



# Representation of the People Act 1985

## CHAPTER 50

### REPRESENTATION OF THE PEOPLE ACT 1985

#### *Extension of franchise to British citizens overseas*

- 1 Extension of parliamentary franchise.
- 2 Registration of British citizens overseas.
- 3 Extension of franchise for European Parliamentary elections.
- 4 Extension of franchise: consequential amendments.

#### *Voting at parliamentary elections in the United Kingdom and local government elections in Great Britain*

- 5 Manner of voting at parliamentary and local government elections.
- 6 Absent vote at elections for an indefinite period.
- 7 Absent vote at a particular election and absent voters list.
- 8 Proxies at elections.
- 9 Voting as proxy.
- 10 Voting at special polling stations in Northern Ireland.
- 11 Manner of voting: supplementary provision.

#### *Offences as to declarations, etc.*

- 12 Offences as to declarations, etc.

#### *Deposits and expenses at elections*

- 13 Deposit by candidates at parliamentary elections.
- 14 Election expenses.

*Status: Point in time view as at 01/12/2002.*

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### *Combination and timing of polls*

- 15 Combination of polls at parliamentary, European Parliamentary and local elections.
- 16 Postponement of poll at parish or community council elections.
- 17 Combination of polls at local elections.
- 18 Ordinary day of local elections.
- 19 Timing of elections.

### *Miscellaneous and supplemental*

- 20 Summoning new Parliament: effect of demise of the Crown.
- 21 Ordinary elections of parish and community councillors: insufficient nominations.
- 22 Welsh forms
- 23 Increase in penalties for offences under principal Act, etc.
- 24 Miscellaneous amendments of principal Act.
- 25 Amendments of other enactments.
- 26 Expenses.
- 27 Interpretation.
- 28 Repeals.
- 29 Citation, commencement and extent.

## SCHEDULES

### SCHEDULE 1 — Special Polling Stations in Northern Ireland

#### Part I — RIGHT TO VOTE AT SPECIAL POLLING STATIONS

- 1 (1) Where, in the case of a person entitled to...

#### Part II — RULES RELATING TO SPECIAL POLLING STATIONS

- 2 The following paragraphs in this Part of this Schedule shall...
- 3 The official mark on the ballot paper of those voting...
- 4 (1) The electoral officer shall provide each presiding officer at...
- 5 (1) The electoral officer may, after such consultation as appears...
- 6 (1) When the electoral officer has received the ballot boxes...
- 7 (1) On the completion of the counting at a contested...

#### Part III — MODIFICATIONS OF PARLIAMENTARY ELECTIONS RULES

- 8 Subject to the rules in Part II of this Schedule,...
- 9 References to the election shall in the case of a...
- 10 References to a candidate's polling agent appointed to attend at...
- 11 References to the register of parliamentary electors for an election...
- 12 Rule 5(2) shall apply to applications to vote at a...
- 13 Rule 20(2) and (3) shall not apply.
- 14 Rules 23, 24 and 25(1) to (4) shall not apply....
- 15 Rules 28 and 29(3)(c) and (d) shall not apply.
- 16 Rule 30(1) to (9) shall not apply.
- 17 Rule 31 shall have effect as if—
- 18 In rule 32— (a) paragraph (1)(a) and (e), and
- 19 Rule 35(1) shall have effect as if the question that...
- 20 Rule 36(1) shall have effect as if the reference to...
- 21 Rule 39 shall not apply.
- 22 Rule 40(1) shall apply as if, for sub-paragraphs (a) and...
- 23 Rules 44 and 45 shall not apply.

#### Part IV — MODIFICATIONS OF REPRESENTATION OF THE PEOPLE ACTS

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- 24 The Representation of the People Acts shall have effect as...
- 25 The reference in section 53(1)(c) of the principal Act to...
- 26 Section 65(3) of the principal Act shall have effect as...
- 27 Section 66 of the principal Act shall have effect as...
- 28 Paragraph 5A of Schedule 2 to the principal Act shall...
- 29 The second reference in section 5(5) of this Act to...
- 30 The references in section 12(3) of this Act to section...

#### SCHEDULE 2 — Manner of Voting

##### Part I — CONSEQUENTIAL AMENDMENTS OF PRINCIPAL ACT

- 1 In section 56 (registration appeals: England and Wales) in subsection...
- 2 In section 61 (voting offences)— (a) in subsection (1)(a) for...
- 3 In section 202 (interpretation)— (a) before the definition of “Attorney...
- 4 In Schedule 1 in rule 5(2)(a) (notice of election to...
- 5 .....
- 6 In Schedule 1 in rule 28 (issue of poll cards)...
- 7 In Schedule 1 in rule 40 (tendered ballot papers) in...
- 8 In Schedule 2 (regulations as to registration) paragraph 5(4) shall...

##### Part II — TRANSITIONAL PROVISION FOR ABSENT VOTERS

- 9 (1) In relation to any person who, immediately before the...
- 10 In relation to any person who, immediately before the commencement...
- 11 (1) Where an appointment of a person to vote as...
- 12 In this Part of this Schedule— “commencement date” means the...

##### Part III — VOTING AT MUNICIPAL ELECTIONS IN THE CITY

- 13 (1) The City of London (Various Powers) Act 1957 shall...

#### SCHEDULE 3 — Penalties

- 1 .....
- 2 In section 65 (tampering with nomination papers, ballot papers etc.)...
- 3 In section 66 (requirement of secrecy) in subsection (6) after...
- 4 In section 99 (officials not to act for candidates) for...
- 5 In section 100 (illegal canvassing by police officers) in subsection...
- 6 .....
- 7 .....
- 8 In section 168 (prosecutions for corrupt practices) for subsections (1)...
- 9 In section 169 (prosecutions for illegal practices) for the words...
- 10 In section 175 (illegal payments etc.) in subsection (1) for...
- 11 .....

#### SCHEDULE 4 — Miscellaneous Amendments of the Principal Act

##### *Part I (parliamentary and local government franchise and its exercise)*

- 1 In section 3(1) (disfranchisement of person detained in penal institution...
- 2 .....
- 3 .....
- 4 (1) In section 18 (polling districts and places at parliamentary...
- 5 At the end of section 26 (returning officer: Northern Ireland)...
- 6 In section 28 (discharge of returning officer’s functions in England...
- 7 Section 38 (nominations and candidate’s death in local election in...
- 8 Subsection (8) of section 39 (two copies of every order...
- 9 Section 44 (candidate’s death in local election in Scotland) shall...

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- 10 In section 49 (effect of registers) subsections (1)(d) and (2)(c)...
- 11 Section 51 (corrupt and illegal practices lists) shall cease to...
- 12 In section 52 (discharge of registration duties)—
- 13 In section 53 (power to make regulations as to registration...
- 14 In section 54 (payment of expenses of registration)—
- 15 Section 55 (ascertainment of amount of registration expenses) shall  
cease...
- 16 In section 56 (registration appeals: England and Wales)—
- 17 .....
- 18 .....
- 19 For section 63 (breach of official duty in parliamentary elections)...

### *Part II (the election campaign)*

- 20 In subsection (4) of section 67 (appointment of election agent)...
- 21 In subsection (3) of section 68 (nomination of sub-agent at...
- 22 In subsection (1)(a) of section 69 (office of election agent...
- 23 In section 70 (effect of default in election agent's appointment)...
- 24 In section 75 (prohibition of expenses not authorised by election...
- 25 Section 76(3) (power to vary maximum amount of candidates'  
election...
- 26 In section 78(1) (claims for election expenses which are not...
- 27 In section 81 (return as to election expenses)—
- 28 In section 82 (declaration as to election expenses)—
- 29 In section 85 (penalty for sitting or voting where no...
- 30 In section 86 (authorised excuses for failures as to return...
- 31 In section 87 (court's power to require information from election...
- 32 In section 88 (publication of time and place for inspection...
- 33 In section 89 (inspection of returns and declarations) for the...
- 34 For subsection (1) of section 91 (candidate's right to send...
- 35 .....
- 36 (1) In section 94 (imitation poll cards) after the words...
- 37 In section 95 (schools and rooms for parliamentary election meetings)  
—...
- 38 For section 96 (schools and rooms for local election meetings)...
- 39 In section 97 (disturbances at election meetings) in subsection (2)(b)...
- 40 Section 103(2) (which exempts carriages used only for the  
conveyance...
- 41 In section 106 (false statements as to candidates) subsection (4)...
- 42 In section 108 (premises not to be used as committee...
- 43 In section 118 (interpretation of Part II) in the definition...

### *Part III (legal proceedings)*

- 44 In section 122 (time for presentation or amendment of parliamentary...
- 45 In section 124 (judges' expenses and reception: England and Wales...
- 46 In section 125 (judges' expenses and reception: Scotland)  
paragraph (a)...
- 47 In section 126(3) (expenses of shorthand writers) for the words...
- 48 In section 136 (security for costs)— (a) in subsection (2)(a)...
- 49 In section 140 (witnesses)— (a) subsection (5) (duty of Director...
- 50 Sections 141(3) and (4) and 142 (certificates of indemnity given...
- 51 In section 156 (costs of election petition)—
- 52 In section 160 (persons reported personally guilty of corrupt or...

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- 53 In section 161 (justice of the peace)—
- 54 In section 162 (member of legal and certain other professions)—...
- 55 In subsection (1)(b) of section 163 (holder of licence or...
- 56 In section 167 (applications for relief) after subsection (1) there...
- 57 In section 168 (prosecutions for corrupt practices) subsections (5) and...
- 58 Section 171 (prosecution of election petition offences in England and...
- 59 Section 172 (prosecution of election petition offences in Scotland)  
shall...
- 60 In section 173(a) (incapacities which arise on conviction of a...
- 61 In section 176 (time limit for prosecutions)—
- 62 For section 178 (prosecution of offences committed outside United  
Kingdom)...
- 63 In section 181— (a) in subsection (1) (duty of Director...

*Part IV (special provisions as to certain local elections)*

- 64 In section 187 (application of Act to certain local elections)—...
- 65 Section 190 (voting offences at election of councillors in Scotland)...
- 66 In section 191 (municipal elections in the City) in subsection...
- 67 In section 197 (candidate’s expenses: ward, and liverymen in common...

*Part V (general and supplemental)*

- 68 For subsection (1) of section 200 (public notices) there shall...
- 69 For subsection (2) of section 201 (regulations) there shall be...
- 70 In section 203 (interpretation) the definition of “registration duties”  
shall...
- 71 In section 203 (local government provisions as to England and...
- 72 In section 205 (general application to Northern Ireland) for paragraph...

*Schedule 1 (parliamentary elections rules)*

- 73 In Schedule 1 in rule 1 (timetable)—
- 74 In Schedule 1 in rule 5— (a) in paragraph (1)...
- 75 In Schedule 1 at the end of rule 9 (deposit)...
- 76 In Schedule 1 in rule 19(2)(d) (under which the counterfoil...
- 77 In Schedule 1 in rule 23 (notice of the poll)—...
- 78 .....
- 79 In Schedule 1 in rule 29(5) (alternative forms of notice...
- 80 In Schedule 1 for rule 31 there shall be substituted—...
- 81 In Schedule 1 in rule 37(1)(b) for the words “name...
- 82 In Schedule 1 in rule 45 (the count) for paragraph...
- 83 In Schedule 1 in rule 53— (a) in paragraph (2)...
- 84 In Schedule 1 in the Appendix of forms the form...
- 85 In Schedule 1 in the Appendix of forms in the...
- 86 In Schedule 1 in the Appendix of forms, for the...

*Other Schedules*

- 87 In Schedule 2 (regulations as to registration)—
- 88 In Schedule 3 (return and declarations as to election expenses)...
- 89 In Schedule 4 (election expenses at certain local elections in...
- 90 .....

SCHEDULE 5 — Repeals

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