

Status: Point in time view as at 22/03/2013.

Changes to legislation: Representation of the People Act 1983, Part II is up to date with all changes known to be in force on or before 18 August 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(as applied (with modifications) (28.4.1999) by [S.I. 1999/1214](#), [reg. 8](#), [Sch. 3](#)) (which S.I. was revoked (23.3.2004) by [S.I. 2004/293](#), [reg. 126](#))
- C1 [Sch. 1](#) modified (E.W.) by [S.I. 1986/1081](#), [regs. 2, 97, 98, 100](#) (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), [reg. 3](#))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](#) modified (S.) by [S.I. 1986/1111](#), [regs. 2, 95, 96, 98\(1\)](#)
[Sch. 1](#) modified (10.4.2001) by [2001 c. 7, s. 4](#), [Sch. para. 1](#)
[Sch. 1](#) modified (E.W.) (23.3.2004) by [The Representation of People \(Combination of Polls\) \(England and Wales\) Regulations 2004 \(S.I. 2004/294\)](#), [reg. 8](#), [Sch. 2](#)
- C1 [Sch. 1](#) extended (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 6\(1\)-\(4\)](#)

PART II

STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

ISSUE OF WRIT AND NOTICE OF ELECTION

Issue of writ

- 3 (1) Writs for parliamentary elections shall continue to be sealed and issued in accordance with the existing practice of the office of the Clerk of the Crown.
- (2) Each writ shall be in the form in the Appendix and shall be directed to the returning officer by the title of his office as returning officer (and not by his name) and conveyed to him.
- (3) Her Majesty may by Order in Council—
- (a) specify the manner in which writs are to be conveyed whether by post, by an officer appointed by the Lord Chancellor or, as regards Northern Ireland, the Secretary of State, or otherwise, and make different provision for different classes of writs; and
 - (b) provide for the giving of receipts for writs by persons to whom they are delivered or who may receive them in the course of their conveyance.

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- (4) Delivery of the writ to a person for the time being authorised by law to act as deputy for the officer who by virtue of his office is returning officer shall be as good as delivery to the returning officer.
- (5) An Order in Council under this rule—
 - (a) may require a returning officer to provide an address to which writs are to be conveyed and any change of that address; and
 - (b) may provide for recording those addresses; and
 - (c) may provide that the delivery of a writ to a person found in and for the time being in charge of a place so recorded as the office of a returning officer shall be as good as delivery to that returning officer.
- (6) The person to whom the writ is delivered shall endorse the date of receipt on the writ in the form shown in the Appendix.
- (7) A draft of an Order in Council under this rule shall be laid before Parliament, and any such Order may provide for any incidental or supplemental matter.

Conveyance of writ to acting returning officer

- 4 (1) For an election in a constituency in England and Wales the writ shall (notwithstanding anything in rule 3 above) be conveyed to the acting returning officer if the returning officer—
 - (a) has so requested by notice in the form prescribed by an Order in Council under rule 3 and received by the Clerk of the Crown one month or more before the issue of the writ; and
 - (b) has not revoked it by a further notice in the form so prescribed and received within such time as is mentioned above.
- (2) A notice under this rule has effect in relation to all constituencies—
 - (a) of which the person giving it is returning officer at the time of giving it; or
 - (b) of which he or a successor in office becomes returning officer by virtue of that office.
- (3) Where by virtue of this rule writs are conveyed to the acting returning officer paragraph (5) of rule 3 applies in relation to him as it applies in relation to a returning officer.

Notice of election

- 5 (1) The returning officer shall publish notice of the election ^{F1} . . . , stating—
 - (a) the place and times at which nomination papers are to be delivered, and
 - (b) the date of the poll in the event of a contest,
 and the notice shall state that forms of nomination paper may be obtained at that place and those times.
- ^{F2}(1A) The notice of election must also state the arrangements which apply for the payment of the deposit required by rule 9 below to be made by means of the electronic transfer of funds.]
- (2) The notice of election shall state the date by which ^{F3}(except in such circumstances as may be prescribed)]—

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- (a) applications to [^{F4}vote by post or by proxy], and
 - (b) other applications and notices about postal or proxy voting,
- must reach the registration officer in order that they may be effective for the election.

^{F5}(3)

Textual Amendments

- F1** Words repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 24, 28, **Sch. 4 para. 74(a)**, Sch. 5
- F2** [Sch. 1 rule 5\(1A\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. **19(3)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts 2**, 4
- F3** Words in [Sch. 1 rule 5\(2\)](#) inserted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 15(1), **Sch. 6 para. 10(1)(2)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F4** Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 11, **Sch. 2 para. 4**
- F5** [Sch. 1 rule 5\(3\)](#) repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 24, 28, **Sch. 4 para. 74(b)**, Sch. 5

Modifications etc. (not altering text)

- C1** [Sch. 1 rule 5](#) applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. 1**
[Sch. 1 rule 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**)
- C2** [Sch. 1 rule 5](#) applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

NOMINATION

Nomination of candidates

- 6 (1) Each candidate shall be nominated by a separate nomination paper, in the form in the Appendix delivered—
- (a) by the candidate himself, or
 - (b) by his proposer or seconder,
- to the returning officer at the place fixed for the purpose, but the paper may be so delivered on the candidate's behalf by his election agent if the agent's name and address have been previously given to the returning officer as required by section 67 of this Act or are so given at the time the paper is delivered.
- (2) The nomination paper shall state the candidate's—
- (a) full names, [^{F6}and]
 - (b) ^{F7}
 - (c) if desired, description,
- and the surname shall be placed first in the list of his names.
- [^{F8}(2A) If a candidate commonly uses—
- (a) a surname which is different from any other surname he has, or
 - (b) a forename which is different from any other forename he has,

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the nomination paper may state the commonly used surname or forename in addition to the other name.]

- [^{F9}(3) The description, if any, must consist of either—
- (a) a description ^{F10}. . . which is authorised as mentioned in rule 6A(1) [^{F11}or (1B)] below; or
 - (b) the word “Independent” or, where the candidate is the Speaker of the House of Commons seeking re-election, the words “The Speaker seeking re-election”.]

- [^{F12}(4) The nomination paper must be accompanied by a form (in this Schedule referred to as the “home address form”) which states the candidate's—
- (a) full names, and
 - (b) home address in full.

Provision in paragraph (1) above about delivery of the nomination paper applies also to the home address form.

- (5) The home address form—
- (a) may contain a statement made and signed by the candidate that he requires the home address not to be made public; and
 - (b) if it does so, must state the constituency within which that address is situated (or, if that address is outside the United Kingdom, the country within which it is situated).]

Textual Amendments

- F6** Word in Sch. 1 rule 6(2)(a) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), **Sch. 6 para. 8(2)**; S.I. 2009/2395, **art. 2** (with art. 3)
- F7** Sch. 1 rule 6(2)(b) repealed (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(2)(a), 39, 43(1), **Sch. 7**; S.I. 2009/2395, **art. 2** (with art. 3)
- F8** Sch. 1 rule 6(2A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 21(2), 77**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(h) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F9** Sch. 1 rule 6(3) substituted (16.2.2001) by 2000 c. 41, **s. 38(1)(2)** (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 in Sch. 1 rule 6(3)(a) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 19(4)(a), 74(2), 77, **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(f)(aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts 2, 4**
- F11** Words in Sch. 1 rule 6(3)(a) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 19(4)(b), 77**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts 2, 4**
- F12** Sch. 1 rule 6(4)(5) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 24(2)(b), 43(1)**; S.I. 2009/2395, **art. 2** (with art. 3)

Modifications etc. (not altering text)

- C3** Sch. 1 rule 6 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 6 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** Sch. 1 rules 6, 7, 8 applied (with modifications) (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)(8), **Sch. 1 Pt. I**
- C5** Sch. 1 rules 6, 7, 8 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

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[^{F13} Nomination papers: name of registered political party]

Textual Amendments

F13 Sch. 1 rule 6A: cross-heading inserted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 2; S.I. 1999/393, art. 2

[^{F14}6A (1) A nomination paper may not include a description of a candidate which is likely to lead [^{F15}electors] to associate the candidate with a registered political party unless [^{F16}the party is a qualifying party in relation to the constituency and] the description is authorised by a certificate—

- (a) issued by or on behalf of the registered nominating officer of the party, and
- (b) received by the returning officer at some time during the period for delivery of nomination papers set out in the Table in rule 1.

[In paragraph (1) above an authorised description may be either—

- ^{F17}(1A) (a) the name of the party registered under section 28 of the Political Parties, Elections and Referendums Act 2000, or
- (b) a description of the party registered under section 28A of that Act.

(1B) A nomination paper may not include a description of a candidate which is likely to lead electors to associate the candidate with two or more registered political parties unless the parties are each qualifying parties in relation to the constituency and the description is a registered description authorised by a certificate—

- (a) issued by or on behalf of the registered nominating officer of each of the parties, and
- (b) received by the returning officer at some time during the period for delivery of nomination papers set out in the Table in rule 1.

(1C) For the purposes of paragraph (1B), a description is a registered description if it is a description registered for use by the parties under section 28B of the Political Parties, Elections and Referendums Act 2000.]

(2) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (1) [^{F18}or (1B)] on behalf of a registered political party's nominating officer.

[For the purposes of the application of this rule in relation to an election—

- ^{F19}(3) (a) “registered political party” means a party which was registered under Part II of the Political Parties, Elections and Referendums Act 2000 [^{F20}on the day (“the relevant day”) which is two days before the last day for the delivery of nomination papers at the election;]
- (b) a registered political party is a qualifying party in relation to a constituency if—
- (i) the constituency is in England, Scotland or Wales and the party was [^{F21}on the relevant day] registered in respect of that part of Great Britain in the Great Britain register maintained under that Part of that Act, or
 - (ii) the constituency is in Northern Ireland and the party was [^{F22}on the relevant day] registered in the Northern Ireland register maintained under that Part of that Act.]

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[For the purposes of paragraph (3)(a) any day falling within rule 2(1) [F²⁴(subject to F²³(4) rule 2(2A))] shall be disregarded.]]

Textual Amendments

- F14** Sch. 1 rule 6A inserted (24.3.1999) by 1998 c. 48, s. 13, **Sch. 2 para. 2**; S.I. 1999/393, **art. 2**
- F15** Word in Sch. 1 rule 6A(1) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 129(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F16** Words in Sch. 1 rule 6A(1) inserted (16.2.2001) by 2000 c. 41, **s. 38(1)(3)(a)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)
- F17** Sch. 1 rule 6A(1A)-(1C) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 49(3), 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 6 (subject to transitional provisions in art. 6, Sch. 2)
- F18** Words in Sch. 1 rule 6A(2) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 129(3)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F19** Sch. 1 rule 6A(3) substituted (16.2.2001) by 2000 c. 41, **s. 38(1)(3)(b)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)
- F20** Words in Sch. 1 rule 6A(3)(a) substituted (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 52(2)(a), 77**; S.I. 2006/1972, **art. 3(2)**, Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F21** Words in Sch. 1 rule 6A(3)(b) substituted (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 52(2)(b), 77**; S.I. 2006/1972, **art. 3(2)**, Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F22** Words in Sch. 1 rule 6A(3)(b) substituted (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 52(2)(b), 77**; S.I. 2006/1972, **art. 3(2)**, Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F23** Sch. 1 rule 6A(4) inserted (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 52(3), 77**; S.I. 2006/1972, **art. 3(2)**, Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F24** Words in Sch. 1 rule 6A(4) inserted (15.9.2011) by Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), **Sch. para. 12** (with s. 6)

Modifications etc. (not altering text)

- C6** Sch. 1 rule 6A 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**)

Subscription of nomination paper

- 7 (1) The nomination paper shall be subscribed by two electors as proposer and seconder, and by eight other electors as assenting to the nomination.
- (2) Where a nomination paper bears the signatures of more than the required number of persons as proposing, seconding or assenting to the nomination of a candidate, the signature or signatures (up to the required number) appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.
- (3) The nomination paper shall give the electoral number of each person subscribing it.
- (4) The returning officer—
- (a) shall supply any elector with a form of nomination paper at the place and during the time for delivery of nomination papers, and
 - (b) shall at any elector's request prepare a nomination paper for signature, but it is not necessary for a nomination to be on a form supplied by the returning officer.

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(5) A person shall not subscribe more than one nomination paper at the same election and, if he does, his signature shall be inoperative on any paper other than the one first delivered, but he shall not be prevented from subscribing a nomination paper by reason only of his having subscribed that of a candidate who has died or withdrawn before delivery of the first mentioned paper.

[^{F25}(6) In this rule “elector”—

- (a) means a person who is registered in the register of parliamentary electors for the constituency on the last day for publication of notice of the election; and
- (b) includes a person then shown in that register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.]

[^{F26}(7) But, in this rule, “elector” does not include a person who has an anonymous entry in the register.]

Textual Amendments

- F25** Sch. 1 rule 7(6) substituted (16.2.2001) by 2000 c. 2, s. 8(a), **Sch. 1 para. 23(2)**; S.I. 2001/116, **art. 2(1)**
- F26** Sch. 1 rule 7(7) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, **Sch. 1 para. 14(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)

Modifications etc. (not altering text)

- C7** Sch. 1 rules 6, 7, 8 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C8** Sch. 1 rules 6, 7, 8 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
Sch. 1 rule 7 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**)

Consent to nomination

- 8 (1) A person shall not be validly nominated unless his consent to nomination—
- (a) is given in writing on or within one month before the day fixed as the last day for the delivery of nomination papers,
 - (b) is attested by one witness, and
 - (c) is delivered at the place and within the time for the delivery of nomination papers,
- subject to paragraph (2) below.
- (2) If the returning officer is satisfied that owing to the absence of a person from the United Kingdom it has not been reasonably practicable for his consent in writing to be given as mentioned above, a telegram (or any similar means of communication) consenting to his nomination and purporting to have been sent by him shall be deemed for the purposes of this rule to be consent in writing given by him on the day on which it purports to have been sent, and attestation of his consent shall not be required.
- (3) A candidate’s consent given under this rule—
- (a) shall state the day, month and year of his birth; and
 - (b) shall state—

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- (i) that he is aware of the provisions of the ^{M1}House of Commons Disqualification Act 1975; and
- (ii) that to the best of his knowledge and belief he is not disqualified for membership of the House of Commons.
- [^{F27}(c) shall state that he is not a candidate at an election for any other constituency the poll for which is to be held on the same day as that for the election to which the consent relates,]

Textual Amendments

- F27** Sch. 1 rule 8(3)(c) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 22, 77](#); [S.I. 2006/3412](#), [art. 3](#), Sch. 1 para. 14(i) (subject to transitional provisions in [art. 6](#), Sch. 2); [S.I. 2008/1316](#), [arts. 2, 4](#)

Modifications etc. (not altering text)

- C9** Sch. 1 rules 6, 7, 8 applied with modifications (N.I.) by [S.I. 1986/2250](#), [regs. 2, 3, 5](#), [Sch. 1 Pt. I](#)
- C10** Sch. 1 rules 6, 7, 8 applied with modifications (E.W.S.) by [S.I. 1986/2209](#), [regs. 2, 3, 5\(1\)\(6\)-\(8\)](#), [Sch. 1 Pt. I](#)
Sch. 1 rule 8 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](#))
- C11** Sch. 1 rule 8 modified (17.2.1994) by [S.I. 1994/342](#), [regs. 1\(2\)\(3\), 5\(4\), 6\(4\)](#)

Marginal Citations

- M1** 1975 c. 24.

Deposit

- 9 (1) A person shall not be validly nominated unless the sum of [^{F28}£500] is deposited by him or on his behalf with the returning officer at the place and during the time for delivery of nomination papers.
- (2) The deposit may be made either—
- by the deposit of any legal tender, or
 - by means of a banker's draft, or
 - with the returning officer's consent, in any other manner [^{F29}(including by means of a debit or credit card or the electronic transfer of funds)] .
- but the returning officer may refuse to accept a deposit sought to be made by means of a banker's draft if he does not know that the drawer carries on business as a banker in the United Kingdom.
- [^{F30}(3) Where the deposit is made on behalf of the candidate, the person making the deposit shall at the time he makes it give his name and address to the returning officer (unless they have previously been given to him under section 67 of this Act or [^{F31}rule 6(4) above].]

Textual Amendments

- F28** "£500" substituted for "£150" by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), [s. 13\(a\)](#)

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- F29** Words in Sch. 1 rule 9(2)(c) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 19(5), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4
- F30** Sch. 1 rule 9(3) added by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, Sch. 4 para. 75
- F31** Words in Sch. 1 rule 9(3) substituted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), Sch. 6 para. 8(3); S.I. 2009/2395, art. 2 (with art. 3)

Modifications etc. (not altering text)

- C12** Sch. 1 rule 9 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C13** Sch. 1 rule 9 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), Sch. 1 Pt. I
Sch. 1 rule 9 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)

Place for delivery of nomination papers

- 10 (1) The returning officer shall fix the place at which nomination papers are to be delivered to him, and shall attend there during the time for their delivery and for the making of objections to them.
- (2) Except in Scotland, the place shall be in—
- (a) the constituency; or
 - (b) the registration area which includes the constituency; or
 - (c) unless the constituency is a borough constituency, in a [^{F32}local government area][^{F33}or Welsh county or county borough] adjoining the constituency or registration area.
- For the purposes of paragraph (b) above “registration area” means—
- (i) in England and Wales, the area of two or more constituencies which have the same registration officer;
 - (ii) in Northern Ireland, the county borough of Belfast and each county.
- (3) In Scotland the place shall be in—
- (a) the constituency; or
 - (b) the [^{F32}local government area] or (if more than one) any of the [^{F32}local government areas] in which the constituency is situated; or
 - (c) any district adjoining the [^{F32}local government area] or [^{F32}local government areas] (as the case may be) in which the constituency is situated.

Textual Amendments

- F32** Words in s. 1 rule 10 substituted (1.4.1996) by S.I. 1996/739, art. 7(1), Sch. 1 Pt. I para. 5(5)(a)
- F33** Words in Sch. 1 rule 10(2)(c) inserted (1.4.1996) by 1994 c. 19, s. 66(6), Sch. 16 para. 68(17) (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, Sch. 2

Modifications etc. (not altering text)

- C14** Sch. 1 rule 10 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C15** Sch. 1 rule 10 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), Sch. 1 Pt. I
Sch. 1 rule 10 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)

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Right to attend nomination

- 11 (1) Except for the purpose of delivering a nomination paper or of assisting the returning officer, and subject to paragraph (4) below, no person is entitled to attend the proceedings during the time for delivery of nomination papers or for making objections to them unless he is—
- (a) a person standing nominated as a candidate, or
 - (b) the election agent, proposer or seconder of such a person,^[F34] or
 - (c) a person who is entitled to attend by virtue of section 6A or 6B of the Political Parties, Elections and Referendums Act 2000,]
- but where a candidate acts as his own election agent he may name one other person who shall be entitled to attend in place of his election agent.
- (2) Where a person stands nominated by more than one nomination paper, only the persons subscribing as proposer and seconder—
- (a) to such one of those papers as he may select, or
 - (b) in default of such a selection, to that one of those papers which is first delivered,
- shall be entitled to attend as his proposer and seconder.
- (3) The right to attend conferred by this rule includes the right—
- (a) to inspect, and
 - (b) to object to the validity of,
- any nomination paper ^[F35]and associated home address form] .
- ^[F36](3A) Paragraph (3) does not apply to a person mentioned in paragraph (1)(c).]
- (4) ^[F37]One other person chosen by the candidate] is entitled to be present at the delivery of the candidate's nomination, and may afterwards, so long as the candidate stands nominated, attend the proceedings referred to in paragraph (1) above, but without any such right as is conferred by paragraph (3) above.
- ^[F38](5) The returning officer shall not permit a home address form to be inspected otherwise than in accordance with this rule, or for some other purpose authorised by law.]

Textual Amendments

- F34** Sch. 1 rule 11(1)(c) and word inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 83(2)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**
- F35** Words in Sch. 1 rule 11(3) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 24(3)(a)**, 43(1); S.I. 2009/2395, **art. 2** (with art. 3)
- F36** Sch. 1 rule 11(3A) inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 83(3)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**
- F37** Words in Sch. 1 rule 11(4) substituted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 83(4)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**
- F38** Sch. 1 rule 11(5) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 24(3)(b)**, 43(1); S.I. 2009/2395, **art. 2** (with art. 3)

Modifications etc. (not altering text)

- C16** Sch. 1 rule 11 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

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C17 Sch. 1 rule 11 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
Sch. 1 rule 11 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**)

Decisions as to validity of nomination papers

- 12 (1) Where a nomination paper and the candidate's consent to it ^{F39}and the home address form] are delivered and a deposit is made in accordance with these rules, the candidate shall be deemed to stand nominated unless and until—
- (a) the returning officer decides that the nomination paper is invalid; or
 - ^{F40}(aa) the returning officer decides that the home address form does not comply with rule 6(4); or]
 - (b) proof is given to the returning officer's satisfaction of the candidate's death; or
 - (c) the candidate withdraws.
- (2) The returning officer is entitled to hold a nomination paper invalid only on one of the following grounds—
- (a) that the particulars of the candidate or the persons subscribing the paper are not as required by law;
 - (b) that the paper is not subscribed as so required; and
 - (c) that the candidate is disqualified by the Representation of the ^{M2}People Act 1981.
- (3) ^{F41}Subject to paragraph (3A),] the returning officer shall give his decision on any objection to a nomination paper
- ^{F42}(a) as soon as practicable after it is made, and
 - (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1.]
- ^{F43}(3A) If in the returning officer's opinion a nomination paper breaks rule 6A(1) ^{F44}[or (1B)], he shall give a decision to that effect
- ^{F45}(a) as soon as practicable after delivery of the nomination paper, and
 - (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1.]]
- (4) ^{F46}Where the returning officer] decides that a nomination paper is invalid, he shall endorse and sign on the paper the fact and the reasons for his decision.
- (5) The returning officer's decision that a nomination paper is valid shall be final and shall not be questioned in any proceeding whatsoever.
- (6) Subject to paragraph (5) above nothing in this rule prevents the validity of a nomination being questioned on an election petition.

Textual Amendments

F39 Words in Sch. 1 rule 12(1) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(4)(a), 43(1); S.I. 2009/2395, art. 2 (with art. 3)

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- F40** Sch. 1 rule 12(1)(aa) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 24(4)(b), 43(1)**; S.I. 2009/2395, **art. 2** (with art. 3)
- F41** Words in Sch. 1 rule 12(3) inserted (24.3.1999) by 1998 c. 48, s. 13, **Sch. 2 para. 3(2)**; S.I. 1999/393, **art. 2**
- F42** Words in Sch. 1 rule 12(3) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 19(6), 77**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F43** Sch. 1 rule 12(3A) inserted (24.3.1999) by 1998 c. 48, s. 13, **Sch. 2 para. 3(3)**; S.I. 1999/393, **art. 2**
- F44** Words in Sch. 1 rule 12(3A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 74(1), 77**, **Sch. 1 para. 130**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F45** Words in Sch. 1 rule 12(3A) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 19(7), 77**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F46** Words in Sch. 1 rule 12(4) substituted (24.3.1999) by 1998 c. 48, s. 13, **Sch. 2 para. 3(4)**; S.I. 1999/393, **art. 2**

Modifications etc. (not altering text)

- C18** Sch. 1 rule 12 applied with modifications (N.I.) by S.I. 1986/2250, **regs. 2, 3, 5**, **Sch. 1 Pt. I**
- C19** Sch. 1 rule 12 applied with modifications (E.W.S.) by S.I. 1986/2209, **regs. 2, 3, 5(1)(6)-(8)**, **Sch. 1 Pt. I**
Sch. 1 rule 12 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**)
- C20** Sch. 1 rule 12 modified (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 5(5), 6(5)**
- C21** Sch. 1 rule 12 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(5)-(8)**, **Sch. 1**

Marginal Citations

- M2** 1981 c. 34.

Withdrawal of candidates

- 13 (1) A candidate may withdraw his candidature by notice of withdrawal—
- (a) signed by him and attested by one witness, and
 - (b) delivered to the returning officer at the place for delivery of nomination papers.
- (2) Where a candidate is outside the United Kingdom, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect as a notice of withdrawal signed by the candidate; but where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph shall be effective if, and only if—
- (a) it and the accompanying declaration are signed by all the proposers except any who is, and is stated in that declaration to be, outside the United Kingdom; or
 - (b) it is accompanied, in addition to that declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

Modifications etc. (not altering text)

- C22** Sch. 1 rule 13 applied (N.I.) by S.I. 1986/2250, **regs. 2, 3, 5**, **Sch. 1 Pt. I**
- C23** Sch. 1 rule 13 applied (E.W.S.) by S.I. 1986/2209, **regs. 2, 3, 5(1)(6)-(8)**, **Sch. 1 Pt. I**

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C24 Sch. 1 rule 13 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)-(8), Sch. 1 Sch. 1 rule 13 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)

Publication of statement of persons nominated

- 14 (1) The returning officer shall prepare and publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.
- (2) The statement shall show the names, addresses and descriptions of the persons nominated as given in their nomination papers [^{F47}and home address forms] , together with the names of the persons subscribing those papers.
- [^{F48}(2A) If a person's nomination paper gives a commonly used surname or forename in addition to another name, the statement shall show the person's commonly used surname or forename (as the case may be) instead of any other name.
- (2B) Paragraph (2A) above does not apply if the returning officer thinks—
- (a) that the use of the person's commonly used name may be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.
- (2C) If paragraph (2B) above applies, the returning officer must give notice in writing to the candidate of his reasons for refusing to allow the use of a commonly used name.]
- (3) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames, and, if there are two or more of them with the same surname, of their other names.
- [^{F49}(3A) In relation to a nominated person in whose case the home address form (or, if the person is nominated by more than one nomination paper, any of the home address forms) contains—
- (a) the statement mentioned in rule 6(5)(a), and
 - (b) the information mentioned in rule 6(5)(b),
- the reference in paragraph (2) to the person's address shall be read as a reference to the information mentioned in rule 6(5)(b).]
- (4) In the case of a person nominated by more than one nomination paper, the returning officer shall take the particulars required by the foregoing provisions of this rule from such one of the papers as the candidate (or the returning officer in default of the candidate) may select, but if the election is contested a candidate standing nominated may require the returning officer to include in the statement the names of the persons subscribing a second and third nomination.
- [^{F50}(4A) Where—
- (a) two or more of the names shown on the statement are the same or so similar as to be likely to cause confusion,
 - (b) paragraph (3A) applies in relation to each of the persons in question, and
 - (c) the information mentioned in rule 6(5)(b) is the same for each of them,
- the returning officer may cause any of their particulars to be shown on the statement with such amendments or additions as the officer thinks appropriate in order to reduce the likelihood of confusion.

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- (4B) Where it is practicable to do so before the publication of the statement, the returning officer shall consult any person whose particulars are to be amended or added to under paragraph (4A).
- (4C) The returning officer must give notice in writing to any person whose particulars are amended or added to under paragraph (4A).
- (4D) Anything done by a returning officer in pursuance of paragraph (4A) must not be questioned in any proceedings other than proceedings on an election petition.
- (4E) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of paragraph (4A).]
- [^{F51}(5) The returning officer shall send to the Electoral Commission—
- (a) a copy of the statement; and
 - (b) in the case of each candidate standing nominated in respect of whom a certificate has been received by the returning officer in accordance with rule 6A [^{F52}(1) or (1B)] above, a copy of that certificate as well.]

Textual Amendments

- F47** Words in Sch. 1 rule 14(2) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), Sch. 6 para. 8(4); S.I. 2009/2395, art. 2 (with art. 3)
- F48** Sch. 1 rule 14(2A)-(2C) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 21(3), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(h) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F49** Sch. 1 rule 14(3A) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(5), 43(1); S.I. 2009/2395, art. 2 (with art. 3)
- F50** Sch. 1 rule 14(4A)-(4E) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(6), 43(1); S.I. 2009/2395, art. 2 (with art. 3)
- F51** Sch. 1 rule 14(5) inserted (16.2.2001) by 2000 c. 41, s. 158(1), Sch. 21 para. 6(9) (with s. 156(6)); S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)
- F52** Words in Sch. 1 rule 14(5) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, Sch. 1 para. 131; S.I. 2006/3412, art. 3, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

Modifications etc. (not altering text)

- C25** Sch. 1 rules 14, 15 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C26** Sch. 1 rules 14, 15 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), Sch. 1 Pt. I
- C27** Sch. 1 rule 14 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)-(8), Sch. 1
Sch. 1 rule 14 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)

[^{F53}Correction of minor errors

Textual Amendments

- F53** Sch. 1 rule 14A inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 19(8), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

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- 14A (1) A returning officer may, if he thinks fit, at any time before the publication under rule 14 above of the statement of persons nominated, correct minor errors in a nomination paper [^{F54}or home address form] .
- (2) Errors which may be corrected include—
- (a) errors as to a person's electoral number;
- (b) obvious errors of spelling in relation to the details of a candidate.
- [in the home address form, errors as to the information mentioned in rule 6(5)^{F55}(c) (b).]
- (3) Anything done by a returning officer in pursuance of this rule must not be questioned in any proceedings other than proceedings on an election petition.
- (4) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of this rule.]

Disqualification by Representation of the People Act 1981

- 15 (1) If it appears to the returning officer that any of the persons nominated might be disqualified by the Representation of the ^{M3}People Act 1981 he shall, as soon as practicable after the expiry of the time allowed for the delivery of nomination papers, prepare and publish a draft of the statement required under rule 14 above.
- (2) The draft shall be headed “Draft statement of persons nominated” and shall omit the names of the persons subscribing the papers but shall contain a notice stating that any person who wishes to object to the nomination of any candidate on the ground that he is disqualified for nomination under the Representation of the People Act 1981 may do so between the hours of 10 in the morning and 4 in the afternoon on the day and at the place specified in the notice; and the day so specified shall be the day next after the last day for the delivery of nomination papers.

Modifications etc. (not altering text)

C29 Sch. 1 rules 14, 15 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C30 Sch. 1 rules 14, 15 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**

Sch. 1 rule 15 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

M3 1981 c. 34.

Adjournment of nomination proceedings in case of riot

- 16 (1) Where the proceedings for or in connection with nomination are on any day interrupted or obstructed by riot or open violence—
- (a) the proceedings shall be abandoned for that day, and
- (b) if that day is the last day for the delivery of nomination papers, the proceedings shall be continued on the next day as if that were the last day of such delivery,

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and that day shall be treated for the purposes of these rules as being the last day for such delivery (subject to any further application of this rule in the event of interruption or obstruction on that day).

- (2) Where proceedings are abandoned by virtue of this rule nothing—
- (a) may be done after they are continued if the time for doing it had passed at the time of the abandonment;
 - (b) done before the abandonment shall be invalidated by reason of the abandonment.

Modifications etc. (not altering text)

- C31** Sch. 1 rule 16 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C32** Sch. 1 rule 16 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- Sch. 1 rule 16 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**)

Method of election

- 17 (1) If the statement of persons nominated shows more than one person standing nominated, a poll shall be taken in accordance with Part III of these rules.
- (2) If the statement of persons nominated shows only one person standing nominated, that person shall be declared to be elected in accordance with Part IV of these rules.

Modifications etc. (not altering text)

- C33** Sch. 1 rule 17 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C34** Sch. 1 rule 17 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C35** Sch. 1 rule 17 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
- Sch. 1 rule 17 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**)

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