



# Representation of the People Act 1983

## 1983 CHAPTER 2

### PART I

#### PARLIAMENTARY AND LOCAL GOVERNMENT FRANCHISE AND ITS EXERCISE

##### *Supplemental provisions as to parliamentary and local government elections*

#### **49 Effect of registers.**

- (1) The register of parliamentary electors shall for the purposes of this Part of this Act be conclusive on the following questions—
  - (a) whether or not a person registered in it was on the qualifying date resident at the address shown;
  - (b) whether or not that address is in any constituency or any particular part of a constituency;
  - (c) whether or not a person registered as an elector in a constituency in Northern Ireland was during the whole of the period of three months ending on the qualifying date resident in Northern Ireland;
  - (d)
- <sup>F1</sup>(2) The register of local government electors shall for the purposes of this Part be conclusive on the following questions—
  - (a) whether or not a person registered in it was on the qualifying date resident at the address shown;
  - (b) whether or not that address is in any local government area or any particular part of a local government area;
  - (c)
- <sup>F2</sup>(3)
- <sup>F3</sup>(4) Any entry in the register of parliamentary or local government electors, if it gives a date as that on which the person named will attain voting age, shall for any purpose of this Part relating to him as elector be conclusive that until the date given in the entry

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he is not of voting age nor entitled to be treated as an elector except for the purposes of an election at which the day fixed for the poll is that or a later date.

- (5) A person registered as a parliamentary or local government elector, or entered in the list of proxies, shall not be excluded from voting on the ground—
- (a) that he is not a Commonwealth citizen or citizen of the Republic of Ireland [<sup>F4</sup>or, in the case of a person registered as a parliamentary elector in pursuance of an overseas elector’s declaration, a British citizen], or
  - (b) that he is not of voting age, or
  - (c) that he is otherwise subject to any legal incapacity to vote,
- or that on the qualifying date or the date of his appointment, as the case may be—
- (i) he was not a Commonwealth citizen or citizen of the Republic of Ireland [<sup>F4</sup>or, in the case of a person registered as a parliamentary elector in pursuance of an overseas elector’s declaration, a British citizen], or
  - (ii) he was otherwise subject to any legal incapacity to vote,
- but this provision shall not prevent the rejection of the vote on a scrutiny or affect his liability to any penalty for voting.

#### Textual Amendments

- F1** S. 49(1)(d) repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 24, 28, [Sch. 4 para. 10](#), [Sch. 5](#)
- F2** S. 49(2)(c) repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 24, 28, [Sch. 4 para. 10](#), [Sch. 5](#)
- F3** S. 49(3) repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 28, [Sch. 5](#)
- F4** Words inserted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), [s. 4\(4\)](#)

#### Modifications etc. (not altering text)

- C1** S. 49 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, [Sch. 1 Pt. 1](#)
- C2** S. 49 extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), ss. 2, 13(6), [Sch. 1 Pt. 1](#)
- C3** S. 49 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), [Sch. 1 Pt. 1](#)
- C4** S. 49 modified (17.2.1994) by S.I. 1994/342, [regs. 2\(2\)](#), 15(3), 16(3)
- C5** S. 49(1)(a) restricted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), [s. 2\(6\)](#)
- C6** S. 49(2)–(5) modified (N.I.) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), [s. 13\(5\)\(6\)](#)
- C7** S. 49(2)(a) restricted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), [s. 3\(9\)](#)

## 50 Effect of misdescription.

No misnomer or inaccurate description of any person or place named—

- (a) in the register of parliamentary electors, or
- (b) in the register of local government electors, or
- (c) in any list, record, proxy paper, nomination paper, ballot paper, notice or other document required for the purposes of this Part of this Act, and the parliamentary elections rules,

affects the full operation of the document with respect to that person or place in any case where the description of the person or place is such as to be commonly understood.

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#### Modifications etc. (not altering text)

- C8** S. 50 applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
- C9** S. 50 applied (with modifications) (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**  
S. 50 applied (with modifications) (S.) by [S.I. 1986/1111](#), regs. 2, 13(3)(4)(5), **Sch. 3 Pt. I**  
S. 50 applied (with modifications) (E.W.) by [S.I. 1986/1081](#), regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I** (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), **reg. 3**)  
S. 50 applied (with modifications) (N.I.) by [S.I. 1986/1091](#), regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**  
S. 50 applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), art. 3(1)(5)-(8), **Sch. 1**  
S. 50 applied (with modifications) (N.I.) (25.4.1998) by [S.I. 1998/1126](#), art. 6, **Sch. 2**  
S. 50 applied (with modifications) (E.W.) (16.2.2001) by [S.I. 2001/341](#), reg. 13(4)(5), **Sch. 4 Pt. I**  
S. 50 applied (with modifications) (N.I.) (16.2.2001) by [S.I. 2001/400](#), reg. 13(3)(4), **Sch. 4 Pt. I**  
S. 50 applied (with modifications) (1.8.2001) by [S.I. 2001/2599](#), art. 3, Sch. 1 (as substituted (10.2.2009) by [S.I. 2009/256](#), arts. 1(2), 3, **Sch. 1**)
- C10** S. 50 extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989](#) (c. 3, [SIF 42](#)), ss. 2, 13(6), **Sch. 1 Pt. I**
- C11** S. 50 modified (N.I.) by [Elected Authorities \(Northern Ireland\) Act 1989](#) (c. 3, [SIF 42](#)), **s. 13(5)(6)**  
S. 50 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004](#) (S.I. 2004/1962), art. 6(2), **Sch. 2 Pt. 2**
- C12** S. 50 applied (with modifications) (N.I.) (1.7.2008) by [The Representation of the People \(Northern Ireland\) Regulations 2008](#) (S.I. 2008/1741), reg. 14(3)(4), **Sch. 4**
- C13** S. 50 applied (with modifications) (9.4.2001) by [S.I. 2001/1184](#), reg. 9, Sch. Pt. I (as substituted (17.3.2009) by [S.I. 2009/726](#), regs. 1(1), 2(3)(4), **Sch.**)
- C14** S. 50(b)(c) applied (with modifications) (31.7.1997) by [1997 c. 61](#), s. 3, **Sch. 3 para. 13** Table 1

**F<sup>5</sup>51** .....

#### Textual Amendments

- F5** S. 51 repealed by [Representation of the People Act 1985](#) (c. 50, [SIF 42](#)), ss. 24, 28, Sch. 4 para. 11, **Sch. 5**

## 52 Discharge of registration duties.

- (1) A registration officer shall comply with any general or special directions which may be given by the Secretary of State with respect to the arrangements to be made by the registration officer for carrying out his [<sup>F6</sup>functions under this Act].
- (2) Any of the duties and powers of a registration officer may be performed and exercised by any deputy for the time being approved <sup>F7</sup>, by the council which appointed the registration officer, and the provisions of this Act apply to any such deputy so far as respects any duties or powers to be performed or exercised by him as they apply to the registration officer.
- (3) In England and Wales, any acts authorised or required to be done by or with respect to the registration officer may, in the event of his incapacity to act or of a vacancy, be done by the proper officer of the council by [<sup>F8</sup>or with respect to] whom the registration officer was appointed.

[<sup>F9</sup>(4) It shall be the duty—

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- (a) in England and Wales, of a district council or London borough council, and
- (b) in Scotland, of the council of a region or islands area,

to assign such officers to assist the registration officer as may be required for carrying out his functions under this Act.

- (5) Subsection (2) above does not apply in Northern Ireland but sections 14(5) and 14A(2) and (3) of the <sup>M1</sup>Electoral Law Act (Northern Ireland) 1962 (appointment of temporary deputy and delegation to assistants) shall have effect in relation to the Chief Electoral Officer for Northern Ireland in his capacity as registration officer.]

#### Textual Amendments

- F6** Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 12(a)**
- F7** Words repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, **Sch. 4 para. 12(b)**, Sch. 5
- F8** Words inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 12(c)**
- F9** S. 52(4)(5) substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 12(d)**

#### Modifications etc. (not altering text)

- C15** S. 52 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C16** S. 52 applied with modifications (S.) by S.I. 1986/1111, regs. 2, 13(3)(4)(5), **Sch. 3 Pt. I**
- C17** S. 52 applied with modifications (E.W.) by S.I. 1986/1081, regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**
- C18** S. 52 applied (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3)**, 2(2), 8(2)(3)
- C19** S. 52(1) applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C20** S. 52(1) applied with modifications (N.I.) by S.I. 1986/1091, regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**
- C21** S. 52(5) applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C22** S. 52(5) applied with modifications (N.I.) by S.I. 1986/1091, regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**

#### Marginal Citations

- M1** 1962 c.14 (N.I.)

### 53 Power to make regulations as to registration etc.

- (1) Provision may be made by regulations—

- (a) with respect to the form of the register of electors and of the electors lists or any special lists or records required by this Act in connection with the register or with any election;
- (b) with respect to the procedure to be followed in the preparation of the register, the electors lists and any such special lists or records as mentioned above, and with respect to the time, place and manner of their publication [<sup>F10</sup>(including provision for electors lists which have been published in the form of a draft register to take effect with any necessary amendments as the register and provision with respect to the time at which the register is to be treated as being published in such a case)]; and
- (c) generally with respect to any matters incidental to the provisions of this Act so far as those provisions relate to the registration of electors or to voting by post or proxy.

- (2)

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<sup>F11</sup>(3) Without prejudice to the generality of [<sup>F12</sup>subsection (1)] above, regulations made with respect to the matters mentioned in [<sup>F12</sup>that subsection] may contain any such provisions as are mentioned in Schedule 2 to this Act.

#### Textual Amendments

- F10** Words inserted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 13(a)**  
**F11** [S. 53\(2\)](#) repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 28, **Sch. 5**  
**F12** Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 13(b)**

#### Modifications etc. (not altering text)

- C23** [S. 53](#) extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), ss. 2, 13(6), **Sch. 1 Pt. I**  
**C24** [S. 53\(1\)\(c\)](#) amended (N.I.) (*prosp.*) by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 10, **Sch. 1 para. 25**

## 54 Payment of expenses of registration.

- (1) Any expenses properly incurred by a registration officer in the performance of his [<sup>F13</sup>functions under this Act] (in this Act referred to as “registration expenses”) shall (except in Northern Ireland) be paid by the local authority by whom the registration officer was appointed.
- (2) The registration expenses of the Chief Electoral Officer for Northern Ireland shall be paid out of moneys provided by Parliament.
- (3) Any fees [<sup>F14</sup>paid to the registration officer under this Act]—
  - (a) shall be accounted for by him and paid to the local authority by whom he was appointed;
  - (b) in the case of the Chief Electoral Officer for Northern Ireland, shall be accounted for by him to the Secretary of State and paid into the Consolidated Fund.
- (4) On the request of a registration officer for an advance on account of registration expenses—
  - (a) the local authority by whom the registration officer was appointed may, if they think fit, make such an advance to him of such an amount and subject to such conditions as they may approve; or
  - (b) in the case of the Chief Electoral Officer for Northern Ireland, the Secretary of State may, if he thinks fit, make such an advance to him of such an amount and subject to such conditions as the Secretary of State may approve.
- (5) Any registration expenses or contributions to them paid by the Common Council shall be paid out of the general rate and any sums paid to the Common Council under this section shall be placed to the credit of that rate.

#### Textual Amendments

- F13** Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 14(a)**  
**F14** Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 14(b)**

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#### **Modifications etc. (not altering text)**

- C25** S. 54 applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C26** S. 54 applied with modifications (S.) by [S.I. 1986/1111](#), regs. 2, 13(3)(4)(5), **Sch. 3 Pt. I**
- C27** S. 54 applied with modifications (N.I.) by [S.I. 1986/1091](#), regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**
- C28** S. 54 applied with modifications (E.W.) by [S.I. 1986/1081](#), regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I** (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), **reg. 3**)  
S. 54 applied (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), art. 6(2), **Sch. 2 Pt. 2**
- C29** S. 54 applied (17.2.1994) by [S.I. 1994/342](#), **regs. 1(2)(3), 2(2), 8(2)(3)**  
S. 54: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853](#), **reg. 2(1), Sch. 1 D11**  
S. 54 applied (with modifications) (E.W.) (16.2.2001) by [S.I. 2001/341](#), **reg. 13(4)(5), Sch. 4 Pt. I**  
S. 54 applied (with modifications) (N.I.) (16.2.2001) by [S.I. 2001/400](#), **reg. 13(3)(4), Sch. 4 Pt. I**  
S. 54 applied (with modifications) (9.4.2001) by [S.I. 2001/1184](#), **reg. 9, Sch. Pt. I** (as substituted (17.3.2009) by [S.I. 2009/726](#), **regs. 1(1), 2(3)(4), Sch.**)
- C30** S. 54 applied (with modifications) (N.I.) (1.7.2008) by [The Representation of the People \(Northern Ireland\) Regulations 2008 \(S.I. 2008/1741\)](#), **reg. 14(3)(4), Sch. 4**
- C31** S. 54 applied (with modifications) (1.8.2001) by [S.I. 2001/2599](#), **art. 3, Sch. 1** (as substituted (10.2.2009) by [S.I. 2009/256](#), **arts. 1(2), 3, Sch. 1**)
- C32** S. 54(1) amended (E.W.) by [S.I. 1986/1081](#), **regs. 2, 30(2)** (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), **reg. 3**)
- C33** S. 54(1) amended (N.I.) by [S.I. 1986/1091](#), **regs. 2, 30(2)**
- C34** S. 54(1) amended (S.) by [S.I. 1986/1111](#), **regs. 2, 29(2)**
- C35** S. 54(2) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
- C36** S. 54(2)–(3) extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), ss. 2, 13(6), **Sch. 1 Pt. I**
- C37** S. 54(3) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
- C38** S. 54(4) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
- C39** S. 54(4) extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), ss. 2, 13(6), **Sch. 1 Pt. I**

**F15** 55 .....

#### **Textual Amendments**

- F15** S. 55 repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 24, 28, **Sch. 4 para. 15, Sch. 5**

#### **56 Registration appeals: England and Wales.**

- (1) An appeal lies to the county court—
- (a) from any decision under this Act of the registration officer on any claim for registration or objection to a person’s registration made to and considered by him,
  - (b) from any decision under this Act of the registration officer disallowing a person’s application to [<sup>F16</sup>vote by proxy or by post as elector] or to vote by post as proxy, in any case where the application is not made for a particular election only,
  - (c)

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- <sup>F17</sup>(d) from any decision under this Act of the registration officer to make or not to make an alteration in a register as published,  
but an appeal does not lie where the person desiring to appeal has not availed himself of a prescribed right to be heard by or make representations to the registration officer on the matter which is the subject of the appeal, or has not given the prescribed notice of appeal within the prescribed time.
- (2) No appeal lies from the decision of the Court of Appeal on appeal from a decision of the county court under this section.
- (3) An appeal to the county court or Court of Appeal by virtue of this section which is pending when notice of an election is given shall not prejudice the operation as respects the election of the decision appealed against, and anything done in pursuance of the decision shall be as good as if no such appeal had been brought and shall not be affected by the decision of the appeal.
- (4) Notice shall be sent to the registration officer in manner provided by rules of court of the decision of the county court or of the Court of Appeal on any appeal by virtue of this section, and the registration officer shall make such alterations in the electors lists or register as may be required to give effect to the decision.
- <sup>F18</sup>(4A) Where, as a result of the decision on an appeal, an alteration in the register is made under subsection (4) above on or before the last day on which nomination papers nominating candidates at an election may be delivered to the returning officer, subsection (3) above does not apply to that appeal as respects that election.]
- (5) The registration officer shall undertake such duties in connection with appeals brought by virtue of this section as may be prescribed and shall on any such appeal be deemed to be a party to the proceedings, and the registration expenses payable to a registration officer shall include any expenses properly incurred by him by virtue of this subsection.
- (6<sup>F19</sup>

#### Textual Amendments

- F16** Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 11, **Sch. 2 para. 1**
- F17** S. 56(1)(c) repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, **Sch. 4 para. 16(a)**, Sch. 5
- F18** S. 56(4A) inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 16(b)**
- F19** S. 56(6) repealed by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, **Sch. 5**

#### Modifications etc. (not altering text)

- C40** S. 56 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C41** S. 56 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C42** S. 56 applied with modifications (S.) by S.I. 1986/1111, regs. 2, 13(3)(4)(5), **Sch. 3 Pt. I**
- C43** S. 56 applied with modifications (N.I.) by S.I. 1986/1091, regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**
- C44** S. 56 applied with modifications (E.W.) by S.I. 1986/1081, regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**
- C45** Ss. 56–58 applied (with modifications) (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 9(4)**
- C46** S. 56 restricted (31.7.1997) by 1997 c. 61, s. 2(3)  
S. 56 modified (11.3.1999) by S.I. 1999/450, **art. 4(1)**  
S. 56 modified (11.3.1999) by S.I. 1999/450, **art. 5(3)(5)**
- C47** S. 56(1) extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), ss. 2, 13(6), **Sch. 1 Pt. I**

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**C48** S. 56(3)–(5) extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989](#) (c. 3, SIF 42), ss. 2, 13(6), [Sch. 1 Pt. I](#)

## 57 Registration appeals: Scotland.

- (1) Section 56 above applies to Scotland subject to the following modifications—
- (a) subsection (2) shall be omitted;
  - (b) an appeal lies on any point of law from any decision of the sheriff under this section to the court of three judges constituted under subsection (2) below; and
  - (c) for any reference to the Court of Appeal there shall be substituted a reference to that court of three judges.
- (2) The court for hearing appeals under paragraph (b) of subsection (1) above shall consist of three judges of the Court of Session who shall be appointed by the Court of Session by act of sederunt and of whom one judge shall be appointed from each division of the Inner House and one from the Lords Ordinary in the Outer House; and the Principal Clerk of Session shall be the clerk of the court.
- (3) The Court of Session may by act of sederunt fill any vacancy in the court of three judges, and regulate its sittings and forms of process so as to carry out the provisions of this Act; and acts of sederunt under this section may be made, and the court of three judges may sit, either during the sitting of the Court of Session or in vacation or recess.

### Modifications etc. (not altering text)

- C49** S. 57 applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), [Sch. 1 Pt. I](#)
- C50** Ss. 56–58 applied (with modifications) (17.2.1994) by [S.I. 1994/342](#), [regs. 1\(2\)\(3\)](#), 2(2), 9(4)
- C51** S. 57 restricted (31.7.1997) by [1997 c. 61](#), s. 1(3)  
S. 57 restricted (11.3.1999) by [S.I. 1999/787](#), [art. 3\(1\)](#)  
S. 57 applied (11.3.1999) by [S.I. 1999/787](#), [art. 4\(3\)](#) (with [art. 4\(5\)](#))  
S. 57 applied (with modifications) (9.4.2001) by [S.I. 2001/1184](#), [reg. 9](#), [Sch. Pt. I](#) (as substituted (17.3.2009) by [S.I. 2009/726](#), [regs. 1\(1\)](#), 2(3)(4), [Sch.](#))
- C52** S. 57(2) applied (11.3.1999) by [S.I. 1999/787](#), [art. 4\(2\)](#)

## 58 Registration appeals: Northern Ireland.

Section 56 above, except [<sup>F20</sup>subsection (2) and the words from the beginning to “and” in subsection (4)], applies to Northern Ireland, and—

- (a) any decision of a county court upon a point of law under section 56(1) shall be appealable in the same way and subject to the same provisions as a corresponding decision under the law relating to the registration of [<sup>F21</sup>local electors within the meaning of section 130 of the Electoral Law Act (Northern Ireland) 1962.] and the reference in subsection (3) of that section to the Court of Appeal shall be construed accordingly; and
- (b) any power to make rules of court with respect to appeals under that law applies to appeals under this section.

### Textual Amendments

- F20** Words substituted by [Representation of the People Act 1985](#) (c. 50, SIF 42), s. 24, [Sch. 4 para. 17\(a\)](#)
- F21** Words substituted by [Representation of the People Act 1985](#) (c. 50, SIF 42), s. 24, [Sch. 4 para. 17\(b\)](#)



*Status: Point in time view as at 20/03/1995.*

*Changes to legislation: Representation of the People Act 1983, Cross Heading: Supplemental provisions as to parliamentary and local government elections is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Modifications etc. (not altering text)**

- C53 S. 58 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**  
C54 S. 58 applied (N.I.) by S.I. 1986/1091, regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**  
C55 Ss. 56-58 applied (with modifications) (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 9(4)**

**59 Supplemental provisions as to members of forces and service voters.**

- (1) In this Part of this Act, the expression “member of the forces”—
- (a) means a person serving on full pay as a member of any of the naval, military or air forces of the Crown raised in the United Kingdom; but
  - (b) does not include
    - [<sup>F22</sup>(i)] a person serving only as a member of a reserve or auxilliary force except in so far as regulations provide that it shall include persons so serving during a period of emergency.
    - [<sup>F23</sup>or
    - (ii) a member of the regular army whose terms of service are such that, except for the purpose of training, he is required to serve only in Northern Ireland]
- (2) Where a person—
- (a) is not a member of the forces as defined by subsection (1) above, but
  - (b) is, in the performance of his duty as a member of any of Her Majesty’s reserve or auxiliary forces, absent on the qualifying date from an address at which he has been residing,
- any question arising under section 5(2) above whether his residence at that address has been interrupted on that date by his absence in the performance of that duty shall be determined as if the performance of it did not prevent his resuming actual residence at any time after that date.
- (3) Arrangements shall be made by the appropriate government department for securing that (so far as circumstances permit) every person having a service qualification by virtue of paragraph (a) or (b) of section 14(1) above shall—
- (a) have an effective opportunity of exercising from time to time as occasion may require the rights conferred on him by this Act in relation to the making and cancellation of service declarations and of appointments of a proxy, and in relation to voting by post; and
  - (b) receive such instructions as to the effect of this Act and any regulations made under it, and such other assistance, as may be reasonably sufficient in connection with the exercise by him and any wife of his or, as the case may be, by her any husband of hers, of any rights conferred on them as mentioned above.

In this subsection “the appropriate government department” means, in relation to members of the forces, the Ministry of Defence, and in relation to any other person means the government department under which he is employed in the employment giving the service qualification.

- (4) In relation to persons having a service qualification by virtue of paragraph (c) of section 14(1), the British Council shall be under a corresponding obligation to that imposed by subsection (3) above on the appropriate government department.

*Status: Point in time view as at 20/03/1995.*

*Changes to legislation: Representation of the People Act 1983, Cross Heading: Supplemental provisions as to parliamentary and local government elections is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

#### **Textual Amendments**

- F22** Word in [s. 59\(1\)\(b\)](#) inserted (20.7.1993) by [1993 c. 29, s. 1\(a\)](#).  
**F23** Word and [s. 59\(1\)\(b\)\(ii\)](#) added (20.7.1993) by [1993 c. 29, s. 1\(b\)](#).

#### **Modifications etc. (not altering text)**

- C56** [S. 59](#) extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\), ss. 2, 13\(6\), Sch. 1 Pt. I](#)  
**C57** [S. 59](#) modified (11.3.1999) by [S.I. 1999/450, art. 13\(1\)](#)  
[S. 59](#) extended (with modifications) (11.3.1999) by [S.I. 1999/787, art. 12\(1\)](#)  
**C58** [S. 59\(2\)](#) applied (17.2.1994) by [S.I. 1994/342, regs. 1\(2\)\(3\), 2\(2\), 7\(4\)](#)

**Status:**

Point in time view as at 20/03/1995.

**Changes to legislation:**

Representation of the People Act 1983, Cross Heading: Supplemental provisions as to parliamentary and local government elections is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.