

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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)

SCHEDULES

SCHEDULE 1

Section 23.

Modifications etc. (not altering text)

- C1** Parliamentary election rules modified (N.I.) (*prosp.*) by Representation of the People Act 1985 (c. 50, SIF 42), s. 10, **Sch. 1 paras. 8–23**
- C2** Paras. 3–7 of Pt. II of Sch. 1 to Representation of the People Act 1985 (c. 50, SIF 42) have effect (N.I.) (*prosp.*) by virtue of s. 10 of, and Sch. 1 para. 2 to, that Act as additional rules in Sch. 1 to this Act
- C3** Sch. 1 applied with modifications (S.) by S.I. 1986/2213, **Rules 2, 5**
Sch. 1 applied (with modifications) (E.W.S.) (28.4.1999) by 1985 c. 50, s. 15(1)(2) (as applied (with modifications) (28.4.1999) by S.I. 1999/1214, reg. 8, **Sch. 3**) (which S.I. was revoked (23.3.2004) by S.I. 2004/293, **reg. 126**)
- C4** Sch. 1 modified (E.W.) by S.I. 1986/1081, **regs. 2, 97, 98, 100** (which S.I. was revoked (23.3.2004) by S.I. 2004/294, **reg. 3**)
- C5** Sch. 1 modified (S.) by S.I. 1986/1111, **regs. 2, 95, 96, 98(1)**
Sch. 1 modified (10.4.2001) by 2001 c. 7, s. 4, **Sch. para. 1**
Sch. 1 modified (E.W.) (23.3.2004) by The Representation of People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294), **reg. 8, Sch. 2**
- C6** Sch. 1 extended (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 6(1)-(4)**

PART I

PROVISIONS AS TO TIME

Timetable

- 1 The proceedings at the election shall be conducted in accordance with the following Table.

Timetable

<i>Proceeding</i>	<i>Time</i>
Issue of Writ	In the case of a general election, as soon as practicable after the [F1dissolution of Parliament by section 3(1) of the Fixed-term Parliaments Act 2011]. In the case of a by-election, as soon as practicable after the issue of the warrant for the writ.
Publication of notice of election.	In the case of a general election or by-election, not later than 4 in the

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Delivery of nomination papers.	<p>afternoon on the second day after that on which the writ is received.</p> <p>In the case of a general election, between the hours of 10 in the morning and 4 in the afternoon on any day after the date of publication of the notice of election, but not later than the sixth day after the date of the [^{F2}dissolution of Parliament by section 3(1) of the Fixed-term Parliaments Act 2011].</p> <p>In the case of a by-election, the same as in the case of a general election, except that the last day shall be a day fixed by the returning officer and shall be not earlier than the third day after the date of publication of the notice of election nor later than the seventh day after that on which the writ is received.</p>
Delivery of notices of withdrawals of candidature.	Within the time for the delivery of nomination papers at the election.
The making of objections to nomination papers.	<p>In the case of a general election or a by-election, during the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following; but—</p> <p>(a) no objection may be made in the afternoon of that last day except to a nomination paper delivered within 24 hours of the last time for its delivery, and in the case of a nomination paper so delivered no objection may be so made to the sufficiency or nature of the particulars of the candidate unless made at or immediately after the time of the delivery of the nomination paper; and</p> <p>(b) the foregoing provisions do not apply to objections made in pursuance of rule 15(2).</p>
Publication of statement of persons nominated.	<p>In the case of a general election or a by-election,</p> <p>[^{F3}(a) if no objections to nomination papers are made, at the close of the time for doing so, or</p> <p>(b) if any such objections are made, not before they are disposed of but not later than 24 hours after the last time for delivery of nomination papers.]</p>

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Polling

In the case of a general election, between the hours of 7 in the morning and 10 at night on the [^{F4}day determined under section 1 of the Fixed-term Parliaments Act 2011 or appointed under section 2(7) of that Act].

In the case of a by-election, between the hours of 7 in the morning and 10 at night on the day fixed by the returning officer, which shall not be earlier than the [^{F5}ninth] nor later than the [^{F5}eleventh] day after the last day for delivery of nomination papers.

Textual Amendments

- F1** Words in Sch. 1 rule 1 substituted (15.9.2011) by [Fixed-term Parliaments Act 2011 \(c. 14\), s. 7\(2\), Sch. para. 10\(2\)](#) (with ss. 1-3, 6)
- F2** Words in Sch. 1 rule 1 substituted (15.9.2011) by [Fixed-term Parliaments Act 2011 \(c. 14\), s. 7\(2\), Sch. para. 10\(3\)](#) (with ss. 1-3, 6)
- F3** Words in [Sch. 1 rule 1](#) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 19\(2\), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(f\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#)); [S.I. 2008/1316, arts 2, 4](#)
- F4** Words in Sch. 1 rule 1 substituted (15.9.2011) by [Fixed-term Parliaments Act 2011 \(c. 14\), s. 7\(2\), Sch. para. 10\(4\)](#) (with ss. 1-3, 6)
- F5** Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\), s. 24, Sch. 4 para. 73\(b\)](#)

Modifications etc. (not altering text)

- C7** [Sch. 1 rule 1](#) applied with modifications (N.I.) by [S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I](#)
- C8** [Sch. 1 rule 1](#) applied with modifications (E.W.S.) by [S.I. 1986/2209, regs. 2, 3, 5\(1\)\(6\)–\(8\), Sch. 1 Pt. I](#)
- C9** [Sch. 1 rule 1](#) amended (E.W.) (1.4.2004) by [European Parliamentary and Local Elections \(Pilots\) Act 2004 \(c. 2\), s. 8, Sch. para. 1](#)
- C10** [Sch. 1 rule 1](#) applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\), art. 3, Sch. 1](#) (as amended (20.3.2003) by [Northern Ireland Assembly Elections Act 2003 \(c. 3\), s. 1\(6\)](#); substituted (10.2.2009) by [S.I. 2009/256, art. 1\(2\), 3, Sch. 1](#); and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\), s. 19\(1\), Sch. 8 para. 4](#))

Computation of time

- 2 (1) In computing any period of time for the purposes of the Timetable—
- (a) a Saturday or Sunday,
- [^{F6}(b) Christmas Eve, Christmas Day, ^{F7}. . . Good Friday or a bank holiday]
- (c) a day appointed for public thanksgiving or mourning,
- shall be disregarded ^{F8}...
- [^{F9}(1A) In relation to a general election, any day within paragraph (1)(a) to (c) shall not be treated as a day for the purpose of any proceedings in the Timetable before the polling day.

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(1B) In relation to a by-election, any day within paragraph (1)(a) to (c) shall not be treated as a day for the purpose of any proceedings in the Timetable up to the completion of the poll nor shall the returning officer be obliged to proceed with the counting of the votes on such a day.]

(2) In this rule “bank holiday” means—

(a) in relation to a general election, a day which is a bank holiday under the ^{MI}Banking and Financial Dealings Act 1971 in any part of the United Kingdom,

(b) in relation to a by-election, a day which is a bank holiday under that Act in that part of the United Kingdom in which the constituency is situated,

but at a general election sub-paragraph (b) and not sub-paragraph (a) of this paragraph applies in relation to any proceedings—

(i) commenced afresh by reason of a candidate’s death; ^{F10}...

^{F10}(ii)

[^{F11}(2A) In relation to a general election, this rule does not apply to a day which is a bank holiday or a day appointed for public thanksgiving or mourning if—

(a) the day was not fixed or appointed as such before the dissolution of Parliament by section 3(1) of the Fixed-term Parliaments Act 2011, or

(b) the day is one that is treated as a working day by section 3(6) of that Act.

But, in relation to any proceedings commenced afresh by reason of a candidate's death, this paragraph is to be ignored.]

^{F12}(3)

Textual Amendments

- F6** Sch. 1 rule 2(1)(b) substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 19(5)(a)
- F7** Words in Sch. 1 rule 2(1)(b) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 52; S.I. 2006/3412, art. 3, Sch. 1 para. 14(w) (bb)(ii)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F8** Words in Sch. 1 rule 2(1) omitted (15.9.2011) by virtue of Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), Sch. para. 11(2) (with s. 6)
- F9** Sch. 1 rules 2(1A)(1B) inserted (15.9.2011) by Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), Sch. para. 11(3) (with s. 6)
- F10** Sch. 1 rule 2(2)(ii) and preceding word omitted (15.9.2011) by virtue of Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), Sch. para. 11(4) (with s. 6)
- F11** Sch. 1 rule 2(2A) inserted (15.9.2011) by Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), Sch. para. 11(5) (with s. 6)
- F12** Sch. 1 rule 2(3) repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 19(5)(b), Sch. 5

Modifications etc. (not altering text)

- C11** Sch. 1 rule 2 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C12** Sch. 1 rule 2 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I
- C13** Sch. 1 rule 2 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), Sch. 1 Sch. 1 rule 2 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)

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Marginal Citations

M1 1971 c. 80.

PART II

STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

ISSUE OF WRIT AND NOTICE OF ELECTION

Issue of writ

- 3 (1) Writs for parliamentary elections shall continue to be sealed and issued in accordance with the existing practice of the office of the Clerk of the Crown.
- (2) Each writ shall be in the form in the Appendix and shall be directed to the returning officer by the title of his office as returning officer (and not by his name) and conveyed to him.
- (3) Her Majesty may by Order in Council—
- (a) specify the manner in which writs are to be conveyed whether by post, by an officer appointed by the Lord Chancellor or, as regards Northern Ireland, the Secretary of State, or otherwise, and make different provision for different classes of writs; and
 - (b) provide for the giving of receipts for writs by persons to whom they are delivered or who may receive them in the course of their conveyance.
- (4) Delivery of the writ to a person for the time being authorised by law to act as deputy for the officer who by virtue of his office is returning officer shall be as good as delivery to the returning officer.
- (5) An Order in Council under this rule—
- (a) may require a returning officer to provide an address to which writs are to be conveyed and any change of that address; and
 - (b) may provide for recording those addresses; and
 - (c) may provide that the delivery of a writ to a person found in and for the time being in charge of a place so recorded as the office of a returning officer shall be as good as delivery to that returning officer.
- (6) The person to whom the writ is delivered shall endorse the date of receipt on the writ in the form shown in the Appendix.
- (7) A draft of an Order in Council under this rule shall be laid before Parliament, and any such Order may provide for any incidental or supplemental matter.

Conveyance of writ to acting returning officer

- 4 (1) For an election in a constituency in England and Wales the writ shall (notwithstanding anything in rule 3 above) be conveyed to the acting returning officer if the returning officer—

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- (a) has so requested by notice in the form prescribed by an Order in Council under rule 3 and received by the Clerk of the Crown one month or more before the issue of the writ; and
 - (b) has not revoked it by a further notice in the form so prescribed and received within such time as is mentioned above.
- (2) A notice under this rule has effect in relation to all constituencies—
- (a) of which the person giving it is returning officer at the time of giving it; or
 - (b) of which he or a successor in office becomes returning officer by virtue of that office.
- (3) Where by virtue of this rule writs are conveyed to the acting returning officer paragraph (5) of rule 3 applies in relation to him as it applies in relation to a returning officer.

Notice of election

- 5 (1) The returning officer shall publish notice of the election ^{F13} . . . , stating—
- (a) the place and times at which nomination papers are to be delivered, and
 - (b) the date of the poll in the event of a contest,
- and the notice shall state that forms of nomination paper may be obtained at that place and those times.
- ^{F14}(1A) The notice of election must also state the arrangements which apply for the payment of the deposit required by rule 9 below to be made by means of the electronic transfer of funds.]
- (2) The notice of election shall state the date by which ^{F15}(except in such circumstances as may be prescribed)]—
- (a) applications to ^{F16}vote by post or by proxy], and
 - (b) other applications and notices about postal or proxy voting,
- must reach the registration officer in order that they may be effective for the election.
- ^{F17}(3)

Textual Amendments	
F13	Words repealed by Representation of the People Act 1985 (c. 50, SIF 42) , ss. 24, 28, Sch. 4 para. 74(a) , Sch. 5
F14	Sch. 1 rule 5(1A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22) , ss. 19(3) , 77; S.I. 2006/3412, art. 3 , Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4
F15	Words in Sch. 1 rule 5(2) inserted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 15(1), Sch. 6 para. 10(1)(2) ; S.I. 2001/116, art. 2(1)(2) (with art. 2(4))
F16	Words substituted by Representation of the People Act 1985 (c. 50, SIF 42) , s. 11, Sch. 2 para. 4
F17	Sch. 1 rule 5(3) repealed by Representation of the People Act 1985 (c. 50, SIF 42) , ss. 24, 28, Sch. 4 para. 74(b) , Sch. 5
Modifications etc. (not altering text)	
C14	Sch. 1 rule 5 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), Sch. 1 Pt. 1 Sch. 1 rule 5 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)

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C15 Sch. 1 rule 5 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

NOMINATION

Nomination of candidates

- 6 (1) Each candidate shall be nominated by a separate nomination paper, in the form in the Appendix delivered—
- (a) by the candidate himself, or
 - (b) by his proposer or seconder,

to the returning officer at the place fixed for the purpose, but the paper may be so delivered on the candidate's behalf by his election agent if the agent's name and address have been previously given to the returning officer as required by section 67 of this Act or are so given at the time the paper is delivered.

- (2) The nomination paper shall state the candidate's—

- (a) full names, [^{F18}and]
- (b) ^{F19}
- (c) if desired, description,

and the surname shall be placed first in the list of his names.

- [^{F20}(2A) If a candidate commonly uses—

- (a) a surname which is different from any other surname he has, or
- (b) a forename which is different from any other forename he has,

the nomination paper may state the commonly used surname or forename in addition to the other name.]

- [^{F21}(3) The description, if any, must consist of either—

- (a) a description ^{F22} . . . which is authorised as mentioned in rule 6A(1) [^{F23}or (1B)] below; or
- (b) the word “Independent” or, where the candidate is the Speaker of the House of Commons seeking re-election, the words “The Speaker seeking re-election”.]

- [^{F24}(4) The nomination paper must be accompanied by a form (in this Schedule referred to as the “home address form”) which states the candidate's—

- (a) full names, and
- (b) home address in full.

Provision in paragraph (1) above about delivery of the nomination paper applies also to the home address form.

- (5) The home address form—

- (a) may contain a statement made and signed by the candidate that he requires the home address not to be made public; and
- (b) if it does so, must state the constituency within which that address is situated (or, if that address is outside the United Kingdom, the country within which it is situated).]

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Textual Amendments

- F18** Word in Sch. 1 rule 6(2)(a) inserted (4.9.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 39, 43(1), [Sch. 6 para. 8\(2\)](#); S.I. 2009/2395, [art. 2](#) (with [art. 3](#))
- F19** Sch. 1 rule 6(2)(b) repealed (4.9.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 24(2)(a), 39, 43(1), [Sch. 7](#); S.I. 2009/2395, [art. 2](#) (with [art. 3](#))
- F20** Sch. 1 rule 6(2A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. [21\(2\)](#), 77; S.I. 2006/3412, [art. 3](#), Sch. 1 para. 14(h) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, [arts. 2, 4](#)
- F21** Sch. 1 rule 6(3) substituted (16.2.2001) by 2000 c. 41, s. [38\(1\)\(2\)](#) (with s. 156(6)); S.I. 2001/222, [art. 2](#), [Sch. 1 Pt. I](#) (subject to transitional provisions in Sch. 1 Pt. II)
- F22** Words in Sch. 1 rule 6(3)(a) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 19(4)(a), 74(2), 77, [Sch. 2](#); S.I. 2006/3412, [art. 3](#), Sch. 1 para. 14(f) (aa)(cc)(v) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, [arts. 2, 4](#)
- F23** Words in Sch. 1 rule 6(3)(a) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. [19\(4\)\(b\)](#), 77; S.I. 2006/3412, [art. 3](#), Sch. 1 para. 14(f) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, [arts. 2, 4](#)
- F24** Sch. 1 rule 6(4)(5) inserted (4.9.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. [24\(2\)\(b\)](#), 43(1); S.I. 2009/2395, [art. 2](#) (with [art. 3](#))

Modifications etc. (not altering text)

- C16** Sch. 1 rule 6 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, [art. 3\(1\)\(5\)-\(8\)](#), [Sch. 1](#)
Sch. 1 rule 6 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](#))
- C17** Sch. 1 rules 6, 7, 8 applied (with modifications) (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)(8), [Sch. 1 Pt. I](#)
- C18** Sch. 1 rules 6, 7, 8 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, [Sch. 1 Pt. I](#)

[^{F25} Nomination papers: name of registered political party]

Textual Amendments

- F25** Sch. 1 rule 6A: cross-heading inserted (24.3.1999) by 1998 c. 48, s. 13, [Sch. 2 para. 2](#); S.I. 1999/393, [art. 2](#)

^{F26}6A (1) A nomination paper may not include a description of a candidate which is likely to lead ^{F27}electors] to associate the candidate with a registered political party unless ^{F28}the party is a qualifying party in relation to the constituency and] the description is authorised by a certificate—

- (a) issued by or on behalf of the registered nominating officer of the party, and
- (b) received by the returning officer at some time during the period for delivery of nomination papers set out in the Table in rule 1.

[In paragraph (1) above an authorised description may be either—

- ^{F29}(1A) (a) the name of the party registered under section 28 of the Political Parties, Elections and Referendums Act 2000, or
- (b) a description of the party registered under section 28A of that Act.

(1B) A nomination paper may not include a description of a candidate which is likely to lead electors to associate the candidate with two or more registered political parties

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unless the parties are each qualifying parties in relation to the constituency and the description is a registered description authorised by a certificate—

- (a) issued by or on behalf of the registered nominating officer of each of the parties, and
- (b) received by the returning officer at some time during the period for delivery of nomination papers set out in the Table in rule 1.

(1C) For the purposes of paragraph (1B), a description is a registered description if it is a description registered for use by the parties under section 28B of the Political Parties, Elections and Referendums Act 2000.]

(2) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (1) [^{F30}or (1B)] on behalf of a registered political party's nominating officer.

[For the purposes of the application of this rule in relation to an election—

- ^{F31}(3) (a) “registered political party” means a party which was registered under Part II of the Political Parties, Elections and Referendums Act 2000 [^{F32}on the day (“the relevant day”) which is two days before the last day for the delivery of nomination papers at the election;]
- (b) a registered political party is a qualifying party in relation to a constituency if—
- (i) the constituency is in England, Scotland or Wales and the party was [^{F33}on the relevant day] registered in respect of that part of Great Britain in the Great Britain register maintained under that Part of that Act, or
 - (ii) the constituency is in Northern Ireland and the party was [^{F34}on the relevant day] registered in the Northern Ireland register maintained under that Part of that Act.]

[For the purposes of paragraph (3)(a) any day falling within rule 2(1) [^{F36}(subject to ^{F35}(4) rule 2(2A))] shall be disregarded.]]

Textual Amendments

- F26** Sch. 1 rule 6A inserted (24.3.1999) by 1998 c. 48, s. 13, **Sch. 2 para. 2**; S.I. 1999/393, **art. 2**
- F27** Word in Sch. 1 rule 6A(1) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 129(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F28** Words in Sch. 1 rule 6A(1) inserted (16.2.2001) by 2000 c. 41, **s. 38(1)(3)(a)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)
- F29** Sch. 1 rule 6A(1A)-(1C) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 49(3), 77**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 6 (subject to transitional provisions in art. 6, Sch. 2)
- F30** Words in Sch. 1 rule 6A(2) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 129(3)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F31** Sch. 1 rule 6A(3) substituted (16.2.2001) by 2000 c. 41, **s. 38(1)(3)(b)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)
- F32** Words in Sch. 1 rule 6A(3)(a) substituted (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 52(2)(a), 77**; S.I. 2006/1972, **art. 3(2)**, Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F33** Words in Sch. 1 rule 6A(3)(b) substituted (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 52(2)(b), 77**; S.I. 2006/1972, **art. 3(2)**, Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)

Status: Point in time view as at 15/09/2011.

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- F34** Words in Sch. 1 rule 6A(3)(b) substituted (11.9.2006) by Electoral Administration Act 2006 (c. 22), ss. 52(2)(b), 77; S.I. 2006/1972, art. 3(2), Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F35** Sch. 1 rule 6A(4) inserted (11.9.2006) by Electoral Administration Act 2006 (c. 22), ss. 52(3), 77; S.I. 2006/1972, art. 3(2), Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F36** Words in Sch. 1 rule 6A(4) inserted (15.9.2011) by Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), Sch. para. 12 (with s. 6)

Modifications etc. (not altering text)

- C19** Sch. 1 rule 6A 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)

Subscription of nomination paper

- 7 (1) The nomination paper shall be subscribed by two electors as proposer and seconder, and by eight other electors as assenting to the nomination.
- (2) Where a nomination paper bears the signatures of more than the required number of persons as proposing, seconding or assenting to the nomination of a candidate, the signature or signatures (up to the required number) appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.
- (3) The nomination paper shall give the electoral number of each person subscribing it.
- (4) The returning officer—
- (a) shall supply any elector with a form of nomination paper at the place and during the time for delivery of nomination papers, and
 - (b) shall at any elector's request prepare a nomination paper for signature, but it is not necessary for a nomination to be on a form supplied by the returning officer.
- (5) A person shall not subscribe more than one nomination paper at the same election and, if he does, his signature shall be inoperative on any paper other than the one first delivered, but he shall not be prevented from subscribing a nomination paper by reason only of his having subscribed that of a candidate who has died or withdrawn before delivery of the first mentioned paper.
- [^{F37}(6) In this rule “elector”—
- (a) means a person who is registered in the register of parliamentary electors for the constituency on the last day for publication of notice of the election; and
 - (b) includes a person then shown in that register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.]

[^{F38}(7) But, in this rule, “elector” does not include a person who has an anonymous entry in the register.]

Textual Amendments

- F37** Sch. 1 rule 7(6) substituted (16.2.2001) by 2000 c. 2, s. 8(a), Sch. 1 para. 23(2); S.I. 2001/116, art. 2(1)
- F38** Sch. 1 rule 7(7) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, Sch. 1 para. 14(2); S.I. 2006/3412, art. 3, Sch. 1 paras. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)

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Modifications etc. (not altering text)

- C20** Sch. 1 rules 6, 7, 8 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C21** Sch. 1 rules 6, 7, 8 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
- Sch. 1 rule 7 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**)

Consent to nomination

- 8 (1) A person shall not be validly nominated unless his consent to nomination—
- (a) is given in writing on or within one month before the day fixed as the last day for the delivery of nomination papers,
 - (b) is attested by one witness, and
 - (c) is delivered at the place and within the time for the delivery of nomination papers,
- subject to paragraph (2) below.
- (2) If the returning officer is satisfied that owing to the absence of a person from the United Kingdom it has not been reasonably practicable for his consent in writing to be given as mentioned above, a telegram (or any similar means of communication) consenting to his nomination and purporting to have been sent by him shall be deemed for the purposes of this rule to be consent in writing given by him on the day on which it purports to have been sent, and attestation of his consent shall not be required.
- (3) A candidate's consent given under this rule—
- (a) shall state the day, month and year of his birth; and
 - (b) shall state—
 - (i) that he is aware of the provisions of the ^{M2}House of Commons Disqualification Act 1975; and
 - (ii) that to the best of his knowledge and belief he is not disqualified for membership of the House of Commons.
 - ^{F39}(c) shall state that he is not a candidate at an election for any other constituency the poll for which is to be held on the same day as that for the election to which the consent relates.]

Textual Amendments

- F39** Sch. 1 rule 8(3)(c) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 22, 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(i) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

Modifications etc. (not altering text)

- C22** Sch. 1 rules 6, 7, 8 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C23** Sch. 1 rules 6, 7, 8 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
- Sch. 1 rule 8 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**)
- C24** Sch. 1 rule 8 modified (17.2.1994) by S.I. 1994/342, regs. 1(2)(3), 5(4), 6(4)

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Marginal Citations

M2 1975 c. 24.

Deposit

- 9 (1) A person shall not be validly nominated unless the sum of [^{F40}£500] is deposited by him or on his behalf with the returning officer at the place and during the time for delivery of nomination papers.
- (2) The deposit may be made either—
- by the deposit of any legal tender, or
 - by means of a banker's draft, or
 - with the returning officer's consent, in any other manner [^{F41}(including by means of a debit or credit card or the electronic transfer of funds)] .
- but the returning officer may refuse to accept a deposit sought to be made by means of a banker's draft if he does not know that the drawer carries on business as a banker in the United Kingdom.
- [^{F42}(3) Where the deposit is made on behalf of the candidate, the person making the deposit shall at the time he makes it give his name and address to the returning officer (unless they have previously been given to him under section 67 of this Act or [^{F43}rule 6(4)] above).]

Textual Amendments

- F40** "£500" substituted for "£150" by Representation of the People Act 1985 (c. 50, SIF 42), s. 13(a)
- F41** Words in Sch. 1 rule 9(2)(c) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 19(5), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4
- F42** Sch. 1 rule 9(3) added by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, Sch. 4 para. 75
- F43** Words in Sch. 1 rule 9(3) substituted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), Sch. 6 para. 8(3); S.I. 2009/2395, art. 2 (with art. 3)

Modifications etc. (not altering text)

- C25** Sch. 1 rule 9 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C26** Sch. 1 rule 9 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), Sch. 1 Pt. I
Sch. 1 rule 9 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)

Place for delivery of nomination papers

- 10 (1) The returning officer shall fix the place at which nomination papers are to be delivered to him, and shall attend there during the time for their delivery and for the making of objections to them.
- (2) Except in Scotland, the place shall be in—
- the constituency; or
 - the registration area which includes the constituency; or

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- (c) unless the constituency is a borough constituency, in a [^{F44}local government area][^{F45}or Welsh county or county borough] adjoining the constituency or registration area.

For the purposes of paragraph (b) above “registration area” means—

- (i) in England and Wales, the area of two or more constituencies which have the same registration officer;
- (ii) in Northern Ireland, the county borough of Belfast and each county.

(3) In Scotland the place shall be in—

- (a) the constituency; or
- (b) the [^{F44}local government area] or (if more than one) any of the [^{F44}local government areas] in which the constituency is situated; or
- (c) any district adjoining the [^{F44}local government area] or [^{F44}local government areas] (as the case may be) in which the constituency is situated.

Textual Amendments

F44 Words in s. 1 rule 10 substituted (1.4.1996) by S.I. 1996/739, art. 7(1), **Sch. 1 Pt. 1 para. 5(5)(a)**

F45 Words in Sch. 1 rule 10(2)(c) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 68(17)** (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

Modifications etc. (not altering text)

C27 Sch. 1 rule 10 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. 1**

C28 Sch. 1 rule 10 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. 1**
Sch. 1 rule 10 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**)

Right to attend nomination

- 11 (1) Except for the purpose of delivering a nomination paper or of assisting the returning officer, and subject to paragraph (4) below, no person is entitled to attend the proceedings during the time for delivery of nomination papers or for making objections to them unless he is—
- (a) a person standing nominated as a candidate, or
- (b) the election agent, proposer or seconder of such a person,^{F46} or
- (c) a person who is entitled to attend by virtue of section 6A or 6B of the Political Parties, Elections and Referendums Act 2000,]
- but where a candidate acts as his own election agent he may name one other person who shall be entitled to attend in place of his election agent.
- (2) Where a person stands nominated by more than one nomination paper, only the persons subscribing as proposer and seconder—
- (a) to such one of those papers as he may select, or
- (b) in default of such a selection, to that one of those papers which is first delivered,
- shall be entitled to attend as his proposer and seconder.
- (3) The right to attend conferred by this rule includes the right—
- (a) to inspect, and

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(b) to object to the validity of,
any nomination paper [^{F47}and associated home address form] .

[^{F48}(3A) Paragraph (3) does not apply to a person mentioned in paragraph (1)(c).]

(4) [^{F49}One other person chosen by the candidate] is entitled to be present at the delivery of the candidate's nomination, and may afterwards, so long as the candidate stands nominated, attend the proceedings referred to in paragraph (1) above, but without any such right as is conferred by paragraph (3) above.

[^{F50}(5) The returning officer shall not permit a home address form to be inspected otherwise than in accordance with this rule, or for some other purpose authorised by law.]

Textual Amendments

- F46** Sch. 1 rule 11(1)(c) and word inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 83(2)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**
- F47** Words in Sch. 1 rule 11(3) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 24(3)(a), 43(1)**; S.I. 2009/2395, **art. 2** (with art. 3)
- F48** Sch. 1 rule 11(3A) inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 83(3)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**
- F49** Words in Sch. 1 rule 11(4) substituted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 83(4)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**
- F50** Sch. 1 rule 11(5) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 24(3)(b), 43(1)**; S.I. 2009/2395, **art. 2** (with art. 3)

Modifications etc. (not altering text)

- C29** Sch. 1 rule 11 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C30** Sch. 1 rule 11 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
Sch. 1 rule 11 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**)

Decisions as to validity of nomination papers

- 12 (1) Where a nomination paper and the candidate's consent to it [^{F51}and the home address form] are delivered and a deposit is made in accordance with these rules, the candidate shall be deemed to stand nominated unless and until—
- (a) the returning officer decides that the nomination paper is invalid; or
- [^{F52}(aa) the returning officer decides that the home address form does not comply with rule 6(4); or]
- (b) proof is given to the returning officer's satisfaction of the candidate's death; or
- (c) the candidate withdraws.
- (2) The returning officer is entitled to hold a nomination paper invalid only on one of the following grounds—
- (a) that the particulars of the candidate or the persons subscribing the paper are not as required by law;
- (b) that the paper is not subscribed as so required; and

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- (c) that the candidate is disqualified by the Representation of the ^{M3}People Act 1981.
- (3) [^{F53}Subject to paragraph (3A),] the returning officer shall give his decision on any objection to a nomination paper
- [^{F54}(a) as soon as practicable after it is made, and
- (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1.]
- [^{F55}(3A) If in the returning officer's opinion a nomination paper breaks rule 6A(1) [^{F56}or (1B)], he shall give a decision to that effect
- [^{F57}(a) as soon as practicable after delivery of the nomination paper, and
- (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1.]]
- (4) [^{F58}Where the returning officer] decides that a nomination paper is invalid, he shall endorse and sign on the paper the fact and the reasons for his decision.
- (5) The returning officer's decision that a nomination paper is valid shall be final and shall not be questioned in any proceeding whatsoever.
- (6) Subject to paragraph (5) above nothing in this rule prevents the validity of a nomination being questioned on an election petition.

Textual Amendments

- F51** Words in Sch. 1 rule 12(1) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(4)(a), 43(1); S.I. 2009/2395, art. 2 (with art. 3)
- F52** Sch. 1 rule 12(1)(aa) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(4)(b), 43(1); S.I. 2009/2395, art. 2 (with art. 3)
- F53** Words in Sch. 1 rule 12(3) inserted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 3(2); S.I. 1999/393, art. 2
- F54** Words in Sch. 1 rule 12(3) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 19(6), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F55** Sch. 1 rule 12(3A) inserted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 3(3); S.I. 1999/393, art. 2
- F56** Words in Sch. 1 rule 12(3A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, Sch. 1 para. 130; S.I. 2006/3412, art. 3, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F57** Words in Sch. 1 rule 12(3A) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 19(7), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F58** Words in Sch. 1 rule 12(4) substituted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 3(4); S.I. 1999/393, art. 2

Modifications etc. (not altering text)

- C31** Sch. 1 rule 12 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C32** Sch. 1 rule 12 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), Sch. 1 Pt. I
Sch. 1 rule 12 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)
- C33** Sch. 1 rule 12 modified (17.2.1994) by S.I. 1994/342, regs. 1(2)(3), 5(5), 6(5)

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C34 Sch. 1 rule 12 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)-(8), **Sch. 1**

Marginal Citations

M3 1981 c. 34.

Withdrawal of candidates

- 13 (1) A candidate may withdraw his candidature by notice of withdrawal—
- (a) signed by him and attested by one witness, and
 - (b) delivered to the returning officer at the place for delivery of nomination papers.
- (2) Where a candidate is outside the United Kingdom, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect as a notice of withdrawal signed by the candidate; but where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph shall be effective if, and only if—
- (a) it and the accompanying declaration are signed by all the proposers except any who is, and is stated in that declaration to be, outside the United Kingdom; or
 - (b) it is accompanied, in addition to that declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

Modifications etc. (not altering text)

C35 Sch. 1 rule 13 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C36 Sch. 1 rule 13 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C37 Sch. 1 rule 13 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)-(8), **Sch. 1**
Sch. 1 rule 13 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**)

Publication of statement of persons nominated

- 14 (1) The returning officer shall prepare and publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.
- (2) The statement shall show the names, addresses and descriptions of the persons nominated as given in their nomination papers [^{F59}and home address forms], together with the names of the persons subscribing those papers.
- [^{F60}(2A) If a person's nomination paper gives a commonly used surname or forename in addition to another name, the statement shall show the person's commonly used surname or forename (as the case may be) instead of any other name.
- (2B) Paragraph (2A) above does not apply if the returning officer thinks—
- (a) that the use of the person's commonly used name may be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.

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- (2C) If paragraph (2B) above applies, the returning officer must give notice in writing to the candidate of his reasons for refusing to allow the use of a commonly used name.]
- (3) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames, and, if there are two or more of them with the same surname, of their other names.
- [^{F61}(3A) In relation to a nominated person in whose case the home address form (or, if the person is nominated by more than one nomination paper, any of the home address forms) contains—
- (a) the statement mentioned in rule 6(5)(a), and
 - (b) the information mentioned in rule 6(5)(b),
- the reference in paragraph (2) to the person's address shall be read as a reference to the information mentioned in rule 6(5)(b).]
- (4) In the case of a person nominated by more than one nomination paper, the returning officer shall take the particulars required by the foregoing provisions of this rule from such one of the papers as the candidate (or the returning officer in default of the candidate) may select, but if the election is contested a candidate standing nominated may require the returning officer to include in the statement the names of the persons subscribing a second and third nomination.
- [^{F62}(4A) Where—
- (a) two or more of the names shown on the statement are the same or so similar as to be likely to cause confusion,
 - (b) paragraph (3A) applies in relation to each of the persons in question, and
 - (c) the information mentioned in rule 6(5)(b) is the same for each of them,
- the returning officer may cause any of their particulars to be shown on the statement with such amendments or additions as the officer thinks appropriate in order to reduce the likelihood of confusion.
- (4B) Where it is practicable to do so before the publication of the statement, the returning officer shall consult any person whose particulars are to be amended or added to under paragraph (4A).
- (4C) The returning officer must give notice in writing to any person whose particulars are amended or added to under paragraph (4A).
- (4D) Anything done by a returning officer in pursuance of paragraph (4A) must not be questioned in any proceedings other than proceedings on an election petition.
- (4E) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of paragraph (4A).]
- [^{F63}(5) The returning officer shall send to the Electoral Commission—
- (a) a copy of the statement; and
 - (b) in the case of each candidate standing nominated in respect of whom a certificate has been received by the returning officer in accordance with rule 6A [^{F64}(1) or (1B)] above, a copy of that certificate as well.]

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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

- F59** Words in Sch. 1 rule 14(2) inserted (4.9.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 39, 43(1), [Sch. 6 para. 8\(4\)](#); S.I. 2009/2395, [art. 2](#) (with art. 3)
- F60** Sch. 1 rule 14(2A)-(2C) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. [21\(3\)](#), 77; S.I. 2006/3412, [art. 3](#), Sch. 1 para. 14(h) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, [arts. 2, 4](#)
- F61** Sch. 1 rule 14(3A) inserted (4.9.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. [24\(5\)](#), 43(1); S.I. 2009/2395, [art. 2](#) (with art. 3)
- F62** Sch. 1 rule 14(4A)-(4E) inserted (4.9.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. [24\(6\)](#), 43(1); S.I. 2009/2395, [art. 2](#) (with art. 3)
- F63** Sch. 1 rule 14(5) inserted (16.2.2001) by 2000 c. 41, s. 158(1), [Sch. 21 para. 6\(9\)](#) (with s. 156(6)); S.I. 2001/222, art. 2, [Sch. 1 Pt. I](#) (subject to transitional provisions in Sch. 1 Pt. II)
- F64** Words in Sch. 1 rule 14(5) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74(1), 77, [Sch. 1 para. 131](#); S.I. 2006/3412, [art. 3](#), Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, [arts. 2, 4](#)

Modifications etc. (not altering text)

- C38** Sch. 1 rules 14, 15 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, [Sch. 1 Pt. I](#)
- C39** Sch. 1 rules 14, 15 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), [Sch. 1 Pt. I](#)
- C40** Sch. 1 rule 14 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)-(8), [Sch. 1](#)
Sch. 1 rule 14 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](#))

[^{F65}Correction of minor errors

Textual Amendments

- F65** Sch. 1 rule 14A inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. [19\(8\)](#), 77; S.I. 2006/3412, [art. 3](#), Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, [arts. 2, 4](#)

- 14A (1) A returning officer may, if he thinks fit, at any time before the publication under rule 14 above of the statement of persons nominated, correct minor errors in a nomination paper [^{F66}or home address form] .
- (2) Errors which may be corrected include—
- (a) errors as to a person's electoral number;
 - (b) obvious errors of spelling in relation to the details of a candidate.
[in the home address form, errors as to the information mentioned in rule 6(5)
 - ^{F67}(c) (b).]
- (3) Anything done by a returning officer in pursuance of this rule must not be questioned in any proceedings other than proceedings on an election petition.
- (4) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of this rule.]

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Textual Amendments

- F66** Words in Sch. 1 rule 14A(1) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), **Sch. 6 para. 8(5)(a)**; S.I. 2009/2395, **art. 2** (with art. 3)
- F67** Sch. 1 rule 14A(2)(c) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), **Sch. 6 para. 8(5)(b)**; S.I. 2009/2395, **art. 2** (with art. 3)

Modifications etc. (not altering text)

- C41** Sch. 1 rule 14A applied (with modifications) 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**)

Disqualification by Representation of the People Act 1981

- 15 (1) If it appears to the returning officer that any of the persons nominated might be disqualified by the Representation of the ^{M4}People Act 1981 he shall, as soon as practicable after the expiry of the time allowed for the delivery of nomination papers, prepare and publish a draft of the statement required under rule 14 above.
- (2) The draft shall be headed “Draft statement of persons nominated” and shall omit the names of the persons subscribing the papers but shall contain a notice stating that any person who wishes to object to the nomination of any candidate on the ground that he is disqualified for nomination under the Representation of the People Act 1981 may do so between the hours of 10 in the morning and 4 in the afternoon on the day and at the place specified in the notice; and the day so specified shall be the day next after the last day for the delivery of nomination papers.

Modifications etc. (not altering text)

- C42** Sch. 1 rules 14, 15 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C43** Sch. 1 rules 14, 15 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
- Sch. 1 rule 15 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**)

Marginal Citations

- M4** 1981 c. 34.

Adjournment of nomination proceedings in case of riot

- 16 (1) Where the proceedings for or in connection with nomination are on any day interrupted or obstructed by riot or open violence—
- (a) the proceedings shall be abandoned for that day, and
- (b) if that day is the last day for the delivery of nomination papers, the proceedings shall be continued on the next day as if that were the last day of such delivery,
- and that day shall be treated for the purposes of these rules as being the last day for such delivery (subject to any further application of this rule in the event of interruption or obstruction on that day).
- (2) Where proceedings are abandoned by virtue of this rule nothing—

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- (a) may be done after they are continued if the time for doing it had passed at the time of the abandonment;
- (b) done before the abandonment shall be invalidated by reason of the abandonment.

Modifications etc. (not altering text)

- C44** Sch. 1 rule 16 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C45** Sch. 1 rule 16 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
Sch. 1 rule 16 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**)

Method of election

- 17 (1) If the statement of persons nominated shows more than one person standing nominated, a poll shall be taken in accordance with Part III of these rules.
- (2) If the statement of persons nominated shows only one person standing nominated, that person shall be declared to be elected in accordance with Part IV of these rules.

Modifications etc. (not altering text)

- C46** Sch. 1 rule 17 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C47** Sch. 1 rule 17 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C48** Sch. 1 rule 17 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 17 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**)

PART III

CONTESTED ELECTIONS

GENERAL PROVISIONS

Poll to be taken by ballot

- 18 The votes at the poll shall be given by ballot, the result shall be ascertained by counting the votes given to each candidate and the candidate to whom the majority of votes have been given shall be declared to have been elected.

Modifications etc. (not altering text)

- C49** Sch. 1 rule 18 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C50** Sch. 1 rule 18 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C51** Sch. 1 rule 18 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 18 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**)

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The ballot papers

- 19 (1) The ballot of every voter shall consist of a ballot paper, and the persons shown in the statement of persons nominated as standing nominated, and no others, shall be entitled to have their names inserted in the ballot paper.
- (2) Every ballot paper shall be in the form in the Appendix, and shall be printed in accordance with the directions in that Appendix, and—
- (a) shall contain the names and other particulars of the candidates as shown in the statement of persons nominated;
 - (b) shall be capable of being folded up;
 - (c) shall have a number [^{F68}and other unique identifying mark] printed on the back;
 - (d) ^{F69}
- [^{F70}(2A) If a candidate who is the subject of a party's authorisation under rule 6A(1) so requests, the ballot paper shall contain, against the candidate's particulars, the party's registered emblem (or, as the case may be, one of the party's registered emblems).
- (2B) The request must—
- (a) be made in writing to the returning officer, and
 - (b) be received by him during the period for delivery of nomination papers set out in the Table in rule 1.]

(3) The order of the names in the ballot paper shall be the same as in the statement of persons nominated.

[^{F71}(4) The Secretary of State may in regulations—

 - (a) prescribe a different form of ballot paper from that in the Appendix;
 - (b) amend or replace the directions as to printing the ballot paper in the Appendix;
 - (c) in consequence of anything done for the purposes of paragraph (a) or (b), amend or replace the Form of directions for the guidance of the voters in voting in the Appendix.]

Textual Amendments

- F68** Words in Sch. 1 rule 19(2)(c) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 87; S.I. 2006/3412, art. 3, Sch. 1 para. 14(w) (bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F69** Sch. 1 rule 19(2)(d) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 30(2)(a), 74(2), 77, Sch. 2; S.I. 2006/3412, art. 3, Sch. 1 para. 14(n)(aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F70** Sch. 1 rule 19(2A)(2B) inserted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 4; S.I. 1999/393, art. 2
- F71** Sch. 1 rule 19(4) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 30(2)(b), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(n) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

Modifications etc. (not altering text)

- C52** Sch. 1 rule 19 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C53** Sch. 1 rule 19 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I
- C54** Sch. 1 rule 19 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), Sch. 1

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Sch. 1 rule 19 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)

[^{F72}Corresponding number list

Textual Amendments

F72 Sch. 1 rule 19A inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), ss. 31(2), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3

19A (1) The returning officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be issued by him in pursuance of rule 24(1) or provided by him in pursuance of rule 29(1).

(2) The list shall be in such form as the Secretary of State in regulations prescribes.]

Modifications etc. (not altering text)

C55 Sch. 1 rule 19A applied (with modifications) by [The Northern Ireland Assembly \(Elections\) Order 2001](#) (S.I. 2001/2599), art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, Sch. 1; and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011](#) (c. 1), s. 19(1), Sch. 8 para. 7)

The official mark

20 [^{F73}(1) Every ballot paper must contain an appropriate security marking (the official mark).]

(2) The official mark shall be kept secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same constituency.

[^{F74}(3) The returning officer may use a different official mark for different purposes at the same election.]

Textual Amendments

F73 Sch. 1 rule 20(1) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), ss. 47, 77, Sch. 1 para. 88(2); S.I. 2006/3412, art. 3, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

F74 Sch. 1 rule 20(3) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), ss. 47, 77, Sch. 1 para. 88(3); S.I. 2006/3412, art. 3, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

Modifications etc. (not altering text)

C56 Sch. 1 rules 20, 21 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

C57 Sch. 1 rules 20, 21 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I

C58 Sch. 1 rule 20 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), Sch. 1 Sch. 1 rule 20 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, Sch. 2

C59 Sch. 1 rule 20 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, Sch. 3 para. 13 Table 2

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Sch. 1 rule 20 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)

Prohibition of disclosure of vote

- 21 No person who has voted at the election shall, in any legal proceeding to question the election or return, be required to state for whom he voted.

Modifications etc. (not altering text)

- C60** Sch. 1 rules 20, 21 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
C61 Sch. 1 rules 20, 21 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I
C62 Sch. 1 rule 21 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), Sch. 1
Sch. 1 rule 21 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)

Use of schools and public rooms

- 22 (1) The returning officer may use, free of charge, for the purpose of taking the poll—
- (a) a room in a school to which this rule applies;
 - (b) a room the expense of maintaining which is payable out of any rate.
- This rule applies—
- (i) in England and Wales, to a school maintained or assisted by a ^{F75}local authority^{F76} . . . or a school in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school;
 - (ii) in Scotland, to a school other than an independent school within the meaning of the ^{M5}Education (Scotland) Act 1980;
 - (iii) in Northern Ireland, to a school in receipt of a grant out of moneys appropriated by Measure of the Northern Ireland Assembly.
- (2) The returning officer shall make good any damage done to, and defray any expense incurred by the persons having control over, any such room as mentioned above by reason of its being used for the purpose of taking the poll.
- ^{F77}(3) The use of a room in an unoccupied house for that purpose does not render a person liable to be rated or to pay any rate for the house.]
- (4) In Northern Ireland this rule does not apply to any school adjoining or adjacent to any church or other place of worship nor to any school connected with a nunnery or other religious establishment.

Textual Amendments

- F75** Words in Sch. 1 para. 22(1) substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, Sch. 2 para. 33(2)
F76 Words in Sch. 1 rule 22(1)(i) repealed (1.9.1999) by 1998 c. 31, s. 140(3), Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch. 1
F77 Sch. 1 rule 22(3) repealed (E.W.S.) by Local Government Finance Act 1988 (c. 41, SIF 81:1, 103:2), s. 149, Sch. 13 Pt. I

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Modifications etc. (not altering text)

- C63** Sch. 1 rule 22 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C64** Sch. 1 rule 22 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C65** Sch. 1 rule 22 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 22 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C66** Sch. 1 rule 22 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**)
- C67** Sch. 1 rule 22(1)(2) applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
- C68** Sch. 1 rule 22(3) modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(1), **Sch. 1 para. 19(2)**

Marginal Citations

- M5** 1980 c. 44.

ACTION TO BE TAKEN BEFORE THE POLL

Notice of poll

- 23 (1) The returning officer shall in the statement of persons nominated include a notice of the poll, stating the day on which and hours during which the poll will be taken.
- (2) The returning officer shall also give public notice (which may be combined with the statement of persons nominated) of—
- (a) the situation of each polling station;
 - (b) the description of voters entitled to vote there; ^{F78}
 - ^{F79}(c)
- [^{F80}and he shall as soon as practicable after giving such a notice give a copy of it to each of the election agents]
- ^{F81}(3)

Textual Amendments

- F78** Word repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, **Sch. 4 para. 77(a)**, Sch. 5
- F79** Sch. 1 rule 23(2)(c) repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, **Sch. 4 para. 77(a)**, Sch. 5
- F80** Words inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 77(a)**
- F81** Sch. 1 rule 23(3) repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, **Sch. 4 para. 77(b)**, Sch. 5

Modifications etc. (not altering text)

- C69** Sch. 1 rule 23 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C70** Sch. 1 rule 23 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C71** Sch. 1 rule 23 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 23 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C72** Sch. 1 rule 23 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**)

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C73 Sch. 1 rule 23(1) applied (with modifications) (31.7.1997) by S.I. 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2

Postal ballot papers

- [^{F82}24 (1) The returning officer shall, in accordance with regulations, issue to those entitled to vote by post—
- (a) a ballot paper;
 - (b) at an election held in England and Wales or Scotland, a postal voting statement in the prescribed form;
 - (c) at an election held in Northern Ireland, a declaration of identity in the prescribed form;
- together with such envelopes for their return as may be prescribed.
- (2) The returning officer must also issue to those entitled to vote by post such information as he thinks appropriate about how to obtain—
- (a) translations into languages other than English of any directions to or guidance for voters sent with the ballot paper;
 - (b) a translation into Braille of such directions or guidance;
 - (c) graphical representations of such directions or guidance;
 - (d) the directions or guidance in any other form (including any audible form).
- (3) The prescribed form shall include provision for the form to be signed and for stating the date of birth of the elector or proxy (as the case may be).
- (4) In the case of a ballot paper issued to a person resident in the United Kingdom, the returning officer must ensure that the return of the ballot paper and postal voting statement or declaration of identity is free of charge to the voter.
- (5) In any other case, regulations may provide that the returning officer must so ensure.]

Textual Amendments

F82 Sch. 1 rule 24 substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 37, 77](#); [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 14\(r\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); [S.I. 2008/1316](#), [arts. 2, 3](#)

Modifications etc. (not altering text)

C74 Sch. 1 rule 24 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), [art. 3](#), [Sch. 1](#) (as substituted (10.2.2009) by [S.I. 2009/256](#), [arts. 1\(2\), 3](#), [Sch. 1](#); and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), [s. 19\(1\)](#), [Sch. 8 paras. 10, 11](#))

Provision of polling stations

- 25 (1) The returning officer shall provide a sufficient number of polling stations and, subject to the following provisions of this rule, shall allot the electors to the polling stations in such manner as he thinks most convenient.
- (2) One or more polling stations may be provided in the same room.
- (3) the polling station allotted to electors from any polling district shall be in the polling place for that district.

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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)

- (4) In a constituency in Scotland comprising the whole or any part of more [^{F83}local government areas] than one, there shall be at least one polling station in each of those [^{F83}local government areas].
- (5) the returning officer shall provide each polling station with such number of compartments as may be necessary in which the voters can mark their votes screened from observation.

Textual Amendments

F83 Words in [Sch. 1 rule 25\(4\)](#) substituted (1.4.1996) by [S.I. 1996/739](#), art. 7(1), [Sch. 1 Pt. I para. 5\(5\)\(b\)](#)

Modifications etc. (not altering text)

- C75** [Sch. 1 rule 25](#) applied (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, [Sch. 1 Pt. I](#)
- C76** [Sch. 1 rule 25](#) applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), [Sch. 1 Pt. I](#)
- C77** [Sch. 1 rule 25](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), art. 3(1)(b)(5)–(8), [Sch. 1](#)
[Sch. 1 rule 25](#) applied (N.I.) (25.4.1998) by [S.I. 1998/1126](#), art. 6, [Sch. 2](#)
- C78** [Sch. 1 rule 25](#) applied (with modifications) (31.7.1997) by [S.I. 1997 c. 61](#), s. 3, [Sch. 3 para. 13](#) Table 2
[Sch. 1 rule 25](#) 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](#))

Appointment of presiding officers and clerks

- 26 (1) The returning officer shall appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the election, but he shall not appoint any person who has been employed by or on behalf of a candidate in or about the election.
- (2) The returning officer may, if he thinks fit, preside at a polling station and the provisions of these rules relating to a presiding officer shall apply to a returning officer so presiding with the necessary modifications as to things to be done by the returning officer to the presiding officer or by the presiding officer to the returning officer.
- (3) A presiding officer may do, by the clerks appointed to assist him, any act (including the asking of questions) which he is required or authorised by these rules to do at a polling station except order the arrest, exclusion or removal of any person from the polling station [^{F84}or refuse to deliver a ballot paper under paragraph (1C) of rule 37 (including that paragraph as applied by rule 38, 39 or 40)].

Textual Amendments

F84 Words inserted (N.I.) by [Elections \(Northern Ireland\) Act 1985](#) (c. 2, SIF 42), s. 2(2)

Modifications etc. (not altering text)

- C79** [Sch. 1 rule 26](#) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, [Sch. 1 Pt. I](#)
- C80** [Sch. 1 rule 26](#) applied with modifications (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), [Sch. 1 Pt. I](#)
- C81** [Sch. 1 rule 26](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), art. 3(1)(b)(5)–(8), [Sch. 1](#)
[Sch. 1 rule 26](#) applied (with modifications) (N.I.) (25.4.1998) by [S.I. 1998/1126](#), art. 6, [Sch. 2](#)
- C82** [Sch. 1 rule 26](#) applied (with modifications) (31.7.1997) by [1997 c. 61](#), s. 3, [Sch. 3 para. 13](#) Table 2

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Sch. 1 rule 26 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)

Special lists

^{F85}27

Textual Amendments

F85 Sch. 1 rule 27 repealed S.I. 1986/1080, arts. 3, 4(2)(c), Sch. by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, Sch. 5

Issue of official poll cards

28 [^{F86}(1) The returning officer shall as soon as practicable after the publication of notice of the election send to electors and their proxies an official poll card.

(1A) An official poll card shall not be sent to a person registered, or to be registered, in pursuance of an overseas elector's declaration.]

(2) An elector's official poll card shall be sent or delivered to his qualifying address, and a proxy's to his address as shown in the list of proxies.

(3) The official poll card shall be in the prescribed form and shall set out—

- (a) the name of the constituency;
- (b) the elector's name, qualifying address and number on the register;
- (c) the date and hours of the poll and the situation of the elector's polling station.

[^{F87}(d) such other information as is prescribed;

(e) such other information as the returning officer thinks appropriate, and different information may be provided in pursuance of sub-paragraph (d) and (e) to different electors or descriptions of elector.]

[^{F88}(3A) In the case of an elector with an anonymous entry, instead of containing the matter mentioned in paragraph (3)(b) above the polling card shall contain such matter as is prescribed.]

(4) Paragraph (6) of rule 7 above applies for the interpretation of this rule.

Textual Amendments

F86 Sch. 1 rule 28(1)(1A) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) for Sch. 1 rule 28(1) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 70(2); S.I. 2006/3412, art. 3, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3

F87 Sch. 1 rule 28(3)(d)(e) and words inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 70(3); S.I. 2006/3412, art. 3, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3

F88 Sch. 1 rule 28(3A) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10(2), 77, Sch. 1 para. 14(3); S.I. 2006/3412, art. 3, Sch. 1 para. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)

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Modifications etc. (not altering text)

- C83** Sch. 1 rule 28 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. 1**
- C84** Sch. 1 rule 28 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. 1**
- C85** Sch. 1 rule 28 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 28 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
Sch. 1 rule 28 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**)
- C86** Sch. 1 rule 28(1)–(3) applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2

Equipment of polling stations

- 29 (1) The returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as in the returning officer's opinion may be necessary.
- (2) Every ballot box shall be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked.
- (3) The returning officer shall provide each polling station with—
- (a) materials to enable voters to mark the ballot papers;
 - (b) ^{F89}
 - (c) copies of the register of electors or such part of it as contains the [^{F90} entries relating to] the electors allotted to the station;
 - (d) the parts of any special lists prepared for the election corresponding to the register of electors or the part of it provided under subparagraph (c) above.
 - [^{F91}(e) a list consisting of that part of the list prepared under rule 19A which contains the numbers (but not the other unique identifying marks) corresponding to those on the ballot papers provided to the presiding officer of the polling station.]
- [^{F92}(3A) The returning officer shall also provide each polling station with—
- (a) at least one large version of the ballot paper which shall be displayed inside the polling station for the assistance of voters who are partially-sighted; and
 - (b) a device of such description as may be prescribed for enabling voters who are blind or partially-sighted to vote without any need for assistance from the presiding officer or any companion (within the meaning of rule 39(1)).]
- (4) A notice in the form in the Appendix, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.
- (5) In every compartment of every polling station there shall be exhibited [^{F93}the notice “Vote for one candidate only. Put no other mark on the ballot paper, or your vote may not be counted.”]
- [^{F94}(6) The reference in paragraph (3)(c) to the copies of the registers of electors includes a reference to copies of any notices issued under section 13B(3B) or (3D) of this Act in respect of alterations to the register.]

Appointment of polling and counting agents

- 30 (1) Each candidate may, before the commencement of the poll, appoint—

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- (a) polling agents to attend at polling stations for the purpose of detecting personation; and
 - (b) counting agents to attend at the counting of the votes.
- (2) The returning officer may limit the number of counting agents, so however that—
 - (a) the number shall be the same in the case of each candidate; and
 - (b) the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.
- (3) Notice in writing of the appointment, stating the names and addresses of the persons appointed, shall be given by the candidate to the returning officer and shall be so given not later than the second day (computed like any period of time in the Timetable) before the day of the poll.
- (4) If an agent dies, or becomes incapable of acting, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.
- (5) ^{F95} . . . any appointment authorised by this rule may be made and the notice of appointment given to the returning officer by the candidate's election agent, instead of by the candidate.
- (6) In the following provisions of these rules references to polling and counting agents shall be taken as references to agents—
 - (a) whose appointments have been duly made and notified; and
 - (b) where the number of agents is restricted, who are within the permitted number.
- (7) Any notice required to be given to a counting agent by the returning officer may be delivered at or sent by post to the address stated in the notice of appointment.
- (8) A candidate may himself do any act or thing which any polling or counting agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.
- (9) A candidate's election agent may do or assist in doing anything which a polling or counting agent of his is authorised to do; and anything required or authorised by these rules to be done in the presence of the polling or counting agents may be done in the presence of a candidate's election agent instead of his polling agent or counting agents.
- (10) Where by these rules 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 shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Textual Amendments

F95 Words in [Sch. 1 rule 30\(5\)](#) repealed (16.2.2001) by [2000 c. 41, s. 158\(2\)](#), [Sch. 22](#) (with [s. 156\(6\)](#)); [S.I. 2001/222, art. 2](#), [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

Modifications etc. (not altering text)

C89 [Sch. 1 rule 30](#) applied with modifications (N.I.) by [S.I. 1986/2250, regs. 2, 3, 5](#), [Sch. 1 Pt. I](#)

Status: Point in time view as at 15/09/2011.

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- C90** Sch. 1 rule 30 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C91** Sch. 1 rule 30 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 30 applied (with modifications) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C92** Sch. 1 rule 30 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**)
- C93** Sch. 1 rule 30(2)(9) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(6)(d)** (7)

[^{F96} Notification of requirement of secrecy]

Textual Amendments

- F96** Sch. 1 rule 31 substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 80**

- ^{F97}31 The returning officer shall make such arrangements as he thinks fit to ensure that—
- (a) every person attending at a polling station (otherwise than for the purpose of voting or assisting a blind voter to vote or as a constable on duty there) has been given a copy in writing of the provisions of subsections (1), (3) and (6) of section 66 of this Act; and
 - (b) every person attending at the counting of the votes (other than any constable on duty at the counting) has been given a copy in writing of the provisions of subsections (2) and (6) of that section.]

Textual Amendments

- F97** Sch. 1 rule 31 substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 80**

Modifications etc. (not altering text)

- C94** Sch. 1 rule 31 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C95** Sch. 1 rule 31 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C96** Sch. 1 rule 31 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 para. 31 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C97** Sch. 1 rule 31 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 31 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**)

[^{F98} Return of postal ballot papers]

Textual Amendments

- F98** Sch. 1 rule 31A inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 45(2), 77**; S.I. 2006/3412, **art. 3, Sch. 1 para. 14(u)** (subject to transitional provisions in art. 6, Sch. 2)S. 61(6A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 38(3), 77**; S.I. 2006/3412, **art. 3, Sch. 1 para. 14(s)** (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts 2, 4**

- 31A (1) Where—
- (a) a postal vote has been returned in respect of a person who is entered on the postal voters list, or

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- (b) a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list,
the returning officer must mark the list in the prescribed manner.
- (2) For the purposes of paragraph (1) above, regulations may prescribe the circumstances in which a postal vote or a proxy postal vote (as the case may be) is or is not to be treated as having been returned.
- (3) Rule 45(1B) and (2) below does not apply for the purpose of determining whether, for the purposes of this rule, a postal vote or a proxy postal vote is returned.]

Modifications etc. (not altering text)

C98 Sch. 1 rule 31A(1)(3) 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)

THE POLL

Admission to polling station

- 32 ^{F99}(1) The presiding officer shall exclude all persons from the polling station except—
- (a) voters;
 - (b) persons under the age of 18 who accompany voters to the polling station;
 - (c) the candidates and their election agents;
 - (d) the polling agents appointed to attend at the polling station;
 - (e) the clerks appointed to attend at the polling station;
 - (f) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000;
 - (g) the constables on duty; and
 - (h) the companions of voters with disabilities.
- (1A) The presiding officer shall regulate the total number of voters and persons under the age of 18 who accompany them to be admitted to the polling station at the same time.]
- (2) Not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same candidate.
- (3) A constable or person employed by a returning officer shall not be admitted to vote in person elsewhere than at his own polling station under the relevant provision of this Act, except on production and surrender of a certificate as to his employment, which shall be in the prescribed form and signed by the prescribed officer of police or by the returning officer, as the case may be.
- (4) Any certificate surrendered under this rule shall forthwith be cancelled.

Textual Amendments

F99 Sch. 1 rule 32(1)(1A) substituted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) for Sch. 1 rule 32(1) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 84; S.I. 2006/3412, art. 5; S.I. 2008/1316, arts. 2, 4

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Modifications etc. (not altering text)

- C99** Sch. 1 rules 32–34 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C100** Sch. 1 rules 32–34 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C101** Sch. 1 rule 32 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 32 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C102** Sch. 1 rule 32 applied (with modifications) (1.8.2001) by **The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599)**, art. 3, **Sch. 1** (as amended (13.11.2003) by S.I. 2003/2989, art. 2(2)); substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**; and modified (16.2.2011) by **Parliamentary Voting System and Constituencies Act 2011 (c. 1)**, s. 19(1), **Sch. 8 para. 19(2)**
- C103** Sch. 1 rule 32(2) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(6)(d)(7)
- C104** Sch. 1 rule 32(1)(3)(4) applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13**
Table 2

Keeping of order in station

- 33 (1) It is the presiding officer's duty to keep order at his polling station.
- (2) If a person misconducts himself in a polling station, or fails to obey the presiding officer's lawful orders, he may immediately, by the presiding officer's order, be removed from the polling station—
- (a) by a constable in or near that station, or
 - (b) by any other person authorised in writing by the returning officer to remove him,
- and the person so removed shall not, without the presiding officer's permission, again enter the polling station during the day.
- (3) Any person so removed may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.
- (4) The powers conferred by this rule shall 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.

Modifications etc. (not altering text)

- C105** Sch. 1 rules 32–34 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C106** Sch. 1 rules 32–34 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C107** Sch. 1 rule 33 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 33 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C108** Sch. 1 rule 33 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 33 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**)

Sealing of ballot boxes

- 34 Immediately before the commencement of the poll, the presiding officer shall show the ballot box empty to such persons, if any, as are present in the polling station, so that they may see that it is empty, and shall then lock it up and place his seal on it in such a manner as to prevent its being opened without breaking the seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

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Modifications etc. (not altering text)

- C109** Sch. 1 rules 32–34 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C110** Sch. 1 rules 32–34 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C111** Sch. 1 rule 34 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 34 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C112** Sch. 1 rule 34 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 34 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**)

Questions to be put to voters

[^{F100}35(1) At the time of the application (but not afterwards), the questions specified in the second column of the following table—

- (a) may be put by the presiding officer to a person who is mentioned in the first column, and
- (b) shall be put if the letter “R” appears after the question and the candidate or his election or polling agent requires the question to be put:

Person applying for ballot paper

Questions

1 A person applying as an elector.

- (a) “Are you the person registered in the register of parliamentary electors for this election as follows (*read out the whole entry from the register*)” R
- (b) “Have you already voted, here or elsewhere, at this election, otherwise than as proxy for some other person” R
- (c) At an election held in Northern Ireland, “What is your date of birth”

2 A person applying as proxy.

- (a) “Are you the person whose name appears as A.B. in the list of proxies for this election
- (b) “Have you already voted here or elsewhere at this election, as proxy on behalf of C.D.” R
as entitled to vote as proxy on behalf of C.D.” R
- (c) “Are you the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild of C.D.” R

3 A person applying as proxy for an elector with an anonymous entry (instead of the questions at entry 2 above).

- (a) “Are you the person entitled to vote as proxy on behalf of the elector whose number on the register of electors is (*read out the number from the register*)” R
- (b) “Have you already voted here or elsewhere as proxy on behalf of the elector whose number on the register of electors is (*read out the number from the register*)” R

Status: Point in time view as at 15/09/2011.

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- | | |
|--|--|
| | (c) “Are you the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild of the person whose number on the register of electors is <i>(read out the number from the register)</i> ”
R |
| 4 Person applying as proxy if the question at entry 2(c) or 3(c) is not answered in the affirmative. | “Have you at this election already voted in this constituency on behalf of two persons of whom you are not the spouse, civil partner, parent, grand-parent, brother/sister, child or grandchild?” [R] |
| 5 A person applying as an elector in relation to whom there is an entry in the postal voters list. | (a) “Did you apply to vote by post”
(b) “Why have you not voted by post” |
| 6 A person applying as proxy who is named in the proxy postal voters list. | (a) “Did you apply to vote by post as proxy”
(b) “Why have you not voted by post as proxy” |
-
- (2) In the case of an elector in respect of whom a notice has been issued under section 13B(3B) or (3D) of this Act, the references in the questions at entries 1(a) and 3(a), (b) and (c) to reading from the register must be taken as references to reading from the notice issued under section 13B(3B) or (3D).
- [^{F101}(2A) In the case of an elector in respect of whom a notice has been issued under section 13BA(9), the reference in the question at entry 1(a) to reading from the register must be taken as a reference to reading from the notice issued under section 13BA(9).]
- (3) A ballot paper shall not be delivered to any person required to answer any of the above questions unless he has answered each question satisfactorily.
- (4) Except as authorised by this rule, no inquiry shall be permitted as to the right of any person to vote.]

Textual Amendments

- F100** Sch. 1 rule 35 substituted (1.1.2007 for E.W.S, 1.7.2008 for N.I. for certain purposes) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 74**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w) (bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F101** Sch. 1 rule 35(2A) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 6(3)**; S.I. 2008/1318, **art. 2**

Modifications etc. (not altering text)

- C113** Sch. 1 rule 35 applied (with modifications) (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C114** Sch. 1 rule 35 applied (with modifications) (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C115** Sch. 1 rule 35 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 35 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C116** Sch. 1 rule 35 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 35 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**)

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C117 Sch. 1 rule 35 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), art. 3, **Sch. 1** (as substituted (10.2.2009) by [S.I. 2009/256](#), arts. 1(2), 3, **Sch. 1**; and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(1), **Sch. 8 para. 20(1)**)

Challenge of voter

- [^{F102}36 A person shall not be prevented from voting by reason only that—
- (a) a candidate or his election or polling agent declares that he has reasonable cause to believe that the person has committed an offence of personation, or
 - (b) the person is arrested on the grounds that he is suspected of committing or of being about to commit such an offence.]

Textual Amendments

F102 Sch. 1 rule 36 substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74(1), 77, **Sch. 1 para. 132**; [S.I. 2006/3412](#), art. 3, Sch. 1 para. 14(aa)(bb)(v) (subject to transitional provisions in art. 6, Sch. 2); [S.I. 2008/1316](#), arts. 2, 4

Modifications etc. (not altering text)

- C118** Sch. 1 rule 36 applied (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. 1**
- C119** Sch. 1 rule 36 applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. 1**
- C120** Sch. 1 rule 36 was prospectively repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), **Sch. 7 Pt. 1** but before that repeal was brought into force, the relevant repealing provision was itself repealed (16.7.1985) by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 28, **Sch. 5**
- C121** Sch. 1 rule 36 applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), art. 3(1)(b)(5)–(8), **Sch. 1**
- Sch. 1 rule 36 applied (with modifications) (N.I.) (25.4.1998) by [S.I. 1998/1126](#), art. 6, **Sch. 2**
- C122** Sch. 1 rule 36 applied (with modifications) (31.7.1997) by [1997 c. 61](#), s. 3, **Sch. 3 para. 13** Table 2
- Sch. 1 rule 36 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**)

Voting procedure

- [^{F103}37(1) A ballot paper shall be delivered to a voter who applies for one, and immediately before delivery—
- (a) the number and (unless paragraph (2) applies) name of the elector as stated in the copy of the register of electors shall be called out;
 - (b) the number of the elector shall be marked on the list mentioned in rule 29(3)(e) beside the number of the ballot paper to be issued to him;
 - (c) a mark shall be placed in the register of electors against the number of the elector to note that a ballot paper has been received but without showing the particular ballot paper which has been received;
 - (d) the voter shall sign the list mentioned in rule 29(3)(e) beside the number of the elector marked on the list in accordance with sub-paragraph (b) above; and
 - (e) in the case of a person applying for a ballot paper as proxy, a mark shall also be placed against his name in the list of proxies.
- (2) In the case of an elector who has an anonymous entry, he must show the presiding officer his official poll card and only his number shall be called out in pursuance of paragraph (1)(a).

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- (3) In the case of an elector who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D), paragraph (1) above is modified as follows—
- (a) in sub-paragraph (a), for “copy of the register of electors” substitute “ copy of the notice issued under section 13B(3B) or (3D) of this Act ”;
 - (b) in sub-paragraph (c), for “in the register of electors” substitute “ on the copy of the notice issued under section 13B(3B) or (3D) of this Act ”.
- (4) Paragraph (1)(d) above does not apply to a voter to whom rule 38 or 39 applies.
- (5) The voter, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station and there secretly mark his paper and fold it up so as to conceal his vote, and shall then show to the presiding officer the back of the paper, so as to disclose the number and other unique identifying mark, and put the ballot paper so folded up into the ballot box in the presiding officer's presence.
- (6) The voter shall vote without undue delay, and shall leave the polling station as soon as he has put his ballot paper into the ballot box.]

Votes marked by presiding officer

- 38 (1) [^{F104}Subject to paragraph (1A) below, the] presiding officer, on the application of a voter—
- (a) who is incapacitated by blindness or other [^{F105}disability] from voting in manner directed by these rules, or
 - (b) who declares orally that he is unable to read,
- shall, in the presence of the polling agents, cause the voter's vote to be marked on a ballot paper in manner directed by the voter, and the ballot paper to be placed in the ballot box.
- [^{F106}(1A) Paragraphs (1A) to (1G) of rule 37 shall apply in the case of a voter who applies under paragraph (1) above as they apply in the case of a voter who applies under rule 37(1), but reading references to delivering a ballot paper to a voter as references to causing a voter's vote to be marked on a ballot paper.]
- (2) The name and number on the register of electors of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list (in these rules called “the list of votes marked by the presiding officer”).
- In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.
- [^{F107}(3) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of this Act, paragraph (2) above applies as if for “on the register of electors of every voter” there were substituted relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D).]
- [^{F108}(4) In the case of a person in respect of whom a notice has been issued under section 13BA(9), paragraph (2) applies as if for “on the register of electors of every voter” there were substituted “relating to every voter in respect of whom a notice has been issued under section 13BA(9)”.]

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Textual Amendments

- F104** Words substituted (N.I.) by [Elections \(Northern Ireland\) Act 1985 \(c. 2, SIF 42\), s. 2\(3\)\(b\)](#)
- F105** Word in Sch. 1 rule 38(1)(a) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 47, 77, Sch. 1 para. 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(w\)\(bb\)\(iii\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#)); [S.I. 2008/1316, arts. 2, 4](#)
- F106** Sch. 1 rule 38(1A) inserted (N.I.) by [Elections \(Northern Ireland\) Act 1985 \(c. 2, SIF 42\), s. 1\(3\)](#)
- F107** Sch. 1 rule 38(3) inserted (E.W.S.) (1.1.2007) by [Electoral Administration Act 2006 \(c. 22\), ss. 11\(6\), 77, Sch. 1 para. 35; S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12\(b\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#))
- F108** Sch. 1 rule 38(4) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\), ss. 30\(1\), 31, Sch. 4 para. 6\(5\); S.I. 2008/1318, art. 2](#)

Modifications etc. (not altering text)

- C125** Sch. 1 rule 38 applied (with modifications) (N.I.) by [S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I](#)
- C126** Sch. 1 rule 38 applied (E.W.S.) by [S.I. 1986/2209, regs. 2, 3, 5\(1\)\(6\)–\(8\), Sch. 1 Pt. I](#)
- C127** Sch. 1 rule 38 applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220, art. 3\(1\)\(b\)\(5\)–\(8\), Sch. 1](#)
Sch. 1 rule 38 applied (N.I.) (25.4.1998) by [S.I. 1998/1126, art. 6, Sch. 2](#)
- C128** Sch. 1 rule 38 applied (with modifications) (31.7.1997) by [1997 c. 61, s. 3, Sch. 3 para. 13 Table 2](#)
Sch. 1 rule 38 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](#))

[^{F109} Voting by persons with disabilities]

Textual Amendments

- F109** [Sch. 1 rule 39](#) and preceding cross-heading substituted (16.2.2001) by [2000 c. 2, s. 13\(1\)\(3\); S.I. 2001/116, art. 2\(1\)](#)

^{F110}39(1) If a voter makes an application to the presiding officer to be allowed, on the ground of—

- (a) blindness or other [^{F111}disability], or
- (b) inability to read,

to vote with the assistance of another person by whom he is accompanied (in these rules referred to as “the companion”), the presiding officer shall require the voter to declare, orally or in writing, whether he is so incapacitated by his blindness or [^{F112}other disability], or by his inability to read, as to be unable to vote without assistance.

(2) [^{F113}Subject to paragraph (2A) below, if] the presiding officer—

- (a) is satisfied that the voter is so incapacitated, and
- (b) is also satisfied by a written declaration made by the companion (in these rules referred to as “the declaration made by the companion of a voter with disabilities”) that the companion—
 - (i) is a qualified person within the meaning of this rule, and
 - (ii) has not previously assisted more than one voter with disabilities to vote at the election,

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the presiding officer shall grant the application, and then anything which is by these rules required to be done to or by that voter in connection with the giving of his vote may be done to, or with the assistance of, the companion.

[Paragraphs (1A) to (1G) of rule 37 shall apply in the case of a voter who applies ^{F114}(2A) under paragraph (1) above as they apply in the case of a voter who applies under rule 37(1), but reading references to delivering a ballot paper to a voter as references to granting a voter’s application.]

(3) For the purposes of these rules, a person is a voter with disabilities if he has made such a declaration as is mentioned in paragraph (1) above, and a person shall be qualified to assist a voter with disabilities to vote if that person—

- (a) is a person who is entitled to vote as an elector at the election; or
- (b) is the father, mother, brother, sister, [^{F115}spouse, civil partner,] son or daughter of the voter and has attained the age of 18 years.

(4) The name and number in the register of electors of every voter whose vote is given in accordance with this rule and the name and address of the companion shall be entered on a list (in these rules referred to as “the list of voters with disabilities assisted by companions”).

In the case of a person voting as proxy for an elector, the number to be entered together with the voter’s name shall be the elector’s number.

[In the case of a person in respect of whom a notice has been issued under ^{F116}(4A) section 13B(3B) or (3D) of this Act, paragraph (4) above applies as if for “in the register of electors of every voter” there were substituted relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D).]

[In the case of a person in respect of whom a notice has been issued under ^{F117}(4B) section 13BA(9), paragraph (4) applies as if for “in the register of electors of every voter” there were substituted “relating to every voter in respect of whom a notice has been issued under section 13BA(9)”.]

(5) The declaration made by the companion—

- (a) shall be in the form in the Appendix; and
- (b) shall be made before the presiding officer at the time when the voter applies to vote with the assistance of a companion and shall forthwith be given to the presiding officer who shall attest and retain it.

(6) No fee or other payment shall be charged in respect of the declaration.]

Textual Amendments

F110 Sch. 1 rule 39 and preceding cross-heading substituted (16.2.2001) by 2000 c. 2, s. 13(1)(3); S.I. 2001/116, art. 2(1)

F111 Word in Sch. 1 rule 39(1)(a) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 78(a); S.I. 2006/3412, art. 3, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

F112 Words in Sch. 1 rule 39(1) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 78(b); S.I. 2006/3412, art. 3, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

F113 Words in Sch. 1 rule 39(2) substituted (N.I.) (1.5.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. 5(2)

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- F114** Sch. 1 rule 39(2A) inserted (N.I.) (1.5.2002) by [Electoral Fraud \(Northern Ireland\) Act 2002 \(c. 13\), s. 5\(3\)](#)
- F115** Words in Sch. 1 rule 39(3)(b) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), ss. 261\(1\), 263, Sch. 27 para. 85\(4\); S.I. 2005/3175, art. 2, Sch. 1](#)
- F116** Sch. 1 rule 39(4A) inserted (E.W.S.) (1.1.2007) by [Electoral Administration Act 2006 \(c. 22\), ss. 11\(6\), 77, Sch. 1 para. 36; S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12\(b\)](#) (subject to transitional provisions in art. 6, Sch. 2)
- F117** Sch. 1 rule 39(4B) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\), ss. 30\(1\), 31, Sch. 4 para. 6\(6\); S.I. 2008/1318, art. 2](#)

Modifications etc. (not altering text)

- C129** Sch. 1 rule 39 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\), art. 3, Sch. 1](#) (as substituted (10.2.2009) by [S.I. 2009/256, arts. 1\(2\), 3, Sch. 1](#); and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\), s. 19\(1\), Sch. 8 para. 25](#))

Tendered ballot papers

- 40 (1) If a person, representing himself to be—
- (a) a particular elector named on the register and not named in the absent voters list, or
 - (b) a particular person named in the list of proxies as proxy for an elector and not ^{F118} entitled to vote by post as proxy,
- applies for a ballot paper after another person has voted in person either as the elector or his proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter.
- [^{F119}(1ZA) Paragraph (1ZC) applies if—
- (a) a person applies for a ballot paper representing himself to be a particular elector named on the register,
 - (b) he is also named in the postal voters list, and
 - (c) he claims that he did not make an application to vote by post at the election.
- (1ZB) Paragraph (1ZC) also applies if—
- (a) a person applies for a ballot paper representing himself to be a particular person named as a proxy in the list of proxies,
 - (b) he is also named in the proxy postal voters list, and
 - (c) he claims that he did not make an application to vote by post as proxy.
- (1ZC) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.]
- [^{F120}(1ZD) Paragraph (1ZE) applies if before the close of the poll but after the last time at which a person may apply for a replacement postal ballot paper, a person represents himself to be—
- (a) a particular elector named on the register and who is also named in the postal voters list, or

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- (b) a particular person named as a proxy in the list of proxies and who is also named in the proxy postal voters list,
and claims that he has lost or has not received his postal ballot paper.
- (1ZE) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.]
- [^{F121}(1ZF) A person to whom a ballot paper is not delivered under paragraph (3) of rule 35 following his unsatisfactory answer to the question at entry 1(c) in the table in paragraph (1) of that rule shall, if he satisfactorily answers any other questions permitted by law to be asked at the poll, nevertheless be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter.]
- [^{F122}(1A) Paragraphs (1A) to (1G) of rule 37 shall apply in the case of a person who seeks to mark a tendered ballot paper under paragraph (1) above as they apply in the case of a voter who applies for a ballot paper under rule 37(1).
- (1B) Paragraph (1C) below applies where
- [
- ^{F123}(a) under paragraph (3) of rule 35 a ballot paper is not delivered to a person following his unsatisfactory answer to the question in paragraph (1A) of that rule; or
- (b)] a presiding officer refuses to deliver a ballot paper to a person under paragraph (1C) of rule 37 (including that paragraph as applied by rule 38 or 39 of this rule).
- (1C) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, nevertheless be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter.]
- (2) A tendered ballot paper shall—
- (a) be of a colour differing from the other ballot papers;
- (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of electors, and set aside in a separate packet.
- (3) The name of the voter and his number on the register of electors shall be entered on a list (in these rules referred to as the “tendered votes list”) [^{F124}and the voter must sign the list opposite the entry relating to him].
- (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 shall be the number of that elector.
- [^{F125}(4A) This rule applies to an elector who has an anonymous entry subject to the following modifications—
- (a) in paragraphs (2)(b) and (3) the references to the name of the voter must be ignored;
- (b) otherwise, a reference to a person named on a register or list must be construed as a reference to a person whose number appears on the register or list (as the case may be).]

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- [^{F126}(4B) This rule applies in the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) as if—
- (a) in paragraphs (1)(a), (1ZA)(a) and (1ZD)(a) for “named on the register” there were substituted in respect of whom a notice under section 13B(3B) or (3D) of this Act has been issued;
 - (b) in paragraph (2)(b) for “his number in the register of electors” there were substituted the number relating to him on a notice issued under section 13B(3B) or (3D) of this Act;
 - (c) in paragraph (3) for “his number on the register of electors” there were substituted the number relating to him on a notice issued under section 13B(3B) or (3D) of this Act.]
- [^{F127}(4C) This rule applies in the case of a person in respect of whom a notice has been issued under section 13BA(9) as if—
- (a) in paragraphs (1)(a), (1ZA)(a) and (1ZD)(a) for “named on the register” there were substituted “in respect of whom a notice under section 13BA(9) has been issued”;
 - (b) in paragraph (2)(b) for “his number in the register of electors” there were substituted “the number relating to him on a notice issued under section 13BA(9)”;
 - (c) in paragraph (3) for “his number on the register of electors” there were substituted “the number relating to him on a notice issued under section 13BA(9)”.]
- [^{F128}(5) A person who marks a tendered ballot paper under paragraph (1C) above shall sign the paper, unless it was marked after an application was refused under rule 38 or 39.
- (6) A paper which is required to be signed under paragraph (5) above and is not so signed shall be void.]

Textual Amendments

- F118** Words repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 11, 28, Sch. 2 para. 7, **Sch. 5**
- F119** [Sch. 1 rule 40\(1ZA\)-\(1ZC\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. **38(1)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(s) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F120** [Sch. 1 rule 40\(1ZD\)\(1ZE\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. **38(2)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(s) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F121** [Sch. 1 rule 40\(1ZF\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, **Sch. 1 para. 81(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F122** [Sch. 1 rule 40\(1A\)–\(1C\)](#) inserted (N.I.) by [Elections \(Northern Ireland\) Act 1985 \(c. 2, SIF 42\)](#), **s. 1(5)**
- F123** Words in [Sch. 1 rule 40\(1B\)](#) inserted (N.I.) (1.12.2002) by [Electoral Fraud \(Northern Ireland\) Act 2002 \(c. 13\)](#), **s. 2(4)**; S.I. 2002/1648, **art. 4**
- F124** Words in [Sch. 1 rule 40\(3\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, **Sch. 1 para. 81(3)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F125** [Sch. 1 rule 40\(4A\)](#) inserted (E.W.S.) (1.1.2007) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 10(2), 77, **Sch. 1 para. 14(5)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 1, 12(a) (subject to transitional provisions in [art. 6](#), Sch. 2)

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F126 Sch. 1 rule 40(4B) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, **Sch. 1 para. 37**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)

F127 Sch. 1 rule 40(4C) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 6(7)**; S.I. 2008/1318, **art. 2**

F128 Sch. 1 rule 40(5)(6) inserted (N.I.) by Elections (Northern Ireland) Act 1985 (c. 2, SIF 42), **s. 1(6)**

Modifications etc. (not altering text)

C130 Sch. 1 rule 40 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. 1**

C131 Sch. 1 rule 40 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. 1**

C132 Sch. 1 rule 40 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 40 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**

C133 Sch. 1 rule 40 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 40 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**)

[^{F129} Refusal to deliver ballot paper]

Textual Amendments

F129 Sch. 1 rule 40A inserted (N.I.) by Elections (Northern Ireland) Act 1985 (c. 2, SIF 42), **s. 2(4)**

[^{F130}40A] This rule applies where a presiding officer refuses to deliver a ballot paper under paragraph (1C) of rule 37 (including that paragraph as applied by rule 38, 39 or 40).

(2) The refusal shall be subject to review on an election petition but, subject to that, shall be final and shall not be questioned in any proceeding whatsoever.]

Textual Amendments

F130 Sch. 1 rule 40A inserted (N.I.) by Elections (Northern Ireland) Act 1985 (c. 2, SIF 42), **s. 2(4)**

Modifications etc. (not altering text)

C134 Sch. 1 rule 40A applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. 1**

C135 Sch. 1 rule 40A applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**

Sch. 1 rule 40A applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**

Sch. 1 rule 40A 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**)

Spoilt ballot papers

41 A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to his satisfaction the fact of the inadvertence, obtain another ballot paper in the place of the ballot paper so delivered (in these rules referred to as “a spoilt ballot paper”), and the spoilt ballot paper shall be immediately cancelled.

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Modifications etc. (not altering text)

- C136** Sch. 1 rules 41, 42 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C137** Sch. 1 rules 41, 42 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C138** Sch. 1 rule 41 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 41 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C139** Sch. 1 rule 41 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 41 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**)

[^{F131} Correction of errors on day of poll

Textual Amendments

- F131** Sch. 1 rule 41A inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6),
77, **Sch. 1 para. 38**; S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in
art. 6, Sch. 2)

- 41A The presiding officer shall keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of this Act which takes effect on the day of the poll.]

[^{F132} Correction of errors on day of poll: Northern Ireland

Textual Amendments

- F132** Sch. 1 rule 41B inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33),
ss. 30(1), 31, **Sch. 4 para. 6(8)**; S.I. 2008/1318, art. 2

- 41B The presiding officer shall keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13BA(9) which takes effect on the day of the poll.]

Modifications etc. (not altering text)

- C140** Sch. 1 rule 41B applied (with modifications) 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**)

Adjournment of poll in case of riot

- 42 (1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer shall adjourn the proceedings till the following day and shall forthwith 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 shall be the same as for the original day; and
- (b) references in this Act to the close of the poll shall be construed accordingly.

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Modifications etc. (not altering text)

- C141** Sch. 1 rules 41, 42 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C142** Sch. 1 rules 41, 42 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C143** Sch. 1 rule 42 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 42 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C144** Sch. 1 rule 42 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 42 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**)

Procedure on close of poll

- 43 (1) As soon as practicable after the close of the poll, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—
- (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 attached,
 - (b) the unused and spoilt ballot papers placed together,
 - (c) the tendered ballot papers,
 - (d) the marked copies of the register of electors [^{F133}(including any marked copy notices issued under section 13B(3B) or (3D) of this Act)] and of the list of proxies,
 - ^{F134}(da) the lists prepared under rule 19A, including the parts which were completed in accordance with rule 37(1)(b) and (d) (together referred to in these rules as “the completed corresponding number lists”);]
 - (e) ^{F135} . . . the certificates as to employment on duty on the day of the poll,
 - (f) the tendered votes list, the list of [^{F136}voters with disabilities] assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads [^{F137}“disability”] and “unable to read”, [^{F138}the list maintained under rule 41A,] and the declarations made by the companions of [^{F136}voters with disabilities],
- and shall deliver the packets or cause them to be delivered to the returning officer to be taken charge of by him; but if the packets are not delivered by the presiding officer personally to the returning officer, the arrangements for their delivery shall require the returning officer’s approval.
- (2) The marked copies of the register of electors and of the list of proxies shall be in one packet but shall not be in the same packet as the [^{F139}completed corresponding number lists or] the certificates as to employment on duty on the day of the poll.
 - (3) The packets shall be accompanied by a statement (in these rules referred to as “the ballot paper account”) made by the presiding officer showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.
 - ^{F140}(4) This rule applies in relation to Northern Ireland as if—
 - (a) the reference in paragraph (1)(d) to the marked copies of the register of electors included any marked copy notices issued under section 13BA(9), and

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(b) paragraph (1)(f) referred to the list maintained under rule 41B.]

Textual Amendments

- F133** Words in Sch. 1 rule 43(1)(d) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, **Sch. 1 para. 39(a)**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F134** Sch. 1 rule 43(1)(da) inserted (1.1.2007 for E.W.S. for certain purposes and otherwise prosp.) by Electoral Administration Act 2006 (c. 22), ss. **31(4)(a)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(p) (subject to transitional provisions in art. 6, Sch. 2)
- F135** Words in Sch. 1 rule 43(1)(e) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(4)(b), 74(2), 77, **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(p) (aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F136** Words in rule 43(1)(f) substituted (16.2.2001) by 2000 c. 2, s. **13(1)(4)**; S.I. 2001/116, **art. 2(1)**
- F137** Word in Sch. 1 rule 43(1)(f) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 79**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w) (bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F138** Words in Sch. 1 rule 43(1)(f) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, **Sch. 1 para. 39(b)**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F139** Words in Sch. 1 rule 43(2) substituted (1.1.2007 for E.W.S. for certain purposes and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. **31(4)(c)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(p) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F140** Sch. 1 rule 43(4) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 6(9)**; S.I. 2008/1318, **art. 2**

Modifications etc. (not altering text)

- C145** Sch. 1 rules 43, 44 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C146** Sch. 1 rules 43, 44 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C147** Sch. 1 rule 43 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 43 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C148** Sch. 1 rule 43 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 43 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**)
- C149** Sch. 1 rule 43 applied (with modifications) (1.8.2001) by The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599), art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**; and modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(1), **Sch. 8 para. 29(2)**)

COUNTING OF VOTES

Attendance at counting of votes

- 44 (1) The returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll, and shall give to the counting agents notice in writing of the time and place at which he will begin to count the votes.
- (2) No person other than—

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- (a) the returning officer and his clerks,
 - (b) the candidates and [^{F141}one other person chosen by each of them],
 - (c) the election agents,
 - (d) the counting agents,
 - [^{F142}(e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000.]
- may be present at the counting of the votes, unless permitted by the returning officer to attend.
- (3) A person not entitled to attend at the counting of the votes shall not be permitted to do so by the returning officer unless he—
 - (a) is satisfied that the efficient counting of the votes will not be impeded; and
 - (b) has either consulted the election agents or thought it impracticable to do so.
 - (4) The returning officer shall give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection with them.
 - (5) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.
 - [^{F143}(6) In making arrangements under this rule, the returning officer shall have regard to the duty imposed on him by rule 45(3A) below.]

Textual Amendments

- F141** Words in *Sch. 1 rule 44(2)(b)* substituted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by *Electoral Administration Act 2006 (c. 22)*, ss. 47, 77, **Sch. 1 para. 85(2)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**
- F142** *Sch. 1 rule 44(2)(e)* inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by *Electoral Administration Act 2006 (c. 22)*, ss. 47, 77, **Sch. 1 para. 85(3)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**
- F143** *Sch. 1 rule 44(6)* inserted (8.4.2010) by *Constitutional Reform and Governance Act 2010 (c. 25)*, **ss. 48(2), 52**

Modifications etc. (not altering text)

- C150** *Sch. 1 rules 43, 44* applied with modifications (N.I.) by S.I. 1986/2250, **regs. 2, 3, 5**, **Sch. 1 Pt. I**
- C151** *Sch. 1 rules 43, 44* applied with modifications (E.W.S.) by S.I. 1986/2209, **regs. 2, 3, 5(1)(6)–(8)**, **Sch. 1 Pt. I**
- C152** *Sch. 1 rule 44* applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(5)–(8)**, **Sch. 1**
Sch. 1 rule 44 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, **art. 6**, **Sch. 2**
- C153** *Sch. 1 rule 44* applied (with modifications) (1.8.2001) by *The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599)*, **art. 3**, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, **arts. 1(2), 3**, **Sch. 1**; and modified (16.2.2011) by *Parliamentary Voting System and Constituencies Act 2011 (c. 1)*, s. 19(1), **Sch. 8 para. 35**)
- C154** *Sch. 1 rule 44(5)* applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(6)(d)(7)**

The count

- 45[^{F144}(1) The returning officer shall—

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- (a) in the presence of the counting agents open each ballot box and count and record the number of ballot papers in it;
 - (b) in the presence of the election agents verify each ballot paper account; and
 - (c) count such of the postal ballot papers as have been duly returned and record the number counted.
- (1A) The returning officer shall not count the votes given on any ballot papers until—
- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box, and
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.]
- [^{F145}(1B) A postal ballot paper shall not, in England, Wales or Scotland, be taken to be duly returned unless—
- (a) it is returned in the prescribed manner and reaches the returning officer or a polling station in the constituency before the close of the poll, ^{F146} . . .
 - (b) [^{F147}the postal voting statement], duly signed ^{F148} . . . is also returned in the prescribed manner and reaches him or such a polling station before that time.]
 - [^{F149}(c) the postal voting statement also states the date of birth of the elector or proxy (as the case may be), and
 - (d) in a case where steps for verifying the date of birth and signature of an elector or proxy have been prescribed, the returning officer (having taken such steps) verifies the date of birth and signature of the elector or proxy (as the case may be).]
- (2) A postal ballot paper shall not [^{F150}, in Northern Ireland,] be deemed to be duly returned unless
- [^{F151}(a)] it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated [^{F152}, and
 - (b) in the case of an elector, that declaration of identity states the date of birth of the elector and the returning officer is satisfied that the date stated corresponds with the date supplied as the date of the elector's birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of this Act.]
- [^{F153}(2A) In the case of an elector, unless section 10(4B), 10A(1B) or 13A(2B) of this Act applies, the declaration of identity referred to in paragraph (2) shall be taken not to be duly signed unless the returning officer is satisfied that the signature on the declaration corresponds with the signature supplied as the elector's signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of this Act.]
- (3) The returning officer shall not count any tendered ballot paper.
- [^{F154}(3A) The returning officer shall take reasonable steps to begin counting the votes given on the ballot papers as soon as practicable within the period of four hours starting with the close of the poll.]
- (4) The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers [^{F155}or other unique identifying marks] printed on the back of the papers.

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- (5) The returning officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and the unused and spoilt ballot papers in his possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list) and shall draw up a statement as to the result of the verification, which any election agent may copy.
- (6) The returning officer shall so far as practicable proceed continuously with counting the votes, allowing only time for refreshment, except that he may, in so far as he and the agents agree, exclude the hours between 7 in the evening and 9 on the following morning.
- For the purposes of this exception the agreement of a candidate or his election agent shall be as effective as the agreement of his counting agents.
- (7) During the time so excluded the returning officer shall—
- (a) place the ballot papers and other documents relating to the election under his own seal and the seals of such of the counting agents as desire to affix their seals; and
 - (b) otherwise take proper precautions for the security of the papers and documents.
- [^{F156}(8) The Electoral Commission shall issue guidance to returning officers on the duty imposed by paragraph (3A) above.]

Textual Amendments

- F144** Sch. 1 rule 45(1)(1A) substituted for rule 45(1) by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 82**
- F145** Sch. 1 rule 45(1B) inserted (16.2.2001) by 2000 c. 2, s. 15(1)(4), **Sch. 6 para. 10(1)(4)(a)**; S.I. 2001/116, **art. 2(1)** (with art. 2(4))
- F146** Word in Sch. 1 rule 45(1B) omitted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by virtue of Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77, **Sch. 1 para. 73(3)(a)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F147** Words in Sch. 1 rule 45(1B)(b) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 73(2)(a)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F148** Words in Sch. 1 rule 45(1B)(b) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77, Sch. 1 para. 73(2)(b), **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F149** Sch. 1 rule 45(1B)(c)(d) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 73(3)(b)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F150** Words in Sch. 1 rule 45(2) inserted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 10(1)(4)(b)**; S.I. 2001/116, **art. 2(1)** (with art. 2(4))
- F151** Words in Sch. 1 rule 45(2) renumbered (N.I.) (1.12.2002) as Sch. 1 rule 45(2)(a) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), **s. 3(4)(c)(i)**; S.I. 2002/1648, {art. 4(1)} (with saving in art. 4(2))
- F152** Sch. 1 rule 45(2)(b) and preceding word inserted (N.I.) (1.12.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), **s. 3(4)(c)(i)**; S.I. 2002/1648, **art. 4(1)** (with saving in art. 4(2))
- F153** Sch. 1 rule 45(2A) inserted (N.I.) (1.12.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), **s. 3(4)(c)(ii)**; S.I. 2002/1648, **art. 4(1)** (with saving in art. 4(2))

Status: Point in time view as at 15/09/2011.

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F154 Sch. 1 rule 45(3A) inserted (8.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), [ss. 48\(3\)\(a\)](#), 52

F155 Words in [Sch. 1 rule 45\(4\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 47, 77](#), [Sch. 1 para. 91](#); [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 14\(w\)\(bb\)\(iii\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); [S.I. 2008/1316](#), [arts. 2, 4](#)

F156 Sch. 1 rule 45(8) inserted (8.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), [ss. 48\(3\)\(b\)](#), 52

Modifications etc. (not altering text)

C155 [Sch. 1 rule 45](#) applied (with modifications) (E.W.S.) by [S.I. 1986/2209](#), [regs. 2, 3, 5\(1\)\(6\)-\(8\)](#), [Sch. 1 Pt. I](#)
[Sch. 1 rule 45](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 3\(1\)\(b\)\(5\)-\(8\)](#), [Sch. 1](#)
[Sch. 1 rule 45](#) applied (with modifications) (N.I.) (25.4.1998) by [S.I. 1998/1126](#), [art. 6](#), [Sch. 2](#)
[Sch. 1 rule 45](#) applied (with modifications) (31.7.1997) by [1997 c. 61](#), [s. 3](#), [Sch. 3 para. 13](#) Table 2

Recount

46 (1) A candidate or his election agent may, if present when the counting or any recount of the votes is completed, require the returning officer to have the votes recounted or again recounted but the returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any recount of votes until the candidates and election agents present at its completion have been given a reasonable opportunity to exercise the right conferred by this rule.

Modifications etc. (not altering text)

C156 [Sch. 1 rules 46–49](#) applied (E.W.S.) by [S.I. 1986/2209](#), [regs. 2, 3, 5\(1\)\(6\)-\(8\)](#), [Sch. 1 Pt. I](#)

C157 [Sch. 1 rule 46](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 3\(1\)\(5\)-\(8\)](#), [Sch. 1](#)

Rejected ballot papers

47 (1) Any ballot paper—

- (a) which does not bear the official mark, or
- (b) on which votes are given for more than one candidate, or
- (c) on which anything is written or marked by which the voter can be identified except the printed number [^{F157}and other unique identifying mark] on the back, or
- (d) which is unmarked or void for uncertainty,

shall, subject to the provisions of the next following paragraph, be void and not counted.

(2) A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place, or
- (b) otherwise than by means of a cross, or
- (c) by more than one mark,

shall not for such reason be deemed to be void if an intention that the vote shall be for one or other of the candidates clearly appears, and the way the paper is marked does not itself identify the voter and it is not shown that he can be identified by it.

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- (3) The returning officer shall endorse the word “rejected” on any ballot paper which under this rule is not to be counted, and shall add to the endorsement the words “rejection objected to” if an objection is made by a counting agent to his decision.
- (4) The returning officer shall draw up a statement showing the number of ballot papers rejected under the several heads of—
- (a) want of official mark;
 - (b) voting for more than one candidate;
 - (c) writing or mark by which voter could be identified;
 - (d) unmarked or void for uncertainty.

Textual Amendments

F157 Words in Sch. 1 rule 47(1)(c) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 92**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**

Modifications etc. (not altering text)

- C158** Sch. 1 rules 46–49 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C159** Sch. 1 rule 47 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 47 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(6)(d)(7)**
Sch. 1 rule 47 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C160** Sch. 1 rule 47 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2

Decisions on ballot papers

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

Modifications etc. (not altering text)

- C161** Sch. 1 rules 46–49 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C162** Sch. 1 rule 48 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 48 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 1**

Equality of votes

- 49 Where, after the counting of the votes (including any recount) 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 shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

Modifications etc. (not altering text)

- C163** Sch. 1 rules 46–49 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C164** Sch. 1 rule 49 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**

Status: Point in time view as at 15/09/2011.

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PART IV

FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

Declaration of result

- 50 (1) In a contested election, when the result of the poll has been ascertained, the returning officer shall forthwith—
- (a) declare to be elected the candidate to whom the majority of votes has been given;
 - (b) return his name to the Clerk of the Crown; and
 - (c) give public notice of his name and of the total number of votes given for each candidate together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.
- (2) In an uncontested election, the statement of persons nominated, in addition to showing the person standing nominated, shall also declare that person elected, and the returning officer shall forthwith return his name to the Clerk of the Crown.

Modifications etc. (not altering text)

C165 Sch. 1 rule 50 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C166 Sch. 1 rule 50 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C167 Sch. 1 para. 50 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 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**)

Return to the writ

- 51 (1) The returning officer shall return the name of the member elected by endorsing on the writ a certificate in the form in the Appendix.
- (2) Any rule of law or enactment as to the effect of, or manner of dealing with, the return of a member to serve in Parliament applies to the certificate.
- (3) The returning officer may, on receiving a receipt, deliver the writ with the certificate endorsed on it to ^{F158}an official designated for that purpose by a universal postal service provider who is providing a universal postal service (within the meaning of the Postal Services Act 2000) for the area in which the election is being held or to his deputy, provided that the official or deputy is at that time within the area concerned.].
- (4) ^{F159}The designated official] or his deputy shall send the writ so endorsed by the first post, free of charge, under cover to the Clerk of the Crown with the words “Election Writ and Return” endorsed on it.
- (5) Any reference in the foregoing provisions of this Part of these rules to the Clerk of the Crown shall be taken, in relation to an election for a constituency in Northern Ireland, as a reference to the Clerk of the Crown for Northern Ireland, but any writ returned to the Clerk of the Crown for Northern Ireland shall be transmitted by him to the Clerk of the Crown in England and the return shall be certified to the House of Commons in the same manner as returns for elections for constituencies in Great Britain.

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- (6) A copy of each writ returned to the Clerk of the Crown for Northern Ireland and of the certificate endorsed on it shall be attested by the Secretary of State, shall be kept in the office of the Clerk of the Crown for Northern Ireland and may be given in evidence if the originals are lost.

Textual Amendments

F158 Words in [Sch. 1 rule 51\(3\)](#) substituted (26.3.2001) by [S.I. 2001/1149, art. 3\(1\)](#), [Sch. 1 para. 57\(5\)\(a\)](#)

F159 Words in [Sch. 1 rule 51\(4\)](#) substituted (26.3.2001) by [S.I. 2001/1149, art. 3\(1\)](#), [Sch. 1 para 57\(5\)\(b\)](#)

Record of returns at Crown Office

- 52 (1) The Clerk of the Crown shall from the certificate on each writ returned to him enter the name of the member returned in a book to be kept by him at the Crown Office.
- (2) The Clerk of the Crown shall also enter in the book any alteration or amendment made by him in the certificate endorsed on any writ.
- (3) The book shall be open to public inspection at reasonable times and any person may, on payment of a reasonable fee, take copies from the book.

Return or forfeiture of candidate's deposit

- 53 (1) The deposit made under rule 9 of these rules shall either be returned to the person making it or his personal representatives or be forfeited to Her Majesty.
- (2) Except in the cases mentioned below in this rule, the deposit shall be returned ^[F160]not later than the next day after that on which] the result of the election is declared.

^[F161](2A) For the purposes of paragraph (2) above—

- (a) a day shall be disregarded if it would be disregarded under rule 2 above in computing any period of time for the purposes of the timetable for an election of the kind in question; and
- (b) the deposit shall be treated as being returned on a day if a cheque for the amount of the deposit is posted on that day.]
- (3) If the candidate is not shown as standing nominated in the statement of persons nominated, or if the poll is countermanded or abandoned by reason of his death, the deposit shall be returned as soon as practicable after the publication of the statement or after his death, as the case may be.
- (4) Subject to paragraph (3) above the deposit shall be forfeited if a poll is taken and, after the counting of the votes by the returning officer (including any recount) is completed, the candidate is found not to have polled more than ^[F162]one twentieth] of the total number of votes polled by all the candidates.
- (5) Notwithstanding anything in paragraphs (2) to (4) above, if at a general election a candidate is shown as standing nominated in more than one constituency in the statements of persons nominated, not more than one of the deposits shall be returned and, if necessary, the Treasury shall direct which it is to be.

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Textual Amendments

F160 Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 83(a)**

F161 [Sch. 1 rule 53\(2A\)](#) inserted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 83(b)**

F162 Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 13(b)

Modifications etc. (not altering text)

C168 [Sch. 1 rule 53](#) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**

[Sch. 1 rule 53](#) 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**)

C169 [Sch. 1 rule 53](#) applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**

[^{F163}Counting of votes: statement by returning officer

Textual Amendments

F163 [Sch. 1 rule 53ZA](#) inserted (8.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), **ss. 48(4), 52**

- 53ZA (1) In a contested election, if the counting of the votes given on the ballot papers did not begin within the period specified in rule 45(3A) above, the returning officer shall before the expiry of the period of 30 days starting with the day on which the poll closed—
- (a) prepare and publish a statement giving the information specified in paragraph (2) below, and
 - (b) deliver it to the Electoral Commission.
- (2) The statement must—
- (a) specify the time at which the counting of the votes given on the ballot papers began,
 - (b) describe the steps taken under rule 45(3A) above, and
 - (c) explain why the counting of the votes given on the ballot papers did not start within the period specified in rule 45(3A) above.
- (3) Where a statement is delivered to the Electoral Commission under paragraph (1) (b) above, the Commission shall specify in any election report they produce that a statement has been delivered to them under that paragraph in respect of the constituency to which the statement relates.
- (4) In paragraph (3) above “election report” means a report under section 5(1) or (2A) of the Political Parties, Elections and Referendums Act 2000 in relation to the parliamentary election in question.]

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PART V

DISPOSAL OF DOCUMENTS

[^{F164}Destruction of home address forms

Textual Amendments

F164 Sch. 1 rule 53A and preceding cross-heading inserted (4.9.2009) before Sch. 1 rule 54 by [Political Parties and Elections Act 2009 \(c. 12\), ss. 24\(7\), 43\(1\); S.I. 2009/2395, art. 2 \(with art. 3\)](#)

- 53A The returning officer shall destroy each candidate's home address form—
- (a) on the next working day following the 21st day after the officer has returned the name of the member elected; or
 - (b) if an election petition questioning the election or return is presented before that day, on the next working day following the conclusion of proceedings on the petition or on appeal from such proceedings.]

Sealing up of ballot papers

- 54 (1) On the completion of the counting at a contested election the returning officer shall seal up in separate packets the counted and rejected ballot papers.
- ^{F165}(2) The returning officer shall not open the sealed packets of—
- (a) tendered ballot papers,
 - (b) the completed corresponding number lists,
 - (c) certificates as to employment on duty on the day of the poll, or
 - (d) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of this Act) and lists of proxies.]
- ^{F166}(3) This rule applies in relation to Northern Ireland as if the reference in paragraph (2) (d) to section 13B(3B) or (3D) were a reference to section 13BA(9).]

Textual Amendments

F165 Sch. 1 rule 54(2) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 31\(5\), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(o\)](#) (subject to transitional provisions in art. 6, Sch. 2); [S.I. 2008/1316, arts. 2, 4](#)

F166 Sch. 1 rule 54(3) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\), ss. 30\(1\), 31, Sch. 4 para. 6\(10\); S.I. 2008/1318, art. 2](#)

Modifications etc. (not altering text)

C170 Sch. 1 rules 54–57, 60 applied with modifications (N.I.) by [S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I](#)

C171 Sch. 1 rules 54–57, 60 applied with modifications (E.W.S.) by [S.I. 1986/2209, regs. 2, 3, 5\(1\)\(6\)–\(8\), Sch. 1 Pt. I](#)

C172 Sch. 1 rule 54 applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220, art. 3\(1\)\(b\)\(5\)–\(8\), Sch. 1 Sch. 1 rule 54 applied \(with modifications\) \(N.I.\) \(25.4.1998\) by S.I. 1998/1126, art. 6, Sch. 2](#)

C173 Sch. 1 rule 54 applied (with modifications) (31.7.1997) by [1997 c. 61, s. 3, Sch. 3 para. 13 Table 2 Sch. 1 rule 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\)](#)

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Delivery of documents to ^{F167}registration officer]

Textual Amendments

F167 Sch. 1 rule 55: words in heading substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(2), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3

55 (1) The returning officer shall then forward to the ^{F168}relevant registration officer] the following documents—

- (a) the packets of ballot papers in his possession,
- (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts,
- (c) the tendered votes lists, the lists of ^{F169}voters with disabilities] assisted by companions, the lists of votes marked by the presiding officer and the related statements, ^{F170}the lists maintained under rule 41A,] and the declarations made by the companions of ^{F169}voters with disabilities],

^{F171}(ca) the packets of the completed corresponding number lists,]

(d) the packets of ^{F172}. . . certificates as to employment on duty on the day of the poll,

(e) the packets containing marked copies of registers ^{F173}(including any marked copy notices issued under section 13B(3B) or (3D) of this Act)] and ^{F174}of the postal voters list, of lists of proxies and of the proxy postal voters list] ,

^{F175}(f) such other documents relating to elections as are prescribed,]

endorsing on each packet a description of its contents, the date of the election to which they relate and the name of the constituency for which the election was held.

^{F176}(1A) In this rule and in rules 56 and 57 references to the relevant registration officer are to—

- (a) the registration officer of the local authority in whose area the constituency is situated, or
- (b) if the constituency comprises any part of the area of more than one local authority, the registration officer of the local authority in whose area the greater or greatest (as the case may be) number of electors is registered.

[Paragraph (1)(e) does not apply to an election for a constituency in Northern Ireland, ^{F177}(1B) but the returning officer shall endorse on each packet containing—

- (a) marked copies of the registers,
- (b) the postal voters list,
- (c) the proxy postal voters list, and
- (d) lists of proxies,

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.]]

(2) ^{F178}

(3) ^{F178}

(4) ^{F178}

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- [^{F179}(5) This rule applies in relation to Northern Ireland as if—
- (a) paragraph (1)(c) included a reference to the lists maintained under rule 41B, and
 - (b) the reference in paragraph (1B)(a) to marked copies of the registers included any marked copy notices issued under section 13BA(9).]

Textual Amendments

- F168** Words in Sch. 1 rule 55(1) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(3)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F169** Words in rule 55(1)(c) substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4); S.I. 2001/116, art. 2(1)
- F170** Words in Sch. 1 rule 55(1)(c) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, Sch. 1 para. 40(a); S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F171** Sch. 1 rule 55(1)(ca) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(6)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F172** Words in Sch. 1 rule 55(1)(d) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(6)(b), 77, Sch. 2; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o)(aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F173** Words in Sch. 1 rule 55(1)(e) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, Sch. 1 para. 40(b); S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F174** Words in Sch. 1 rule 55(1)(e) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 45(3)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(u) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F175** Sch. 1 rule 55(1)(f) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 45(3)(b), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(u) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F176** Sch. 1 rule 55(1A) inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(3)(b), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F177** Sch. 1 rule 55(1B) inserted (N.I.) (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 95(2); S.I. 2008/1316, arts. 2, 5
- F178** Sch. 1 rule 55(2)-(4) repealed (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(3)(c), 74(2), 77, Sch. 2; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t)(aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F179** Sch. 1 rule 55(5) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, Sch. 4 para. 6(11); S.I. 2008/1318, art. 2

Modifications etc. (not altering text)

- C174** Sch. 1 rules 54–57, 60 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C175** Sch. 1 rules 54–57, 60 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I
- C176** Sch. 1 rule 55 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), Sch. 1
Sch. 1 rule 55 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, Sch. 2
Sch. 1 rule 55(1)(1B)(5) 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)

Status: Point in time view as at 15/09/2011.

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Orders for production of documents

- 56 (1) An order—
- (a) for the inspection or production of any rejected ballot papers in the custody of the [^{F180}relevant registration officer] , or
 - (b) for the opening of a sealed packet of [^{F181}the completed corresponding number lists or of] certificates as to employment on duty on the day of the poll or the inspection of any counted ballot papers in his custody,
- may be made—
- (i) by the House of Commons; or
 - (ii) 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 the High Court or a county court.
- (2) An order for the opening of a sealed packet of [^{F182}the completed corresponding number lists or of] certificates or for the inspection of any counted ballot papers in the [^{F183}relevant registration officer's] custody may be made by an election court.
- (3) An order under this rule may be made subject to such conditions as to—
- (a) persons,
 - (b) time,
 - (c) place and mode of inspection,
 - (d) production or opening,
- as the House of Commons or court making the order may think expedient; but in making and carrying into effect an order for the opening of a packet of [^{F184}the completed corresponding number lists or of] certificates or for the inspection of counted ballot papers, care shall be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved—
- (i) that his vote was given; and
 - (ii) that the vote has been declared by a competent court to be invalid.
- (4) An appeal lies to the High Court from any order of a county court under this rule.
- (5) Any power given under this rule—
- (a) to the High Court or, except in Northern Ireland, to a county court, may be exercised by any judge of the court otherwise than in open court; and
 - (b) in Northern Ireland to a county court, may be exercised in such manner as may be provided by rules of court.
- (6) Where an order is made for the production by the [^{F180}relevant registration officer] of any document in his possession relating to any specified election—
- (a) the production by him or his agent of the document ordered in such manner as may be directed by that order shall be conclusive evidence that the document relates to the specified election; and
 - (b) any endorsement on any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what they are stated to be by the endorsement.
- [^{F185}(7) The production from proper custody of—
- (a) a ballot paper purporting to have been used at any election, and

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(b) a completed corresponding number list with a number marked in writing beside the number of the ballot paper,

shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person whose entry in the register of electors (or on a notice issued under section 13B(3B) or (3D) of this Act) at the time of the election contained the same number as the number written as mentioned in sub-paragraph (b).]

(8) Save as by this rule provided, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the [F¹⁸⁰relevant registration officer] or to open any sealed packets of [F¹⁸⁶the completed corresponding number lists or of] certificates.

Textual Amendments

- F180** Words in Sch. 1 rule 56(1)(6)(8) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(4)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F181** Words in Sch. 1 rule 56(1)(b) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F182** Words in Sch. 1 rule 56(2) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(b), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F183** Words in Sch. 1 rule 56(2) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(4)(b), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F184** Words in Sch. 1 rule 56(3) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(c), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F185** Sch. 1 rule 56(7) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(d), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F186** Words in Sch. 1 rule 56(8) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(e), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

Modifications etc. (not altering text)

- C177** Sch. 1 rules 54–57, 60 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C178** Sch. 1 rules 54–57, 60 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I
- C179** Sch. 1 rule 56 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), Sch. 1 Sch. 1 rule 56 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)
- C180** Sch. 1 rule 56 applied (with modifications) (1.8.2001) by The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599), art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, Sch. 1; and modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(1), Sch. 8 paras. 38(3), 50(7)(b))

Status: Point in time view as at 15/09/2011.

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Retention and public inspection of documents

- 57 (1) The [^{F187}relevant registration officer] shall retain for a year all documents relating to an election forwarded to him in pursuance of these rules by a returning officer, and then, unless otherwise directed by order of the House of Commons [^{F188}, the High Court, the Crown Court or a magistrates' court] , shall cause them to be destroyed.
- [^{F189}(2) The documents mentioned in paragraphs (1) and (1A) except—
- (a) ballot papers,
 - (b) the completed corresponding number lists,
 - (c) certificates as to employment on duty on the day of the poll,
- shall be open to public inspection.]
- [^{F190}(3) The relevant registration officer or the Chief Electoral Officer for Northern Ireland (as the case may be) must, on request, supply to any person copies of or extracts from such description of the documents open to public inspection as is prescribed by regulations.]
- [^{F191}(4) Each of the following must, on request, be supplied with a copy of the marked copies of the register, the postal voters list, the list of proxies and the proxy postal voters list—
- (a) a registered party within the meaning of Part 2 of the Political Parties, Elections and Referendums Act 2000;
 - (b) a person who was a candidate at the election in relation to the constituency for which he was a candidate.
- (5) Regulations may impose conditions in relation to—
- (a) the inspection of any document in pursuance of paragraph (2);
 - (b) the supply of any document or part of a document in pursuance of paragraph (3);
 - (c) the supply of any document or part of a document in pursuance of paragraph (4).
- (6) Regulations may also make provision—
- (a) as to the form in which any such document or part is supplied;
 - (b) for the payment of a fee in respect of the supply of a document or part.
- (7) Conditions which may be imposed for the purposes of paragraph (5)(a) or (b) include conditions as to—
- (a) whether a person may take any copy of a document he is permitted to inspect;
 - (b) the manner in which any such copy is to be taken;
 - (c) the purposes for which information contained in any document or part of a document which is inspected or supplied in pursuance of paragraph (2) or (3) may be used.
- (8) Conditions which may be imposed for the purposes of paragraph (5)(b) or (c) include conditions as to the extent to which a person to whom a document or part of a document has been supplied may—
- (a) supply that document or part to any other person;
 - (b) disclose to any other person any information contained in the document or part;

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- (c) use any such information for a purpose other than that for which the document or part was supplied to him.
- (9) Regulations may also impose conditions corresponding to those mentioned in paragraph (8) in respect of persons who have obtained a document or part of a document mentioned in paragraph (4)—
 - (a) which was supplied to another person in pursuance of paragraph (4), or
 - (b) otherwise than in accordance with regulations under this section.]

Disposal of documents in Scotland

[^{F192}58(1) This rule modifies rules 55 to 57 in relation to elections in Scotland.

- (2) In relation to such elections—
 - (a) the documents mentioned in rule 55(1)—
 - (i) are not to be forwarded by the returning officer as required by that rule,
 - (ii) instead, are to remain in the returning officer's custody (and be endorsed by the officer as required by that rule);
 - (b) the references in rules 56 and 57 to the relevant registration officer are to be read as references to the returning officer (and rule 55(1A) is to be disregarded);
 - (c) the reference in rule 57(1) to the documents to be retained is to be read as a reference to the documents remaining in the returning officer's custody under sub-paragraph (a)(ii).]

Textual Amendments

F192 Sch. 1 rule 58 substituted (26.3.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), **ss. 25(b)**, 43(1); [S.I. 2010/969](#), **art. 2(a)** (with **art. 3**)

Disposal of documents in Northern Ireland

[^{F193}59 In the application of rules 55 to 57 to elections for a constituency in Northern Ireland, the references to the relevant registration officer shall be taken to be references to the Clerk of the Crown for Northern Ireland.]

Textual Amendments

F193 Sch. 1 rule 59 substituted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 41(7)**, 77; [S.I. 2008/1316](#), **arts. 2, 5**

Status: Point in time view as at 15/09/2011.

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PART VI

DEATH OF CANDIDATE

f^{F194}Independent candidate

Textual Amendments

F194 Sch. 1 rules 60-65 substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) for Sch. 1 rule 60 by Electoral Administration Act 2006 (c. 22), ss. 24, 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(k) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

- 60 (1) This rule applies if at a contested election proof is given to the returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named in the ballot papers as an independent candidate has died.
- (2) Subject to this rule and rules 61 and 62, these rules apply to the election as if the candidate had not died.
- (3) The following provisions of these rules do not apply in relation to the deceased candidate—
- (a) rule 32(1)(c) and (d) (admission to polling station);
 - (b) rule 44(2)(b) to (d) (attendance at count);
 - (c) rule 53(4) (forfeiture of deposit).
- (4) If only two persons are shown as standing nominated in the statement of persons nominated the returning officer must—
- (a) if polling has not begun, countermand the notice of poll;
 - (b) if polling has begun, direct that the poll is abandoned;
 - (c) subject to rule 65, treat the election as an uncontested election.
- (5) For the purposes of this rule a person is named or to be named on the ballot papers as an independent candidate if the description (if any) on his nomination paper is not authorised as mentioned in rule 6A(1) or (1B).

Modifications etc. (not altering text)

C184 Sch. 1 rule 60 applied (with modifications) 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)

Deceased independent candidate wins

- 61 (1) This rule applies if at an election mentioned in rule 60(1) the majority of votes is given to the deceased candidate.
- (2) Rule 50(1) (declaration of result) does not apply but the returning officer must—
- (a) declare that the majority of votes has been given to the deceased candidate,
 - (b) declare that no member is returned, and
 - (c) give public notice of the total number of votes given for each candidate together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.

Status: Point in time view as at 15/09/2011.

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- (3) Rule 53 (return or forfeiture of candidate's deposit) does not apply in relation to the remaining candidates.
- (4) The returning officer must not return the writ and the proceedings with reference to the election must be commenced afresh subject to the following provisions of this rule.
- (5) The writ for the election must be taken to have been received on the first working day after the end of the period of seven days starting on the day of the election mentioned in rule 60(1).
- (6) No fresh nomination is necessary in the case of a person shown in the statement of persons nominated as standing nominated, and no other nomination may be made.
- (7) The last day on which a notice of withdrawal of candidature by a person who stands nominated by virtue of paragraph (6) may be delivered is the seventh working day after the day on which the writ is taken to be received.
- (8) Rule 9 (deposit) does not apply.
- (9) The poll must be held on a day in the period which starts 15 working days after the day on which the writ is taken to have been received and ends 19 working days after that day.
- (10) For the purposes of this rule a working day is a day which is not a day specified in rule 2(1)(a) to (c).

Modifications etc. (not altering text)

C185 Sch. 1 rule 61 applied (with modifications) 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)

Deceased independent candidate with equality of votes

- 62 In an election mentioned in rule 60(1), if—
- (a) rule 49 applies (equality of votes), and
 - (b) any of the candidates to whom that rule applies is a deceased candidate, the deceased candidate must be ignored.

Modifications etc. (not altering text)

C186 Sch. 1 rule 62 applied (with modifications) 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)

Party candidate

- 63 (1) This rule applies if—
- (a) at a contested election proof is given to the returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named as a candidate in the ballot paper has died, and
 - (b) that person is standing in the name of a registered political party.

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- (2) The returning officer must—
 - (a) countermand notice of the poll, or
 - (b) if polling has begun, direct that the poll be abandoned.
- (3) The proceedings with reference to the election must be commenced afresh subject to the following provisions of this rule.
- (4) The writ for the election must be taken to have been received on the first working day after the end of the period of seven days starting on the day the proof is given to the returning officer.
- (5) No fresh nomination is necessary in the case of a person shown in the statement of persons nominated as standing nominated.
- (6) No other nomination may be made except for a person standing in the name of the same registered political party in whose name the deceased candidate was standing.
- (7) The last day on which a nomination mentioned in paragraph (6) may be delivered is the seventh working day after the day on which the writ is taken to be received.
- (8) The last day on which a notice of withdrawal of candidature by a person who stands nominated by virtue of paragraph (5) or in pursuance of paragraph (6) may be delivered is the seventh working day after the day on which the writ is taken to be received.
- (9) The poll must be held on a day in the period which starts 15 working days after the day on which the writ is taken to have been received and ends 19 working days after that day.
- (10) For the purposes of this rule—
 - (a) a person stands in the name of a registered political party if his nomination paper contains a description which is authorised as mentioned in rule 6A(1) or (1B);
 - (b) a registered political party is a party which is registered under Part 2 of the Political Parties, Elections and Referendums Act 2000;
 - (c) a working day is a day which is not a day specified in rule 2(1)(a) to (c).

Modifications etc. (not altering text)

C187 Sch. 1 rule 63 applied (with modifications) 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)

Speaker of the House of Commons seeking re-election

- 64
- (1) This rule applies if at a contested election—
 - (a) one of the candidates is the Speaker of the House of Commons seeking re-election, and
 - (b) proof is given to the returning officer's satisfaction before the result of the election is declared that that candidate has died.
 - (2) The returning officer must—
 - (a) countermand notice of the poll, or
 - (b) if polling has begun, direct that the poll be abandoned.

Status: Point in time view as at 15/09/2011.

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- (3) The proceedings with reference to the election must be commenced afresh subject to the following provisions of this rule.
- (4) The writ for the election must be taken to have been received on the first working day after the end of the period of seven days starting on the day the proof is given to the returning officer.
- (5) The last day on which—
 - (a) nominations, or
 - (b) notice of withdrawal of candidature,
 may be delivered is the seventh working day after the day on which the writ is taken to be received.
- (6) The poll must be held on a day in the period which starts 15 working days after the day on which the writ is taken to have been received and ends 19 working days after that day.
- (7) For the purposes of this rule a working day is a day which is not a day specified in rule 2(1)(a) to (c).

Abandoned poll

- 65 (1) This rule applies to—
 - (a) a poll which is abandoned in pursuance of rule 60(4)(b) as if it were a poll at a contested election;
 - (b) a poll which is abandoned in pursuance of rule 63(2)(b) or 64(2)(b).
- (2) The presiding officer at a polling station must take the like steps (so far as not already taken) for the delivery to the returning officer of ballot boxes and of ballot papers and other documents as he is required to take on the close of the poll.
- (3) The returning officer must dispose of ballot papers and other documents in his possession as is he required to do on the completion of the counting of the votes.
- (4) It is not necessary for a ballot paper account to be prepared or verified.
- (5) No step or further step is to be taken for the counting of the ballot papers or of the votes.
- (6) The returning officer must seal up all the ballot papers (whether the votes on them have been counted or not) and it is not necessary to seal up counted and rejected ballot papers in separate packets.
- (7) The provisions of these rules as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election apply subject to paragraphs (8) and (9).
- (8) Ballot papers on which the votes were neither counted nor rejected must be treated as counted ballot papers.
- (9) No order is to be made for—
 - (a) the production or inspection of any ballot papers, or
 - (b) the opening of a sealed packet of the completed corresponding number lists or of certificates as to employment on the day of the poll,
 unless the order is made by a court with reference to a prosecution.]

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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)

C188 Sch. 1 rule 65 applied (with modifications) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), [art. 3](#), [Sch. 1](#) (as substituted (10.2.2009) by [S.I. 2009/256](#), [arts. 1\(2\)](#), [3](#), [Sch. 1](#); and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), [s. 19\(1\)](#), [Sch. 8 para. 40](#))

APPENDIX OF FORMS

Modifications etc. (not altering text)

C189 Appendix of Forms applied (with modifications) (N.I.) by [S.I. 1986/2250](#), [regs. 2, 3, 5](#), [Sch. 1 Pt. 1](#)
Appendix of Forms applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 3\(1\)\(5\)-\(8\)](#), [Sch. 1](#)
Appendix of Forms applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 3\(1\)\(b\)\(6\)\(d\)\(7\)](#)

C190 Appendix of Forms applied (with modifications) (E.W.S.) by [S.I. 1986/2209](#), [regs. 2, 3, 5\(1\)\(6\)-\(8\)](#), [Sch. 1 Pt. 1](#)

C191 Appendix of Forms applied (with modifications) (31.7.1997) by [1997 c. 61](#), [s. 3](#), [Sch. 3 para. 13](#) Table 2
Appendix of Forms 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](#))

Note.—The forms contained in this Appendix may be adapted so far as circumstances require.

Form of writ

**The name of the sovereign may be altered when necessary.*

**Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith to the Returning Officer for the Constituency Greeting*

†This preamble to be omitted except in case of a general election.

‡Except in a general election insert here in the place of A. B., deceased or otherwise, stating the cause of vacancy.

*†*Whereas by [^{F195}section 3(1) of the Fixed-term Parliaments Act 2011 Parliament has dissolved] We Command you that due notice being first given you do cause election to be made according to law of a Member to serve in Parliament for the said Constituency [*‡*in the place of]

Textual Amendments

F195 Words in Sch. 1 Appendix substituted (15.9.2011) by [Fixed-term Parliaments Act 2011 \(c. 14\)](#), [s. 7\(2\)](#), [Sch. para. 13](#) (with [s. 6](#))

And that you do cause the name of such Member when so elected, whether he be present or absent, to be certified to Us in Our Chancery without delay

Witness Ourselves at Westminster the day of in the year of Our Reign, and in the year of Our Lord 19 .

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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)

Label or direction of writ

To the Returning Officer for the Constituency.

A writ of a new election of a Member for the said Constituency.

Endorsement

Received the within Writ on the day of , 19 .

(Signed)

Returning Officer (or as the case may be.)

Certificate endorsed on writ

I hereby certify, that the Member elected for the Constituency in pursuance of the within written Writ is of in the County of

(Signed)

Returning Officer (or as the case may be.)

[^{F196}Note: in relation to any constituency in Wales, “county” in this form refers to a preserved county (as defined by section 64 of the Local Government (Wales) Act 1994).]

Textual Amendments

F196 Sch. 1 Appendix of Forms, Form of certificate to be endorsed on writ: words inserted (1.4.1996) by 1994 c. 19, s. 1(3), **Sch. 2 para. 12(2)** (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/3198, art. 3, **Sch. 1**

^{F197}*Form of notice of election*

Textual Amendments

F197 Sch. 1 Appendix of Forms: Form of notice of election repealed by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, **Sch. 5**

Form of nomination paper

ELECTION OF A MEMBER to serve in Parliament for the Constituency.

We the undersigned, being electors for the said Constituency, do hereby nominate the undermentioned person as a candidate at the said election.

^{F198} ^{F199} <i>Candidate's surname</i>	<i>Other names in full</i>	<i>Commonly used surname (if any)</i>	<i>Commonly used forenames (if any)</i>	<i>Description (if any)</i>

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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)

SULLIVAN Arthur Seymour GILBERT W. S. Independent]

Textual Amendments

F198 Sch. 1 Appendix of Forms, Form of nomination paper: in first Table following the words "candidate at the said election", the final column (home address) is repealed (4.9.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 39, 43(1), [Sch. 6 para. 8\(6\)\(a\)](#), [Sch. 7](#); S.I. 2009/2395, [art. 2](#) (with [art. 3](#))

F199 Sch. 1 Appendix of Forms, Form of nomination paper: Table substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 21\(4\)](#), 77; S.I. 2006/3412, [art. 3](#), [Sch. 1 para. 14\(h\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); S.I. 2008/1316, [arts. 2](#), 4

Signatures

Electoral Number (See Note 3)

Distinctive letter

Number

Proposer

Seconder

We, the undersigned, being electors for the said Constituency, do hereby assent to the foregoing nomination.

1

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NOTE

1 The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination contained in the parliamentary elections rules in Schedule 1 to the Representation of the ^{M6}People Act 1983.

Marginal Citations

M6 1983 c. 2.

2 Where a candidate is commonly known by some title he may be described by his title as if it were his surname.

[^{F200}2A Where a candidate commonly uses a name which is different from any other name he has, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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

F200 Sch. 1 Appendix of Forms, Form of nomination paper, Note: paras. 2A, 2B inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 21(5)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(h) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2**, 4

- 2B But the ballot paper will show the other name if the returning officer thinks—
- (a) that the use of the commonly used name may be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.]

Textual Amendments

F200 Sch. 1 Appendix of Forms, Form of nomination paper, Note: paras. 2A, 2B inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 21(5)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(h) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2**, 4

F201³

Textual Amendments

F201 Sch. 1 Appendix of Forms, Form of nomination paper: Note 3 repealed (16.2.2001) by [2000 c. 2](#), **ss. 8(a)**, 15(2), Sch. 1 para. 23(3)(a), **Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)** (with [art. 2\(4\)](#))

- 4 An elector may not subscribe more than one nomination paper for the same election.
- 5 A person whose name is entered in the register ^{F202} . . . may not subscribe a nomination paper if the entry gives as the date on which he will become of voting age a date later than the day fixed for the poll.

Textual Amendments

F202 Sch. 1 Appendix of Forms, Form of nomination paper: words in Note 5 omitted (16.2.2001) by virtue of [2000 c. 2](#), s. 8(a), **Sch. 1 para. 23(3)(b)** and the words "electors lists" repealed (16.2.2001) by [2000 c. 2](#), s. 15(2), **Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)** (with [art. 2\(4\)](#))

Form of Ballot Paper

Form of Front of Ballot Paper

F203F204F205

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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)

**Election of the Member of Parliament
[of constituency] constituency**

**Vote for only one candidate by putting
box next to your choice**

BASWRA, Paresh

2 The Cottages, Anytown XY8 9JG

Liberal Democrat

CRANLEY, Alana

4 The Walk, Anytown XY9 5JJ

Green Party

EDGBASTON, Richard

(address in the Birmingham Northfield Constituency)

The Common Good Party

GUNNIL-WALKER, Roger

33 The Lane, Anytown XY6 3GD

The Labour Party Candidate

SMITH, Catherine Angelina

21 The Grove, Anytown XY2 5JP

Independent

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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

- F203** Sch. 1 Appendix of Forms: Form of Front of Ballot Paper substituted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 5, Appendix; S.I. 1999/393, art. 2
- F204** Sch. 1 Appendix of Forms, Form of Front of Ballot Paper: the words "Counterfoil No. The counterfoil is to have a number to correspond with that on the back of the ballot paper" repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(9)(a), 74(2), 77, Sch. 2; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o)(aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F205** Sch. 1 Appendix of Forms, Form of Front of Ballot Paper: for the address after "Richard Edgbaston" there is substituted the words "(address in the Birmingham Northfield Constituency)" (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), Sch. 6 para. 8(6)(b); S.I. 2009/2395, art. 2 (with art. 3)

Form of Back of Ballot Paper

No.

Election for the Constituency on 19

F206

Textual Amendments

- F206** Sch. 1 Appendix of Forms, Form of Back of Ballot Paper: words repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(9)(b), 74(2), 77, Sch. 2; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o)(aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

Directions as to printing the ballot paper

- 1 Nothing is to be printed on the ballot paper except in accordance with these directions.
- 2 So far as practicable, the following arrangements shall be observed in the printing of the ballot paper—
 - (a) no word shall be printed on the face [F207 except the direction to vote for one candidate only][F208, the particulars of the candidates and words forming part of emblems];
 - (b) no rule shall be printed on the face except [F209 the horizontal rule separating the direction mentioned in paragraph (a) above from the particulars of the candidates and] the horizontal rules separating the particulars of the candidates from one another and the vertical rules separating those particulars from the numbers on the lefthand side and the spaces on the right where the vote is to be marked;
 - (c) the whole space between the top and bottom of the paper shall be equally divided between [F210 the direction mentioned in paragraph (a) above and each of the candidates by the horizontal rules mentioned in paragraph (b) above].

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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

- F207** Sch. 1 Appendix of Forms, Directions as to printing the ballot paper: words in para. 2(a) substituted (21.12.1993) by 1993 c. 38, ss. 35(4), 36(1)
- F208** Sch. 1 Appendix of Forms, Directions as to printing the ballot paper: words in para. 2(a) substituted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 6(a); S.I. 1999/393, art. 2
- F209** Words inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, Sch. 4 para. 85(b)
- F210** Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, Sch. 4 para. 85(c)

[^{F211}2A The direction mentioned in paragraph 2(a) above shall be printed in large capitals.]

Textual Amendments

- F211** Sch. 1 Appendix of Forms, Directions as to printing the ballot paper: para. 2A inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, Sch. 4 para. 85(d)

[^{F212}2B Nothing in paragraph 2 prohibits the face of the ballot paper containing more than one column of numbers, candidates particulars and spaces where the vote is to be marked if the returning officer thinks it is appropriate for the ballot paper to be printed with more than one column, but in such a case each column must be separated by a double vertical rule.]

Textual Amendments

- F212** Sch. 1 Appendix of Forms, Directions as to printing the ballot paper: para. 2B inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 30(3), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(n) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

3 The surname of each candidate shall in all cases be printed by itself in large capitals, and his full particulars shall be set out below it and shall be printed in ordinary type except that small capitals shall be used—

- (a) if his surname is the same as another candidate's, for his other names; and
- (b) if his other names are also the same as the other candidate's, either for his home address [^{F213}(or the constituency in which that address is situated)] or for his description unless each of them is the same as that of another candidate with the same surname and other names.

Textual Amendments

- F213** Sch. 1 Appendix of Forms, Directions as to printing the ballot paper: words in para. 3(b) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), Sch. 6 para. 8(6)(c); S.I. 2009/2395, art. 2 (with art. 3)

[^{F214}3A Where an emblem is to be printed against a candidate's particulars—

- (a) it shall be printed between the candidate's particulars and the vertical rule separating the candidates' particulars from the spaces where the vote is to be marked, and
- (b) its size as printed shall not exceed two centimetres square.]

Status: Point in time view as at 15/09/2011.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 July 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

F214 Sch. 1 Appendix of Forms, Directions as to printing the ballot paper: para. 3A inserted (24.3.1999) by 1998 c. 48, s. 13, **Sch. 2 para. 6(b)**; S.I. 1999/393, **art. 2**

[^{F215}4 The number and other unique identifying mark may be printed close to each other on the back of the ballot paper.]

Textual Amendments

F215 Sch. 1 Appendix of Forms, Directions as to printing the ballot paper: para. 4 substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by **Electoral Administration Act 2006 (c. 22)**, ss. 47, 77, **Sch. 1 para. 93(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**

[^{F216}Form of directions for the guidance of the voters in voting

GUIDANCE FOR VOTERS

Textual Amendments

F216 Sch. 1 Appendix of Forms: Form of directions for the guidance of the voters in voting substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by **Electoral Administration Act 2006 (c. 22)**, ss. 47, 77, **Sch. 1 para. 93(3)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**

- 1 When you are given a ballot paper go to one of the compartments. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate you are voting for.
- 2 Vote for one candidate only. Put no other mark on the ballot paper, or your vote may not be counted. Do not let anyone see your vote.
- 3 Fold the ballot paper in two. Show the back of the ballot paper to the presiding officer so as to disclose the number and other unique identifying mark. Put the ballot paper in the ballot box and leave the polling station.
- 4 If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.]

Form of declaration to be made by the companion of a [^{F217}voter with disabilities]

Textual Amendments

F217 Sch. 1 Appendix of Forms: words in Form of declaration to be made by the companion of a blind voter substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4)(a); S.I. 2001/116, **art. 2(1)**

**State the relationship of the companion to the voter.*

I, A. B., of _____, having been requested to assist C. D., (in the case of a [^{F218}voter with disabilities] voting as proxy add voting as proxy for M. N.) whose number on the register is

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to record his vote at the election now being held in this constituency, hereby declare that [I am entitled to vote as an elector at the said election] [I am the * of the said voter and have attained the age of 18 years], and that I have not previously assisted any [^{F219}voter with disabilities] [except *E. F.*, of] to vote at the said election.

(Signed) *A. B.*,

day of 19 .

I, the undersigned, being the presiding officer for the polling station for the Constituency, hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed) *G. H.*,

day of 19 .

minutes past o'clock [a.m.] [p.m.]

^{F220}NOTE 1.]If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he will be guilty of an offence.

^{F221} 2. A voter with disabilities is a voter who has made a declaration under the parliamentary elections rules that he is so incapacitated by his blindness or other incapacity, or by his inability to read, as to be unable to vote without assistance.]

Textual Amendments

F218 Appendix of forms: words in “form of declaration to be made by the companion of a blind person” substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4)(a); S.I. 2001/116, art. 2(1)

F219 Appendix of forms: words in “form of declaration to be made by the companion of a blind person” substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4)(a); S.I. 2001/116, art. 2(1)

F220 Sch. 1 Appendix of Forms, Form of declaration to be made by the companion of a blind voter: Note renumbered as Note 1(16.2.2001) by 2000 c. 2, s. 13(5)(b); S.I. 2001/116, art. 2(1)

F221 Sch. 1 Appendix of Forms, Form of declaration to be made by the companion of a blind voter: Note 2 inserted (16.2.2001) by 2000 c. 2, s. 13(5)(b); S.I. 2001/116, art. 2(1)

Status:

Point in time view as at 15/09/2011.

Changes to legislation:

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