

Status: Point in time view as at 16/02/2001.

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 23 July 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

F1 1

Textual Amendments

F1 Sch. 3 para. 1 repealed (16.2.2001) by 2000 c. 2, s. 15(2), Sch. 7 Pt. I; S.I. 2001/116, art. 2(1) (subject to transitional provisions in art. 2(3)-(5))

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”.

F2 6

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Textual Amendments

F2 Sch. 3 para. 6 repealed (16.2.2001) by 2000 c. 41, s. 158(2), **Sch. 22** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)

F37

Textual Amendments

F3 Sch. 3 para. 7 repealed (16.2.2001) by 2000 c. 41, s. 158(2), **Sch. 22** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)

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”.

F411

Textual Amendments

F4 Sch. 3 para. 11 repealed (16.2.2001) by 2000 c. 2, s. 15(2), **Sch. 7 Pt. I**; S.I. 2001/116, art. 2(1) (subject to transitional provisions in art. 2(3)-(5))

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