



# Representation of the People Act 1983

## 1983 CHAPTER 2

### PART I

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

##### *Service qualifications and declarations for registration*

#### 14 Service qualification.

- (1) A person has a service qualification for the purposes of this Act who—
- is a member of the forces,
  - (not being such a member) is employed in the service of the Crown in a post outside the United Kingdom of any prescribed class or description,
  - is employed by the British Council in a post outside the United Kingdom,
  - is the wife or husband of a member of the forces,
  - is the wife or husband of a person mentioned in paragraph (b) or paragraph (c) above and is residing outside the United Kingdom to be with her husband or, as the case may be, his wife,

and where a person leaves the United Kingdom to take up employment or residence as mentioned above or returns to the United Kingdom at the end of such employment or residence, the employment or residence shall be deemed to begin from the time of leaving or to continue until the time of returning, as the case may be.

- (2) For the purposes of [<sup>F1</sup>section 4(2) above] above a person ceasing to have a service qualification shall be treated as if he were resident in Northern Ireland for the period during which he had a service qualification.

#### Textual Amendments

- F1** Words in s. 14(2) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 7**; S.I. 2001/116, **art. 2(1)(2)** (with **art. 2(4)**)

*Status: Point in time view as at 24/02/2005.*

*Changes to legislation: Representation of the People Act 1983, Cross Heading: Service qualifications and declarations for registration is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

#### **Modifications etc. (not altering text)**

**C1** Ss. 12–17 extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989](#) (c. 3, SIF 42), ss. 2, 13(6), [Sch. 1 Pt. I](#)

### **15 Service declaration.**

- (1) A service declaration shall be made only—
- (a) by a person who has a service qualification, or
  - (b) subject to any prescribed conditions, by a person about to leave the United Kingdom in such circumstances as to acquire a service qualification.
- and a service declaration may be made by such a person notwithstanding the fact that by reason of his age he is not yet entitled to vote.
- [<sup>F2</sup>(2) Where a person is registered in a register of electors in pursuance of a service declaration, the person is entitled to remain so registered until—
- (a) the end of the period of 12 months beginning with the date when the entry in the register first takes effect,
  - (b) the declaration is cancelled under subsection (7) below, or
  - (c) another entry made in respect of him in any register of electors takes effect (whether or not in pursuance of a service declaration),
- whichever first occurs.
- (3) Where the entitlement of such a person to remain so registered terminates by virtue of subsection (2) above, the registration officer concerned shall remove that person's entry from the register, unless he is entitled to remain registered in pursuance of a further service declaration.]
- (5) No service declaration shall be specially made by a person for the purpose of local government elections, and any service declaration made for the purpose of parliamentary elections shall have effect also for the purpose of local government elections; but—
- (a) a service declaration may be made for the purpose of local government elections only by a person who is as a peer subject to a legal incapacity to vote at parliamentary elections [<sup>F3</sup>, or by a relevant citizen of the Union]; and
  - (b) where so made, shall be marked to show that it is available for local government elections only, but shall in all other respects be the same as other service declarations.
- (6) If a person—
- (a) makes a service declaration declaring to more than one address, or
  - (b) makes more than one service declaration bearing the same date and declaring to different addresses,
- the declaration or declarations shall be void.
- (7) A service declaration may at any time be cancelled by the declarant <sup>F4</sup>. . . .
- [<sup>F5</sup>(8) A service declaration shall be of no effect unless it is received by the registration officer concerned within the period of three months beginning with the date of the declaration.]

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### Textual Amendments

- F2** S. 15(2)(3) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) for s. 15(2)-(4) by 2000 c. 2, s. 8(a), **Sch. 1 para. 8(2)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F3** Words in s. 15(5)(a) inserted (6.8.1995) by S.I. 1995/1948, regs. 1(2), 5(2), **Sch. 2 paras. 4(b), 6**
- F4** Words in s. 15(7) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(2), **Sch. 1 para. 8(3), Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F5** S. 15(8) inserted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 8(4)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))

### Modifications etc. (not altering text)

- C2** Ss. 12–17 extended (N.I.) (with modifications) by **Elected Authorities (Northern Ireland) Act 1989** (c. 3, SIF 42), ss. 2, 13(6), **Sch. 1 Pt. I**
- C3** Ss. 15-17 applied (with modifications) (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 13(3)**

## 16 Contents of service declaration.

A service declaration shall state—

- (a) the date of the declaration.
- (b) <sup>F6</sup> . . . that on that date the declarant is, or but for the circumstances entitling him to make the declaration would have been, residing in the United Kingdom,
- <sup>F7</sup>(c) . . . . .
- (d) the address where the declarant is or, as the case may be, <sup>F8</sup> . . . would have been residing in the United Kingdom or, if he cannot give any such address, an address at which he has resided in the United Kingdom,
- (e) that on the date of the declaration the declarant is a Commonwealth citizen or a citizen of the Republic of Ireland [<sup>F9</sup> or a relevant citizen of the Union],
- (f) whether the declarant had on the date of the declaration attained the age of 18 years, and, if he had not, the date of his birth, and
- (g) such particulars (if any) as may be prescribed of the declarant’s identity and service qualifications,

and (except where the declarant is a member of the forces or the wife or husband of such a member) shall be attested in the prescribed manner.

### Textual Amendments

- F6** Words in s. 16(b) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(2), **Sch. 1 para. 9(a), Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F7** S. 16(c) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(2), **Sch. 1 para. 9(b), Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F8** Words in s. 16(d) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(2), **Sch. 1 para. 9(c), Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F9** Words in s. 16(e) inserted (6.8.1995) by S.I. 1995/1948, regs. 1(2), 5(2), **Sch. 2 paras. 3(b), 6**

### Modifications etc. (not altering text)

- C4** Ss. 12–17 extended (N.I.) (with modifications) by **Elected Authorities (Northern Ireland) Act 1989** (c. 3, SIF 42), ss. 2, 13(6), **Sch. 1 Pt. I**
- C5** Ss. 15-17 applied (with modifications) (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 13(3)**

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## 17 Effect of service declaration.

[<sup>F10</sup>(1) Where a person's service declaration is in force when he applies for registration, he shall be regarded for the purposes of section 4 above as—

- (a) resident on the date of the declaration at the address specified in it in accordance with section 16(d) above;
- (b) for the purposes of registration in Northern Ireland as resident in Northern Ireland during the whole of the period of three months ending with that date; and
- (c) until the contrary is proved, as being a Commonwealth citizen or a citizen of the Republic of Ireland or a relevant citizen of the Union of the age appearing from the declaration and as not being subject to any legal incapacity except as so appearing.]

(2) Where a service declaration appearing to be properly made out and (where required) attested is transmitted to the registration officer in the proper manner, the declarant shall, until the contrary is proved, be treated for the purposes of registration as having had from the date of the declaration or such later date, if any, as appears from it, and as continuing to have, a service qualification.

### Textual Amendments

**F10** S. 17(1) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 10**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))

### Modifications etc. (not altering text)

**C6** Ss. 12–17 extended (N.I.) (with modifications) by **Elected Authorities (Northern Ireland) Act 1989** (c. 3, SIF 42), ss. 2, 13(6), **Sch. 1 Pt. I**

**C7** Ss. 15-17 applied (with modifications) (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 13(3)**

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