



Representation of the People Act 1985

1985 CHAPTER 50

Extension of franchise to British citizens overseas

1 Extension of parliamentary franchise

- (1) Subject to section 1(3) of the principal Act, a person is entitled (notwithstanding anything in section 1(2) of that Act) to vote as an elector at a parliamentary election in any constituency if—
 - (a) he qualifies as an overseas elector in respect of that constituency on the qualifying date, and
 - (b) on that date and on the date of the poll he is not subject to any legal incapacity to vote and is a British " citizen.
- (2) For the purposes of this and the principal Act, a person qualifies as an overseas elector in respect of a constituency on the qualifying date if—
 - (a) on that date he is not resident in the United Kingdom, and
 - (b) he satisfies the following conditions.
- (3) Those conditions are that—
 - (a) he was included in a register of parliamentary electors in respect of an address at a place that is situated within the constituency concerned,
 - (b) on the date by reference to which the register was prepared, he was resident or treated for the purposes of registration as resident at that address,
 - (c) that date fell within the period of five years ending immediately before the qualifying date, and
 - (d) if he was included in any register of parliamentary electors prepared by reference to a date later than the date referred to in paragraph (b) above, he was not resident or treated for the purposes of registration as resident at an address in the United Kingdom on that later date.
- (4) The reference in subsection (1) above to a person being subject to a legal incapacity to vote on the qualifying date does not include a reference to his being below the age of 18 on that date.