

SCHEDULE 1

Article 15(2)

Absent voting at Assembly elections

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General requirements for applications

- 1.—(1) Applications under article 8, 9, 11 or 12 must state—
 - (a) the applicant's full name;
 - (b) the address in respect of which the applicant is registered or has applied to be (or is treated as having applied to be) registered in the register except in the case of an application under article 12(4) and (7);
 - (c) in the case of such an application, the proxy's address together with the name of the elector for whom he will act as proxy and the elector's address for the purposes of subparagraph (b);
 - (d) in the case of a person applying to vote by post, the address to which the ballot paper should be sent;
 - (e) in the case of an application to vote by proxy, the grounds on which the elector claims to be entitled to an absent vote;
 - (f) in the case of a person who is unable to provide a signature, the reasons for his request for a waiver of any requirement under article 8, 9 or 12 to provide a signature and the name and address of any person who has assisted him to complete his application; and
 - (g) where the applicant has, or has applied for, an anonymous entry, that fact.

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(2) The application shall be made in writing and be dated.

(3) Where an application is required to contain a signature and date of birth, the information must be set out in a manner that is sufficiently clear and unambiguous as to be capable of electronic scanning into the record by configuring the information as follows—

- (a) the signature shall appear against a background of white unlined paper of at least five centimetres long and two centimetres high; and
- (b) the applicant's date of birth shall be set out numerically configured in the sequence of date, month, year namely [d][d] [m][m] [y][y][y][y].

(4) Where the application contains a request that the registration officer dispense with a requirement for a signature, sub-paragraph (3)(a) shall not apply.

- (a) (5) (a) An application under article 8(1), 11(6) or 12(4)(a) which is made for an indefinite period or the period specified in the application must state that it is so made;
- (b) an application under article 9(1), (2), (3), 11(7) or 12(7) which is made for a particular Assembly election must state that it is so made,

but, where the poll for an Assembly election falls on the same day as the poll at another election, the same application may be used for both elections.

(6) The registration officer may satisfy himself—

- (a) that an application under articles 8, 9, 11 or 12 meets any requirements that it has been signed by the applicant and states his date of birth by referring to any signature and date of birth—
 - (i) previously provided by the applicant to the registration officer or the returning officer; or
 - (ii) previously provided by the applicant to the county or county borough council, or registrar of births and deaths which the registration officer is authorised to inspect for the purposes of his registration duties; and
- (b) as to whether the applicant is unable to provide a signature or a consistent signature due to disability or inability to read or write.

(a) (7) (a) Where—

- (i) in the case of an application to vote by post under articles 8(1), (7) or 9(1) the addresses stated in accordance with sub-paragraph (1)(b) and (d) are different; or
- (ii) in the case of an application by a proxy to vote by post under article 12(4), the proxy's address stated in accordance with sub-paragraph (1)(c) and the address stated in accordance with sub-paragraph (1)(d) are different,

the application must set out why the applicant's circumstances will be or are likely to be such that he requires the ballot paper to be sent to the address stated in accordance with sub-paragraph (1)(d).

(b) This sub-paragraph does not apply where an applicant has, or has applied for, an anonymous entry.

(a) (8) (a) An application under—

- (i) article 9(3)(a) by a person shown as voting by post in the record kept under Article 8; or
- (ii) article 12(7) by a person shown as voting by post in the record kept under Article 12 (6),

for his ballot paper to be sent to a different address from that shown in the record shall set out why the applicant's circumstances will be or are likely to be such that he requires his ballot paper to be sent to that address.

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- (b) this paragraph does not apply where the applicant has, or has applied for, an anonymous entry.
- (9) For the purposes of sub-paragraph (1)(b), the address in respect of which the applicant is or has applied to be (or is treated as having applied to be) registered includes—
 - (a) in the case of a service voter, the address given in the service declaration in accordance with section 16(d) of the 1983 Act;
 - (b) in the case of a person to whom section 7 of the 1983 Act applies (mental patients who are not detained offenders), the address of the mental hospital or the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act;
 - (c) in the case of a person to whom section 7A of the 1983 Act applies (person remanded in custody), the address of the place at which he is detained or the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act; and
 - (d) in the case of a homeless person, the address shown on the declaration of local connection in accordance with section 7B(3)(d) of the 1983 Act.

The personal identifiers record

- 2.—(1) The registration officer shall maintain a record (“the personal identifiers record”) apart from the other records and lists which he is required to keep under this Order, of the signatures and dates of birth provided by persons whose applications under article 8(1), 9(1) or 12(4)(a) or (b) were granted, until the expiry of twelve months from—
- (a) the date on which a person is removed from the record kept pursuant to article 8(5) or article 12(10); or
 - (b) the date of the poll for the purposes of which the person’s application for an absent vote was granted under article 9(1) or 12(4)(b).
- (2) The personal identifiers record shall contain the following information in respect of each absent voter on the postal voters list, list of proxies or proxy postal voters list—
- (a) his name;
 - (b) his date of birth; and
 - (c) his signature, or a record of waiver by the registration officer of the requirement for his signature.
- (3) The registration officer may disclose information held in the personal identifiers record to—
- (a) any candidate or agent attending proceedings on receipt of postal ballot papers, in accordance with and for the purposes referred to in paragraph 23 and 24 of Schedule 3;
 - (b) any person attending proceedings on receipt of postal ballot papers, who is entitled to do so by virtue of any of sections 6A to 6D of the 2000 Political Parties Act but only to the extent required to permit them to observe the proceedings.

Additional requirements for applications for appointment of a proxy

3. An application for the appointment of a proxy under article 8 or 9 shall state the full name and address of the person whom the applicant wishes to appoint as his proxy, together with his family relationship, if any, with the applicant, and—
- (a) if it is signed only by the applicant, shall contain a statement by him that he has consulted the person so named and that that person is capable of being and willing to be appointed to vote as his proxy; or
 - (b) if it is also signed by the person to be appointed, shall contain a statement by that person that he is capable of being and willing to be appointed to vote as the applicant’s proxy.

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Additional requirements for applications on grounds of blindness or other disability

4.—(1) An application to vote by proxy for a particular or indefinite period under article 8(2)(c) shall specify the disability by reason of which the application is made.

- (2) Subject to sub-paragraph (3) such an application shall be attested and signed by—
- (a) a registered medical practitioner;
 - (b) a nurse registered on the register maintained by the Nursing and Midwifery Council under article 5 of the Nursing and Midwifery Order 2001(1) by virtue of qualifications in nursing;
 - (c) a registered dentist as defined by section 53(1) of the Dentists Act 1984(2);
 - (d) a registered dispensing optician or a registered optometrist within the meaning of the Opticians Act 1989(3);
 - (e) a registered pharmaceutical chemist as defined by section 24(1) of the Pharmacy Act 1954(4);
 - (f) a registered osteopath as defined by section 41 of the Osteopaths Act 1993(5);
 - (g) a registered chiropractor as defined by section 43 of the Chiropractors Act 1994(6);
 - (h) a Christian Science practitioner;
 - (i) a person for the time being listed in the British Psychological Society’s Register of Chartered Psychologists;
 - (j) a person registered as a member of a profession to which the Health Professions Order 2001(7) for the time being extends;
 - (k) the person carrying on a care home registered under Part 2 of the Care Standards Act 2000(8);
 - (l) the warden of premises forming one of a group of premises provided for persons of pensionable age or disabled persons for which there is a resident warden, where the applicant states that he resides in such premises;
 - (m) a manager within the meaning of section 145(1) of the Mental Health Act 1983(9) or on behalf of such a manager; or
 - (n) a person registered in a register for social workers maintained in accordance with section 56 of the Care Standards Act 2000.
- (3) A person who qualifies—
- (a) by virtue of any of sub-paragraph (a) to (j) of paragraph (2), may not attest an application for these purposes unless—
 - (i) he is treating the applicant for the disability specified in the application; or
 - (ii) the applicant is receiving care from him in respect of that disability; or
 - (b) by virtue of sub-paragraph (2)(n), may not attest an application for these purposes unless—

(1) S.I. 2002/253.

(2) 1984 c. 24.

(3) 1989 c. 44.

(4) 1954 c. 61.

(5) 1993 c. 21.

(6) 1994 c. 17.

(7) S.I. 2002/254.

(8) 2000 c. 14.

(9) 1983 c. 20. The interpretation of “managers” in section 145(1) has been amended by the National Health Service Reform and Health Care Professions Act 2002 (c. 17), Schedule 2 Part 2 paragraph 49; S.I. 2001/2469; the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 107(14); Health Act 1999(c. 8), sections 41(2) and 65; the National Health Service and Community Care Act 1990 (c. 19), Schedule 9 paragraph 16; the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), Schedule 4 paragraph 57; the Care Standards Act 2000 (c. 14), Schedule 4 paragraph 9.

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- (i) he is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from him in respect of that disability; or
 - (iii) he has arranged care or assistance for the person in respect of his disability.
- (4) The person attesting the application shall state—
 - (a) his name and address and the qualification by virtue of which he attests the application,
 - (b) where the person who attests the application is a person referred to in paragraph (3)(a), that—
 - (i) he is treating the applicant for the disability specified in the application; or
 - (ii) the applicant is receiving care from him in respect of that disability;
 - (c) where the person who attests the application is a person referred to in paragraph (3)(b), that—
 - (i) he is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from him in respect of that disability; or
 - (iii) he has arranged care or assistance for the applicant in respect of that disability;
 - (d) that, to the best of his knowledge and belief, the applicant has the disability specified in the application and that he cannot reasonably be expected to go in person to his allotted polling station or to vote unaided there by reason of that disability; and
 - (e) that, to the best of his knowledge and belief, the disability specified in the application is likely to continue either indefinitely or for a period specified by the person attesting the application.
- (5) Sub-paragraphs (2) to (4) shall not apply where—
 - (a) the application is based on the applicant’s blindness and the applicant is registered as a blind person by a local authority, which is specified in the application, under section 29(4)(g) of the National Assistance Act 1948⁽¹⁰⁾; or
 - (b) the application states that the applicant is in receipt of the higher rate of the mobility component of a disability living allowance (payable under section 73 of the Social Security Contributions and Benefits Act 1992⁽¹¹⁾) because of the disability specified in the application.
- (6) A person who qualifies by virtue of sub-paragraph (3)(m) shall, instead of the matters specified in sub-paragraph (4)(a), state in the attestation—
 - (a) his name;
 - (b) his position in the hospital at which the applicant is liable to be detained or at which he is receiving treatment;
 - (c) that he is a person authorised to make the attestation; and
 - (d) in the case of an applicant who is liable to be detained in hospital, the statutory provision under which the applicant is liable to be so detained.
- (7) The fact that an applicant is registered with a local authority under section 29(4)(g) of the National Assistance Act 1948 shall be deemed sufficient evidence that he is eligible for an absent vote on the grounds set out in article 8(2)(c).
- (8) In this paragraph and paragraphs 3 and 4, “his allotted polling station”, in relation to an elector, means the polling station allotted or likely to be allotted to him under this Order.

(10) 1948 c. 29.

(11) 1992 c. 4.

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Additional requirements for applications for a proxy vote based on occupation, service, employment or attendance on a course

5.—(1) An application to vote by proxy for a particular or indefinite period under article 8(2) (d) shall state—

- (a) whether the occupation, service or employment, in respect of which it is made, is that of the applicant or his spouse or civil partner or, as the case may be, whether it is the applicant or his spouse or civil partner who is attending the course provided by an educational institution in respect of which the application is made;
- (b) the nature of the occupation, service, employment or course provided by an educational institution giving rise to the application;
- (c) where the person in respect of whose occupation, service or employment it is made (in this paragraph referred to as “the employed person”) is self-employed, that fact; and, in any other case, the name of that person’s employer; and
- (d) the reason relevant to the general nature of the occupation, service or employment in question or the course provided by an educational institution, why the applicant cannot reasonably be expected to go in person to his allotted polling station.

(2) Such an application shall be attested and signed—

- (a) where the employed person is self-employed, by a person who—
 - (i) is aged 18 years or over;
 - (ii) knows the employed person; and
 - (iii) is not related to him;
- (b) by the employer of the employed person or by another employee to whom this function is delegated by the employer; or
- (c) in the case of a course provided by an educational institution, by the director or tutor of that course or by the principal or head of that institution or an employee to whom this function is delegated by the principal or head.

(3) The person attesting an application under sub-paragraph (2) shall—

- (a) where the applicant is the employed person or the person attending the course, certify that the statements included in the application in accordance with the requirements of sub-paragraph (1)(a) to (d) are true; or
- (b) where the applicant is the spouse or civil partner of the employed person or the person attending the course, certify that the statements included in the application in accordance with the requirements of sub-paragraph (1)(a) to (c) are true.

(4) The person attesting an application under sub-paragraph (2) shall also state—

- (a) in the case of a person who attests an application under sub-paragraph (2)(a), his name and address, and that he is aged 18 years or over, knows the employed person, but is not related to him; or
- (b) in the case of a person who attests an application under sub-paragraph (2)(b), either that he is the employer of the employed person or the position he holds in the employment of that employer; or
- (c) in the case of a person who attests under sub-paragraph (2)(c), the post he holds at the institution.

(5) For the purpose of sub-paragraphs (2)(a) and (4)(a), one person is related to another if he is the spouse, civil partner, parent, grand-parent, brother, sister, child or grandchild of the other.

Additional requirements for applications to vote by proxy in respect of a particular Assembly election

6.—(1) An application under article 9(1) to vote by proxy at a particular election shall set out why the applicant's circumstances on the date of the poll for that election in respect of which it is made will be or are likely to be such that he cannot reasonably be expected to vote in person at his allotted polling station.

(2) Where an application under article 9—

- (a) is made on the grounds of the applicant's disability; and
- (b) is made after 5 pm on the sixth day before the date of the poll at the election for which it is made,

the requirements of paragraphs 1 and 3 of this Schedule as to the matters to be specified and the attestation shall apply.

(3) Where an application mentioned in sub-paragraph (2) is made, the person who attests the application shall state, in addition to those matters specified in paragraph 3, to the best of his knowledge and belief, the date upon which the applicant became disabled.

(4) Where an application under article 9(1) is made by a person to whom article 7(7) applies after 5 pm on the sixth day before the date of the poll at the election for which it is made, the requirements of sub-paragraph (5) as to the matters to be specified and as to attestation shall apply.

(5) Where an application mentioned in paragraph (4) is made—

- (a) the application shall additionally state the name and address of the hospital at which the applicant is liable to be detained;
- (b) the application shall be attested by or on behalf of the managers responsible for the administration of the hospital within the meaning of section 145(1) of the Mental Health Act 1983 at which the applicant is liable to be detained, and the attestation shall state—
 - (i) the name of the person attesting the application;
 - (ii) his position in the hospital at which the applicant is liable to be detained;
 - (iii) that he is a person authorised to make the attestation; and
 - (iv) the statutory provision under which the applicant is liable to be detained in the hospital.

(6) This paragraph does not apply where the applicant has an anonymous entry.

Closing dates for applications

7.—(1) An application—

- (a) to vote by post under article 8(1) or 9(1); or
- (b) from a proxy to vote by post under article 12(4),

shall be disregarded for the purposes of any particular Assembly election if it is received by the registration officer after 5pm on the eleventh day before the date of the poll at that election.

(2) Subject to sub-paragraph (3) an application—

- (a) to vote by proxy under article 8(1) or 9(1); or
- (b) for the appointment of a proxy under article 11(6) or (7),

shall be disregarded for the purposes of any particular Assembly election if it is received by the registration officer after 5pm on the sixth day before the date of the poll at that election.

(3) Where an application under article 9(1) is made—

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- (a) on the grounds of the applicant's disability and the applicant became disabled after 5pm on the sixth day before the poll at the election for which it is made; or
- (b) by a person to whom article 7(7) applies,

the application, or an application under article 11(7) made by virtue of that application, shall be refused if it is received after 5pm on the day of the poll at the election for which it is made.

(4) Subject to sub-paragraph (3), an application—

- (a) by an absent voter to alter his choice as to the manner of absent voting under article 8(6) or (7);
- (b) by a postal voter for his ballot paper to be sent to a different address or to vote instead by proxy at a particular election under article 9(3); or
- (c) from a postal proxy for his ballot paper to be sent to a different address at a particular election under article 12(7),

shall be refused for the purposes of any particular Assembly election if it is received by the registration officer after 5 pm on the eleventh day before the date of the poll at that election.

(5) The following, namely—

- (a) an application under article 8(5)(a) by an elector to be removed from the record kept under article 8(3);
- (b) an application under article 12(10)(a) by a proxy to be removed from the record kept under article 12(6); and
- (c) a notice under article 11(9) of the cancellation of a proxy's appointment,

shall be disregarded for the purposes of any particular Assembly election if it is received by the registration officer after 5 pm on the eleventh day before the date of the poll at that election for which it is made.

(6) In computing a period of days for the purposes of this paragraph, Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday, or a bank holiday shall be disregarded.

(7) In paragraph (6) "bank holiday" means a day which is a bank holiday under the Banking and Financial Dealings Act 1971(12) in Wales.

Grant or refusal of applications

8.—(1) Where the registration officer grants an application to vote by post he shall notify the applicant of his decision.

(2) Where the registration officer grants an application for the appointment of a proxy, he shall confirm in writing to the elector that the proxy has been appointed, his name and address and the duration of the appointment.

(3) The proxy paper to be issued by the registration officer on the appointment of a proxy shall be in form CA set out in English and Welsh in Schedule 10 (but this may be combined with another form of proxy paper if the registration officer is issuing a proxy paper appointing that person as proxy for the same elector in respect of another election or other elections).

(4) Where the registration officer refuses an application for an absent vote he shall notify the applicant of his decision and the reason for it.

(5) Where the registration officer grants an application made under —

- (a) article 9(3)(a) by a person shown as voting by post in the record kept under article 8(3); or
- (b) article 12(7) by a person shown as voting by post in the record kept under article 12(6),

(12) 1971 c. 80.

he shall notify the applicant of this.

(6) Where a person is removed from the record kept pursuant to article 8(3), the registration officer shall, where practicable notify him of this and the reason for it.

(7) Where the appointment of a proxy is cancelled by the elector or otherwise ceases to be in force, the registration officer shall, where practicable notify the elector that the appointment has been cancelled or, as the case may be, notify him that the appointment has ceased and the reason for it.

(8) Where under paragraph 7 of this Schedule the registration officer refuses or disregards an application for the purposes of any Assembly election, he shall notify the applicant of this.

(9) At an Assembly election where the registration officer is not the returning officer for any constituency or part of a constituency in the area for which he is the registration officer, he shall send to that returning officer details of any application to vote by post which he has granted as soon as practicable after doing so.

Notice of appeal

9.—(1) A person desiring to appeal under article 5(1) against the decision of a registration officer must give notice of the appeal to the registration officer within 14 days of the receipt of the notice given under paragraph 8(4) of this Schedule specifying the grounds of the appeal.

(2) The registration officer shall forward any such notice to the county court in the manner directed by rules of court together in each case with a statement of the material facts which in his opinion have been established in the case, of his decision upon the whole case and on any point which may be specified as a ground of appeal.

(3) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the county court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

Cancellation of proxy appointment

10. Where the appointment of a proxy is cancelled by notice given to the registration officer under article 11(9) or ceases to be in force under that provision or is no longer in force under article 11(10)(b), the registration officer shall—

- (a) notify the person whose appointment as proxy has been cancelled, expired or ceases to be or is no longer in force, unless the registration officer has previously been notified by that person that he no longer wishes to act as proxy; and
- (b) remove his name from the record kept under article 8(3).

Inquiries by registration officer

11.—(1) The registration officer may, at such times as he thinks fit, make inquiries of a person—

- (a) who is shown as voting by proxy in the record kept under article 8(3) in pursuance of an application granted on the grounds set out in article 8(2)(c) or (d); or
- (b) who immediately before 11th March 1999⁽¹³⁾ was entitled to vote by proxy at parliamentary elections or local government elections or both in pursuance of an application granted on grounds corresponding to those set out in article 8(2)(c) or (d) (disability, blindness, occupation, service or employment),

for the purpose of determining whether there has been a material change of circumstances.

(13) Proxies at Assembly elections were introduced by The National Assembly for Wales (Representation of the People) Order 1999 (S.I. 1999/450) which came into force on 11th March 1999.

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(2) Where the grant of an application for a proxy vote for an indefinite or particular period was based on grounds referred to in article 8(2)(d) (or grounds corresponding to those grounds), the registration officer shall make the inquiries referred to not later than three years after the granting of the application or the last such inquiries as the case may be.

(3) The registration officer may treat the failure by a person of whom inquiries have been made under sub-paragraph (1) or (2) to respond to such inquiries within one month of the date on which they were made as sufficient evidence of a material change in circumstances.

Requirement to provide fresh signatures at five yearly intervals

12.—(1) — The registration officer shall, every year by 31st January send to every person who remains an absent voter and whose signature held on the personal identifiers record is more than five years old a notice in writing—

- (a) requiring him to provide a fresh signature; and
- (b) informing him of the date (six weeks from the date of sending the notice) on which he would cease to be entitled to vote by post or proxy in the event of a failure or refusal to provide a fresh signature.

(2) The notice must be sent by the registration officer to the current or last known address of the absent voter.

(3) The registration officer must, if the absent voter has not responded to the notice within three weeks from the date on which the notice was sent, as soon as practicable send a copy of the notice to him.

(4) Where a notice or copy of a notice is sent by post, the registration officer may use—

- (a) a universal service provider; or
- (b) a commercial delivery firm,

and postage shall be prepaid.

(5) A notice or copy of a notice sent to an absent voter in accordance with sub-paragraph (1) or (3) must be accompanied by a pre-addressed reply paid envelope and, in the case of a notice or copy of a notice sent to an address in the United Kingdom, return postage must be prepaid.

(6) Upon the expiration of the period specified in the notice sent to the absent voter the registration officer shall determine whether the absent voter has failed or refused to provide a fresh signature.

(7) Where the registration officer determines that the absent voter has refused or failed to provide a fresh signature within the specified period, he must remove that person's entry from the records kept pursuant to article 8(3) or 12(6) and from the postal voters list, list of proxies or proxy postal voters list (as the case may be) kept under article 10(2), 10(3) or 12(8).

(8) Where the registration officer removes an absent voter's entry in the circumstances to which sub-paragraph (4) refers—

- (a) the registration officer shall inform the absent voter, where appropriate, of the location of the polling station allotted or likely to be allotted to him under this Order;
- (b) paragraphs 8(4), 8(6), 8(7) and 9 of this Schedule shall apply as if the registration officer were refusing an application in accordance with this Schedule;
- (c) in the case of an entry removed from the proxy postal voters list, the registration officer must also notify the elector who appointed the proxy whose entry has been removed.

(9) The registration officer shall include in the notice to be sent to an absent voter regarding his removal from the records kept pursuant to article 8(3) or 12(6) and from the postal voters list, list of proxies or proxy postal voters list (as the case may be) kept pursuant to articles 10(2), 10(3) or 12(8), information—

- (a) explaining the effect of such removal; and
- (b) reminding the absent voter that he may make a fresh application under article 8(1), 9(1) or 12(4) to vote by post or proxy (as the case may be).

Records and lists kept under articles 8, 10 and 12

13.—(1) Any of the persons listed in sub-paragraph (2) entitled to copies of the full register in accordance with the provisions of regulations 103, 105, 106 and 108 of the 2001 Regulations are also entitled, subject to this paragraph and paragraph 14 of this Schedule, to request that the registration officer supply free of charge the relevant parts (within the meaning of the 2001 Regulations) of a copy of any of the following information which he keeps—

- (a) the current version of the information which would, in the event of a particular Assembly election, be included in the postal voters lists, the list of proxies or the proxy postal voters lists which he is required to keep under article 10 or 12(6);
- (b) the current or final version of the postal voters list, the list of proxies or the proxy postal voters list kept under article 10 or 12(6).

(2) The persons are—

- (a) each member of the National Assembly for Wales for any constituency or Assembly electoral region wholly or partly within the registration area;
- (b) a candidate or his agent for an Assembly constituency election;
- (c) an individual candidate or the candidates or election agent for a registered political party standing nominated in an Assembly electoral region; or
- (d) any person nominated to act for the purposes of this paragraph by the registered nominating officer of a registered political party provided that not more than one person may be nominated in respect of the same registered political party and registration area.

(3) A request under sub-paragraph (1) shall be made in writing and shall—

- (a) specify which records or lists (or the relevant parts of such records or lists) are requested;
- (b) state whether the request is made only in respect of current lists or whether it includes a request for the supply of any final list; and
- (c) state whether a printed copy of the records or lists is requested or a copy in data form⁽¹⁴⁾.

(4) A person who obtains a copy of a list under this paragraph may use it only for the permitted purposes specified in paragraph 14 of this Schedule, and any restrictions—

- (a) specified in that paragraph; or
- (b) which would apply to the use of the full register under whichever of regulations 103, 105, 106 and 108 of the 2001 Regulations entitled that person to obtain that document,

shall apply to such use.

(5) The registration officer shall supply a current copy of relevant information requested under sub-paragraph (1)(a) or (b) as soon as practicable after receipt of a request duly made.

(6) The registration officer shall supply a final copy of the postal voters list kept under article 10(2)(a) as soon as practicable after 5pm on the eleventh day before the day of the poll, in response to a request that has been duly made under sub-paragraph (1).

(7) As soon as practicable after 5pm on the sixth day before the day of the poll the registration officer shall—

⁽¹⁴⁾ “data form” means information which is in a form which is being capable of being processed by means of equipment operating automatically in response to instructions given for that purpose.

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- (a) make a copy of the lists kept under articles 10 and 12(6) available for inspection at his office in accordance with sub-paragraphs (11) to (16); and
- (b) supply a final copy of the postal voters list or the list of proxies in response to every request that has been duly made under sub-paragraph (1).

(8) The registration officer shall supply a final copy of the list of proxies kept under article 10(3), updated to include any additions to those lists made in consequence of any applications granted in accordance with paragraph 6 of this Schedule, as soon as practicable after 5pm on the day of the poll, to every person who received that list in accordance with sub-paragraph 7(b).

(9) Any person who has obtained or is entitled to obtain a copy of information covered by sub-paragraph (1) may—

- (a) supply a copy of the information to a processor for the purpose of processing the information contained in the information; or
- (b) procure that a processor processes and supplies to them any copy of the information which the processor has obtained under this paragraph,

for use in respect of the purposes for which that person is entitled to obtain such information.

(10) The provisions contained in paragraphs (2), (3) and (9) of regulation 92 of the 2001 Regulations shall be taken to apply to the supply and processing of information or lists supplied under this paragraph as they apply to the supply and processing of the full register.

(11) Any person is entitled to request that the registration officer make available for inspection a copy of any of the information specified in (a) and (b) of sub-paragraph (1).

(12) A request under sub-paragraph (11) shall be made in writing and shall specify—

- (a) the information (or relevant parts of the information) requested;
- (b) whether the request is made only in respect of the current lists or whether it includes a request for the inspection of any final list;
- (c) who will be inspecting the information;
- (d) the date on which he wishes to inspect the information; and
- (e) whether he would prefer to inspect the information in a printed or data form.

(13) The registration officer shall make a copy of the information available for inspection under supervision as soon as practicable after the date of receipt of a request that has been duly made.

(14) Where inspection takes place by providing a copy of the information on a computer screen or otherwise in data form, the registration officer shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

- (a) search it by electronic means by reference to the name of any person; or
- (b) copy or transmit any part of that copy by electronic, or any other means.

(15) A person who inspects a copy of the information, whether a printed copy or in data form, may not—

- (a) make copies of any part of it; nor
- (b) record any particulars in it,

otherwise than by means of hand-written notes.

(16) Subject to any direction by the Secretary of State under section 52(1) of the 1983 Act, any duty on a registration officer to supply a copy or make information available for inspection under this paragraph, imposes only a duty to provide that information in the form in which he holds it.

(17) For the purposes of this paragraph—

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- (a) a “current copy” of records or lists is a copy of the records or lists as kept by the registration officer at 9am on the date it is supplied; and
- (b) any period of days shall be calculated in accordance with paragraph 7.
- (a) (18) (a) The registration officer shall ensure that where he supplies or discloses information covered by sub-paragraph (1)(a) in accordance with this paragraph, he does not supply or disclose any record relating to a person specified in (b).
- (b) The persons specified in this sub-paragraph are—
 - (i) a person who has an anonymous entry; and
 - (ii) the proxy of a person who has an anonymous entry.

Conditions on the use, supply and inspection of absent voter records or lists

14. The provisions of regulations 94 and 96 of the 2001 Regulations shall apply to information covered by paragraph 13(1)(a) and (b) of this Schedule as they apply to restrictions on the supply, disclosure and use of the full register, except that permitted purposes for the purpose of paragraph 13(1)(a) and (b) means either—

- (a) research purposes within the meaning of that term in section 33 of the Data Protection Act 1998⁽¹⁵⁾; or
- (b) electoral purposes.

Marked register for polling stations

15. To indicate that an elector or his proxy is entitled to vote by post and is for that reason not entitled to vote in person, the letter “A” shall be placed against the entry for that elector in any copy of the register, or part of it, provided for a polling station.

Certificate of employment at an Assembly election

16. The certificate as to the employment of constables and persons employed by a returning officer on the date of the poll at an Assembly election (to enable such a constable or person to vote elsewhere than at his own polling station) shall be in form CB set out in English and Welsh in Schedule 10 and shall be signed, in the case of a constable, by an officer of a police force of or above the rank of inspector⁽¹⁶⁾.

Notification by registration officer

17. Where a registration officer is required by this Schedule to notify any person, such notification shall be in writing and may be sent by post—

- (a) in the case of a person other than a service voter, to the address provided by that person for the purpose of such notification or of any record or, if there is no such address, to the last known place of abode of that person;
- (b) in the case of a service voter, to any address provided by him for the purpose of such notification or of any record or to the address provided for the purpose by the appropriate government department (as defined by section 59(3B) of the 1983 Act⁽¹⁷⁾) or, as the case may be, the British Council.

⁽¹⁵⁾ 1998 c. 29.

⁽¹⁶⁾ See rule 41(5) of Schedule 5.

⁽¹⁷⁾ As amended by section 13 of the Electoral Administration Act 2006 (c. 22).

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