

Your attention is drawn to the relevant provisions of paragraph 27 of Schedule 9 to the Electoral Law Act (Northern Ireland) 1962 which apply to this election, and in particular to the maximum penalty for anyone guilty of an electoral offence. Level 5 is currently set at £5,000. It is the policy of the Chief Electoral Officer to report to the police any person suspected of breaking any of these provisions.

- (1) A person attending at or admitted to a polling station in any capacity at an election shall be guilty of an electoral offence if before the poll is closed he communicates to any other person any information as to –
 - (a) the name of any elector or proxy who has or has not applied for a ballot paper or voted at a polling station; or
 - (b) the number on the register 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) Any person attending in any capacity at the count at any election shall be guilty of an electoral offence if he –
 - (a) ascertains or attempts to ascertain at the count the number or other unique identifying mark on the back of any ballot paper; or
 - (b) at any time communicates any information obtained at the count as to the candidate for whom any vote is given on any particular ballot paper.
- (3) A person shall be guilty of an electoral offence if he –
 - (a) interferes with or attempts to interfere with a voter when recording his vote; or
 - (b) otherwise obtains or attempts 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; or
 - (c) communicates 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 or other unique identifying mark on the back of the ballot paper issued to a voter at that station; or
 - (d) directly or indirectly induces a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted; or
 - (e) being a person permitted, on making the declaration made by the companion of a voter with disabilities, to remain with a voter with disabilities while the presiding officer records his vote, communicates at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper issued for use of that voter.
- (4) Any person attending the proceedings in connection with the issue or receipt of ballot papers for persons voting by post shall be guilty of an electoral offence if he –
 - (a) communicates, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; or
 - (b) except for some purpose authorised by law, communicates to any person at any time any information obtained at those proceedings as to the number or other unique identifying mark on the back of the ballot paper sent to any person; or
 - (c) except for some purpose authorised by law, attempts to ascertain at the proceedings in connection with the receipt of ballot papers the number or other unique identifying mark on the back of any ballot paper; or
 - (d) attempts to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicates any information with respect thereto obtained at those proceedings.

Section 111 (2A) (d) in the case of an offence under paragraph 27 of Schedule 9, a person guilty of an electoral offence at a local election shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months.