



# Representation of the People Act 1985

## 1985 CHAPTER 50

### *Voting at parliamentary elections in the United Kingdom and local government elections in Great Britain*

#### **[<sup>F1</sup>5 Manner of voting at parliamentary and local government elections.**

- (1) This section applies to determine the manner of voting of a person entitled to vote as an elector at a parliamentary <sup>F2</sup> . . . election.
- (2) He may vote in person at the polling station allotted to him under the appropriate rules, unless he is entitled as an elector to an absent vote at the election.
- (3) He may vote by post if he is entitled as an elector to vote by post at the election.
- (4) If he is entitled to vote by proxy at the election, he may so vote unless, before a ballot paper has been issued for him to vote by proxy, he applies at the polling station allotted to him under the appropriate rules for a ballot paper for the purpose of voting in person, in which case he may vote in person there.
- (5) If he is not entitled as an elector to an absent vote at the election but cannot reasonably be expected to go in person to the polling station allotted to him under the appropriate rules by reason of the particular circumstances of his employment, either as a constable or by the returning officer, on the date of the poll for a purpose connected with the election, he may vote in person at any polling station in the constituency <sup>F3</sup> . . .

[ Nothing in the preceding provisions of this section applies to—

- <sup>F4</sup>(5A) (a) a person to whom section 7 of the principal Act (mental patients who are not detained offenders) applies and who is liable, by virtue of any enactment, to be detained in the mental hospital in question, or
- (b) a person to whom section 7A of that Act (persons remanded in custody) applies,

whether he is registered by virtue of that provision or not; and such a person may only vote by post or by proxy (where he is entitled as an elector to vote by post or, as the case may be, by proxy at the election).]

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- (6) For the purposes of the provisions of this and the principal Act, a person entitled to vote as an elector at a parliamentary [<sup>F5</sup>or local government] election is entitled as an elector to vote by post or entitled to vote by proxy at the election if he is shown in the absent voters list for the election as so entitled; and references in those provisions to entitlement as an elector to an absent vote at a parliamentary <sup>F5</sup>. . . election are references to entitlement as an elector to vote by post or entitlement to vote by proxy at the election.

[ In this section and sections 6 to 9 of this Act “appropriate rules” means the <sup>F6</sup>(7) parliamentary elections rules.]]

#### Textual Amendments

- F1** S. 5 repealed (E.W.S) (16.2.2001) by 2000 c. 2, s. 15, **Sch. 7 Pt. II**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F2** Words in s. 5(1) repealed (16.2.2001) by 2000 c. 2, s. 15, **Sch. 6 para. 13(2)**, **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F3** Words in s. 5(5) repealed (16.2.2001) by 2000 c. 2, s. 15, **Sch. 6 para. 13(3)**, **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F4** S. 5(5A) inserted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 13(4)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F5** Words in s. 5(6) repealed (16.2.2001) by 2000 c. 2, s. 15, **Sch. 6 para. 13(5)**, **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F6** S. 5(7) substituted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 13(6)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)

#### Modifications etc. (not altering text)

- C1** S. 5 applied by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. III**
- C2** S. 5 applied (with modifications) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(5)-(8)**, **Sch. 1**  
S. 5 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 3  
S. 5 applied (with modifications) (25.4.1998) by S.I. 1998/1126, **art. 6(1)**, **Sch. 2**  
S. 5 applied (with modifications) (19.3.1998) by S.I. 1998/746, **art. 12**, **Sch. 1 para. 13** Table 3  
S. 5 applied (with modifications) (22.5.1998) by S.I. 1998/1287, **art. 3(1)(3)**, **Sch. 1**  
S. 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(1)(2)**, **Sch. 1**)

#### [<sup>F7</sup>6 Absent vote at elections for an indefinite period.

- (1) Where a person applies to the registration officer to vote by post, or to vote by proxy, at parliamentary elections, <sup>F8</sup>. . . for an indefinite period, the registration officer shall grant the application (subject to subsection (6) below) if—
- he is satisfied that the applicant is eligible for an absent vote at [<sup>F9</sup>parliamentary elections] for an indefinite period,
  - he is satisfied that the applicant is or will be registered in the register for such elections, and
  - the application meets the prescribed requirements.
- (2) For the purposes of this section, a person is eligible for an absent vote at parliamentary <sup>F10</sup>. . . elections for an indefinite period—
- if he is or will be registered as a service voter,
  - <sup>F11</sup>(aa) . . . . .

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- (b) if he cannot reasonably be expected—
    - (i) to go in person to the polling station allotted or likely to be allotted to him under the appropriate rules, or
    - (ii) to vote unaided there,by reason of blindness or other physical incapacity,
  - (c) if he cannot reasonably be expected to go in person to that polling station by reason of the general nature of his occupation, service or employment or that of his spouse, [<sup>F12</sup>or by reason of his attendance on a course provided by an educational institution or that of his spouse] or
  - (d) if he cannot go in person from his qualifying address to that polling station without making a journey by air or sea,
- and is also eligible for an absent vote at parliamentary elections for an indefinite period if he is or will be registered in pursuance of an overseas elector's declaration.

<sup>F13</sup>(2A) .....

- (3) The registration officer shall keep a record of those whose applications under this section have been granted showing—
  - <sup>F14</sup>(a) .....
  - (b) in the case of those who may vote by post, the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent, and
  - (c) in the case of those who may vote by proxy, the names and addresses of those appointed as their proxies.
- (4) The registration officer shall remove a person from the record kept under subsection (3) above—
  - (a) if he applies to the registration officer to be removed,
  - (b) in the case of any registered person, if he ceases to be registered or registered at the same qualifying address or ceases to be, or becomes, registered as a service voter or in pursuance of [<sup>F15</sup>a declaration of local connection or] an overseas elector's declaration, or
  - (c) if the registration officer gives notice that he has reason to believe there has been a material change of circumstances.
- (5) A person shown in the record kept under subsection (3) above as voting by post or, as the case may be, voting by proxy may subsequently alter his choice (subject to subsection (6) below) on an application to the registration officer that meets the prescribed requirements and the registration officer shall amend the record accordingly.
- (6) A person applying to vote by post must provide an address in the United Kingdom as the address to which his ballot paper is to be sent.]

#### Textual Amendments

- F7** S. 6 repealed (E.W.S.) (16.2.2001) by 2000 c. 2, s. 15(2), **Sch. 7 Pt. II**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F8** Words in s. 6(1) repealed (16.2.2001) by 2000 c. 2, s. 15, **Sch. 6 para. 14(2)(a)**, **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F9** Words in s. 6(1)(a) substituted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 14(2)(b)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)

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- F10** Words in s. 6(2) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 14(3)(a), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F11** S. 6(2)(aa) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 14(3)(b), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F12** Words in s. 6(2)(c) inserted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 14(3)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F13** S. 6(2A) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 14(4), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F14** S. 6(3)(a) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 14(5), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F15** Words in s. 6(4)(b) inserted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 14(6)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))

**Modifications etc. (not altering text)**

- C3** S. 6 applied with modifications by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. III**
- C4** S. 6(2)(b) modified by S.I. 1986/1111, **reg. 62(5)** (as substituted 6.4.1992 by S.I. 1992/834, **reg. 3(3)** subject as mentioned in reg. 2 of that Instrument)

**[<sup>F167</sup> Absent vote at a particular election and absent voters list.**

- (1) Where a person applies to the registration officer to vote by post, or to vote by proxy, at a particular parliamentary <sup>F17</sup>. . . election, the registration officer shall grant the application (subject to subsection (5) below) if—
- (a) he is satisfied that the applicant's circumstances on the date of the poll will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to him under the appropriate rules,
  - (b) he is satisfied that the applicant is or will be registered in the register of parliamentary <sup>F18</sup>. . . electors, and
  - (c) the application meets the prescribed requirements.

[ Subsection (1) above does not apply to a person who is included in the record <sup>F19</sup>(2) kept under section 6 of this Act, but such a person may, in respect of a particular parliamentary election, apply to the registration officer—

- (a) for his ballot paper to be sent to a different address in the United Kingdom, or
  - (b) to vote by proxy,
- if he is shown in the record so kept as voting by post at parliamentary elections.]

(3) The registration officer shall grant an application under subsection (2) above if it meets the prescribed requirements.

(4) The registration officer shall, in respect of each parliamentary <sup>F20</sup>. . . election, keep a special list (“the absent voters list”) consisting of—

- (a) a list of—
  - (i) those whose applications under subsection (1) above to vote by post at the election have been granted, together with the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent, and
  - (ii) those who are for the time being shown in the record kept under section 6 of this Act as voting by post at [<sup>F21</sup>parliamentary elections](excluding those so shown whose applications under

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subsection (2) above to vote by proxy at the election have been granted), together with the addresses provided by them in their applications under that section or, as the case may be, subsection (2) above as the addresses to which their ballot papers are to be sent, and

- (b) a list (“the list of proxies”) of those whose applications under this section to vote by proxy at the election have been granted or who are for the time being shown in the record kept under section 6 of this Act as voting by proxy at [F21parliamentary elections], together with the names and addresses of those appointed as their proxies.

- (5) A person applying to vote by post must provide an address in the United Kingdom as the address to which his ballot paper is to be sent.]

#### Textual Amendments

- F16** S. 7 repealed (E.W.S.) (16.2.2001) by 2000 c. 2, s. 15(2), **Sch. 7 Pt. II**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F17** Words in s. 7(1) repealed (16.2.2001) by 2000 c. 2, s. 15, **Sch. 6 para. 15(2)(a)**, **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F18** Words in s. 7(1)(b) repealed (16.2.2001) by 2000 c. 2, s. 15, **Sch. 6 para. 15(2)(b)**, **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F19** S. 7(2) substituted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 15(3)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F20** Words in s. 7(4) repealed (16.2.2001) by 2000 c. 2, s. 15, **Sch. 6 para. 15(4)(a)**, **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F21** Words in s. 7(4)(a)(b) substituted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 15(4)(b)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)

#### Modifications etc. (not altering text)

- C5** S. 7 applied with modifications by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. III**  
S. 7 applied (with modifications) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(a)(b)(5)-(8)**, **Sch. 1**  
S. 7 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 3  
S. 7 applied (with modifications) (25.4.1998) by S.I. 1998/1126, **art. 6(1)**, **Sch. 2**  
S. 7 applied (with modifications) (19.3.1998) by S.I. 1998/746, **art. 12**, **Sch. 1** Table 3  
S. 7 applied (with modifications) (22.5.1998) by S.I. 1998/1287, **art. 3(1)(3)**, **Sch. 1**
- C6** S. 7 applied (with modifications) (1.8.2001) by S.I. 2001/2599, **art. 3**, **Sch. 1**

#### [F22]8 Proxies at elections.

- (1) Subject to the provisions of this section, any person is capable of being appointed proxy to vote for another (in this section and section 9 of this Act referred to as “the elector”) at any parliamentary <sup>F23</sup>. . . election and may vote in pursuance of the appointment.
- (2) The elector cannot have more than one person at a time appointed as proxy to vote for him at parliamentary elections (whether in the same constituency or elsewhere).

[ A person is not capable of being appointed to vote, or voting, as proxy at a <sup>F24</sup>(3) parliamentary election—

- (a) if he is subject to any legal incapacity (age apart) to vote at that election as an elector, or

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- (b) if he is neither a Commonwealth citizen nor a citizen of the Republic of Ireland.

<sup>F25</sup>(3A) . . . . .]

- (4) A person is not capable of voting as proxy at [<sup>F26</sup>a parliamentary <sup>F27</sup>. . . ] election unless on the date of the poll he has attained the age of eighteen.

- (5) A person is not entitled to vote as proxy at the same parliamentary election in any constituency <sup>F28</sup>. . . on behalf of more than two electors of whom that person is not the husband, wife, parent, grandparent, brother, sister, child or grandchild.

- (6) Where the elector applies to the registration officer for the appointment of a proxy to vote for him at parliamentary elections <sup>F29</sup>. . . for an indefinite period, the registration officer shall make the appointment if the application meets the prescribed requirements and he is satisfied that the elector is or will be—

- (a) registered in the register of [<sup>F30</sup>parliamentary electors], and  
(b) shown in the record kept under section 6 of this Act as voting by proxy at such elections,

and that the proxy is capable of being and willing to be appointed to vote as proxy at such elections.

- (7) Where the elector applies to the registration officer for the appointment of a proxy to vote for him at a particular parliamentary <sup>F31</sup>. . . election, the registration officer shall make the appointment if the application meets the prescribed requirements and he is satisfied that the elector is or will be—

- (a) registered in the register of parliamentary <sup>F32</sup>. . . electors for that election, and  
(b) entitled to vote by proxy at that election by virtue of an application under section 7 of this Act,

and that the proxy is capable of being and willing to be appointed.

- (8) The appointment of a proxy under this section is to be made by means of a proxy paper issued by the registration officer.

[ The appointment may be cancelled by the elector by giving notice to the registration <sup>F33</sup>(9) officer, and shall also cease to be in force on the issue of a proxy paper appointing a different person to vote for him at any parliamentary election or elections (whether in the same constituency or elsewhere).]

- (10) Subject to subsection (9) above, the appointment shall remain in force—  
(a) in the case of an appointment for a particular election, for that election, and  
(b) in any other case, while the elector is shown as voting by proxy in the record kept under section 6 of this Act in pursuance of the same application under that section.

(11) . . . <sup>F34</sup>]

#### Textual Amendments

**F22** S. 8 repealed (E.W.S.) (16.2.2001) by 2000 c. 2, s. 15(2), **Sch. 7 Pt. II**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)

**F23** Words in s. 8(1) repealed (16.2.2001) by 2000 c. 2, s. 15, **Sch. 6 para. 16(2)**, **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)

**F24** S. 8(3)(3A) substituted for s. 8(3) (6.8.1995) by S.I. 1995/1948, **reg. 5(2)**, **Sch. 2 para. 7**

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- F25** S. 8(3A) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 16(3), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F26** Words in s. 8(4) substituted (6.8.1995) by S.I. 1995/1948, reg. 5(2), **Sch. 2 para. 8**
- F27** Words in s. 8(4) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 16(4), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F28** Words in s. 8(5) repealed (16.2.2001) by 2000 c. 2, s. 15, 17(3), Sch. 6 para. 16(5), **Sch. 7 Pt. III**; S.I. 2001/116, art. 2(1) (subject to transitional provisions in art. 2(3)-(5))
- F29** Words in s. 8(6) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 16(6)(a), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F30** Words in s. 8(6)(a) substituted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 16(6)(b)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F31** Words in s. 8(7) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 16(7)(a), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F32** Words in s. 8(7)(a) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 16(7)(b), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F33** S. 8(9) substituted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 16(8)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in art. 2(3)-(5))
- F34** S. 8(11) repealed by **Finance Act 1985 (c.54, SIF 114)**, s. 98(6), **Sch. 27 Pt. IX(2)**

#### **Modifications etc. (not altering text)**

- C7** S. 8 applied with modifications by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. III**  
S. 8 applied (with modifications) (4.5.1996) by S.I. 1996/1220, art. 3(1)(a)(b)(5)-(8), **Sch. 1**  
S. 8 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 3  
S. 8 applied (with modifications) (19.3.1998) by S.I. 1998/746, art. 12, **Sch. 1** Table 3  
S. 8 applied (with modifications) (22.5.1998) by S.I. 1998/1287, art. 3(1)(3), **Sch. 1**  
S. 8 applied (with modifications) (25.4.1998) by S.I. 1998/1126, art. 6(1), **Sch. 2**
- C8** S. 8 modified (17.2.1994) by S.I. 1994/342, **regs. 2(2)**, 15(4), 16(5)

#### **[<sup>F359</sup> Voting as proxy.**

- (1) A person entitled to vote as proxy at a parliamentary [<sup>F36</sup>or local government] election may do so in person at the polling station allotted to the elector under the appropriate rules unless he is entitled to vote by post as proxy for the elector at the election, in which case he may vote by post.
- (2) Where a person is entitled to vote by post as proxy for the elector at any election, the elector may not apply for a ballot paper for the purpose of voting in person at the election.
- (3) For the purposes of this and the principal Act, a person entitled to vote as proxy for another at a parliamentary <sup>F36</sup>. . . election is entitled so to vote by post if he is included in the list kept under subsection (9) below in respect of the election.
- (4) Where a person applies to the registration officer to vote by post as proxy at parliamentary elections <sup>F37</sup>. . . for an indefinite period, the registration officer shall (subject to subsections (10) and (12) below) grant the application if—
  - (a) the applicant is included in any record kept under section 6 of this Act in respect of a constituency <sup>F38</sup>. . . for the whole or any part of which the registration officer acts, or
  - (b) the address provided by the applicant in his application as the address to which his ballot paper is to be sent is not in the same area as the elector's qualifying address or, where the elector is registered in pursuance of an

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overseas elector's declaration, the address specified in the declaration in accordance with section 2(4) of this Act, and the application meets the prescribed requirements.

- <sup>F39</sup>(5) . . . . .
- (6) The registration officer shall keep a record of those whose applications under subsection (4) above have been granted showing—
- <sup>F40</sup>(a) . . . . .
- (b) the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent.
- (7) Where a person applies to the registration officer to vote by post as proxy at a particular election and the application meets the prescribed requirements, the registration officer shall (subject to subsections (10) and (12) below) grant the application if—
- (a) he is satisfied that the applicant's circumstances on the date of the poll will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to the elector under the appropriate rules, or
- (b) the applicant is, or the registration officer is satisfied that he will be, included in respect of the constituency <sup>F41</sup> . . . for the whole or any part of which the registration officer acts in any of the absent voters lists for that election.
- (8) Where, in the case of a particular election, a person included in the record kept under subsection (6) above <sup>F42</sup> . . . applies to the registration officer for his ballot paper to be sent to a different address in the United Kingdom, the registration officer shall grant the application if it meets the prescribed requirements.
- (9) The registration officer shall, in respect of each parliamentary <sup>F43</sup> . . . election, keep a special list of—
- (a) those who are for the time being included in the record kept under subsection (6) above <sup>F44</sup> . . . , together with the addresses provided by them in their applications under that subsection or, as the case may be, subsection (8) above as the addresses to which their ballot papers are to be sent, and
- (b) those whose applications under subsection (7) above have been granted in respect of the election concerned, together with the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent.
- (10) The registration officer shall not grant any application under this section unless—
- (a) he is satisfied that the elector is or will be registered in the register of parliamentary electors <sup>F45</sup> . . . , and
- (b) there is in force an appointment of the applicant as the elector's proxy to vote for him at [<sup>F46</sup>parliamentary elections] or, as the case may be, the election concerned.
- (11) The registration officer shall remove a person from the record kept under subsection (6) above—
- (a) if he applies to the registration officer to be removed,
- (b) where he was included in the record on the ground mentioned in subsection (4) (a) above, if he ceases to be included in any record kept under section 6 of this Act in respect of a constituency <sup>F47</sup> . . . , for the whole or any part of which



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the registration officer acts or becomes so included in pursuance of a further application under that section,

- (c) if the elector ceases to be registered as mentioned in subsection (10)(a) above, or
- (d) if the appointment of the person concerned as the elector's proxy ceases to be in force (whether or not he is re-appointed).

(12) A person applying to vote by post as proxy must provide an address in the United Kingdom as the address to which his ballot paper is to be sent.]

### Textual Amendments

- F35** S. 9 repealed (E.W.S.) (16.2.2001) by 2000 c. 2, s. 15(2), **Sch. 7 Pt. II**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F36** Words in s. 9(1)(3) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(2), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F37** Words in s. 9(4) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(3)(a), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F38** Words in s. 9(4)(a) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(3)(b), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F39** S. 9(5) repealed (16.2.2001) by 2000 c. 2, s. 15, 17(3), Sch. 6 para. 17(4), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F40** S. 9(6)(a) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(5), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F41** Words in s. 9(7) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(6), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F42** Words in s. 9(8) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(7), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F43** Words in s. 9(9) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(8)(a), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F44** Words in s. 9(9)(a) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(8)(b), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F45** Words in s. 9(10)(a) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(9)(a), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F46** Words in s. 9(10)(b) substituted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 17(9)(b)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F47** Words in s. 9(11)(b) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 17(10), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)

### Modifications etc. (not altering text)

- C9** S. 9 applied (with modifications) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. III**
- S. 9 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(a)(b)(5)-(8), Sch. 1
- S. 9 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 3
- S. 9 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6(1), **Sch. 2**
- S. 9 applied (with modifications) (19.3.1998) by S.I. 1998/746, art. 12, **Sch. 1** Table 3
- S. 9 applied (with modifications) (22.5.1998) by S.I. 1998/1287, art. 3(1)(3), **Sch. 1**
- S. 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(1)(2), **Sch. 1**)

## 10 Voting at special polling stations in Northern Ireland.

(1) Schedule 1 to this Act makes provision for those—

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- (a) whose circumstances on the date of the poll at a particular parliamentary election in Northern Ireland will be or are likely to be such that they cannot reasonably be expected to vote in person as electors at the polling stations allotted or likely to be allotted to them under the parliamentary elections rules, but
  - (b) who on that date will be in Northern Ireland.
- (2) The Secretary of State may by order made by statutory instrument bring that Schedule into force if he is satisfied that it is necessary to do so in order to prevent serious abuse of the system of voting by post in the case of ballot papers for elections in Northern Ireland sent to addresses there in pursuance of applications granted under section 7(1) of this Act.
  - (3) That Schedule shall cease to be in force if the Secretary of State so provides by order made by statutory instrument (without prejudice to his power to make a further order under subsection (2) above), and an order under this subsection may include such transitional provisions as the Secretary of State considers necessary or expedient.
  - (4) No order under this section shall be made unless a draft of the order has been laid before and approved by each House of Parliament.
  - (5) While that Schedule is in force, section 7(5) of this Act shall have effect as if it required a person applying under section 7(1) of this Act to vote by post at a particular parliamentary election in Northern Ireland to provide an address in Great Britain as the address to which his ballot paper is to be sent.

**Modifications etc. (not altering text)**

**C10** S. 10 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. III**

**C11** S. 10(2)(3) power of appointment not yet exercised

**11 Manner of voting: supplementary provision.**

Schedule 2 to this Act (which—

- (a) in Part I, makes amendments of the principal Act consequential on the provisions of sections 5 to 9 of this Act,
  - <sup>F48</sup>(b) . . . and
  - (c) in Part III, makes provision as to absent voting at municipal elections in the City)
- shall have effect.

**Textual Amendments**

**F48** S. 11(b) (except the final "and") repealed (16.2.2001) by 2000 c. 2, ss. 15(2), 17(3), **Sch. 7 Pt. I** (with s. 156(6)); S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)

**Modifications etc. (not altering text)**

**C12** S. 11 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. III**

**C13** S. 11 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. II**

**Status:**

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**Changes to legislation:**

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