

ELIZABETH II



Representation of the People Act 1981

1981 CHAPTER 34

An Act to disqualify certain persons for election to the House of Commons; to make changes in the timetable for parliamentary elections; and for connected purposes.

[2nd July 1981]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. A person found guilty of one or more offences (whether before or after the passing of this Act and whether in the United Kingdom or elsewhere), and sentenced or ordered to be imprisoned or detained indefinitely or for more than one year, shall be disqualified for membership of the House of Commons while detained anywhere in the British Islands or the Republic of Ireland in pursuance of the sentence or order or while unlawfully at large at a time when he would otherwise be so detained.

2.—(1) If a person disqualified by this Act for membership of the House of Commons is elected to that House his election shall be void; and if such a person is nominated for election as a member of that House his nomination shall be void.

(2) If a member of the House of Commons becomes disqualified by this Act for membership of that House his seat shall be vacated.

Amendment
of
Parliamentary
Elections
Rules.

3. The Parliamentary Elections Rules in Schedule 2 to the Representation of the People Act 1949 are amended in accordance with the Schedule to this Act.

1949 c. 68.

Citation.

4. This Act may be cited as the Representation of the People Act 1981 and shall be included among the Acts which may be cited together as the Representation of the People Acts.

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SCHEDULE

AMENDMENT OF PARLIAMENTARY ELECTIONS RULES

Timetable

- 1.—(1) The timetable in Rule 1 is amended as follows.
- (2) In the entry relating to the delivery of nomination papers—
- (a) in the column relating to general elections for the words from “three in the afternoon” to “noon”) there are substituted the words “four in the afternoon” and for the words “eighth day” there are substituted the words “sixth day”; and
- (b) in the column relating to by-elections for paragraphs (a) and (b) there are substituted the words “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.”
- (3) In the entry relating to the making of objections to nomination papers the words from “and, if the last day” to “the day before” and the words from “(or if it is” to “on that day)” are omitted and at the end of the entry there are added the words “The foregoing provisions do not apply to objections made in pursuance of Rule 15A(2)”.
- (4) In the entry relating to polling—
- (a) in the column relating to general elections for the words “ninth day” there are substituted the words “tenth day” and
- (b) in the column relating to by-elections for the words “seventh” and “ninth” there are substituted respectively the words “eighth” and “tenth”.

Computation of time

2. In Rule 2—
- (a) in paragraph (1) before “Sunday” there is inserted “Saturday”; and
- (b) after paragraph (2) there is inserted the following paragraph:—
 “(2A) In this Rule “weekday” does not include a Saturday”.

Consent to nomination

3. At the end of Rule 9 there is added the following:—
 “(3) A candidate’s consent given under this Rule shall state the day, month and year of his birth.”

Decisions as to validity of nomination papers

4. In Rule 13 the following is added at the end of paragraph (2):—
 “and
 (c) that the candidate is disqualified by the Representation of the People Act 1981.”

Publication of nominations

5. After Rule 15 there is inserted the following:—

“ 15A.—(1) If it appears to the returning officer that any of the persons nominated might be disqualified by the Representation of the 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 15.

(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 ten in the morning and four 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.”

Form of notice of parliamentary election

6. In the form of notice of parliamentary election in the Appendix for the words from “ three in the afternoon ” to “ noon ” there are substituted the words “ four in the afternoon ”.

Consequential repeals

7. The following are hereby repealed (in addition to the words to be omitted in pursuance of the preceding paragraphs):—

- (a) in Rule 16, paragraph (b) of the proviso;
- (b) in Rule 39, paragraph (1)(b); and
- (c) in Rule 44, in paragraph (1)(f) the word “ Jews ”.