



Representation of the People Act 1983

1983 CHAPTER 2

PART V

GENERAL AND SUPPLEMENTAL

Supplemental

F1 199

Textual Amendments

F1 S. 199 repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 22(2), 28, **Sch. 5**

VALID FROM 25/11/2002

[**F2**199A Functions of the Lord Chancellor

In this Act, except—

- (a) sections 54 and 161 above, and
- (b) rules 3(3) and 51(6) of Schedule 1 to this Act,

“the Secretary of State” means the Secretary of State or the Lord Chancellor.]

Textual Amendments

F2 S. 199A inserted (25.11.2002) by The Transfer of Functions (Transport, Local Government and the Regions) Order 2002 (S.I. 2002/2626), art. 20, **Sch. 2 para. 10**

Status: Point in time view as at 09/04/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: Representation of the People Act 1983, Part V is up to date with all changes known to be in force on or before 06 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)

VALID FROM 11/09/2006

[^{F3}199B Translations etc of certain documents

- (1) Subsections (2) and (3) below apply to any document which under or by virtue of this Act is required or authorised to be given to voters or displayed in any place for the purposes of a parliamentary or local government election.
- (2) The person who is required or authorised to give or display the document must, as he thinks appropriate, give or display or otherwise make available in such form as he thinks appropriate—
 - (a) the document in Braille;
 - (b) the document in languages other than English;
 - (c) graphical representations of the information contained in the document;
 - (d) other means of making the information contained in the document accessible to persons who might not otherwise have reasonable access to the information.
- (3) The person required or authorised to give or display the document must also, as he thinks appropriate, make available the information contained in the document in such audible form as he thinks appropriate.
- (4) Subsections (2) and (3) above do not apply to—
 - (a) the nomination paper;
 - (b) the ballot paper.
- (5) The returning officer at a parliamentary election or a local government election may cause to be displayed at every polling station in the election an enlarged sample copy of the ballot paper.
- (6) The sample copy mentioned in subsection (5) above—
 - (a) in the case of a parliamentary election or a local government election where only one candidate is to be elected, must have printed the words “VOTE FOR ONE CANDIDATE ONLY” both at the top and immediately below the list of candidates,
 - (b) in the case of a local government election where more than one candidate is to be elected, must have printed the words “VOTE FOR NO MORE THAN *[here insert the maximum number of candidates to be elected]* CANDIDATES” both at the top and immediately below the list of candidates, and
 - (c) in each case, below the second occurrence of those words, may include a translation of those words into such other languages as the returning officer thinks appropriate.
- (7) The returning officer at a parliamentary election or a local government election must provide at every polling station in the election an enlarged hand-held sample copy of the ballot paper for the assistance of voters who are partially sighted.
- (8) The sample copy mentioned in subsection (7) above must be clearly marked as a specimen provided only for the guidance of voters.

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(9) In the application of subsection (2)(b) to Northern Ireland any question as to whether a person is to give or display or otherwise make available a document in a language other than English is to be decided by the returning officer.

(10) This section does not apply to a local government election in Scotland.]

Textual Amendments

F3 S. 199B inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), **ss. 36, 77**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(q) (subject to transitional provisions in art. 4, Sch. 2); S.I. 2008/1316, **arts 2, 4**

Modifications etc. (not altering text)

- C1** S. 199B 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}
- C2** S. 199B 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}
- C3** S. 199B applied (with modifications) 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**)

VALID FROM 17/02/2007

[^{F4}199C Scottish local government elections: translations etc. of certain documents

- (1) Subsections (2) and (3) below apply to any document which, under or by virtue of this Act, is required or authorised to be given to voters or displayed in any place for the purposes of a local government election in Scotland.
- (2) The person who is required or authorised to give or display the document must, as he thinks appropriate, also give or display or otherwise make available in such form as he thinks appropriate—
- the document in Braille;
 - the document in languages other than English;
 - graphical representations of the information contained in the document;
 - other means of making the information contained in the document accessible to persons who might not otherwise have reasonable access to the information.
- (3) The person required or authorised to give or display the document must also, as he thinks appropriate, make available the information contained in the document in such audible form as he thinks appropriate.
- (4) Subsections (2) and (3) above do not apply to—
- the nomination paper; or
 - the ballot paper.]

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Textual Amendments

- F4** S. 199C inserted (S.) (17.2.2007) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 31, 63**; S.S.I. 2007/26, **art. 3(1)(f)** (with art. 3(2))

200 Public notices, and declarations.

- [^{F5}(1) A public notice required by or under this Act to be given by a returning officer for a parliamentary election shall be given by posting the notice in some conspicuous place or places in the constituency and may also be given in such other manner as he thinks desirable for publicising it.
- (1A) A public notice required by or under this Act to be given by the proper officer of a local authority at a local government election shall be given by posting the notice in some conspicuous place or places in the local government area and may also be given in such other manner as he thinks desirable for publicising it.]
- (2) Any person before whom a declaration is authorised to be made under this Act may take the declaration.

Textual Amendments

- F5** S. 200(1)(1A) substituted for s. 200(1) by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 68**

Modifications etc. (not altering text)

- C4** S. 200 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. 1**
- C5** S. 200 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. 1**
- C6** S. 200 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**)
- C7** S. 200 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
S. 200 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
S. 200 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. 200(1)(2) applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 1
S. 200(1)(2) applied (with modifications) (E.) (2.4.2001) by 2001/1298, reg. 8(1), Sch. 3 Table 2 (with reg. 10(4))
S. 200(1)(2) applied (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)
- C9** S. 200(1A)(2) applied (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}
- C10** S. 200(1A)(2) 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}

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VALID FROM 26/03/2001

[^{F6}200A Remuneration for free postal services provided under Act.

- (1) This section applies where any postal services are provided without charge by a universal service provider in pursuance of this Act.
- (2) The universal service provider shall be entitled to be remunerated for having provided the services at the rate fixed in relation to them by virtue of a scheme under section 89 of the Postal Services Act 2000.
- (3) A sum which a universal service provider is entitled to receive by virtue of this section shall be charged on, and issued out of, the Consolidated Fund.
- (4) In this section “postal services” and “universal service provider” have the same meanings as in the Postal Services Act 2000.]

Textual Amendments

- F6** S. 200A inserted (26.3.2001) by 2000 c. 26, s. 127(4), **Sch 8**, Pt. II, para. 18; S.I. 2000/2957, art. 2(3), **Sch. 3** (as amended by S.I. 2001/1148, arts. 2, 43(2), **Sch.**)

Modifications etc. (not altering text)

- C11** S. 200A 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. 200A applied (16.2.2001) by 2000 c. 41, s. 110, **Sch. 12 para. 1(3)(5)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in **Sch. 1 Pt. II**)
- C13** S. 200A(2) modified (26.3.2001) by S.I. 2001/1148, **art. 36**

201 Regulations.

- (1) Any power conferred by this Act to make regulations shall, except where this Act otherwise provides, be a power exercisable by the Secretary of State by statutory instrument.
- [^{F7}(2) No regulations shall be made under this Act by the Secretary of State otherwise than under section 203(4) below unless a draft of the regulations has been laid before and approved by a resolution of each House of Parliament.]

Textual Amendments

- F7** S. 201(2) substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 69**

Modifications etc. (not altering text)

- C14** S. 201 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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Interpretation

202 General provisions as to interpretation.

(1) In this Act, unless the context otherwise requires—

[^{F8}“the absent voters list” means, in relation to any election, the list kept under section 7 of the Representation of the People Act 1985 for that election]

“Attorney General” includes the Solicitor General in cases where the Attorney General is interested or otherwise unable to act;

“the City” means the City of London;

“Clerk of the Crown” means Clerk of the Crown in Chancery;

“Common Council” means the Common Council of the City;

“dwelling house” includes any part of a house where that part is occupied separately as a dwelling house;

“election” means a parliamentary election or an election under the local government Act;

“election court” means—

(a) In relation to a parliamentary election petition, the judges presiding at the trial;

(b) in relation to a petition questioning an election under the local government Act, the court constituted under this Act for the trial of that petition;

“election petition” means a petition presented in pursuance of Part III of this Act;

“elector” in relation to an election, means any person whose name is for the time being on the register to be used at that election, but does not include those shown in the register as below voting age on the day fixed for the poll;

“legal incapacity” includes (in addition to any incapacity by virtue of any subsisting provision of the common law) any disqualification imposed by this Act or any other Act;

[^{F9}“the list of proxies” has, in relation to any election, the meaning given by section 7 of the Representation of the People Act 1985]

[^{F10}“overseas elector’s declaration” has the meaning given by section 2 of the Representation of the People Act 1985]

“parliamentary election petition” means an election petition questioning a parliamentary election or return;

“parliamentary elections rules” means the parliamentary elections rules in Schedule 1 to this Act;

“person” includes (without prejudice to the provisions of the ^{M1}Interpretation Act 1978) an association corporate or unincorporate;

“prescribed” except in Part III of this Act means prescribed by regulations;

“proper officer” means in England and Wales one within the meaning of section 270(3) and (4) of the ^{M2}Local Government Act 1972, and in Scotland one within the meaning of section 214 and paragraph 2(1) of Part I of Schedule 27 to the ^{M3}Local Government (Scotland) Act 1973;

.....
^{F11}

“service voter” means a person who has made a service declaration and is registered or entitled to be registered in pursuance of it;

“standard scale” has the meaning given by section 75 of the ^{M4}Criminal Justice Act 1982;

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“statutory maximum” has the meaning given by section 74 of the Criminal Justice Act 1982;

“sub-agent” has the meaning given by section 68(1) above;

“voter” means a person voting at an election and includes a person voting as proxy and, except in the parliamentary elections rules, and the rules under section 36 and 42 above, a person voting by proxy, and “vote” (whether noun or verb) shall be construed accordingly, except that in those rules any reference to an elector voting or an elector’s vote shall include a reference to an elector voting by proxy or an elector’s vote given by proxy.

- (2) For the purposes of the Representation of the People Acts a person shall be deemed not to have attained a given age until the commencement of the relevant anniversary of the day of his birth.

Textual Amendments

- F8** Definition of “the absent voters list” inserted by [Representation of the People Act 1985 \(c. 50, SIF 42\), s. 11, Sch. 2 para. 3\(a\)](#)
- F9** Definition of “the list of proxies” inserted by [Representation of the People Act 1985 \(c. 50, SIF 42\), s. 11, Sch. 2 para. 3\(b\)](#)
- F10** Definition of “overseas elector’s declaration” inserted by [Representation of the People Act 1985 \(c. 50, SIF 42\), s. 4\(5\)](#)
- F11** Definition of “registration duties” repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\), ss. 24, 28, Sch. 4 para. 70 Sch. 5](#)

Modifications etc. (not altering text)

- C15** S. 202 applied with modifications (N.I.) by [S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I](#)
- C16** S. 202 applied with modifications (E.W.S) by [S.I. 1986/2209, regs. 2, 3, 5\(1\)\(6\)–\(8\), Sch. 1 Pt. I](#)
- C17** Definition of “prescribed” is extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\), ss. 2, 13\(6\), Sch. 1 Pt. I](#)

Marginal Citations

- M1** 1978 c. 30.
- M2** 1972 c. 70.
- M3** 1973 c. 65.
- M4** 1982 c. 48

203 Local government provisions as to England and Wales.

- (1) In this Act, unless the context otherwise requires, in relation to England and Wales—
[^{F12} ^{F13}]
[^{F14}“electoral area” means any electoral division or ward or, in the case of a parish or community in which there are no wards, the parish or community, for which the election of councillors is held under the local government Act]
“local authority” means a county council, . . . ^{F15} a district council, a London borough council [^{F16} . . . ^{F17}] or a parish or community council;
“local government Act” means the ^{M5}Local Government Act 1972 [^{F18} . . . ^{F19}];
“local government area” means a county, London borough [^{F20} . . . ^{F21}], district, parish or community;
“local government election” means the election of councillors for any electoral area.

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- (2) Subject to any express provision contained in Part I of this Act, that Part, so far as it has effect for the purpose of parliamentary elections [F22 . . . F23] . . . F24, applies in relation to the City as if it were a London borough, and as if the Common Council were a London borough council.

For the purposes of this subsection the Inner Temple and the Middle Temple shall be treated as forming part of the City.

- (3) The modifications made by subsection (2) above do not affect section 52(4) above.
- (4) This Act applies in relation to the Isles of Scilly as if those isles were a county and as if the council of those isles were a county council, except that—
- (a) [F25 the council shall appoint an officer of the council to be registration officer for the isles and] paragraph 1(1) of Schedule 2 . . . F26 shall apply as if the isles were a district and the council were a district council;
 - (b) the provisions of Part I relating to the conduct of local government elections shall have effect in relation to those isles subject to such adaptations as the Secretary of State may by regulations prescribe.
- (5) For the purposes of section 265 of the M6 Local Government Act 1972 (application to Isles of Scilly) the provisions of this Act as to rules made by the Secretary of State under section 36 above shall be deemed to be contained in a public general Act relating to local government.

Textual Amendments

- F12** Definition of “council” inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 19(5)(6), **Sch. 9 para. 1(10)(a)**
- F13** Definition of “council” repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237, **Sch. 13 Pt. I**
- F14** Definition of “electoral area” substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 71(a)**
- F15** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**
- F16** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 19(5)(6), **Sch. 9 para. 1(10)(b)**
- F17** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237, **Sch. 13 Pt. I**
- F18** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 19(5)(6), **Sch. 9 para. 1(10)(c)**
- F19** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237, **Sch. 13 Pt. I**
- F20** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 19(5)(6), **Sch. 9 para. 1(10)(d)**
- F21** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237, **Sch. 13 Pt. I**
- F22** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 19(5)(6), **Sch. 9 para. 1(11)**
- F23** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237, **Sch. 13 Pt. I**
- F24** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**
- F25** Words inserted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 71(b)**
- F26** Words repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 24, 28, **Sch. 4 para. 71(b)**, Sch. 5

Marginal Citations

- M5** 1972 c. 70.
- M6** 1972 c. 70.

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Scotland and Northern Ireland

204 General application to Scotland.

- (1) This section has (in addition to any express application elsewhere in this Act) effect for the general application of this Act to Scotland, and accordingly—
 - “electoral area”, in relation to a local government election, means the electoral division or ward for which the election is held;
 - “local authority” means a regional, islands or district council;
 - “local government Act” means the ^{M7}Local Government (Scotland) Act 1973;
 - “local government area” means a region, islands area or district; and
 - “local government election” means an election of councillors by local government electors for an electoral area.
- (2) For a reference to a borough constituency substitute a reference to a burgh constituency.
- (3) For a reference to the High Court substitute a reference to the Court of Session and for a reference to the county court or a judge of that court substitute a reference to the sheriff.
- (4) The power conferred by section 57 above on the Court of Session to make acts of sederunt for the appointment of judges to hear appeals under that section or to fill any vacancy among the judges so appointed is not required to be exercisable by statutory instrument.
- (5) A reference to the Director of Public Prosecutions or the Attorney General refers to the Lord Advocate.
- (6) for a reference to a plaintiff or defendant substitute respectively a reference to a pursuer or defender, for a reference to a recognisance substitute a reference to a bond of caution and for a reference to an injunction substitute a reference to an interdict.
- (7) Any reference to the report of an election court shall, in relation to an election court trying a petition questioning an election of councillors in Scotland, be construed as a reference to a finding of the court, and the expression “reported of a corrupt or illegal practice” shall be construed accordingly.
- (8) For a reference to the register of licences substitute a reference to the register kept in pursuance of section 20 of the ^{M8}Licensing (Scotland) Act 1976.
- (9) Section 231 of the ^{M9}Local Government (Scotland) Act 1973 (application to sheriff in cases of difficulty) applies to the provisions of sections 41 to 45 above as that section applied to those provisions immediately before their repeal and reenactment by this Act.
- (10) Notwithstanding the repeal by this Act of sections 19 and 43 of the Representation of the ^{M10}People Act 1918, those sections shall continue to have such effect as they had immediately before that repeal in relation to regulation 16 of section 2 of the ^{M11}Universities Elections Amendment (Scotland) Act 1881.

Modifications etc. (not altering text)

C18 S. 204 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

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C19 S. 204(3)-(6)(8) applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**

Marginal Citations

- M7** 1973 c. 65.
M8 1976 c. 66.
M9 1973 c. 65.
M10 1918, (7 & 8 Geo. 5.) c. 64.
M11 1881, (44 & 45 Vict.) c. 40.

205 General application to Northern Ireland.

- (1) This section has (in addition to any express application elsewhere in the Act) effect for the general application of this Act to Northern Ireland, and accordingly—
- [^{F27}(a) a reference to the Attorney General refers to the Attorney General for Northern Ireland;
- (aa) a reference to the Director of Public Prosecutions refers to the Director of Public Prosecutions for Northern Ireland;]
- (b) subject to subsection (2) below, a reference to any enactment shall be construed as a reference to that enactment as it applies in Northern Ireland.
- (2) Nothing in this Act affects the law relating to local government in Northern Ireland.

Textual Amendments

- F27** S. 205(1)(a)(aa) substituted for s. 205(1)(a) by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 72**

Modifications etc. (not altering text)

- C20** S. 205 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)-(8), **Sch. 1**
 S. 205 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
 S. 205 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**)
- C21** S. 205(2) excluded (N.I.) by Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), **ss. 2(1), 13(6)**

Operation

206 Transitional and saving provisions, amendments and repeals.

In Schedule 7 to this Act—

- (a) Part I has effect as to its transitional and saving provisions, and
- (b) Part II has effect as to its provisions relating to the interpretation of other Acts, and subject to that Schedule—
- (i) the enactments and order specified in Schedule 8 to this Act have effect subject to the amendments consequent on this Act specified in that Schedule; and
- (ii) the enactments and orders specified in Schedule 9 to this Act (of which those in Part I are obsolete) are repealed or revoked to the extent specified in the third column of that Schedule.

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207 Citation and commencement.

- (1) This Act may be cited as the Representation of the People Act 1983, and is included among the Acts which may be cited as the Representation of the People Acts.
- (2) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.

Modifications etc. (not altering text)

C22 Power of appointment conferred by s. 207(2) fully exercised: 15.3.1983 appointed by [S.I. 1983/153](#)

Status:

Point in time view as at 09/04/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation:

Representation of the People Act 1983, Part V is up to date with all changes known to be in force on or before 06 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.