

Status: Point in time view as at 01/02/1991.

Changes to legislation: Representation of the People Act 1985, SCHEDULE 3 is up to date with all changes known to be in force on or before 10 June 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 3

Section 23.

PENALTIES

- 1 In section 62(1) (offences as to declarations) for the words from “except in” onwards there shall be substituted the words “on summary conviction to a fine not exceeding level 5 on the standard scale”.
- 2 In section 65 (tampering with nomination papers, ballot papers etc.) for subsections (3) to (5) there shall be substituted—
 - “(3) If a returning officer, a presiding officer or a clerk appointed to assist in taking the poll, counting the votes or assisting at the proceedings in connection with the issue or receipt of postal ballot papers is guilty of an offence under this section, he shall be liable—
 - (a) on conviction on indictment to a fine, or to imprisonment for a term not exceeding 2 years, or to both;
 - (b) on summary conviction, to a fine not exceeding the statutory maximum, or to imprisonment for a term not exceeding 6 months, or to both.
 - (4) If any other person is guilty of an offence under this section, he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale, or to imprisonment for a term not exceeding 6 months, or to both.”.
- 3 In section 66 (requirement of secrecy) in subsection (6) after the words “on summary conviction” there shall be inserted the words “to a fine not exceeding level 5 on the standard scale or”.
- 4 In section 99 (officials not to act for candidates) for subsection (2) there shall be substituted—

“(2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.”.
- 5 In section 100 (illegal canvassing by police officers) in subsection (2) for the words from “on summary conviction” to “but” there shall be substituted the words “on summary conviction to a fine not exceeding level 3 on the standard scale, but”.
- 6 In section 110 (printer’s name and address on election publications) in subsection (3) for the words from “liable” to the end of the first sentence there shall be substituted the words “liable to a fine not exceeding level 5 on the standard scale”.
- 7 In section 149 (penalty for corrupt withdrawal and breach of section 148) for the words from “liable” onwards there shall be substituted the words “liable—

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- (i) on conviction on indictment, to imprisonment for a term not exceeding one year, or to a fine, or to both;
 - (ii) on summary conviction, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both”.
- 8 In section 168 (prosecutions for corrupt practices) for subsections (1) to (4) there shall be substituted—
 - “(1) A person who is guilty of a corrupt practice shall be liable—
 - (a) on conviction on indictment—
 - (i) in the case of a corrupt practice under section 60 above, to imprisonment for a term not exceeding two years, or to a fine, or to both,
 - (ii) in any other case, to imprisonment for a term not exceeding one year, or to a fine, or to both;
 - (b) on summary conviction, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both.”.
- 9 In section 169 (prosecutions for illegal practices) for the words from “liable” to “and” there shall be substituted the words “liable to a fine not exceeding level 5 on the standard scale; and”.
- 10 In section 175 (illegal payments etc.) in subsection (1) for the words from “liable” to “and” there shall be substituted the words “liable to a fine not exceeding level 5 on the standard scale; and”.
- 11 In Schedule 2, in paragraph 13(1) (power for regulations as to registration to contain provisions imposing pecuniary penalties) for the words from “penalties” to “offence)” there shall be substituted the words “penalties (not exceeding level 3 on the standard scale for any offence)”.

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