



Representation of the People Act 1983

1983 CHAPTER 2

PART I

PARLIAMENTARY AND LOCAL GOVERNMENT FRANCHISE AND ITS EXERCISE

Supplemental provisions as to parliamentary and local government elections

49 Effect of registers.

^{F1}(1)

^{F1}(2)

^{F2}(3)

(4) Any entry in the register of parliamentary or local government electors, if it gives a date as that on which the person named will attain voting age, shall for any purpose of this Part relating to him as elector be conclusive that until the date given in the entry he is not of voting age nor entitled to be treated as an elector except for the purposes of an election at which the day fixed for the poll is that or a later date.

[^{F3}(4A) Subsection (4) applies to an entry in the record of anonymous entries as it applies to an entry in the register of parliamentary or local government electors.]

[^{F4}(5) A person registered as a parliamentary or local government elector, or entered in the list of proxies, shall not be excluded from voting on any of the following grounds: but this shall not prevent the rejection of the vote on a scrutiny, or affect his liability to any penalty for voting.

The grounds are—

- (a) that he is not of voting age;
- (b) that he is not, or, on [^{F5}the relevant date] or the date of his appointment (as the case may be), was not—
 - (i) a Commonwealth citizen;
 - (ii) a citizen of the Republic of Ireland;

Status: Point in time view as at 16/12/2010.

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- (iii) in the case of a person registered as a parliamentary elector in pursuance of an overseas elector’s declaration, a British citizen;
- (iv) in the case of a person registered as a local government elector or entered in the list of proxies by virtue of being a relevant citizen of the Union, a relevant citizen of the Union;
- (c) that he is, or, on the qualifying date or the date of his appointment (as the case may be), was, otherwise subject to any other legal incapacity to vote.]

[^{F6}(6) In subsection (5) above “the relevant date” means—

- (a) in relation to a person registered in the register in question as published in accordance with section 13(1) above, the 15th October immediately preceding the date of publication of the register;
- (b) in relation to any other person registered in the register in question, the relevant date for the purposes of section 4 above.]

Textual Amendments

- F1** S. 49(1)(2) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(1), Sch. 1 para. 12(2), Sch. 7 Pt. I; S.I. 2001/116, art. 2(1)(2) (with art. 2(4))
- F2** S. 49(3) repealed by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, Sch. 5
- F3** S. 49(4A) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, Sch. 1 para. 7; S.I. 2006/3412, art. 3, Sch. 1 paras. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)
- F4** S. 49(5) substituted (6.8.1995) by S.I. 1995/1948, reg. 5(2), Sch. 2 paras. 5, 6
- F5** Words in s. 49(5)(b) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), Sch. 1 para. 12(3); S.I. 2001/116, art. 2(1)(2) (with art. 2(4))
- F6** S. 49(6) inserted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), Sch. 1 para. 12(4); S.I. 2001/116, art. 2(1)(2) (with art. 2(4))

Modifications etc. (not altering text)

- C1** S. 49 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C2** S. 49 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** S. 49 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. 1
- C4** S. 49 modified (17.2.1994) by S.I. 1994/342, regs. 2(2), 15(3), 16(3)
S. 49 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), Sch. 1
S. 49 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1998/1126, art. 6, Sch. 2
S. 49 applied (with modifications) (1.8.2001) by S.I. 2001/2599, art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, Sch. 1)
- C5** S. 49(2)–(5) modified (N.I.) by Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), s. 13(5) (6)
- C6** S. 49(2)(4)(5) applied (with modifications) (31.7.1997) by 1997 c.61, s. 3, Sch. 3 para. 13 Table 1
- C7** S. 49(4)(5) applied (with modifications) (E.) (2.4.2001) by S.I. 2001/1298, regs. 8(1), 10(4), Sch. 3 Table 2 (subject to regs. 9–12, 15–17, 20, 25)
S. 49(4)(5) applied (with modifications) (W.) (24.3.2004) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2004 (S.I. 2004/870), reg. 8, {Sch. 3 Table 2} (which S.I. was revoked (24.7.2008) by S.I. 2008/1848)
S. 49(4)(5) applied (with modifications) (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), art. 6(2), Sch. 2 Pt. 2
- C8** S. 49(4)–(5) applied (with modifications) (E.) (28.7.2007) by The Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089), regs. 8, 11, 13, {Sch. 4 Table 1}

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- C9** S. 49(4)(5) applied (with modifications) (W.) (24.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), **reg. 8**, {Sch. 4 para. 1 Table 1}

50 Effect of misdescription.

No misnomer or inaccurate description of any person or place named—

- (a) in the register of parliamentary electors, or
- (b) in the register of local government electors, or
- (c) in any list, record, proxy paper, nomination paper, ballot paper, notice or other document required for the purposes of this Part of this Act, and the parliamentary elections rules,

affects the full operation of the document with respect to that person or place in any case where the description of the person or place is such as to be commonly understood.

Modifications etc. (not altering text)

- C10** S. 50 applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
- C11** S. 50 applied (with modifications) (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
S. 50 applied (with modifications) (S.) by [S.I. 1986/1111](#), regs. 2, 13(3)(4)(5), **Sch. 3 Pt. I**
S. 50 applied (with modifications) (E.W.) by [S.I. 1986/1081](#), regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I** (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), **reg. 3**)
S. 50 applied (with modifications) (N.I.) by [S.I. 1986/1091](#), regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**
S. 50 applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), art. 3(1)(5)-(8), **Sch. 1**
S. 50 applied (with modifications) (N.I.) (25.4.1998) by [S.I. 1998/1126](#), art. 6, **Sch. 2**
S. 50 applied (with modifications) (E.W.) (16.2.2001) by [S.I. 2001/341](#), reg. 13(4)(5), **Sch. 4 Pt. I**
S. 50 applied (with modifications) (N.I.) (16.2.2001) by [S.I. 2001/400](#), reg. 13(3)(4), **Sch. 4 Pt. I**
S. 50 applied (with modifications) (1.8.2001) by [S.I. 2001/2599](#), art. 3, Sch. 1 (as substituted (10.2.2009) by [S.I. 2009/256](#), arts. 1(2), 3, **Sch. 1**)
- C12** S. 50 extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), ss. 2, 13(6), **Sch. 1 Pt. I**
- C13** S. 50 modified (N.I.) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), s. 13(5)(6)
S. 50 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), art. 6(2), **Sch. 2 Pt. 2**
- C14** S. 50 applied (with modifications) (N.I.) (1.7.2008) by [The Representation of the People \(Northern Ireland\) Regulations 2008 \(S.I. 2008/1741\)](#), reg. 14(3)(4), **Sch. 4**
- C15** S. 50 applied (with modifications) (9.4.2001) by [S.I. 2001/1184](#), reg. 9, Sch. Pt. I (as substituted (17.3.2009) by [S.I. 2009/726](#), regs. 1(1), 2(3)(4), **Sch.**)
- C16** S. 50(b)(c) applied (with modifications) (31.7.1997) by [1997 c. 61](#), s. 3, **Sch. 3 para. 13** Table 1

F7 51

Textual Amendments

- F7** S. 51 repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 24, 28, Sch. 4 para. 11, **Sch. 5**

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52 Discharge of registration duties.

- (1) A registration officer shall comply with any general or special directions which may be given by the Secretary of State with respect to the arrangements to be made by the registration officer for carrying out his ^[F8]functions under this Act].
- ^[F9](1A) Without prejudice to the generality of subsection (1) above, the directions which may be given under subsection (1) include directions requiring a registration officer to maintain his registers in a specified electronic form; and any such directions may in particular specify—
- (a) the software which is to be used in connection with the maintenance of the registers in that form;
 - (b) the standards in accordance with which that software is to be maintained and updated;
 - (c) how information required (by or under any enactment) to be included in the registers is to be recorded and stored in that form.]
- (2) Any of the duties and powers of a registration officer may be performed and exercised by any deputy for the time being approved ^{F10} . . . , by the council which appointed the registration officer, and the provisions of this Act apply to any such deputy so far as respects any duties or powers to be performed or exercised by him as they apply to the registration officer.
- (3) In England and Wales, any acts authorised or required to be done by or with respect to the registration officer may, in the event of his incapacity to act or of a vacancy, be done by the proper officer of the council by ^[F11]or with respect to] whom the registration officer was appointed.
- ^[F12](4) It shall be the duty—
- (a) in England ^{F13} . . . , of a district council or London borough council,
^[F14] [in Wales, of a county or county borough council, and]
 - (b) in Scotland, of ^[F15]every local authority],
- to assign such officers to assist the registration officer as may be required for carrying out his functions under this Act.
- (5) Subsection (2) above does not apply in Northern Ireland but sections 14(5) and 14A(2) and (3) of the ^{M1}Electoral Law Act (Northern Ireland) 1962 (appointment of temporary deputy and delegation to assistants) shall have effect in relation to the Chief Electoral Officer for Northern Ireland in his capacity as registration officer.]

Textual Amendments

- F8** Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 12(a)**
- F9** S. 52(1A) inserted (16.2.2001) by 2000 c. 41, s. 158(1), **Sch. 21 para. 6(5)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)
- F10** Words repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, **Sch. 4 para. 12(b)**, Sch. 5
- F11** Words inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 12(c)**
- F12** S. 52(4)(5) substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 12(d)**
- F13** Words in s. 52(4)(a) repealed (1.4.1996) by 1994 c. 19, s. 66(6)(8), Sch. 16 para. 68(12), **Sch. 18** (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

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- F14** S. 52(4)(aa) substituted (1.4.1996) for word by 1994 c. 19, s. 66(6), **Sch. 16 para. 68(12)** (with ss. 54(4)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F15** Words in s. 52(4)(b) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 130(5)**; S.I. 1996/323, **art. 4(1)(c)**

Modifications etc. (not altering text)

- C17** S. 52 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C18** S. 52 applied with modifications (S.) by S.I. 1986/1111, regs. 2, 13(3)(4)(5), **Sch. 3 Pt. I**
- C19** S. 52 applied with modifications (E.W.) by S.I. 1986/1081, regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I** (which S.I. was revoked (23.3.2004) by S.I. 2004/294, **reg. 3**)
S. 52 applied (with modifications) (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), art. 6(2), **Sch. 2 Pt. 2**
- C20** S. 52 applied (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 8(2)(3)**
S. 52 applied (with modifications) (E.W.) (16.2.2001) by S.I. 2001/341, **reg. 13(4)(5), Sch. 4 Pt. I**
S. 52 applied (with modifications) (N.I.) (16.2.2001) by S.I. 2001/400, **reg. 13(3)(4), Sch. 4 Pt. I**
S. 52 applied (with modifications) (9.4.2001) by S.I. 2001/1184, **reg. 9, Sch. Pt. I** (as substituted (17.3.2009) by S.I. 2009/726, **regs. 1(1), 2(3)(4), Sch.**)
- C21** S. 52 applied (with modifications) (N.I.) (1.7.2008) by The Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741), **reg. 14(3)(4), Sch. 4**
- C22** S. 52(1) applied with modifications (N.I.) by S.I. 1986/2250, **regs. 2, 3, 5, Sch. 1 Pt. I**
- C23** S. 52(1) applied with modifications (N.I.) by S.I. 1986/1091, **regs. 2, 14(3)(4)(5), Sch. 3 Pt. I**
S. 52(1) amended (16.2.2001) by 2000 c. 41, **s. 8(1)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in **Sch. 1 Pt. II**)
- C24** S. 52(5) applied with modifications (N.I.) by S.I. 1986/2250, **regs. 2, 3, 5, Sch. 1 Pt. I**
- C25** S. 52(5) applied with modifications (N.I.) by S.I. 1986/1091, **regs. 2, 14(3)(4)(5), Sch. 3 Pt. I**
- C26** S. 52(5) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(5)–(8), Sch. 1**
S. 52(5) applied (with modifications) (1.8.2001) by S.I. 2001/2599, **art. 3, Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, **arts. 1(2), 3, Sch. 1**)

Marginal Citations

- M1** 1962 c.14 (N.I.)

53 Power to make regulations as to registration etc.

(1) Provision may be made by regulations—

(a) with respect to the form of the register of electors and of ^{F16}. . . any special lists or records required by this Act in connection with the register or with any election;

[^{F17}(b) with respect to—

(i) the procedure to be followed in the preparation of the register and the place and manner of its publication, and

(ii) the procedure to be followed in the preparation of any such special lists or records, and the time, place and manner of their publication; and]

(c) generally with respect to any matters incidental to the provisions of this Act so far as those provisions relate to the registration of electors or to voting by post or proxy.

^{F18}(2)

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- (3) Without prejudice to the generality of [F19 subsection (1)] above, regulations made with respect to the matters mentioned in [F19 that subsection] may contain any such provisions as are mentioned in Schedule 2 to this Act.

[F20(4) Provision may also be made by regulations—

- (a) for the supply of any such record or special list as is mentioned in subsection (1) above to such persons as are prescribed;
- (b) with respect to any conditions subject to which the supply is made;
- (c) making it an offence (punishable on summary conviction by a fine not exceeding level 5 on the standard scale) for a person to fail to comply with any such condition.]

Textual Amendments

- F16** Words in s. 53(1)(a) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), Sch. 1 para. 13(a), 15(1), **Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F17** S. 53(1)(b) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 13(b)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F18** S. 53(2) repealed by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, **Sch. 5**
- F19** Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 13(b)**
- F20** S. 53(4) inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 109**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(aa)(bb)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**

Modifications etc. (not altering text)

- C27** S. 53 extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), ss. 2, 13(6), **Sch. 1 Pt. I** (as amended (16.2.2001) by 2000 c. 2, s. 8, **Sch. 3 para. 3(6)**; S.I. 2001/116, **art. 2(1)** (with art. 2(3)-(5)))
- C28** S. 53(1)(c) amended (N.I.) (16.2.1987) by Representation of the People Act 1985 (c. 50, SIF 42), s. 10, **Sch. 1 para. 25**; S.I. 1986/1080

54 Payment of expenses of registration.

- (1) Any expenses properly incurred by a registration officer in the performance of his [F21 functions under this Act] (in this Act referred to as “registration expenses”) shall (except in Northern Ireland) be paid by the local authority by whom the registration officer was appointed.
- (2) The registration expenses of the Chief Electoral Officer for Northern Ireland shall be paid out of moneys provided by Parliament.
- (3) Any fees [F22 paid to the registration officer under this Act]—
 - (a) shall be accounted for by him and paid to the local authority by whom he was appointed;
 - (b) in the case of the Chief Electoral Officer for Northern Ireland, shall be accounted for by him to the Secretary of State and paid into the Consolidated Fund.
- (4) On the request of a registration officer for an advance on account of registration expenses—

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- (a) the local authority by whom the registration officer was appointed may, if they think fit, make such an advance to him of such an amount and subject to such conditions as they may approve; or
 - (b) in the case of the Chief Electoral Officer for Northern Ireland, the Secretary of State may, if he thinks fit, make such an advance to him of such an amount and subject to such conditions as the Secretary of State may approve.
- (5) Any registration expenses or contributions to them paid by the Common Council shall be paid out of the general rate and any sums paid to the Common Council under this section shall be placed to the credit of that rate.

Textual Amendments

- F21** Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 14(a)**
- F22** Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 14(b)**

Modifications etc. (not altering text)

- C29** S. 54 applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C30** S. 54 applied with modifications (S.) by [S.I. 1986/1111](#), regs. 2, 13(3)(4)(5), **Sch. 3 Pt. I**
- C31** S. 54 applied with modifications (N.I.) by [S.I. 1986/1091](#), regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I**
- C32** S. 54 applied with modifications (E.W.) by [S.I. 1986/1081](#), regs. 2, 14(3)(4)(5), **Sch. 3 Pt. I** (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), **reg. 3**)
S. 54 applied (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), art. 6(2), **Sch. 2 Pt. 2**
- C33** S. 54 applied (17.2.1994) by [S.I. 1994/342](#), **regs. 1(2)(3), 2(2), 8(2)(3)**
S. 54: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853](#), **reg. 2(1), Sch. 1 D11**
S. 54 applied (with modifications) (E.W.) (16.2.2001) by [S.I. 2001/341](#), **reg. 13(4)(5), Sch. 4 Pt. I**
S. 54 applied (with modifications) (N.I.) (16.2.2001) by [S.I. 2001/400](#), **reg. 13(3)(4), Sch. 4 Pt. I**
S. 54 applied (with modifications) (9.4.2001) by [S.I. 2001/1184](#), **reg. 9, Sch. Pt. I** (as substituted (17.3.2009) by [S.I. 2009/726](#), **regs. 1(1), 2(3)(4), Sch.**)
- C34** S. 54 applied (with modifications) (N.I.) (1.7.2008) by [The Representation of the People \(Northern Ireland\) Regulations 2008 \(S.I. 2008/1741\)](#), **reg. 14(3)(4), Sch. 4**
- C35** S. 54 applied (with modifications) (1.8.2001) by [S.I. 2001/2599](#), **art. 3, Sch. 1** (as substituted (10.2.2009) by [S.I. 2009/256](#), **arts. 1(2), 3, Sch. 1**)
- C36** S. 54(1) amended (E.W.) by [S.I. 1986/1081](#), **regs. 2, 30(2)** (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), **reg. 3**)
- C37** S. 54(1) amended (N.I.) by [S.I. 1986/1091](#), **regs. 2, 30(2)**
- C38** S. 54(1) amended (S.) by [S.I. 1986/1111](#), **regs. 2, 29(2)**
- C39** S. 54(2) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
- C40** S. 54(2)–(3) extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), ss. 2, 13(6), **Sch. 1 Pt. I**
- C41** S. 54(3) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
- C42** S. 54(4) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
- C43** S. 54(4) extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), ss. 2, 13(6), **Sch. 1 Pt. I**

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Textual Amendments

F23 S. 55 repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 24, 28, Sch. 4 para. 15, [Sch. 5](#)

56 Registration appeals: England and Wales.

- (1) An appeal lies to the county court—
 - (a) from any decision under this Act of the registration officer on any [^{F24}application] for registration or objection to a person’s registration made to and considered by him,
 - [^{F25}(aa) from any decision under this Act of the registration officer (other than on an application for registration or objection to a person's registration) that a person registered in respect of any address was not entitled to be registered in respect of that address or that he has ceased to be resident at that address or has otherwise ceased to satisfy the conditions for registration set out in section 4 above,]
 - [^{F26}(ab) from a determination of the registration officer under section 9B(2) above,]
 - (b) from any decision under this Act of the registration officer disallowing a person’s application to [^{F27}vote by proxy or by post as elector] or to vote by post as proxy, in any case where the application is not made for a particular election only,
 - ^{F28}(c)
 - ^{F29}(d)

but an appeal does not lie where the person desiring to appeal has not availed himself of a prescribed right to be heard by or make representations to the registration officer on the matter which is the subject of the appeal, or has not given the prescribed notice of appeal within the prescribed time.
- (2) No appeal lies from the decision of the Court of Appeal on appeal from a decision of the county court under this section.
- (3) An appeal to the county court or Court of Appeal by virtue of this section which is pending when notice of an election is given shall not prejudice the operation as respects the election of the decision appealed against, and anything done in pursuance of the decision shall be as good as if no such appeal had been brought and shall not be affected by the decision of the appeal.
- (4) Notice shall be sent to the registration officer in manner provided by rules of court of the decision of the county court or of the Court of Appeal on any appeal by virtue of this section, and the registration officer shall [^{F30}, in accordance with sections 13A and 13B above,]make such alterations in the ^{F31} . . . register as may be required to give effect to the decision.
- [^{F32}(4A) Where, as a result of the decision on an appeal, an alteration in the register [^{F33}made in pursuance of subsection (4) above takes effect under section 13(5), 13A(2) or] [^{F34}13B(3) or (3B) above on or before the date of the poll] , subsection (3) above does not apply to that appeal as respects that election.]
- (5) The registration officer shall undertake such duties in connection with appeals brought by virtue of this section as may be prescribed and shall on any such appeal be deemed to be a party to the proceedings, and the registration expenses payable to a

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registration officer shall include any expenses properly incurred by him by virtue of this subsection.

^{F35}(6)

Textual Amendments

- F24** Word in s. 56(1)(a) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 14(2)(a)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F25** S. 56(1)(aa) inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 12(8), 77**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(a) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**
- F26** S. 56(1)(ab) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 10, 77**, **Sch. 1 para. 8**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)
- F27** Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 11, **Sch. 2 para. 1**
- F28** S. 56(1)(c) repealed by Representation of the People Act 1985 (c. 50, SIF 42), **ss. 24, 28**, **Sch. 4 para. 16(a)**, Sch. 5
- F29** S. 56(1)(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. 14(2)(b), **Sch. 7 Pt. 1**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F30** Words in s. 56(4) inserted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 14(3)(a)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F31** Words in s. 56(4) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, **ss. 8(a), 15(2)**, Sch. 1 para. 14(3)(b), **Sch. 7 Pt. 1**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F32** S. 56(4A) inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 16(b)**
- F33** Words in s. 56(4A) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 14(4)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F34** Words in s. 56(4A) substituted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 11(5), 77**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 2 (subject to transitional provisions in art. 6, Sch. 2)
- F35** S. 56(6) repealed by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, **Sch. 5**

Modifications etc. (not altering text)

- C44** S. 56 applied (with modifications) (E.W.S.) by S.I. 1986/2209, **regs. 2, 3, 5(1)(6)-(8)**, **Sch. 1 Pt. I**
S. 56 applied (with modifications) (N.I.) by S.I. 1986/2250, **regs. 2, 3, 5**, **Sch. 1 Pt. I**
S. 56 applied (with modifications) (E.W.) by S.I. 1986/1081, **regs. 2, 14(3)(4)(5)**, **Sch. 3 Pt. I** (which S.I. was revoked (23.3.2004) by S.I. 2004/294, **reg. 3**)
S. 56 applied (with modifications) (N.I.) by S.I. 1986/1091, **regs. 2, 14(3)(4)(5)**, **Sch. 3 Pt. I**
S. 56 applied (with modifications) (S.) by S.I. 1986/1111, **regs. 2, 13(3)(4)(5)**, **Sch. 3 Pt. I**
S. 56 applied (with modifications) (E.W.) (16.2.2001) by S.I. 2001/341, **reg. 13(4)(5)**, **Sch. 4 Pt. I**
S. 56 applied (with modifications) (N.I.) (16.2.2001) by S.I. 2001/400, **reg. 13(3)(4)**, **Sch. 4 Pt. I**
S. 56 applied (with modifications) (9.4.2001) by S.I. 2001/1184, **reg. 9**, Sch. Pt. I (as substituted (17.3.2009) by S.I. 2009/726, **regs. 1(1), 2(3)(4)**, **Sch.**)
S. 56 applied (with modifications) (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), **art. 6(2)**, **Sch. 2 Pt. 2**
- C45** Ss. 56-58 applied (with modifications) (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 9(4)**
- C46** S. 56 restricted (31.7.1997) by 1997 c. 61, **s. 2(3)**
- C47** S. 56 modified (11.3.1999) by S.I. 1999/450, **arts. 4(1), 5(3)(5)** (which S.I. was revoked (29.2.2003) by S.I. 2003/284, **art. 1**)
- C48** S. 56(1) extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), **ss. 2, 13(6)**, **Sch. 1 Pt. I**
- C49** S. 56(3)-(5) extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), **ss. 2, 13(6)**, **Sch. 1 Pt. I**

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57 Registration appeals: Scotland.

- (1) Section 56 above applies to Scotland subject to the following modifications—
 - (a) subsection (2) shall be omitted;
 - (b) an appeal lies on any point of law from any decision of the sheriff under this section to the court of three judges constituted under subsection (2) below; and
 - (c) for any reference to the Court of Appeal there shall be substituted a reference to that court of three judges.
- (2) The court for hearing appeals under paragraph (b) of subsection (1) above shall consist of three judges of the Court of Session who shall be appointed by the Court of Session by act of sederunt and of whom one judge shall be appointed from each division of the Inner House and one from the Lords Ordinary in the Outer House; and the Principal Clerk of Session shall be the clerk of the court.
- (3) The Court of Session may by act of sederunt fill any vacancy in the court of three judges, and regulate its sittings and forms of process so as to carry out the provisions of this Act; and acts of sederunt under this section may be made, and the court of three judges may sit, either during the sitting of the Court of Session or in vacation or recess.

Modifications etc. (not altering text)

- C50** S. 57 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C51** Ss. 56–58 applied (with modifications) (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 9(4)**
- C52** S. 57 restricted (31.7.1997) by 1997 c. 61, **s. 1(3)**
S. 57 restricted (11.3.1999) by S.I. 1999/787, **art. 3(1)**
S. 57 applied (11.3.1999) by S.I. 1999/787, **art. 4(3)** (with **art. 4(5)**)
S. 57 applied (with modifications) (9.4.2001) by S.I. 2001/1184, **reg. 9, Sch. Pt. I** (as substituted (17.3.2009) by S.I. 2009/726, **regs. 1(1), 2(3)(4), Sch.**)
- C53** S. 57(2) applied (11.3.1999) by S.I. 1999/787, **art. 4(2)**

[^{F36}58 Registration appeals: Northern Ireland.

- (1) Section 56 above, except [^{F37}subsection (1)(aa) and (ab),] subsection (2) and the words from the beginning to “and” in subsection (4), extends to Northern Ireland.
 - (2) Section 21(1) of the ^{M2}Interpretation Act (Northern Ireland) 1954 (rules regulating procedure of courts etc.) shall have effect as if the jurisdiction conferred by section 56(1) above were conferred by an enactment within the meaning of that Act.
- (1) An appeal lies to the county court—
 - (a) from any decision under this Act of the Chief Electoral Officer for Northern Ireland on any application for registration or objection to a person's registration made to and considered by him;
 - (b) from any decision under this Act of the Chief Electoral Officer (other than on an application for registration or objection to a person's registration) that a person registered in respect of any address was not entitled to be registered in respect of that address or that he has ceased to be resident at that address or has otherwise ceased to satisfy the conditions for registration set out in section 4;
 - (c) from any decision under this Act of the Chief Electoral Officer disallowing a person's application to vote by proxy or by post as elector or to vote by post as

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proxy, in any case where the application is not made for a particular election only.

- (2) But an appeal does not lie where the person desiring to appeal—
 - (a) has not availed himself of a prescribed right to be heard by or make representations to the Chief Electoral Officer on the matter which is the subject of the appeal, or
 - (b) has not given the prescribed notice of appeal within the prescribed time.
- (3) An appeal to the county court or Court of Appeal by virtue of this section which is pending when notice of an election is given does not prejudice the operation as respects the election of the decision appealed against, and anything done in pursuance of the decision—
 - (a) is as good as if no such appeal had been brought, and
 - (b) is not affected by the decision of the appeal.
- (4) The Chief Electoral Officer must, in accordance with sections 13A and 13BA, make such alterations in the register as may be required to give effect to the decision.
- (5) Where, as a result of the decision on an appeal, an alteration in the register made in pursuance of subsection (4) takes effect under section 13(5), 13A(2) or 13BA(6) or (9) on or before the date of the poll, subsection (3) does not apply to that appeal as respects that election.
- (6) The Chief Electoral Officer—
 - (a) must undertake such duties in connection with appeals brought by virtue of this section as may be prescribed, and
 - (b) on any appeal is deemed to be a party to the proceedings;
and the registration expenses payable to him include any expenses properly incurred by virtue of this subsection.
- (7) Section 21(1) of the Interpretation Act (Northern Ireland) 1954 (rules regulating procedure of courts etc.) applies as if the jurisdiction conferred by subsection (1) were conferred by any enactment within the meaning of that Act.]

Textual Amendments

- F36** S. 58 substituted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 30(1), 31, [Sch. 4 para. 5](#); S.I. 2008/1318, [art. 2](#)
- F37** Words in s. 58(1) inserted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74(1), 77, [Sch. 1 para. 110](#); S.I. 2008/1316, [arts. 2, 5](#) (which said paragraph is expressed to be repealed (prosp.) by [The Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 30(2), [Sch. 5](#))

Modifications etc. (not altering text)

- C54** S. 58 applied (with modifications) (N.I.) (16.2.2001) by S.I. 2001/400, [reg. 13\(3\)\(4\)](#), [Sch. 4 Pt. I](#)
S. 58 applied (with modifications) (9.4.2001) by S.I. 2001/1184, [reg. 9](#), [Sch. Pt. I](#) (as substituted (17.3.2009) by S.I. 2009/726, [regs. 1\(1\), 2\(3\)\(4\)](#), [Sch.](#))
- C55** S. 58 applied (with modifications) (N.I.) (1.7.2008) by [The Representation of the People \(Northern Ireland\) Regulations 2008 \(S.I. 2008/1741\)](#), [reg. 14\(3\)\(4\)](#), [Sch. 4](#)
- C56** S. 58(2) extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3 SIF 42\)](#), ss. 2, 13(6), [Sch. 1 Pt. I](#) as amended (16.2.2001) by [2000 c. 2, s. 8](#), [Sch. 3 para. 3\(7\)](#); S.I. 2001/116, [art. 2\(1\)](#) (with [art. 2\(3\)-\(5\)](#))

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Marginal Citations

M2 1954 c.33.

59 Supplemental provisions as to members of forces and service voters.

- (1) In this Part of this Act, the expression “member of the forces”—
- (a) means a person serving on full pay as a member of any of the naval, military or air forces of the Crown raised in the United Kingdom; but
 - (b) does not include
 - [^{F38}(i)] a person serving only as a member of a reserve or auxiliary force except in so far as regulations provide that it shall include persons so serving during a period of emergency.[^{F39}or
 - (ii) a member of the regular army whose terms of service are such that, except for the purpose of training, he is required to serve only in Northern Ireland]
- (2) Where a person—
- (a) is not a member of the forces as defined by subsection (1) above, but
 - (b) is, in the performance of his duty as a member of any of Her Majesty’s reserve or auxiliary forces, absent on the [^{F40}relevant date for the purposes of section 4 above] from an address at which he has been residing,
- any question arising under section [^{F41}5(3)] above whether his residence at that address has been interrupted on that date by his absence in the performance of that duty shall be determined as if the performance of it did not prevent his resuming actual residence at any time after that date.
- [^{F42}(3) Arrangements must be made by the appropriate government department for securing that every person having a service qualification by virtue of paragraph (a) or (b) of section 14(1) above has (so far as circumstances permit) an effective opportunity of exercising from time to time as occasion may require the rights conferred on him by this Act in relation to—
- (a) registration in a register of electors (and in particular in relation to the making and cancellation of service declarations);
 - (b) the making and cancellation of appointments of a proxy;
 - (c) voting in person, by post or by proxy.
- (3A) Arrangements must be made by the appropriate government department for securing that every such person receives such instructions as to the effect of this Act and any regulations made under it, and such other assistance, as may be reasonably sufficient in connection with the exercise by that person and any spouse or civil partner of that person of any rights conferred on them as mentioned above.
- (3B) In subsections (3) and (3A) “the appropriate government department” means, in relation to members of the forces, the Ministry of Defence, and in relation to any other person means the government department under which he is employed in the employment giving the service qualification.
- (3C) The Ministry of Defence must maintain, in relation to each member of the forces who provides information relating to his registration as an elector, a record of such information.

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- (3D) The Ministry of Defence must make arrangements to enable each member of the forces to update annually the information recorded under subsection (3C).]
- (4) In relation to persons having a service qualification by virtue of paragraph (c) of section 14(1), the British Council shall be under a corresponding obligation to that imposed by [F⁴³subsections (3) and (3A)] above on the appropriate government department.

Textual Amendments

- F38** Word in s. 59(1)(b) inserted (20.7.1993) by 1993 c. 29, s. 1(a).
- F39** Word and s. 59(1)(b)(ii) added (20.7.1993) by 1993 c. 29, s. 1(b).
- F40** Words in s. 59(2)(b) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 16(a)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F41** Word in s. 59 substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 16(b)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F42** S. 59(3)-(3D) substituted (30.11.2007) for s. 59(3) by Electoral Administration Act 2006 (c. 22), **ss. 13(2), 77**; S.I. 2007/3376, **art. 2**
- F43** Words in s. 59(4) substituted (30.11.2007) by Electoral Administration Act 2006 (c. 22), **ss. 13(3), 77**; S.I. 2007/3376, **art. 2**

Modifications etc. (not altering text)

- C57** S. 59 extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), **ss. 2, 13(6), Sch. 1 Pt. 1**
S. 59 extended (with modifications) (11.3.1999) by S.I. 1999/787, **art. 12(1)** (which S.I. was revoked (21.11.2002 except for specified purposes) by S.I. 2002/2779, **arts. 1, 2** (which S.I. was revoked (15.3.2007) by S.I. 2007/937, **art. 2(a)**))
- C58** S. 59 modified (11.3.1999) by S.I. 1999/450, **art. 13(1)** (which S.I. was revoked (29.2.2003) by S.I. 2003/284, **art. 1**)
- C59** S. 59 applied (with modifications) (21.11.2002 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2002 (S.I. 2002/2779), **arts. 1, 13(1)** (which S.I. was revoked (15.3.2007) by S.I. 2007/937, **art. 2(a)**)
S. 59 applied (with modifications) (15.3.2007 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2007 (S.I. 2007/937), **arts. 1, 13(1)**
- C60** S. 59 modified (16.12.2010) by The National Assembly for Wales Referendum (Assembly Act Provisions) (Referendum Question, Date of Referendum Etc.) Order 2010 (S.I. 2010/2837), **art. 1(2), Sch. 1 para. 25**
- C61** S. 59(2) applied (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 7(4)**
- C62** S. 59(3)(b)(c) modified (1.2.2007) by The National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236), **art. 15(1)(a)**
- C63** S. 59(3A) modified (1.2.2007) by The National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236), **art. 15(1)(b)**

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