



# Representation of the People Act 1983

## CHAPTER 2

### REPRESENTATION OF THE PEOPLE ACT 1983

#### PART I

##### PARLIAMENTARY AND LOCAL GOVERNMENT FRANCHISE AND ITS EXERCISE

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*Conduct of local government elections in England and Wales*

- 35 Returning officers: local elections in England and Wales.
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- 78 Time for sending in and paying claims.
- 79 Disputed claims.
- 80 Election agent's claim.
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- 85A Disqualification where no return and declarations transmitted after election of Mayor of London.
- 86 Authorised excuses for failures as to return and declarations.
- 87 Court's power to require information from election agent or sub-agent.
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- 90ZA Meaning of "election expenses"
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- 90C Property, goods, services etc. provided free of charge or at a discount.

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94 Imitation poll cards.

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98 Premises not affected for rates.

*Agency by election officials and canvassing by police officers*

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102 No payments for conveyance of voters.  
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109 Payments for exhibition of election notices.  
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- 128 Presentation of petition questioning local election.
- 129 Time for presentation or amendment of petition questioning local election.
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- 131 Accommodation of and attendance on court.
- 132 Remuneration and allowances.
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- 134 Election court for local election in Scotland, and place of trial.
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- 136 Security for costs.
- 137 Petition at issue.
- 138 List of petitions.
- 139 Trial of petition.
- 140 Witnesses.
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- 142 .....
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- 163 Holder of licence or certificate under Licensing Acts.

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- 169 Prosecutions for illegal practices.
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- 171 .....
- 172 .....
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- 206 Transitional and saving provisions, amendments and repeals.



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207 Citation and commencement.

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SCHEDULES

SCHEDULE A1 — Review of polling districts and polling places

- 1 The relevant authority must publish notice of the holding of...
- 2 The authority must consult the returning officer for every parliamentary...
- 3 (1) Every such returning officer must make representations to the...
- 4 (1) The authority must seek representations from such persons as...
- 5 Any elector in a constituency situated in whole or in...
- 6 Representations made by any person in connection with a review...
- 7 On completion of a review the authority must—

SCHEDULE 1 —

Part I — PROVISIONS AS TO TIME

*Timetable*

- 1 The proceedings at the election shall be conducted in accordance ...

*Computation of time*

- 2 In computing any period of time for the purposes of ...  
Part II — STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

ISSUE OF WRIT AND NOTICE OF ELECTION

*Issue of writ*

- 3 Writs for parliamentary elections shall continue to be sealed and ...

*Conveyance of writ to acting returning officer*

- 4 For an election in a constituency in England and Wales ...

*Notice of election*

- 5 The returning officer shall publish notice of the election . ...

NOMINATION

*Nomination of candidates*

- 6 Each candidate shall be nominated by a separate nomination paper, ...

*Nomination papers: name of registered political party*

- 6A A nomination paper may not include a description of a ...

*Subscription of nomination paper*

- 7 The nomination paper shall be subscribed by two electors as ...

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*Consent to nomination*

- 8 A person shall not be validly nominated unless his consent ...

*Deposit*

- 9 A person shall not be validly nominated unless the sum ...

*Place for delivery of nomination papers*

- 10 The returning officer shall fix the place at which nomination ...

*Right to attend nomination*

- 11 Except for the purpose of delivering a nomination paper or ...

*Decisions as to validity of nomination papers*

- 12 Where a nomination paper and the candidate's consent to it ...

*Withdrawal of candidates*

- 13 A candidate may withdraw his candidature by notice of withdrawal— ...

*Publication of statement of persons nominated*

- 14 The returning officer shall prepare and publish a statement showing ...

*Correction of minor errors*

- 14A A returning officer may, if he thinks fit, at any ...

*Disqualification by Representation of the People Act 1981*

- 15 If it appears to the returning officer that any of ...

*Adjournment of nomination proceedings in case of riot*

- 16 Where the proceedings for or in connection with nomination are ...

*Method of election*

- 17 If the statement of persons nominated shows more than one ...

Part III — CONTESTED ELECTIONS

GENERAL PROVISIONS

*Poll to be taken by ballot*

- 18 The votes at the poll shall be given by ballot, ...

*The ballot papers*

- 19 The ballot of every voter shall consist of a ballot ...

*Corresponding number list*

- 19A The returning officer must prepare a list containing the numbers ...

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*The official mark*

20 Every ballot paper shall be marked with an official mark, ...

*Prohibition of disclosure of vote*

21 No person who has voted at the election shall, in ...

*Use of schools and public rooms*

22 The returning officer may use, free of charge, for the ...

ACTION TO BE TAKEN BEFORE THE POLL

*Notice of poll*

23 The returning officer shall in the statement of persons nominated ...

*Postal ballot papers*

24 The returning officer shall, in accordance with regulations, issue to ...

*Provision of polling stations*

25 The returning officer shall provide a sufficient number of polling ...

*Appointment of presiding officers and clerks*

26 The returning officer shall appoint and pay a presiding officer ...

*Special lists*

27 .....

*Issue of official poll cards*

28 The returning officer shall as soon as practicable send to ...

*Equipment of polling stations*

29 The returning officer shall provide each presiding officer with such ...

*Appointment of polling and counting agents*

30 Each candidate may, before the commencement of the poll, appoint— ...

*Notification of requirement of secrecy*

31 The returning officer shall make such arrangements as he thinks ...

*Return of postal ballot papers*

31A Where— a postal vote has been returned in respect of ...

THE POLL

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*Admission to polling station*

32 The presiding officer shall regulate the number of voters to ...

*Keeping of order in station*

33 It is the presiding officer's duty to keep order at ...

*Sealing of ballot boxes*

34 Immediately before the commencement of the poll, the presiding officer ...

*Questions to be put to voters*

35 The presiding officer may, and if required by a candidate ...

*Challenge of voter*

36 If at the time a person applies for a ballot ...

*Voting procedure*

37 A ballot paper shall be delivered to a voter who ...

*Votes marked by presiding officer*

38 The Subject to paragraph (1A) below, the presiding officer, on ...

*Voting by persons with disabilities*

39 If a voter makes an application to the presiding officer ...

*Tendered ballot papers*

40 If a person, representing himself to be— a particular elector ...

*Refusal to deliver ballot paper*

40A This rule applies where a presiding officer refuses to deliver ...

*Spoilt ballot papers*

41 A voter who has inadvertently dealt with his ballot paper ...

*Correction of errors on day of poll*

41A The presiding officer shall keep a list of persons to ...

*Correction of errors on day of poll: Northern Ireland*

41B The presiding officer shall keep a list of persons to ...

*Adjournment of poll in case of riot*

42 Where the proceedings at any polling station are interrupted or ...

*Procedure on close of poll*

43 As soon as practicable after the close of the poll, ...

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## COUNTING OF VOTES

### *Attendance at counting of votes*

44 The returning officer shall make arrangements for counting the votes ...

### *The count*

45 The returning officer shall— in the presence of the counting ...

### *Recount*

46 A candidate or his election agent may, if present when ...

### *Rejected ballot papers*

47 Any ballot paper— which does not bear the official mark, ...

### *Decisions on ballot papers*

48 The decision of the returning officer on any question arising ...

### *Equality of votes*

49 Where, after the counting of the votes (including any recount) ...

## Part IV — FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

### *Declaration of result*

50 In a contested election, when the result of the poll ...

### *Return to the writ*

51 The returning officer shall return the name of the member ...

### *Record of returns at Crown Office*

52 The Clerk of the Crown shall from the certificate on ...

### *Return or forfeiture of candidate's deposit*

53 The deposit made under rule 9 of these rules shall ...

## Part V — DISPOSAL OF DOCUMENTS

### *Destruction of home address forms*

53A The returning officer shall destroy each candidate's home address form  
— ...

### *Sealing up of ballot papers*

54 On the completion of the counting at a contested election ...

### *Delivery of documents to Clerk of the Crown*

55 The returning officer shall then forward to the Clerk of ...

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*Orders for production of documents*

56 An order— for the inspection or production of any rejected ...

*Retention and public inspection of documents*

57 The Clerk of the Crown shall retain for a year ...

*Disposal of documents in Scotland*

58 In Scotland, the documents mentioned in sub-paragraphs (a) to (e) ...

*Disposal of documents in Northern Ireland*

59 In relation to an election for a constituency in Northern ...  
Part VI — DEATH OF CANDIDATE

*Deceased independent candidate wins*

61 This rule applies if at an election mentioned in rule ...

*Deceased independent candidate with equality of votes*

62 In an election mentioned in rule 60(1), if— rule 49 ...

*Party candidate*

63 This rule applies if— at a contested election proof is ...

*Speaker of the House of Commons seeking re-election*

64 This rule applies if at a contested election— one of ...

*Abandoned poll*

65 This rule applies to— a poll which is abandoned in ...

*Countermand or abandonment of poll on death of candidate*

60 If at a contested election proof is given to the ...  
— APPENDIX OF FORMS

*Form of writ*

*Label or direction of writ*

*Endorsement*

*Certificate endorsed on writ*

*Form of notice of election*

*Form of nomination paper*

*NOTE*

- 1 The attention of candidates and electors is drawn to the ...
- 2 Where a candidate is commonly known by some title he ...

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- 2B But the ballot paper will show the other name if ...
- 3 . . . . .
- 4 An elector may not subscribe more than one nomination paper ...
- 5 A person whose name is entered in the register . . . .

*Form of Ballot Paper*

*Directions as to printing the ballot paper*

- 1 Nothing is to be printed on the ballot paper except ...
- 2 So far as practicable, the following arrangements shall be observed ...
- 2A The direction mentioned in paragraph 2(a) above shall be printed ...
- 2B Nothing in paragraph 2 prohibits the face of the ballot ...
- 3 The surname of each candidate shall in all cases be ...
- 3A Where an emblem is to be printed against a candidate's ...
- 4 The number on the back of the ballot paper shall ...

*Form of directions for the guidance of the voters in ...*

- 1 When you are given a ballot paper make sure it ...
- 2 Go to one of the compartments. Mark a cross (X) ...
- 3 Fold the ballot paper in two. Show the official mark ...
- 4 Vote for one candidate only. Put no other mark on ...
- 5 If by mistake you spoil a ballot paper, show it ...

*Form of declaration to be made by the companion of...*

SCHEDULE 2 — Provisions Which May be Contained in Regulations as to  
Registration Etc.

- 1 (1) Provisions prescribing the arrangements to be made for the...
- 2 Provisions imposing on registration officers the duty of requiring  
persons...
- 2A Provisions requiring registration officers to remind persons registered in  
pursuance...
- 2B Provisions requiring registration officers to remind persons with  
anonymous entries...
- 3 Provisions laying down a timetable for the preparation of the...
- 3A Provisions as to the form and contents of applications for...
- 3B Provisions as to the form and content of applications for...
- 4 Provisions as to the manner in which service declarations, and...
- 5 (1) Provisions as to the evidence which shall or may...
- 5A (1) Provision requiring applications under paragraph 3 or 4 of...
- 6 Provisions as to the cases in which an application or...
- 7 Provisions authorising a registration officer to require any person's  
evidence...
- 8 Provisions requiring the registration officer to prepare a special list...
- 8A Provisions requiring the registration officer to prepare a record of...
- 9 . . . . .
- 10 (1) Provisions requiring a registration officer to prepare, in addition...
- 10A Provisions requiring copies of the full register and other documents,...
- 10B (1) Provisions authorising or requiring a registration officer—
- 11 (1) Provisions imposing prohibitions or restrictions relating to the  
extent...

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- 11A (1) Provisions authorising or requiring registration officers who are data...
- 12 Provisions as to the arrangements to be made in relation...
- 12A Regulations under section 53 making provision as mentioned in paragraph...
- 13 (1) Provisions making it an offence (punishable on summary conviction...

Schedule 2A — Control of Donations to Candidates  
Part I — INTRODUCTORY

*Operation and interpretation of Schedule*

- 1 (1) This Schedule has effect for controlling donations to candidates...

*Donations: general rules*

- 2 (1) “Donation”, in relation to a candidate at...

*Sponsorship*

- 3 (1) For the purposes of this Schedule sponsorship is provided...

*Payments etc. not to be regarded as donations*

- 4 (1) None of the following shall be regarded as a...

*Value of donations*

- 5 (1) The value of any donation falling within paragraph 2(1)(a)...

Part II — CONTROLS ON DONATIONS

*Prohibition on accepting donations from impermissible donors*

- 6 (1) A relevant donation received by a candidate or his...

*Acceptance or return of donations*

- 7 (1) Sections 56 to 60 of the 2000 Act shall...

*Transfer of donations received by candidate to election agent*

- 8 (1) Sub-paragraph (2) below applies in relation to any relevant...

*Evasion of restrictions on donations*

- 9 Section 61 of the 2000 Act shall apply for the...

Part III — REPORTING OF DONATIONS

*Statement of relevant donations*

- 10 The candidate’s election agent must include in any return required...

*Donations from permissible donors*

- 11 The statement must record, in relation to each relevant donation...



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*Donations from impermissible donors*

- 12 (1) This paragraph applies to relevant donations falling within paragraph...

SCHEDULE 3 — Return and Declarations as to Election Expenses

SCHEDULE 4 — Election Expenses at Certain Local Elections in England and Wales

- 1 (1) Any claim against any person in respect of any...  
2 Every agent of a candidate at the election shall, within...  
3 Within 28 days after the day of election every candidate...  
4 (1) After the expiry of the time for making the...  
5 If the candidate fails to make that return and declaration...  
6 The High Court, an election court or the county court...  
7 (1) If the candidate applies to the High Court, an...  
8 (1) The return and declaration shall be kept at the...  
9 For the purposes of this Schedule— (a) the jurisdiction vested...

SCHEDULE 4A — Election expenses

Part 1 — LIST OF MATTERS

- 1 Advertising of any nature (whatever the medium used). Expenses in...  
2 Unsolicited material addressed to electors (whether addressed to them by...  
3 Transport (by any means) of persons to any place. Expenses...  
4 Public meetings (of any kind). Expenses in respect of such...  
5 The services of an election agent or any other person...  
6 Accommodation and administrative costs.

Part 2 — GENERAL EXCLUSIONS

- 7 The payment of any deposit required by rule 9 of...  
8 The publication of any matter, other than an advertisement, relating...  
9 The provision of any facilities provided in pursuance of any...  
10 The provision by an individual of his own services which...  
11 (1) Accommodation which is the candidate's sole or main residence...  
12 (1) Transport by a means of transport which was acquired...  
13 (1) Computing or printing equipment which was acquired by the...

Part 3 — SUPPLEMENTAL

*Guidance by Commission*

- 14 (1) The Electoral Commission (“the Commission”) may prepare, and from...

*Power to amend Parts 1 and 2*

- 15 (1) The Secretary of State may by order made by...

SCHEDULE 4B — Scottish local government elections: election expenses

Part 1 — LIST OF MATTERS

- 1 Advertising of any nature (whatever the medium used). Expenses in...  
2 Unsolicited material addressed to electors (whether addressed to them by...  
3 Transport (by any means) of persons to any place. Expenses...

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- 4 Public meetings (of any kind). Expenses in respect of such...
- 5 The services of an election agent or any other person...
- 6 Accommodation and administrative costs.
  - Part 2 — GENERAL EXCLUSIONS
  - 7 The publication of any matter, other than an advertisement, relating...
  - 8 The provision of any facilities provided in pursuance of any...
  - 9 The provision by an individual of his own services which...
  - 10 (1) Accommodation which is the candidate's sole or main residence....
  - 11 (1) Transport by a means of transport which was acquired...
  - 12 (1) Computing or printing equipment which was acquired by the...
    - Part 3 — POWER TO AMEND PARTS 1 AND 2
- 13 (1) The Scottish Ministers may by order made by statutory...

#### SCHEDULE 5 — Use for Parliamentary Election Meetings of Rooms in School Premises and of Meeting Rooms

- 1 (1) Any arrangements for the use of a room in...
- 2 (1) Every local education authority shall prepare and revise for...
- 3 (1) Every district in the London borough council and every...
- 4 The lists of rooms in school premises and of meeting...
- 5 In the event of a dissolution, or of a vacancy...
- 6 In the application of this Schedule to Scotland—

#### SCHEDULE 6 — Ward Elections in the City

- 1 Without prejudice to the application of any provision of this...
- 2 Notwithstanding anything in section 6(1) of the City Act—
- 3 Ward lists and provisional ward lists shall give for any...
- 4 Claims and objections asking for the omission, insertion or alteration...
- 5 Any power under this Act to prescribe the form of...
- 6 Nothing in this Act affects the operation of subsections (3)...

#### SCHEDULE 7 — Transitional and Saving Provisions, and Interpretation of other Acts

##### Part I — TRANSITIONAL AND SAVING PROVISIONS

##### *General*

- 1 Where a period of time specified in an enactment repealed...
- 2 The imposition or subsistence of an incapacity is not affected...

##### *Electoral Law Act (Northern Ireland) 1962*

- 3 .....

##### *Licensing Act 1964*

- 4 Notwithstanding the repeal by this Act of section 24(2) of...

##### *Northern Ireland Constitution Act 1973*

- 5 So far as sections 8(4) and 26 of this Act...

##### *Variation of limits of candidates' election expenses*

- 6 .....

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*Section 254 of the Local Government Act 1972*

7 Any power exercisable under section 254 of the Local Government...

*Criminal Justice Act 1982*

8 .....

*Mental Health (Amendment) Act 1982*

9 .....

Part II — INTERPRETATION OF OTHER ACTS

*Register, electors, etc.*

10 (1) A reference in any Act (whenever passed) to—

*Registration and returning officers*

11 A reference in any Act (whenever passed) to—

*Registration expenses*

12 A reference in any Act (whenever passed) to registration expenses...

*Supplemental*

13 (1) Subject to this paragraph, the provisions of paragraphs 10...

SCHEDULE 8 — Consequential Amendments Acts

*Public Meeting Act 1908*

1 After subsection (3) of section 1 of the Public Meeting...

*City of London (Various Powers) Act 1957*

2 In section 4 of the City of London (Various Powers)...

3 In section 8 of the City of London (Various Powers)...

4 In section 9(4) of the City of London (Various Powers)...

*City of London (Various Powers) Act 1960*

5 In section 39 of the City of London (Various Powers)...

*London Government Act 1963*

6 In Schedule 3 to the London Government Act 1963—

*Licensing Act 1964*

7 In section 12(2) of the Licensing Act 1964 for “section...

8 In section 67(5) of the Licensing Act 1964 for “Representation...

9 In section 67(6) of the Licensing Act 1964—

10 In Schedule 8 to the Licensing Act 1964—

*Post Office Act 1969*

11 .....

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*Local Government Act 1972*

- 12 In the following provisions of the Local Government Act 1972...
- 13 In section 89(6) of the Local Government Act 1972 for...
- 14 In paragraphs 18(5) and 34(5) of Schedule 12 to the...

*Local Government (Scotland) Act 1973*

- 15 In the Local Government (Scotland) Act 1973—
- 16 .....

*Juries Act 1974*

- 17 In section 3(1) of the Juries Act 1974, for “Representation...

*House of Commons Disqualification Act 1975*

- 18 In section 6(3) of the House of Commons Disqualification Act...
- 19 .....
- 20 In Part III of Schedule 1 to the House of...

*European Parliamentary Elections Act 1978*

- 21 In section 4(2) of the European Parliamentary Elections Act 1978—...
- 22 In paragraph (b) of section 7(2) of the European Parliamentary...
- 23 In paragraph 4(2) of Schedule 1 to the European Parliamentary...

*Judicature (Northern Ireland) Act 1978*

- 24 In paragraph (h) of section 35(2) of the Judicature (Northern...
- 25 In section 108(1) of the Judicature (Northern Ireland) Act 1978...

*Supreme Court Act 1981*

- 26 In section 142(1) of the Supreme Court Act 1981, for...

*Mental Health (Amendment) Act 1982*

- 27 .....

*Legal Aid, Advice and Assistance (Northern Ireland) Order 1981*

- 28 In Schedule 1 to the Legal Aid, Advice and Assistance...

- SCHEDULE 9 — Repeals and Revocations
  - Part I — REPEALS OF OBSOLETE PROVISIONS
  - Part II — CONSEQUENTIAL REPEALS
  - Part III — CONSEQUENTIAL REVOCATIONS

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