

Status: Point in time view as at 31/01/2024.

Changes to legislation: Representation of the People Act 1983, Paragraph 60 is up to date with all changes known to be in force on or before 26 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)

SCHEDULES

SCHEDULE 1

Modifications etc. (not altering text)

- C1** Parliamentary election rules modified (N.I.) (*prosp.*) by Representation of the People Act 1985 (c. 50, SIF 42), s. 10, **Sch. 1 paras. 8–23**
- C1** Paras. 3–7 of Pt. II of Sch. 1 to Representation of the People Act 1985 (c. 50, SIF 42) have effect (N.I.) (*prosp.*) by virtue of s. 10 of, and Sch. 1 para. 2 to, that Act as additional rules in Sch. 1 to this Act
- C1** Sch. 1 applied with modifications (S.) by S.I. 1986/2213, **Rules 2, 5**
Sch. 1 applied (with modifications) (E.W.S.) (28.4.1999) by 1985 c. 50, s. 15(1)(2) (as applied (with modifications) (28.4.1999) by S.I. 1999/1214, reg. 8, **Sch. 3**) (which S.I. was revoked (23.3.2004) by S.I. 2004/293, **reg. 126**)
- C1** Sch. 1 modified (E.W.) by S.I. 1986/1081, **regs. 2, 97, 98, 100** (which S.I. was revoked (23.3.2004) by S.I. 2004/294, **reg. 3**)
- C1** Sch. 1 extended (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 6(1)-(4)**
- C1** Sch. 1 modified (N.I.) (10.4.2001) by Elections Act 2001 (c. 7), s. 4, **Sch.** (as amended (16.12.2010) by S.I. 2010/2977, arts. 2(2), 6; and (15.9.2014) by S.I. 2014/1116, arts. 1(1), 9)
- C1** Sch. 1 modified (S.) by The Representation of the People (Scotland) Regulations 1986 (S.I. 1986/1111), regs. 2, **95, 96, 98** (as amended (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **36** (with reg. 1(6)(7)))
- C1** Sch. 1 modified (E.W.) (23.3.2004) by The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294), reg. 8, **Sch. 2** (as amended (22.5.2014) by S.I. 2014/920, regs. 1(1), **2(7)**, 3-6; (7.5.2015) by S.I. 2015/654, regs. 1(1), **2**); (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **37** (with reg. 1(6)(7)) and (with effect in accordance with reg. 1(2) of the amending S.I.) by The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225), **reg. 4**)

PART VI

DEATH OF CANDIDATE

[^{F1}Independent candidate

Textual Amendments

- F1** Sch. 1 rules 60-65 substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) for Sch. 1 rule 60 by Electoral Administration Act 2006 (c. 22), **ss. 24, 77**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(k) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**

- 60 (1) This rule applies if at a contested election proof is given to the returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named in the ballot papers as an independent candidate has died.

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- (2) Subject to this rule and rules 61 and 62, these rules apply to the election as if the candidate had not died.
- (3) The following provisions of these rules do not apply in relation to the deceased candidate—
 - (a) rule 32(1)(c) and (d) (admission to polling station);
 - (b) rule 44(2)(b) to (d) (attendance at count);
 - (c) rule 53(4) (forfeiture of deposit).
- (4) If only two persons are shown as standing nominated in the statement of persons nominated the returning officer must—
 - (a) if polling has not begun, countermand the notice of poll;
 - (b) if polling has begun, direct that the poll is abandoned;
 - (c) subject to rule 65, treat the election as an uncontested election.
- (5) For the purposes of this rule a person is named or to be named on the ballot papers as an independent candidate if the description (if any) on his nomination paper is not authorised as mentioned in rule 6A(1) or (1B).]

Modifications etc. (not altering text)

- C1** Sch. 1 rule 60 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)

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