



Representation of the People Act 1983

1983 CHAPTER 2

PART II

THE ELECTION CAMPAIGN

The Election agent

67 Appointment of election agent

(1) Not later than the latest time for the delivery of notices of withdrawals for an election, a person shall be named by or on behalf of each candidate as the candidate's election agent, and the name and address of the candidate's election agent shall be declared in writing by the candidate or some other person on his behalf to the appropriate officer not later than that time.

[^{F1}(1A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election, the requirements of subsection (1) above in relation to those candidates are that not later than the time there mentioned—

- (a) a person shall be named by or on behalf of the party as the election agent of all of those candidates; and
- (b) the declaration required by that subsection shall be made by or on behalf of the party.]

(2) A candidate may name himself as election agent, and upon doing so shall, so far as circumstances admit, be subject to the provisions of this Act both as a candidate and as an election agent, and, except where the context otherwise requires, any reference in this Act to an election agent shall be construed to refer to the candidate acting in his capacity of election agent.

[^{F2}(2A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election, a candidate included in the list—

- (a) must not under subsection (2) above name himself as his own election agent, but

Status: Point in time view as at 24/10/2002.

Changes to legislation: Representation of the People Act 1983, Cross Heading: The Election agent is up to date with all changes known to be in force on or before 31 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)

- (b) may be named by or on behalf of the party as the election agent of all the candidates included in the list,
and the provisions which have effect by virtue of subsection (2) above in relation to a candidate upon his naming himself as election agent shall also have effect in relation to a candidate upon his being named as election agent by virtue of paragraph (b) above.]
- (3) [^{F3}Subject to subsection (3A) below,]One election agent only shall be appointed for each candidate, but the appointment, whether the election agent appointed be the candidate himself or not, may be revoked.
- [^{F4}(3A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election—
- (a) the same person must be appointed as election agent for all the candidates included in the list; and
- (b) any such appointment may only be revoked by or on behalf of the party and in respect of all the candidates.]
- (4) If whether before, during or after the election the appointment [^{F5}(or deemed appointment)] of an election agent is revoked or an election agent dies, another election agent shall be appointed forthwith and his name and address declared in writing to the appropriate officer.
- (5) The declaration as a candidate’s election agent of a person other than the candidate shall be of no effect under this section unless it is made and signed by that person or is accompanied by a written declaration of acceptance signed by him.
- [^{F6}(5A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election, subsection (5) above shall apply in relation to the candidates included in that list as if the reference to a person other than the candidate were a reference to a person other than the candidate whose name appears highest on the list.]
- (6) Upon the name and address of an election agent being declared to the appropriate officer, the appropriate officer shall forthwith give public notice of that name and address.
- (7) In this Part of this Act the expression “appropriate officer” means—
- (a) in relation to a parliamentary election, the returning officer;
- [^{F7}(aa) in relation to an Authority election, the returning officer for that election (as determined under subsection (2B) of section 35 or, as the case may be, paragraph (a) or (b) of subsection (2C) of that section);]
- (b) in relation to [^{F8}any other local government election,], the proper officer of the authority for which the election is held.

Textual Amendments

- F1** S.67(1A) inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 12(2)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F2** S. 67(2A) inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 12(3)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F3** Words in s. 67(3) inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 12(4)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F4** S. 67(3A) inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 12(4)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**

Status: Point in time view as at 24/10/2002.

Changes to legislation: Representation of the People Act 1983, Cross Heading: The Election agent is up to date with all changes known to be in force on or before 31 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)

- F5** Words inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 20**
- F6** S. 67(5A) inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 12(5)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F7** S. 67(7): para. (aa) in the definition of “appropriate officer” inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 12(6)(a)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F8** S. 67(7): Words in para. (b) in the definition of “appropriate officer” substituted (14.12.1999) by 1999 c. 29, s. 17 **Sch. 3 para. 12(6)(b)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**

Modifications etc. (not altering text)

- C1** S. 67 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C2** S. 67 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C3** S. 67 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**)
- C4** S. 67 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
- C5** S. 67(7) modified (1.3.1995) by S.I. 1995/493, **art. 9(9)**

68 [^{F9} **Nomination of sub-agent at parliamentary or Authority elections.**]

- (1) In the case of
- [^{F10}(a)] a parliamentary election for a county constituency, [^{F11}or
- (b) an Authority election,]
- an election agent for a candidate may appoint to act in any part of the constituency [^{F12}or electoral area] one, but not more than one, deputy election agent (in this Act referred to as sub-agent).
- (2) As regards matters in a part of the constituency [^{F13}or electoral area] for which there is a sub-agent the election agent may act by the sub-agent and—
- (a) anything done for the purposes of this Act by or to the sub-agent in his part of the constituency [^{F13}or electoral area] shall be deemed to be done by or to the election agent; and
- (b) any act or default of a sub-agent which, if he were the election agent, would be an illegal practice or other offence against this Act shall be an illegal practice and offence against this Act committed by the sub-agent, and the sub-agent shall be liable to punishment accordingly; and
- (c) the candidate shall suffer the like incapacity as if that act or default had been the election agent’s act or default.
- (3) [^{F14}Not later than the second day] before the day of the poll the election agent shall declare in writing the name and address of every sub-agent to the appropriate officer, and the appropriate officer shall forthwith give public notice of the name and address of every sub-agent so declared.
- (4) The appointment of a sub-agent—
- (a) shall not be vacated by the election agent who appointed him ceasing to be election agent, but
- (b) may be revoked by whoever is for the time being the candidate’s election agent,
- and in the event of the revocation of the appointment or of the death of a sub-agent another sub-agent may be appointed, and his name and address shall be forthwith declared in writing to the appropriate officer, who shall forthwith give public notice of the name and address so declared.

Status: Point in time view as at 24/10/2002.

Changes to legislation: Representation of the People Act 1983, Cross Heading: The Election agent is up to date with all changes known to be in force on or before 31 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)

- [^{F15}(4A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election—
- (a) the election agent for those candidates must, if he appoints a sub-agent for any part of the electoral area in the case of any of those candidates, appoint the same person as sub-agent for that part of the electoral area in the case of all of the candidates; and
 - (b) any such appointment may only be revoked in respect of all of the candidates.]
- (5) The declaration to be made to the appropriate officer, and the notice to be given by him, under subsection (3) or subsection (4) above shall specify the part of the constituency [^{F16}or electoral area] within which any sub-agent is appointed to act.

Textual Amendments

- F9** S. 68: sidenote substituted (14.12.1999) by virtue of 1999 c. 29, s. 17, **Sch. 3 para. 13(6)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F10** S. 68(1): word "(a)" inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 13(2)(a)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F11** S. 68(1)(b) and preceding word inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 13(2)(b)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F12** Words in s. 68(1) inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 13(2)(c)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F13** Words in s. 68(2) inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 13(3)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F14** Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 21**
- F15** S. 68(4A) inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 13(4)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**
- F16** Words in s. 68(5) inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 13(5)** (with Sch. 12 para. 9(1)); S.I. 1999/3376, **art. 2**

Modifications etc. (not altering text)

- C6** S. 68 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C7** S. 68 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C8** S. 68 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
S. 68 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(6)(d)(7)**
- C9** S. 68 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**)

69 Office of election agent and sub-agent.

- (1) Every election agent and every sub-agent shall have an office to which all claims, notices, [^{F17}legal process and other] documents may be sent, and the address of the office shall be—
- (a) declared to the appropriate officer at the same time as the appointment of the agent [^{F18}is declared to him]; and
 - (b) stated in the public notice of the name of the agent.
- (2) The office—
- (a) of the election agent for a parliamentary election shall be within the constituency or an adjoining constituency [^{F19}or in a Welsh county or county borough, or London borough or district,] which is partly comprised in or

Status: Point in time view as at 24/10/2002.

Changes to legislation: Representation of the People Act 1983, Cross Heading: The Election agent is up to date with all changes known to be in force on or before 31 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)

- adjoins the constituency, and that of a sub-agent shall be in the area within which he is appointed to act; and
- (b) of an election agent for a local government election shall be within the local government area or in the constituency or one of the constituencies in which the area is comprised [^{F19}or in a Welsh county or county borough, or London borough or district,] which adjoins it, [^{F20}and that of a sub-agent shall be in the area within which he is appointed to act].
- (3) Any claim, notice, [^{F21}legal process or other] document delivered at the office of the election agent or sub-agent and addressed to him, shall be deemed to have been served on him and every election agent or sub-agent may in respect of any matter connected with the election in which he is acting be sued in any court having jurisdiction at the place where his office is situated.

Textual Amendments

- F17** Words in s. 69(1) substituted (16.2.2001) by 2000 c. 41, s. 138(1)(2), **Sch. 18 para. 19(1)(a)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)
- F18** Words inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 22**
- F19** Words in s. 69(2)(a)(b) substituted (20.3.1995) by 1994 c. 19, s. 66(6), **Sch. 16 para. 68(13)** (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/546, art. 3, **Sch.** (with arts. 4-8)
- F20** Words in s. 69(2)(b) inserted (14.12.1999) by 1999 c. 29, s. 17, Sch. 3 para. 1, **14**; S.I. 1999/3376, **art. 2**
- F21** Words in s. 69(3) substituted (16.2.2001) by 2000 c. 41, s. 138(1)(2), **Sch. 18 para. 19(1)(b)** (with s. 156(6)); S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)

Modifications etc. (not altering text)

- C10** S. 69 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C11** S. 69 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C12** S. 69 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**)
- C13** S. 69 applied (with modifications) (N.I.) (4.5.1996) by 1996/1220, art. 3(1)(5)–(8), Sch. 1

70 Effect of default in election agent's appointment.

- (1) If no person's name and address is given as required by section 67 above as the election agent of a candidate who remains validly nominated at the latest time for delivery of notices of withdrawals, the candidate shall be deemed at that time to have named himself as election agent and to have revoked any appointment of another person as his election agent.
- (2) If—
- (a) the person whose name and address have been so given as those of the candidate's election agent (not being the candidate himself) dies, and
- (b) a new appointment is not made on the day of the death or on the following day, the candidate shall be deemed to have appointed himself as from the time of death.
- (3) If the appointment of a candidate's election agent is revoked without a new appointment being made, the candidate himself shall be deemed to have been appointed (or reappointed) election agent.

Status: Point in time view as at 24/10/2002.

Changes to legislation: Representation of the People Act 1983, Cross Heading: The Election agent is up to date with all changes known to be in force on or before 31 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)

- [^{F22}(3A) The deemed appointment of a candidate as his own election agent may be revoked as if it were an actual appointment.]
- (4) Where a candidate is by virtue of this section to be treated as his own election agent, he shall be deemed to have his office—
- (a) at his address as given in the statement as to persons nominated; or
 - (b) if that address is outside the permitted area for the office, at the qualifying address of the person (or first person) named in that statement as his proposer.
- (5) Where in a local government election in Scotland a candidate is by virtue of this section to be treated as his own election agent, he shall be deemed to have his office—
- (a) at his address as given in his nomination paper or papers, or
 - (b) if that address is outside the permitted area for the office, at the address of the person named as the proposer of the candidate in the nomination paper first delivered in which the address of the proposer is in the local government area.
- (6) The appropriate officer on being satisfied that a candidate is by virtue of this section to be treated as his own election agent, shall forthwith proceed to publish the like notice as if the name and address of the candidate and the address of his office had been duly given to him under sections 67 and 69 above.

Textual Amendments

F22 S. 70(3A) inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 23**

Modifications etc. (not altering text)

C14 S. 70 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C15 S. 70 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C16 S. 70 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**)

C17 S. 70 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**

[^{F23}70A Application of s.70 in relation to election of London members of the London Assembly.

- (1) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election—
- (a) section 70 shall not apply in relation to those candidates, but
 - (b) the following provisions of this section shall have effect in place of that section.
- (2) If no person's name and address is given as required by virtue of section 67(1A) as the election agent of all of the candidates included in the list who remain validly nominated at the latest time for delivery of notices of withdrawals—
- (a) the candidate whose name appears highest on the list shall be deemed at that time to have been named on behalf of the party as election agent for all of the candidates; and
 - (b) any appointment of another person as election agent for those candidates shall be deemed to have been revoked.
- (3) If—

Status: Point in time view as at 24/10/2002.

Changes to legislation: Representation of the People Act 1983, Cross Heading: The Election agent is up to date with all changes known to be in force on or before 31 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)

- (a) the person whose name and address have been so given as those of the election agent for the candidates dies, and
 - (b) a new appointment is not made on the day of the death or on the following day, the candidate whose name appears highest on the list shall be deemed to have been named on behalf of the party as election agent for all of the candidates as from the time of death.
- (4) If the appointment of the election agent for the candidates is revoked without a new appointment being made, the candidate whose name appears highest on the list shall be deemed to have been appointed (or re-appointed) election agent.
- (5) The deemed appointment of a candidate as election agent may be revoked as if it were an actual appointment.
- (6) Where a candidate included in the list is by virtue of this section to be treated as election agent, he shall be deemed to have his office—
- (a) at his address as given in the statement as to persons nominated; or
 - (b) if that address is outside the permitted area for the office, at the qualifying address of the person (or first person) named in that statement as his proposer.
- (7) The appropriate officer, on being satisfied that a candidate is by virtue of this section to be treated as election agent, shall forthwith proceed to publish the like notice as if the name and address of the candidate and the address of his office had been duly given to him under sections 67 and 69.]

Textual Amendments

F23 S. 70A inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 15** (with **Sch. 12 para. 9(1)**); S.I. 1999/3376, **art. 2**

71 Elections where election agent not required.

A candidate—

- (a) at an election in England of parish councillors, or in Wales of community councillors, or
- (b) at any election under the local government Act which is not a local government election,

need not have an election agent, and accordingly the foregoing provisions of this Part of this Act do not apply to those elections.

Status:

Point in time view as at 24/10/2002.

Changes to legislation:

Representation of the People Act 1983, Cross Heading: The Election agent is up to date with all changes known to be in force on or before 31 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.