the following constitutes satisfactory evidence –
 - (a) a valid passport;
 - (b) a valid national identity document issued by the Government of a Member State of the European Union;
 - (c) a valid full or provisional driving licence granted under the law for the time being in force in the Island;
 - (d) a valid proof of age card or bus pass issued by the relevant issuing authority in the Island; or
 - (e) any other document or combination of documents acceptable to the certifying officer in establishing the advance voter’s identity.
- (3) The advance voter must sign the declaration of identity before the certifying officer; but if the advance voter is unable to sign the declaration the certifying officer, on satisfying himself or herself as to the identity of the advance voter, must write the name of the advance voter on the declaration and add the words “Advance voter unable to sign”.
- (4) The advance voter must then vote secretly by marking the ballot paper in the presence but not in the sight of the certifying officer, and insert the ballot paper into the envelope marked “A” and the said envelope and the declaration of identity in envelope marked “B” and seal the envelope.
- (5) If the advance voter is unable to mark the ballot paper personally, the certifying officer must, on request, mark the ballot paper as the advance voter directs.
- (6) But, other than as set out in this paragraph, the advance voter must not allow any person to see how he or she voted.
- (7) Once the advance voter ballot paper has been marked (whether in the Island or elsewhere) it may be delivered to the returning officer at any time before 8.00 p.m. on polling day (day 42).

14 Spoilt advance ballot paper or declaration of identity

- (1) If an advance voter has inadvertently dealt with his or her ballot paper or declaration of identity in such a manner that it cannot be conveniently used as a ballot paper (a “**spoilt advance voter ballot paper**”) or, as the case may be, a declaration of identity (a “**spoilt declaration of identity**”)

he or she may return (either by hand or by post) to the returning officer the spoilt absent voter ballot paper or, as the case may be, the spoilt declaration of identity.

- (2) Where an advance voter exercises the entitlement conferred by sub-paragraph (1), he or she must also return —
 - (a) the advance voter ballot paper or, as the case may be, the declaration of identity, whether spoilt or not; and
 - (b) any envelopes supplied for the return of the documents mentioned in sub-paragraph (1).
- (3) On receipt of the documents referred to in sub-paragraphs (1) and (2), the returning officer must issue a replacement advance voter ballot paper and declaration of identity.
- (4) However, where those documents are received after 5.00 p.m. on day 39, the returning officer may issue another advance voter ballot paper and declaration of identity, only if the advance voter returned the documents by hand.
- (5) The following apply to the issue of a replacement advance voter ballot paper under sub-paragraph (3) as they apply to the issue of an advance voter ballot paper —
 - (a) paragraph 10 (other than sub-paragraph (4));
 - (b) paragraph 12; and
 - (c) paragraph 8(2) or 9(2) as the case requires, but subject to sub-paragraph (8) of this paragraph.
- (6) The spoilt advance voter ballot paper, the declaration of identity and any ballot paper envelope must be immediately endorsed as spoilt.
- (7) As soon as practicable after endorsing the documents as mentioned in sub-paragraph (6) the returning officer must place them in a separate sealed packet and if on any subsequent occasion documents are cancelled as mentioned above, the returning officer must open the sealed packet and place the additional cancelled documents inside before re-sealing the packet.
- (8) If an advance voter applies in person, the returning officer may hand a replacement advance voter ballot paper to the voter instead of delivering it in accordance with paragraph 8(2) or paragraph 9(2).
- (9) The returning officer must enter on a list kept for the purposes of this paragraph (“**list of spoilt advance votes**”) —
 - (a) the name and number of the elector as stated in the register; and
 - (b) the number of the replacement advance voter ballot paper issued under this paragraph.

15 Lost advance voter ballot papers

- (1) If an advance voter has not received his or her advance voter ballot paper by day 35, he or she may request the returning officer to issue a replacement ballot paper. The request need not be made in person.
- (2) If the request is received by the returning officer before the deadline set in paragraph 2 and the returning officer —
 - (a) is satisfied as to the voter's identity; and
 - (b) has no reason to doubt that the advance voter did not receive the original advance voter ballot paper,the returning officer must issue a replacement advance voter ballot paper.
- (3) The returning officer may issue a replacement advance voter ballot paper after the time specified in sub-paragraph (2) if satisfied that it is still possible for the paper to be completed and returned to the returning officer before 8.00 p.m. on polling day (day 42).
- (4) The returning officer must enter on a list kept for the purposes of this paragraph ("**list of lost advance votes**") —
 - (a) the name and number of the elector as stated in the register; and
 - (b) the number of the replacement advance voter ballot paper issued.
- (5) The following apply to the issue of a replacement advance voter ballot paper under sub-paragraph (2) as they apply to the issue of an advance voter ballot paper —
 - (a) paragraph 10 (other than sub-paragraph (4));
 - (b) paragraph 12; and
 - (c) paragraph 8(2) or 9(2) as the case requires, but subject to sub-paragraph (6) of this paragraph.
- (6) If an advance voter applies in person, the returning officer may hand a replacement advance voter ballot paper to the advance voter instead of delivering it in accordance with paragraph 8(2) or paragraph 9(2).

16 Sealing up of counterfoils and list of advance voters

As soon as practicable after the issue of the last advance voter ballot paper the returning officer must —

- (a) note on the advance voter ballot paper account the total number of ballot papers issued to advance voters;
- (b) make up into separate packets —
 - (i) the counterfoils of those ballot papers that have been issued;

- (ii) any unused ballot papers other than those to be used at a polling station; and
 - (iii) the list of advance voters, or a printed copy of the list if maintained electronically under paragraph 4(3)(a); and
- (c) seal the packets.

DIVISION 2 - RECEIPT

17 Receipt of advance voter ballot papers

- (1) Where an advance voter ballot paper is marked in the Island, the certifying officer must ensure the covering envelope is as soon as practicable delivered unopened to the returning officer.
- (2) Where the advance voter ballot paper is marked in the British Islands but outside the Island the covering envelope must, as soon as practicable after receipt at the place to which it is addressed, be delivered unopened to the returning officer.
- (3) Subject to sub-paragraph (4), as soon as practicable after the close of the poll the presiding officer of the polling station must deliver any advance voter ballot paper or declaration of identity returned to that station to the returning officer in the same manner and at the same time as the presiding officer delivers the packets referred to in regulation 44(2).
- (4) The returning officer may collect any advance voter ballot paper or declaration of identity which by virtue of sub-paragraph (3) the presiding officer of a polling station would otherwise be required to deliver to him or her.
- (5) Where the returning officer collects any advance voter ballot paper or declaration of identity in accordance with sub-paragraph (4) the presiding officer must first make those documents up into separate sealed packets.
- (6) The returning officer must ensure that any covering envelopes, ballot papers or declarations of identity in his or her possession under this paragraph are stored securely until the returning officer deals with them in accordance with Part 3 of this Schedule.

PART 3 – PROCESSING OF ADVANCE VOTER BALLOT PAPERS AND DECLARATIONS OF IDENTITY

18 Presence at opening of advance voter ballot papers

No person may be present at the opening of advance voter ballot papers other than those permitted to attend the counting of the votes under regulation 45.

19 Procedure in relation to declarations of identity

- (1) The returning officer must open the covering envelope for every advance voter ballot paper and, if no declaration of identity is included, mark the ballot paper envelope, or if there is no such envelope, the ballot paper “provisionally rejected” and, subject to sub-paragraph (4), place it in the receptacle for rejected votes.
- (2) The returning officer must then satisfy himself or herself that the declaration of identity has been duly completed by the voter and certifying officer (a “**valid declaration of identity**”).
- (3) If the returning officer is not so satisfied, the returning officer must mark the declaration “rejected”, attach to it the ballot paper envelope, or if there is no such envelope, the ballot paper and, subject to sub-paragraph (4), place it in the receptacle for rejected votes.
- (4) Before placing the declaration in the receptacle for rejected votes, the returning officer must show it to any agents present and, if any of them object to his or her decision, he or she must add the words “rejection objected to”.
- (5) The returning officer must then compare the number on the valid declaration of identity with the number on the ballot paper envelope and, if they are the same, he or she must place the declaration and the ballot paper envelope in the appropriate receptacles for those documents.
- (6) If there is a valid declaration of identity but no ballot paper envelope, the returning officer must place —
 - (a) in the receptacle for valid votes, any ballot paper the number on which is the same as the number on the declaration of identity;
 - (b) in the receptacle for valid declarations of identity, any declaration of identity relating to head (a);
 - (c) in the receptacle for rejected votes, any other ballot paper, to which must be attached the declaration of identity marked “provisionally rejected”; and
 - (d) in the receptacle for rejected declarations of identity, any declaration of identity not disposed of under head (b) or (c).
- (7) If the number on a valid declaration of identity does not match the number on the ballot paper envelope, or if that envelope has no number on it, the returning officer must open the envelope.
- (8) Where an envelope has been opened under sub-paragraph (7), the returning officer must —
 - (a) place in the receptacle for valid votes any ballot paper the number on which matches the number on the valid declaration of identity;

- (b) place in the receptacle for valid declarations of identity, any such declaration relating to head (a);
- (c) place in the receptacle for rejected votes any other ballot paper, to which must be attached the declaration of identity marked “provisionally rejected”; and
- (d) place in the receptacle for rejected ballot paper envelopes any declaration of identity marked “provisionally rejected” attached to a ballot paper envelope that does not contain a ballot paper.

20 Opening of ballot paper envelopes

The returning officer must open separately each ballot paper envelope placed in the receptacle for ballot paper envelopes and place —

- (a) in the receptacle for valid votes, any advance voter ballot paper the number on which matches the number on the ballot paper envelope;
- (b) in the receptacle for rejected votes, any other ballot paper which must be marked “provisionally rejected” and to which must be attached the ballot paper envelope; and
- (c) in the receptacle for rejected ballot paper envelopes, any ballot paper envelope which must be marked “provisionally rejected” because it does not contain a ballot paper.

21 Lists of rejected advance voter ballot papers

- (1) In respect of any election, the returning officer must keep a list of rejected advance voter ballot papers.
- (2) The list under sub-paragraph (1) must record the ballot paper number of any rejected declaration of identity or advance voter ballot paper and the reason for its rejection.

22 Checking of lists kept under paragraph 21

The returning officer must make every effort to reconcile any declarations of identity, ballot paper envelopes or ballot papers that do not immediately correspond but which the returning officer determines may be deemed duly returned.

23 Completion of advance voter ballot paper account

As soon as practicable after the completion of the procedure under paragraph 22, the returning officer must complete the advance voter ballot paper account by recording the number of returned advance voter ballot papers, rejected advance voter ballot papers and counted advance voter ballot papers.

24 Sealing of receptacles

- (1) As soon as practicable after the completion of the procedure under paragraph 23, the returning officer must make up into separate sealed packets the —
 - (a) rejected votes;
 - (b) valid declarations of identity;
 - (c) rejected declarations of identity;
 - (d) rejected ballot paper envelopes; and
 - (e) the lists of spoilt and lost advance voter ballot papers.
- (2) Any document in those packets marked “provisionally rejected” is deemed to be marked “rejected”.

SCHEDULE 3

[Regulation 27]

PROXY VOTES**1 Application for the appointment of a proxy**

- (1) An application under section 27 must comply with the requirements of this paragraph and such further requirements in this Schedule as are relevant.
- (2) The application must be made on a form specified and include –
 - (a) the full name of the applicant;
 - (b) the address in respect of which the applicant is registered or has applied to be (or is treated as having applied to be) registered in the register;
 - (c) the full name and address of the person whom the applicant wishes to appoint as proxy, together with the person's family relationship, if any, with the applicant;
 - (d) the date of the election for which it is made;
 - (e) a statement by the applicant that he or she has consulted the person so named and that that person is capable of being and willing to be appointed to vote as the applicant's proxy; and
 - (f) the applicant's signature and the date the application is signed.

For the sake of clarity, sub-paragraph (2) does not prevent further information from being required.

- (3) An application for the appointment of a proxy must be disregarded for the purposes of any particular election unless it is received by the Electoral Registration Officer by 5.00 p.m. on day 36.

2 Determination of applications

- (1) Where the Electoral Registration Officer allows an application for the appointment of a proxy, the Electoral Registration Officer must –
 - (a) appoint the proxy in the manner specified by the Chief Secretary; and
 - (b) confirm in writing to the elector that the proxy has been appointed, the proxy's name and address, and the election for which the proxy has been so appointed.
- (2) The Electoral Registration Officer must keep a list of the electors in respect of whom appointments of proxies have been made, together with the names and addresses of their proxies (the "**list of proxies**").

- (3) Where the Electoral Registration Officer disallows an application the Electoral Registration Officer must notify the applicant and the proxy of his or her decision and the reasons for it.

3 Revocation of the appointment of a proxy

- (1) Where the appointment of a proxy is revoked by notice given to the Electoral Registration Officer, by either the elector or the proxy, the Electoral Registration Officer must –
 - (a) notify the elector that the appointment as proxy has been revoked and, if appropriate, replaced;
 - (b) notify the person whose appointment as proxy has been revoked; and
 - (c) remove the proxy's name and, if appropriate, the applicant's name from the list of proxies.
- (2) Where the elector applies for another person to be appointed as proxy and that application is approved by the Electoral Registration Officer, the Electoral Registration Officer must –
 - (a) appoint the proxy in the manner specified by the Chief Secretary;
 - (b) confirm in writing to the elector that the appointment of the original proxy has been removed, that the new proxy has been appointed, the new proxy's name and address and the election for which the proxy has been so appointed;
 - (c) notify the person whose appointment as proxy has been revoked; and
 - (d) replace the name of the person originally appointed as proxy with the new appointment in the list of proxies.
- (3) The revocation of a proxy by written request or by replacement must be disregarded for the purposes of a particular election unless it is received by the Electoral Registration Officer by 5.00 p.m. on day 36.

4 Issue of list of proxies

The Electoral Registration Officer must, by 5.00 p.m. on day 39, issue to the returning officer of a constituency where there is to be a contested election a copy of the list of proxies for that election.

5 Voting by proxy

- (1) A person entitled to vote as proxy may do so in person at the polling station allotted to the elector on production to the presiding officer of the document of appointment issued by the Electoral Registration Officer.

- (2) The procedure to be followed is that laid down in regulation 39 except that the presiding officer must also delete the proxy from the list of proxies on the issue to him or her of a ballot paper.
- (3) The presiding officer may require the proxy to provide satisfactory evidence of identity before issuing a ballot paper.
- (4) The production of any of the following documents shall be considered to be satisfactory evidence for the purposes of sub-paragraph (3) —
 - (a) a valid passport;
 - (b) a valid national identity document issued by the Government of a Member State of the European Union;
 - (c) a valid full or provisional driving licence granted under the law for the time being in force in the Island;
 - (d) a valid proof of age card or bus pass issued by the relevant issuing authority in the Island; or
 - (e) any other document or combination of documents acceptable to the presiding officer in establishing the proxy's identity.

*EXPLANATORY NOTE**(This note is not part of the Regulations)*

These Regulations are made under the Representation of the People Act 1995 ('the Act') and apply to the general election of the House of Keys in 2016 and every election to that House thereafter.

The Representation of the People (Amendment) Act 2015 repealed the Election Rules (previously Schedule 2 to the Act) and these Regulations revoke and replace the Representation of the People Regulations 2006.

These Regulations merge the previous Rules and Regulations governing the conduct of Keys elections to form one consolidated set of Regulations. The manner in which elections are conducted will remain unchanged in the majority but certain provisions have been adjusted and various structural and clarifying amendments have been incorporated into these Regulations.

These Regulations deal with the following matters —

Part 1 is introductory.

Part 2 prescribes the stages of an election that relate to both contested and uncontested elections including, in particular, the process of nomination of candidates.

Part 3 sets out provisions that only apply to contested elections including, in particular, actions to be taken before the poll, the poll itself and the count.

Part 4 specifies the means of declaring the result of an election and returning the writ whether an election is contested or uncontested.

Part 5 prescribes the mechanisms by which election documents are disposed of through the Clerk of the Rolls, whether the election is contested or uncontested.

Schedule 1 sets out prescribed forms; the oath of office and the declaration of secrecy. Different oaths/declarations are prescribed for different persons who must take such oaths/declarations.

Schedule 2 specifies the manner in which an elector can vote ahead of the election by casting an advance vote. An advance voter must have an address in the Island or elsewhere in the British Islands to which an advance voter ballot paper can be sent.

Schedule 3 specifies the manner in which an elector can appoint another person to vote on their behalf by casting a proxy vote. Only electors that cannot vote in person, either at the polling station or in advance, may appoint a proxy.