



Representation of the People Act 1985

1985 CHAPTER 50

Offences as to declarations, etc.

12 Offences as to declarations, etc.

- (1) A person who makes [^{F1}a relevant declaration] or a declaration purporting to be [^{F1}a relevant declaration] —
- when he knows that he is subject to a legal incapacity to vote at parliamentary elections (age apart), or
 - when he knows that it contains a statement which is false,
- is guilty of an offence.

[^{F2}(1A) In subsection (1) “relevant declaration” means—

- an overseas elector’s declaration;
- a renewal declaration (within the meaning given by section 1D(2)).]

- (2) A person who attests an overseas elector’s declaration or a declaration purporting to be an overseas elector’s declaration when he knows—
- that he is not authorised to attest such a declaration, or
 - that it contains a statement which is false,
- is guilty of an offence.
- (3) A person who makes a statement which he knows to be false in any declaration or form used for any of the purposes of sections 5 to 9 of this Act or attests an application under section 6 or 7 of this Act when he knows that he is not authorised to do so or that it contains a statement which is false is guilty of an offence.
- (4) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Textual Amendments

- F1** Words in s. 12(1) substituted (16.1.2024) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 7 para. 5\(a\)](#) (with [Sch. 7 para. 13](#)); [S.I. 2023/1405](#), reg. 2

Status: Point in time view as at 07/02/2024.

Changes to legislation: Representation of the People Act 1985, Section 12 is up to date with all changes known to be in force on or before 31 May 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)

- F2** S. 12(1A) inserted (16.1.2024) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 7 para. 5(b)** (with Sch. 7 para. 13); S.I. 2023/1405, reg. 2

Modifications etc. (not altering text)

- C1** S. 12 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. II**
S. 12(3)(4) applied (with modifications) (25.4.1998) by S.I. 1998/1126, art. 6(1), **Sch. 2**
- C2** S. 12 applied (with modifications) (1.8.2001) by S.I. 2001/2559, art. 3, **Sch. 1**
- C3** S. 12(1)(2) applied with modifications (S.) by S.I. 1986/1111, regs. 2, 13(3)(4)(5), **Sch. 3 Pt. II**
- C4** S. 12(1)(2) applied with modifications (N.I.) by S.I. 1986/1091, regs. 2, 13(3)(4)(5), **Sch. 3 Pt. II**
- C5** S. 12(1)(2) applied with modifications (E.W.) by S.I. 1986/1081, regs. 2, 14(3)(4)(5), **Sch. 3 Pt. II**
- C6** S. 12(1)(2)(4) applied (with modifications) (16.2.2001) by S.I. 2001/341, reg. 13(4)(5), **Sch. 4 Pt. II**
S. 12(1)(2)(4) applied (with modifications) (16.2.2001) by S.I. 2001/400, reg. 13(3)(4), **Sch. 4 Pt. II**
- C7** S. 12(1)(2)(4) applied (with modifications) (N.I.) (1.7.2008) by The Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741), reg. 14(3)(5), **Sch. 4**
- C8** S. 12(4) applied with modifications (E.W.) by S.I. 1986/1081, regs. 2, 14(3)(4)(5), **Sch. 3 Pt. II**
S. 12(3)(4) applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 3
S. 12(3)(4) applied (with modifications) (19.3.1998) by S.I. 1998/746, art. 12, **Sch. 1** Table 3
S. 12(3)(4) applied (with modifications) (22.5.1998) by S.I. 1998/1287, art. 3(1)(3), **Sch. 1**
- C9** S. 12(3) applied (N.I.) by S.I. 1986/2250, regs. 2, 3, **Sch. 1 Pt. III**
- C10** S. 12(3)(4) 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**)
- C11** S. 12(4) applied (N.I.) by S.I. 1986/2250, regs. 2, 3, **Sch. 1 Pt. III**
- C12** S. 12(4) applied with modifications (S.) by S.I. 1986/1111, regs. 2, 13(3)(4)(5), **Sch. 3 Pt. II**
- C13** S. 12(4) applied with modifications (N.I.) by S.I. 1986/1091, regs. 2, 13(3)(4)(5), **Sch. 3 Pt. II**
S. 12(3)(4) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art.3(1)(a)(b)(5)–(8), **Sch. 1**

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