



# Representation of the People Act 1985

## 1985 CHAPTER 50

### *Extension of franchise to British citizens overseas*

#### [<sup>F1</sup>1 **Extension of parliamentary franchise.**

[<sup>F2</sup>(1) A person is entitled to vote as an elector at a parliamentary election in a constituency if—

- (a) on the declaration date, the person—
  - (i) qualifies as an overseas elector in respect of that constituency (see section 1A),
  - (ii) is not subject to any legal incapacity to vote (age apart), and
  - (iii) is a British citizen, and
- (b) on the date of the poll, the person—
  - (i) is not subject to any legal incapacity to vote,
  - (ii) is a British citizen, and
  - (iii) is registered in a register of parliamentary electors for that constituency.

(2) In this section, “the declaration date” means—

- (a) the date on which the person makes a declaration under and in accordance with [section 1C](#) (overseas elector’s declaration), or
- (b) where the person makes a declaration under and in accordance with [section 1E](#) (renewal declaration), the date on which the person makes the declaration.]

#### **Textual Amendments**

- F1** [S. 1](#) substituted (16.2.2001) by [2000 c. 2, s. 8, Sch. 2 para. 2](#); S.I. 2001/116, [art. 2\(1\)](#) (subject to transitional provisions in [art. 2\(3\)-\(5\)](#))
- F2** [Ss. 1-1E](#) substituted for ss. 1, 2 (6.2.2023 for specified purposes) by [Elections Act 2022 \(c. 37\), ss. 14\(1\), 67\(1\)](#); S.I. 2023/115, [reg. 2\(b\)\(i\)](#)
- F3** Words in s. 1(3)(4) substituted (1.4.2002) by [2000 c. 41, s. 141\(a\)](#) (with s. 156(6)); S.I. 2001/3526, [art. 4](#)

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**Status:** Point in time view as at 06/02/2023.

**Changes to legislation:** Representation of the People Act 1985, Section 1 is up to date with all changes known to be in force on or before 14 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)

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

- C1** S. 1(3)(4)(b) modified (8.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), **ss. 42(7), 52**
- C2** S. 1(3)(4)(b) modified (14.5.2014) by [House of Lords Reform Act 2014 \(c. 24\)](#), **ss. 4(6), 7(3)**
- C3** S. 1(3)(4)(b) modified (16.2.2001) by [S.I. 2001/84](#), **art. 2**
- C4** S. 1(4)(b) modified (14.5.2014) by [House of Lords Reform Act 2014 \(c. 24\)](#), **ss. 4(6), 7(3)**

**Marginal Citations**

- M1** [1962 c.14 \(N.I.\)](#).

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