

Status: Point in time view as at 16/01/2023.

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

SCHEDULES

SCHEDULE 1

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**
- C1** [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
- C1** [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15\(1\)\(2\)](#) (as applied (with modifications) (28.4.1999) by [S.I. 1999/1214](#), reg. 8, **Sch. 3**) (which S.I. was revoked (23.3.2004) by [S.I. 2004/293](#), reg. 126)
- C1** [Sch. 1](#) modified (E.W.) by [S.I. 1986/1081](#), **regs. 2, 97, 98, 100** (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), reg. 3)
- C1** [Sch. 1](#) extended (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), **art. 6(1)-(4)**
- C1** [Sch. 1](#) modified (E.W.) (23.3.2004) by [The Representation of the People \(Combination of Polls\) \(England and Wales\) Regulations 2004 \(S.I. 2004/294\)](#), reg. 8, **Sch. 2** (as amended (22.5.2014) by [S.I. 2014/920](#), regs. 1(1), **2(7)**, 3-6; (7.5.2015) by [S.I. 2015/654](#), regs. 1(1), **2**); and (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **37** (with reg. 1(6)(7)))
- C1** [Sch. 1](#) modified (N.I.) (10.4.2001) by [Elections Act 2001 \(c. 7\)](#), s. 4, **Sch.** (as amended (16.12.2010) by [S.I. 2010/2977](#), arts. 2(2), 6; and (15.9.2014) by [S.I. 2014/1116](#), arts. 1(1), 9)
- C1** [Sch. 1](#) modified (S.) by [The Representation of the People \(Scotland\) Regulations 1986 \(S.I. 1986/1111\)](#), regs. 2, **95, 96, 98** (as amended (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **36** (with reg. 1(6)(7)))

PART III

CONTESTED ELECTIONS

ACTION TO BE TAKEN BEFORE THE POLL

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

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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 [^{F1}except—
- (a) order the arrest of any person or the exclusion or removal of any person from the polling station,
 - (b) refuse to deliver a ballot paper under rule 35(3) or the relevant paragraph of rule 37, or
 - (c) resolve doubts over identity as mentioned in the relevant paragraph of rule 37.]
- [^{F2}(4) In paragraph (3), “the relevant paragraph of rule 37” means—
- (a) in sub-paragraph (b)—
 - (i) paragraph (1E) of rule 37 as it extends to England and Wales and to Scotland (including that paragraph as applied by rule 38, 39 or 40);
 - (ii) paragraph (1C) of rule 37 as it extends to Northern Ireland (including that paragraph as applied by rule 38, 39 or 40);
 - (b) in sub-paragraph (c)—
 - (i) paragraph (1F) of rule 37 as it extends to England and Wales and to Scotland (including that paragraph as applied by rule 38, 39 or 40);
 - (ii) paragraph (1DA) of rule 37 as it extends to Northern Ireland (including that paragraph as applied by rule 38, 39 or 40).]

Textual Amendments

- F1** Words in Sch. 1 rule 26(3) substituted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 13(2); S.I. 2022/1401, reg. 2(d)(vi) (with reg. 3(1))
- F2** Sch. 1 rule 26(4) inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 13(3); S.I. 2022/1401, reg. 2(d)(vi) (with reg. 3(1))

Modifications etc. (not altering text)

- C1** Sch. 1 rule 26 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C2** 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
- C3** 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
- C4** Sch. 1 rule 26 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, Sch. 3 para. 13 Table 2
- 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)

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