



Representation of the People Act 1983

1983 CHAPTER 2

PART I

PARLIAMENTARY AND LOCAL GOVERNMENT FRANCHISE AND ITS EXERCISE

Supplemental provisions as to parliamentary and local government elections

59 Supplemental provisions as to members of forces and service voters.

- (1) In this Part of this Act, the expression “member of the forces”—
- (a) means a person serving on full pay as a member of any of the naval, military or air forces of the Crown raised in the United Kingdom; but
 - (b) does not include
 - [^{F1}(i)] a person serving only as a member of a reserve or auxiliary force except in so far as regulations provide that it shall include persons so serving during a period of emergency.[^{F2}or
 - (ii) a member of the regular army whose terms of service are such that, except for the purpose of training, he is required to serve only in Northern Ireland]
- (2) Where a person—
- (a) is not a member of the forces as defined by subsection (1) above, but
 - (b) is, in the performance of his duty as a member of any of Her Majesty’s reserve or auxiliary forces, absent on the [^{F3}relevant date for the purposes of section 4 above] from an address at which he has been residing,
- any question arising under section [^{F4}5(3)] above whether his residence at that address has been interrupted on that date by his absence in the performance of that duty shall be determined as if the performance of it did not prevent his resuming actual residence at any time after that date.
- [^{F5}(3) Arrangements must be made by the appropriate government department for securing that every person having a service qualification by virtue of paragraph (a) or (b) of section 14(1) above has (so far as circumstances permit) an effective opportunity of

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exercising from time to time as occasion may require the rights conferred on him by this Act in relation to—

- (a) registration in a register of electors (and in particular in relation to the making and cancellation of service declarations);
- (b) the making and cancellation of appointments of a proxy;
- (c) voting in person, by post or by proxy.

(3A) Arrangements must be made by the appropriate government department for securing that every such person receives such instructions as to the effect of this Act and any regulations made under it, and such other assistance, as may be reasonably sufficient in connection with the exercise by that person and any spouse or civil partner of that person of any rights conferred on them as mentioned above.

(3B) In subsections (3) and (3A) “the appropriate government department” means, in relation to members of the forces, the Ministry of Defence, and in relation to any other person means the government department under which he is employed in the employment giving the service qualification.

(3C) The Ministry of Defence must maintain, in relation to each member of the forces who provides information relating to his registration as an elector, a record of such information.

(3D) The Ministry of Defence must make arrangements to enable each member of the forces to update annually the information recorded under subsection (3C).]

(4) In relation to persons having a service qualification by virtue of paragraph (c) of section 14(1), the British Council shall be under a corresponding obligation to that imposed by [F6subsections (3) and (3A)] above on the appropriate government department.

Textual Amendments

- F1 Word in s. 59(1)(b) inserted (20.7.1993) by 1993 c. 29, s. 1(a).
- F2 Word and s. 59(1)(b)(ii) added (20.7.1993) by 1993 c. 29, s. 1(b).
- F3 Words in s. 59(2)(b) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 16(a)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F4 Word in s. 59 substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 16(b)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F5 S. 59(3)-(3D) substituted (30.11.2007) for s. 59(3) by **Electoral Administration Act 2006 (c. 22), ss. 13(2), 77**; S.I. 2007/3376, **art. 2**
- F6 Words in s. 59(4) substituted (30.11.2007) by **Electoral Administration Act 2006 (c. 22), ss. 13(3), 77**; S.I. 2007/3376, **art. 2**

Modifications etc. (not altering text)

- C1 S. 59 extended (N.I.) (with modifications) by **Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), ss. 2, 13(6), Sch. 1 Pt. 1**
S. 59 extended (with modifications) (11.3.1999) by S.I. 1999/787, **art. 12(1)** (which S.I. was revoked (21.11.2002 except for specified purposes) by S.I. 2002/2779, **arts. 1, 2** (which S.I. was revoked (15.3.2007) by S.I. 2007/937, **art. 2(a))**)
- C2 S. 59 modified (11.3.1999) by S.I. 1999/450, **art. 13(1)** (which S.I. was revoked (29.2.2003) by S.I. 2003/284, **art. 1**)
- C3 S. 59 applied (with modifications) (21.11.2002 except for specified purposes) by **The Scottish Parliament (Elections etc.) Order 2002 (S.I. 2002/2779), arts. 1, 13(1)** (which S.I. was revoked (15.3.2007) by S.I. 2007/937, **art. 2(a)**)

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- S. 59 applied (with modifications) (15.3.2007 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2007 \(S.I. 2007/937\)](#), arts. 1, **13(1)**
- C4** S. 59 modified (16.12.2010) by [The National Assembly for Wales Referendum \(Assembly Act Provisions\) \(Referendum Question, Date of Referendum Etc.\) Order 2010 \(S.I. 2010/2837\)](#), art. 1(2), **Sch. 1 para. 25**
- C5** S. 59 applied (with modifications) (30.12.2010 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2010 \(S.I. 2010/2999\)](#), arts. 1(1), **12(1)** (with art. 1(2)(3))
- C6** S. 59(2) applied (17.2.1994) by [S.I. 1994/342](#), **regs. 1(2)(3), 2(2), 7(4)**
- C7** S. 59(3)(b)(c) modified (1.2.2007) by [The National Assembly for Wales \(Representation of the People\) Order 2007 \(S.I. 2007/236\)](#), **art. 15(1)(a)**
- C8** S. 59(3A) modified (1.2.2007) by [The National Assembly for Wales \(Representation of the People\) Order 2007 \(S.I. 2007/236\)](#), **art. 15(1)(b)**

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