



Representation of the People Act 1983

1983 CHAPTER 2

PART III

LEGAL PROCEEDINGS

Prosecutions for corrupt or illegal practices

168 Prosecutions for corrupt practices

- (1) A corrupt practice shall be punishable on conviction on indictment or on summary conviction (including conviction under section 171 below by an election court), but a person shall not be prosecuted summarily where there may be occasion to exercise the powers conferred by subsections (1) and (2) of section 174 below.
- (2) A person convicted on indictment of a corrupt practice, other than personation or aiding, abetting, counselling or procuring the commission of the offence of personation, shall be liable—
 - (a) except in Northern Ireland, to imprisonment for a term not exceeding one year or to a fine ;
 - (b) in Northern Ireland, to imprisonment for a term not exceeding one year or to a fine not exceeding £200.
- (3) A person who commits the offence of personation or of aiding, abetting, counselling or procuring the commission of the offence of personation shall be guilty of an offence and if convicted of it on indictment shall be liable to imprisonment for a term not exceeding two years.
- (4) A person shall be liable if summarily convicted of a corrupt practice—
 - (a) by a magistrates' court in England and Wales or a court of summary jurisdiction in Scotland, to imprisonment for a term not exceeding 3 months or to a fine not exceeding the statutory maximum or to both ;
 - (b) by a court of summary jurisdiction in Northern Ireland, to imprisonment for a term not exceeding 3 months or to a fine not exceeding £100 or to both ;

Status: This is the original version (as it was originally enacted).

- (c) by an election court, to imprisonment for a term not exceeding 6 months, or, in England and Wales or in Scotland, to a fine not exceeding the statutory maximum, or in Northern Ireland, to a fine not exceeding £200.
- (5) In England and Wales and Northern Ireland a person charged with personation shall not be convicted by a magistrates' court or, save under section 171 below, committed for trial, except on the evidence of not less than two credible witnesses.
- (6) In Scotland, a person charged with personation shall not be convicted except on the evidence of not less than two credible witnesses.
- (7) If it appears to the court by which any person holding a licence or certificate under the Licensing Acts is convicted of the offence of bribery or treating that the offence was committed on his licensed premises—
- (a) the court shall direct the conviction to be entered in the proper register of licences, and
 - (b) the entry shall be taken into consideration by the licensing authority in determining whether they will or will not grant a renewal of the licence or certificate, and may be a ground, if the authority think fit, for refusing its renewal.