



# Parliament (Elections and Meeting) Act 1943

1943 CHAPTER 48

## PART I

### PARLIAMENTARY ELECTORS (WAR-TIME REGISTRATION)

#### *Preliminary*

#### **1 Special register for war-time parliamentary elections**

- (1) The parliamentary register of electors to be in force for the purposes of a war election in any constituency shall be a register specially prepared for that election under this Part of this Act.
- (2) For the purposes of this Part of this Act, the expression "war election" means a parliamentary election initiated on or after the appointed day and before the expiration of the National Registration Act, 1939, not being a university election.
- (3) The said register shall consist of three parts, to be known respectively as the civilian residence register, the business premises register and the service register, but no person shall be entitled to be registered in more than one part of the register for the same constituency.
- (4) Subject to the provisions hereafter contained in this Part of this Act as respects the business premises register, the date by reference to which a person's qualification for registration in any part of the said register for any election is to be ascertained shall be the last day of the month next before that in which the election is initiated, and that day is hereafter in this Part of this Act referred to as "the qualifying date".
- (5) Subject to any order made by the Secretary of State under this Part of this Act, the said register shall be published and come into force for an election on the thirty-sixth day after the initiation of the election:

---

*Status: This is the original version (as it was originally enacted).*

---

Provided that if the said thirty-sixth day falls on a Sunday, Christmas Day, Good Friday or a bank holiday, there shall be substituted the next following day which is not a Sunday, Christmas Day, Good Friday or a bank holiday.

## **2 Initiation of election and extension of time for holding thereof**

- (1) For the purposes of, this Part of this Act, the date on which an election shall be taken to be initiated shall be—
- (a) in the case of a general election, the date of His Majesty's proclamation summoning the new parliament; and
  - (b) in the case of a by-election, the date on which the writ is received;
- and references to the initiation of an election shall be construed accordingly.
- (2) In their application to a war election the following enactments, namely—
- (a) rule 2A of the First Schedule to the Ballot Act, 1872, as amended by Part I of the Second Schedule to the principal Act (which provides that at a general election the day fixed for the election shall be the eighth day after the date of His Majesty's proclamation summoning the new parliament);
  - (b) subsection (3) of section twenty-one of the principal Act (which provides that the time appointed for the meeting of parliament may be any time not less than twenty clear days after the said proclamation);
  - (c) rule 2 of the First Schedule to the Ballot Act, 1872 (which, as amended by Part II of this Act, provides that, in the case of a by-election for a county, the day fixed for the election shall not be later than the ninth day after the day on which the writ is received);
  - (d) section three of the Representation of the People (No. 2) Act, 1920 (which, as amended by Part II of this Act, provides that, in the case of a by-election for a borough, the day fixed for nomination shall not be later than the seventh day after the day on which the writ is received);

shall have effect as if there were substituted, for the reference to the date of His Majesty's proclamation or the day on which the writ is received, as the case may be, a reference to the day on which the register under this Part of this Act comes into force for that election.

## **3 Dissolution of parliament on future date**

If, at any time when no register under this Part of this Act for the election of members to serve in a new parliament is in force, His Majesty is pleased, by a proclamation dissolving a parliament and summoning a new parliament, to dissolve the parliament on a future date fixed by the proclamation,—

- (a) the date so fixed shall not be later than the day on which the register under this Part of this Act for the election of members to serve in the new parliament comes into force; and
- (b) any writ for the election of a member to serve in the existing parliament issued but not returned before the date of the proclamation shall be superseded as if the parliament had been dissolved on the date of the proclamation.

#### **4 Remote constituencies**

- (1) If the Secretary of State is satisfied as respects any constituency that, owing to delay or interruption, or the likelihood of delay or interruption, in communications between the registration officer and other persons, the time allowed by subsection (5) of section one of this Act for the publication of the register is insufficient, he may by order direct that that subsection shall have effect as respects that constituency with the substitution for the thirty-sixth day of such later day, not being later than the forty-second day, as may be specified in the order.
- (2) Any such order—
  - (a) may be made either generally or as respects a particular election, and may be made in the course of a particular election; and
  - (b) may direct that any provision of electoral registration regulations relating to the time at or within which anything must be done in connection with the preparation of the register for an election shall apply to the constituency subject to such modifications as may be specified in the order, and may postpone or extend any such time notwithstanding that it has elapsed or expired; and
  - (c) may be varied or revoked by a subsequent order of the Secretary of State.
- (3) Where such an order is in force as respects an election in any constituency—
  - (a) subsection (2) of section two of this Act and the last foregoing section shall have effect as if the register for the election had come into force on the day on which it would have come into force but for the provisions of the order;
  - (b) for the purpose of the provisions of section one of the Ballot Act, 1872, requiring the nomination of a candidate to be subscribed by registered electors, a person who has been included in any electors list for the election, and to whose inclusion therein no objection has been duly taken, shall be treated as if he were a registered elector.

#### *Civilian voters in United Kingdom*

#### **5 Civilian residence register**

- (1) Subject to the provisions of this Part of this Act, a person, being on the qualifying date a British subject of full age and not subject to any legal incapacity, shall be entitled to be registered in the civilian residence register for an election in any constituency, if on that date that person either—
  - (a) is registered in the National Register as residing at a place in the constituency and has—
    - (i) throughout the period of two months ending with that date; or
    - (ii) if within that period he became registered in the National Register on ceasing to be a member of the forces or a seaman, throughout the period since his becoming so registered;been registered in the National Register as residing at that place or some other place in the same constituency; or
  - (b) having had at some earlier date (not being earlier than the appointed day) such qualifications as would have entitled him under the foregoing provisions of this section to be registered in the civilian residence register for the election if

---

*Status: This is the original version (as it was originally enacted).*

---

that earlier date had been the qualifying date, has at no time since that earlier date been either—

- (i) registered in the National Register as residing at one place in some other constituency, or at two or more places consecutively in one other constituency, for a continuous period of two months; or
- (ii) removed from the National Register on becoming exempt from registration therein by virtue of national registration regulations; or
- (iii) registered in the National Register as having been resident outside the United Kingdom for a continuous period of two months.

(2) For the purposes of the foregoing subsection—

- (a) a person who, from the particulars entered with respect to him in the National Register, appears to be a British subject of full age and not subject to any legal incapacity shall be treated as such until the contrary is proved;
- (b) a person shall not be treated as registered in the National Register as residing at a place in any constituency if he is so registered as usually resident outside the United Kingdom.

(3) National registration regulations may—

- (a) prescribe the information with respect to the National Register which is to be furnished to registration officers for the purposes of this section, and the form and manner in which, and the persons by whom, such information is to be furnished; and
- (b) provide that any such information with respect to the part of the said Register relating to any county borough or county district shall be furnished in the first instance to the proper officer of the council of that borough or district and forwarded by him to the registration officers concerned;

and information duly furnished to a registration officer in accordance with the said regulations shall be conclusive evidence that any matter is or is not entered in that Register with respect to any person.

## **6 Business premises register**

(1) Subject to the provisions of this Part of this Act, a person, being on the qualifying date a British subject of full age and not subject to any legal incapacity, shall be entitled to be registered in the business premises register for an election in any constituency, if on that date that person either—

- (a) is occupying business premises in the constituency, and has, throughout the period of two months ending with that date, occupied those business premises or some other business premises in the same constituency; or
- (b) is the husband or wife of a person qualified to be registered by virtue of the foregoing provisions of this subsection:

Provided that no person shall be entitled to be registered in the business premises register unless that person makes an application in that behalf in the prescribed form and manner and within the prescribed time stating the prescribed particulars.

(2) Where a husband and wife are qualified to be registered in respect of any business premises by virtue of the foregoing provisions of this section, the said application may be made by either of them on behalf of both of them.

(3) In this section the expression "business premises" has the same meaning as in section one of the principal Act and subsection (1) of section seven of that Act (which relates

to joint occupiers) and section seventeen of that Act (which relates to separate lists of liverymen) shall apply for the purposes of this section as they apply for the purposes of that Act.

## **7 Civilian absent voters**

- (1) Electoral registration regulations shall provide for the preparation of an absent voters list/ and for the entry therein of the name of any person registered in the civilian residence register or the business premises register who, on an application duly made in that behalf as respects an election, or, if the regulations so provide, as respects a period prescribed by the regulations, satisfies the registration officer that, by reason of the nature of his occupation, service or employment, he maybe debarred from voting at a poll at that election or at any election initiated during that period.
- (2) The provisions of section twenty-three of the principal Act (which enable persons placed on the absent voters list under that Act to vote by post or by proxy) shall apply to persons placed on the absent voters list under this Part of this Act subject to the modifications specified in the First Schedule to this Act.

### *Members of the Forces, seamen and war workers abroad*

## **8 Service register**

- (1) Subject to the provisions of this Part of this Act, a person, being on the qualifying date a British subject of full age and not subject to any legal incapacity, shall be entitled to be registered in the service register for an election in any constituency, if on that date that person—
  - (a) is a member of the forces or a seaman; and
  - (b) is residing at a place in the constituency, or would be so residing but for his service as a member of the forces or a seaman.
- (2) No person shall be entitled to be registered in the service register for an election in any constituency unless there has been transmitted to the registration officer for that constituency in any manner authorised by national registration regulations, and received by that officer on or before the qualifying date, a declaration in the prescribed form (hereafter in this Part of this Act referred to as a " service declaration ") which purports to be signed by that person and to be attested by such other person as may be prescribed and states—
  - (a) the date of the declaration, and that on that date the declarant was a British subject; and
  - (b) whether the declarant had, on the date of the declaration, attained the age of twenty-one years, and, if he had not, the date of his birth; and
  - (c) that on the date of the declaration the declarant was, or but for his service as a member of the forces or a seaman would have been, residing at a place in the constituency of which the postal address is specified in the declaration; and
  - (d) the declarant's service number (if any) and such other particulars of identity (if any) as may be prescribed.
- (3) A person who has made a service declaration may at any time cancel it in the prescribed form and (if he so desires) make a further service declaration to some other place of residence.

---

*Status: This is the original version (as it was originally enacted).*

---

- (4) A service declaration which declares to more than one place of residence shall be void, and not more than one service declaration made by the same person shall have effect at the same time; and accordingly, where a person makes two or more service declarations without expressly cancelling the earlier declaration or declarations, the following provisions shall apply:—
- (a) two or more declarations bearing the same date shall be void;
  - (b) subject to paragraph (a) of this subsection, a declaration bearing a later date shall, without any express cancellation, cancel a declaration bearing an earlier date.
- (5) Where, on the qualifying date for an election in any constituency,—
- (a) a service declaration declaring to a place of residence, in the constituency has been transmitted to the registration officer in manner authorised by national registration regulations and received by him; and
  - (b) the registration officer has not been notified in manner so authorised that the declaration has been cancelled or that the declarant has ceased to be a member of the forces, or a seaman;
- then for the purpose of determining the declarant's right to be registered in the service register for the election—
- (i) that place shall be deemed to be the place at which he is, or but for his service as a member of the forces or a seaman would be, residing on the qualifying date; and
  - (ii) he shall be treated until the contrary is proved as being on that date a member of the forces or a seaman, according to the form of the declaration, and a British subject of the age appearing from the declaration and not subject to any legal incapacity.
- (6) National registration regulations may provide for the following matters, that is to say:—
- (a) the manner in which any service declaration and any cancellation of any such declaration is to be transmitted or notified to the registration officer concerned;
  - (b) the manner in which the registration officer concerned is to be notified that a person who has made a service declaration has died or otherwise ceased to be a member of the forces or a seaman;
  - (c) the compilation and maintenance of a central index (whether as an adjunct to the National Register or otherwise) of all persons who have made service declarations, containing such particulars as to those persons and the service declarations made by them as appear to be necessary for the purposes of this Part of this Act;
- and the notification to a registration officer in accordance with the said regulations that a service declaration has been cancelled or that a person has died or otherwise ceased to be a member of the forces or a seaman shall, for the purposes of this section, be conclusive evidence of the fact so notified.
- (7) A person -who is registered in the service register for any election shall be deemed for the purposes of this Part of this Act and the principal Act to be registered in respect of a residence qualification.

## **9 Mode of voting of service voters**

- (1) A person who has made a service declaration (hereafter referred to as a service voter ") may appoint a proxy to vote for him at any election for which he may be registered in the service register by virtue of that declaration, and having appointed a proxy may, subject to the following provisions of this section, vote by that proxy at any such

The provisions of the Second Schedule to this Act shall have effect in relation to the appointment and voting of proxies under this section.

- (2) A service voter, whether he has appointed a proxy under this section or not, may vote in person at an election for which he is registered in the service register, but, where he is entitled to vote by proxy at the election, only if he applies for a ballot paper before a ballot paper has been issued to the proxy, and in that event the appointment of the proxy shall be void as respects that election.

Nothing in the second paragraph of section twenty-four of the Ballot Act, 1872, shall be taken to penalise a service voter who, after a proxy appointed by him has voted at an election, applies for a ballot paper for the purpose of voting in person.

- (3) A member of the forces, whether he has appointed a proxy under this section or not, may elect, by notice in the prescribed form given to the registration officer within the prescribed time after the initiation of an election for which he is qualified to be registered in the service register, to vote by post at that election; and thereupon, as respects that election, any appointment of a proxy made by him shall be void and he shall be entitled, if registered in the service register for the election as a member of the forces, to vote by post in the same way as an absent voter and shall not be entitled to vote otherwise than by post:

Provided that any such notice shall be void unless it gives an address in the United Kingdom as the address to which a ballot paper is to be sent in pursuance of the notice.

## **10 Arrangements for exercise of rights by service voters**

Arrangements shall be made—

- (a) as respects members of the forces, by the Admiralty, Army Council or Air Council, as the case may be;
- (b) as respects seamen, by the Minister of War Transport;

for securing that (so far as circumstances permit) every person appearing to be qualified to make a service declaration shall—

- (i) have an effective opportunity of exercising from time to time as occasion may require the rights conferred on him by this Part of this Act in relation to the making and cancellation of service declarations, and of appointments of a proxy, and in relation to voting by post; and
- (ii) receive such instructions as to the effect of this Part of this Act and any regulations made under or by virtue of this Part of this Act, and such other assistance, as may be reasonably sufficient in connection with the exercise of those rights.

## **11 War workers abroad**

- (1) Electoral registration regulations shall provide for conferring, on persons for the time being registered in the National Register as persons engaged in war work abroad, rights similar (as nearly as may be) to those conferred by this Part of this Act on seamen,

---

*Status: This is the original version (as it was originally enacted).*

---

and for making such modifications of this Part of this Act in its application to persons so registered as may appear to the Secretary of State to be necessary or expedient for that purpose.

- (2) National registration regulations shall provide for the registration in the National Register as a person engaged in war work abroad of any person who—
- (a) is certified on behalf of a government department to be engaged in work of national importance outside the United Kingdom (whether ashore or afloat) in connection with any war in which His Majesty may be engaged; and
  - (b) makes such a declaration as may be prescribed by the regulations;
- and for the circumstances in which a person registered as so engaged is to cease to be so registered.

*General provisions as to registration*

## 12 Preparation of register

- (1) Electoral registration regulations shall provide for securing the compilation and publication by registration officers of a register -as and when required by this. Part of this Act, and may apply any of the registration rules set out in the First Schedule to the principal Act subject to any modifications made by the regulations.
- (2) Without prejudice to the generality of the foregoing subsection, electoral registration regulations shall, subject to the provisions of the next following subsection, provide—
- (a) for the publication, after the qualifying date for an election and before the register comes into force, of lists of persons who appear to the registration officer to be qualified to be registered in the civilian residence register and business premises register for the election; and
  - (b) for the determination by the registration officer of claims and objections with respect to the said lists.
- (3) As soon as the Secretary of State is satisfied that sufficient staff and printing facilities are available for the operation of the following provisions, electoral registration regulations shall provide—
- (a) as respects the civilian residence and service registers (subject to the provisions of the regulations)—
    - (i) for the publication in each constituency on a date specified in the regulations of lists of persons who appear to the registration officer to be qualified to be registered if an election were initiated in the constituency on that date; and
    - (ii) for the periodical revision of the said lists and for the preparation and publication after any revision of supplementary lists showing the changes made at that revision ;
  - (b) as respects the business premises register (subject as aforesaid)—
    - (i) for the making of annual applications to be registered for any election initiated during the twelve months beginning with such date in each year as may be prescribed; and
    - (ii) for the substitution accordingly of such date in each year as may be prescribed as the qualifying date for such an election, instead of the date mentioned in section one of this Act; and



---

*Status: This is the original version (as it was originally enacted).*

---

- (iii) for the annual preparation and publication in each constituency of a list of persons, who having made such, applications, appear to the registration officer to be qualified to be so registered; and
    - (c) for the determination by the registration officer of claims and objections with respect to each of the said lists ;
- and shall accordingly provide for the revocation of the provisions included in the regulations by virtue of the last foregoing subsection.
- (4) No appeal shall lie from the determination of a registration officer of any claim or objection made with respect to any list published in pursuance of subsection (2) of this section, but, as respects claims and objections made with respect to any list published in pursuance of subsection (3) of this section, an appeal shall lie from the determination of the registration officer in accordance with the provisions of section fourteen of the principal Act, subject to any modifications made by the regulations.

### **13 Registration officers**

- (1) Sections twelve, sixteen and forty-five of the principal Act (which defines registration officers and their areas) shall apply for the purposes of the registration of electors under this Part of this Act as they apply for the purposes of such registration under that Act.
- (2) It shall be the duty of the registration officer for any constituency—
- (a) in accordance with this Part of this Act and electoral registration regulations, to compile and publish the register required for any election in the constituency, and to place, or cause to be placed, on the register the names of those entitled to be registered; and
  - (b) to perform such duties as may be imposed upon him for the purposes of this Part of this Act by national registration regulations; and
  - (c) to comply with any general or special instructions which may be given by the Secretary of State with respect to the arrangements to be made by him for carrying out his duties under this Part of this Act, electoral registration regulations and national registration regulations.
- (3) For the purposes of this Part of this Act, the proper officer of the council of a county borough or county district shall be the town clerk or the clerk of the council, and it shall be the duty of every such council to provide their proper officer with such staff as he may require for the discharge of his duties under this Part of this Act and national registration regulations made by virtue thereof.
- (4) Without prejudice to any power of a registration officer to appoint a deputy,—
- (a) all or any of his functions under this Part of this Act or electoral registration regulations in connection with the preparation and publication of any electors list or of any supplementary list; and
  - (b) all or any of the duties imposed on him for the purposes of this Part of this Act by national registration regulations;
- may, if he so desires, be performed in relation to any county borough or county district or any part thereof through the proper officer of the council thereof; and it shall be the duty of that officer, on being requested so to do by the registration officer,—
- (i) to perform any such functions or duties as aforesaid in relation to the borough or district or the part thereof specified in the request;

---

*Status: This is the original version (as it was originally enacted).*

---

(ii) whether or not he is performing any such functions or duties, to give to the registration officer such information as the registration officer may reasonably require from him for the purposes of this Part of this Act;  
as well as to perform such duties as may be imposed upon him for the purposes of this Part of this Act by national registration regulations.

- (5) If, without reasonable excuse, a registration officer or the proper officer of a council fails to perform any of his duties under this Part of this Act or electoral registration regulations or national registration regulations, he shall be liable on summary conviction to a fine not exceeding one hundred pounds.

#### **14 Expenses of registration**

- (1) Any expenses incurred for the purposes of this Part of this Act by the Registrar-General of births, deaths and marriages in England or the Registrar-General of births, deaths and marriages in Scotland shall be defrayed out of moneys provided by Parliament.
- (2) There shall be paid to a registration officer out of moneys provided by Parliament—
- (a) such expenses in the performance of his duties under this Part of this Act, electoral registration regulations and national registration regulations made by virtue of this Part of this Act as may be properly incurred by him in accordance with arrangements approved by the Treasury;
  - (b) such charges as may be approved by the Treasury for his own trouble, care and attention in the performance of those duties; and
  - (c) any costs properly incurred by him as party to an appeal against his determination of any claim or objection with respect to an electors list.
- (3) There shall be paid to the proper officer of the council of a county borough or county district any expenses properly incurred by him in the performance of his duties under this Part of this Act or national registration regulations made by virtue of this Part of this Act, including reasonable charges for his own trouble, care and attention in the performance of those duties, and for the remuneration and expenses of any staff provided by the council, and expenses so incurred by the proper officer shall for the purposes of this section—
- (a) in so far as they have been incurred in the performance of his duties under national registration regulations, be treated as having been incurred for the purposes of this Part of this Act by the Registrar-General of births, deaths and marriages in England; and
  - (b) in so far as they have been incurred in the performance of other duties, be treated as having been incurred in the performance of his duties under this Part of this Act by the registration officer at whose request the duties were performed.
- (4) Any fees or other sums received by a registration officer in respect of his duties as such an officer, other than sums paid to that officer in pursuance of the foregoing provisions of this section, shall be accounted for by that officer to the Treasury in such manner as the Treasury may direct and paid into the Exchequer.

#### **15 Penalty for false declarations, etc.**

- (1) Any person who—
- (a) makes either—

---

*Status: This is the original version (as it was originally enacted).*

---

- (i) an application to be registered in the business premises register; or
  - (ii) a service declaration; or
  - (iii) a declaration required for the purpose of becoming registered in the National Register as a person engaged in war work abroad;
- knowing that the application or declaration contains a statement which is false; or
- (b) attests a service declaration knowing that he is not authorised to do so or that it contains a false statement as to the service number or other prescribed particulars of the identity of the declarant; or
  - (c) signs a certificate for the purposes of this Part of this Act that a person is engaged in work of national importance outside the United Kingdom (whether ashore or afloat) in connection with any war in which His Majesty may be engaged, knowing that he is not authorised by a government department to do so;

shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment, or on conviction on indictment to imprisonment for a term not exceeding two years.

- (2) Section thirty-eight of the principal Act (which relates to offences under that Act committed out of the United Kingdom) shall apply to offences under this section as it applies to offences under that Act.

#### *Miscellaneous*

### **16 Right of person registered to vote**

- (1) Subject to the provisions of this section, every person registered under this Part of this Act for an election in any constituency shall be entitled to vote at that election:

Provided that nothing in this Part of this Act shall entitle any person to vote if he is not a British subject, or is not of full age, or is subject to any legal incapacity.

- (2) A person shall not vote at a general election for more than one constituency (including a university constituency) other than that in which he is registered under this Part of this Act in respect of a residence qualification.
- (3) Section twenty-two of the principal Act (which imposes a penalty for voting at a general election in more constituencies than is allowed by that Act) shall have effect as if the reference to that Act included a reference to this section.

### **17 Death of candidate**

Notwithstanding anything in section one of the Ballot Act, 1872, where one of the candidates nominated for a war election dies before the poll has commenced—

- (a) the register prepared under this Part of this Act for the election shall remain in force for the purpose of all further proceedings with reference to the election; and
- (b) subsection (2) of section two of this Act shall not apply with respect to those further proceedings.

## **18 Appointment of proxies for Service voters at University elections**

- (1) A person entitled to vote at a university election shall be entitled to appoint a proxy to vote for him at any such election if, at the time of his application for the issue of a proxy paper, he is a member of the forces or a seaman.
- (2) An application for the issue of a proxy paper by any such person, being a member of the forces or a seaman, may be made on the same form as that prescribed under this Part of this Act for use by service voters, and where such a form purporting to be signed by any person is accompanied by a declaration—
  - (a) purporting to be signed by the same person and bearing the same date as the application; and
  - (b) in the same form and attested in the same manner and, subject as hereafter provided, stating the same particulars as a service declaration;the declaration shall be conclusive evidence that the said person was a member of the forces or a seaman at the time of the application:

Provided that the particulars to be stated in any such declaration shall not include particulars as to the residence of the declarant, but shall in lieu thereof include particulars of the university constituency in which he is entitled to vote.
- (3) The provisions of section fifteen of this Act shall apply to any such declaration as if it were a service declaration.
- (4) Any proxy paper issued by virtue of this section shall, unless, cancelled, remain in force until the expiration of this Part of this Act.
- (5) Save as provided by the foregoing provisions of this section, nothing in this Part of this Act shall affect the provisions of the principal Act or any Order in Council made thereunder relating to the appointment and voting of proxies at university elections.

## **19 Transitional**

- (1) On the expiration of the National Registration Act, 1939 (hereafter in this subsection referred to as " the Act of 1939 ") the following provisions shall have effect:—
  - (a) a register shall be prepared under this Part of this Act for each constituency, other than a university constituency, as if a general election had been initiated on the last day on which the Act of 1939 was in force;
  - (b) the said register shall be the parliamentary register of electors in force for any election initiated in such a constituency after the expiration of the Act of 1939, being an election at which the time fixed for nomination occurs before the expiration of this Part of this Act;
  - (c) subsection (2) of section two of this Act shall apply to any election initiated after the expiration of the Act of 1939 and before the said register comes into force as it applies to a war election;
  - (d) until the expiration of this Part of this Act, any national registration regulations made by virtue thereof shall continue in force, and may be varied or revoked, as if the Act of 1939 had not expired.
- (2) In any year in which the National Registration Act, 1939, is in force after the thirty-first day of March no parliamentary register of electors shall be prepared under section eleven of the principal Act.

- (3) No payment shall be made out of moneys provided by Parliament under subsection (4) of section fifteen of the principal Act on account of any registration expenses incurred after the appointed day and before the end of the last year throughout which this Part of this Act is in force, other than registration expenses payable by virtue of section eighteen of that Act.
- (4) Notwithstanding anything in the Juries Act, 1922, or in any other enactment, the jurors book prepared for a county for the year beginning with the first day of January, nineteen hundred and forty, shall be the jurors book for that county until the end of the year in which this Part of this Act expires; and no further jurors book shall be prepared for any county in any year in which a parliamentary register of electors is required not to be prepared under section eleven of the principal Act by virtue of this section.
- (5) No person shall by virtue of any enactment or rule of law be required to perform any duty solely with a view to the preparation of a register of electors or a jurors book which by virtue of this section is not to be prepared.

## **20 Approvals of electoral registration regulations by Parliament**

All electoral registration regulations shall be laid before Parliament by the Secretary of State as soon as may be after they are made and shall not come into operation until they are approved by resolution of each House, but if so approved shall come into operation on such date as may be specified in the regulations.

## **21 Application and adaptation of enactments**

- (1) The provisions of Parts I and II of the principal Act shall not apply to registration under this Part of this Act or to voting at an election for which a register is prepared under this Part of this Act, except in so far as they are expressly applied by or under this Part of this Act:

Provided that nothing in this Part of this Act shall affect the provisions of subsections (1), (4) and (5) of section nine of the principal Act (which relate to disqualifications).

- (2) The provisions of the Third Schedule to this Act shall have effect for the purpose of adapting enactments to the provisions of this Part of this Act.
- (3) Save as expressly provided by this Part of this Act, nothing in this Part of this Act shall affect the law relating to parliamentary elections.

## **22 Interpretation of Part I**

In this Part of this Act, except where the contrary intention appears, the following expressions have the meanings hereby respectively assigned to them—

" appointed day " means such day as may be appointed by order of the Secretary of State;

" bank holiday " means—

- (a) in relation to a general election, a day which is a bank holiday under the Bank Holidays Act, 1871, as amended by any subsequent enactment (including Defence Regulations), in any part of the United Kingdom; and
- (b) in relation to a by-election, a day which is a bank holiday under the said Act as so amended in that part of the United Kingdom in which the constituency in question is situated;

---

*Status: This is the original version (as it was originally enacted).*

---

" electoral registration regulations " means regulations made by the Secretary of State under this Part of this Act;

" electors list " means a list, prepared by a registration officer in pursuance of electoral registration regulations, of persons who appear to him to be qualified to be registered under this Part of this Act;

" member of the forces " means a person who, being a member of—

- (a) any of the armed forces of the Crown raised in the United Kingdom;
- (b) the Women's Royal Naval Service;
- (c) the Queen Alexandra's Royal Naval Nursing Service;
- (d) any other organisation established under the control of the Admiralty, Army Council or Air Council and raised in the United Kingdom;

is, or would if he were in the United Kingdom be, by virtue of such membership for the time being exempt under national registration regulations from registration in the National Register;

" national registration regulations " means regulations made by the Ministers under -the National Registration Act, 1939;

" prescribed " means prescribed by electoral registration regulations;

" principal Act " means the Representation of the People Act, 1918, as amended by any subsequent enactment or Order in Council;

" seaman " means a person who is for the time being exempt under national registration regulations from registration under the National Registration Act, 1939, as being a seaman, or who would be so exempt if he were in the United Kingdom, being a person whose usual place of residence is in the United Kingdom;

and the expressions " constituency ", " general election ", " university constituency " and " university election " have the same meanings as in the principal Act.

## 23 Application of Part I to Scotland

This Part of this Act shall in its application to Scotland have effect subject to the following modifications—

- (a) in section five paragraph (b) of subsection (3), and in section thirteen subsections (3) and (4) and in subsection (5) the words " or the proper officer of a council shall be omitted;
- (b) in section thirteen the reference- to section twelve of the principal Act shall be construed as a reference to the provision substituted therefor by paragraph (8) of section forty-three of the said Act;
- (c) section fourteen shall have effect as if—
  - (i) in subsection (2) for the words " a registration officer " there were substituted the words " a council appointing a registration officer ";
  - (ii) for subsection (3) there were substituted the following subsection—

“(3) A council appointing a registration officer shall pay to him the expenses properly incurred by him in the performance of his duties under this Part of this Act, electoral registration regulations and national registration regulations made by virtue of this Part of this Act, any costs properly incurred by him as, party to an appeal against his determination of any claim or objection with respect to an electors list, and

such charges as they may deem reasonable and proper for his trouble, care and attention in the performance of those duties.

Any expenses incurred by a council under this subsection shall be defrayed in like manner as the costs and expenses of making up the valuation roll under the Lands Valuation (Scotland) Act, 1854, and the Acts amending the same.”; and

(iii) in subsection (4) after the words " by that officer " there were inserted the words " to the council appointing him and shall be accounted for by that council ".

## **24 Application of Part I to Northern Ireland**

(1) In its application to Northern Ireland this Part of this Act shall have effect subject to the modifications specified in the Fourth Schedule to this Act.

(2) If the Parliament of Northern Ireland passes any Act in respect of the election of members to serve therein making provision similar to the provision made by this Part of this Act, subsection (3) of section five and section ten of this Act (both as enacted in this Act and as applied in relation to persons engaged in war work abroad by electoral registration regulations), and paragraph 7 of the Third Schedule to this Act, shall apply for the purposes of the said Act of the Parliament of Northern Ireland as they apply for the purposes of this Act subject to the following modifications:—

- (a) any reference in the said subsection (3) of section five to that section shall be construed as a reference to the corresponding provision of the said Act of the Parliament of Northern Ireland; and
- (b) any reference in the said section ten or the said paragraph 7 to this Part of this Act shall include a reference to the said Act of the Parliament of Northern Ireland;

and the said Act may provide for making (with the consent of the Secretary of State) such alterations of and additions to any forms prescribed under electoral registration regulations, or any electors list, supplementary list or register prepared under this Part of this Act, as may be necessary or proper for the purposes of that Act.

(3) Subject to the provisions of the last foregoing subsection, nothing in this Part of this Act shall apply in respect of the election of members to serve in the Parliament of Northern Ireland.

## **25 Citation and duration of Part I**

(1) This Part of this Act may be cited separately as the Parliamentary Electors (War-Time Registration) Act, 1943, and shall be included among the Acts which may be cited as the Representation of the People Acts.

(2) This Part of this Act shall expire with the fourteenth day of October in the year in which the National Registration Act, 1939, expires or, if that Act expires in any year after the thirty-first day of March, with the fourteenth day of October in the next following year:

Provided that—

- (a) on the expiration of this Part of this Act subsection (2) of section thirty-eight of the Interpretation Act, 1889, shall apply as if this Part of this Act had then been repealed by another enactment; and

- (b) where the day fixed for nomination at any election occurs before the expiration of this Part of this Act, but the poll has not taken place before the expiration of this Part of this Act, this Part of this Act shall continue in force for the purposes of the election.

## PART II

### PARLIAMENTARY WRITS

#### 26 Writs to be directed to returning officers

The writ for a parliamentary election shall be directed to the sheriff, mayor or other officer, who is by virtue of his office the returning officer at the election, designated by the title of his office and not by his name.

#### 27 Persons to whom writs are to be conveyed

- (1) The writ for a parliamentary election shall be conveyed to the sheriff, mayor or other officer, to whom it is directed:

Provided that the writ for a parliamentary election for a constituency, as respects which a notice in the prescribed form requesting that writs for parliamentary elections therefor shall be conveyed to the acting returning officer has been sent by the sheriff, mayor or other officer who is the returning officer, or by any predecessor in office of his, to the Clerk of the Crown in Chancery and received by the said Clerk one month or more before the date of the issue of the writ, shall be conveyed to the acting returning officer, unless the notice has been revoked by a further notice in the prescribed form sent and received as aforesaid.

- (2) Where under the preceding subsection a writ is required to be conveyed to the sheriff, mayor or other officer, to whom it is directed, that requirement shall be deemed to have been complied with if it is conveyed—
- (a) to an under-sheriff, deputy mayor or other person, who is for the time being authorised by or under any enactment to execute the office or discharge the functions of such sheriff, mayor or other officer; or
  - (b) to the person found in a place recorded in the prescribed manner as the office of such sheriff, mayor or other officer, who is for the time being in charge thereof.
- (3) Where under subsection (1) of this section a writ is required to be conveyed to an acting returning officer, that requirement shall be deemed to have been complied with if it is conveyed—
- (a) to a person temporarily appointed under subsection (4) of section twelve of the Representation of the People Act, 1918, to act for him; or
  - (b) to the person found in a place recorded in the prescribed manner as the office of the acting returning officer who is for the time being in charge thereof.
- (4) The person to whom the writ for a parliamentary election is conveyed under this Part of this Act shall, in accordance with the form of endorsement in that behalf contained in the Second Schedule to the Ballot Act, 1872, endorse the writ with a statement, signed by him, as to the date on which he received it.



- (5) Any notice in force immediately before the commencement of this Act given to the Postmaster General by a sheriff, and expressing his desire that writs for parliamentary elections for a constituency in respect of which he is the returning officer shall be conveyed to the acting returning officer, shall have effect for the purposes of the proviso to subsection (1) of this section as if it had been such a notice as is therein mentioned sent by the sheriff to the Clerk of the Crown in Chancery and received by the said Clerk one month before the commencement of this Act.
- (6) In relation to parliamentary elections for the City of London the preceding provisions of this section shall have effect subject to the following modifications, that is to say:—
- (a) the proviso to subsection (1), and subsections (3) and (5), shall not have effect; and
  - (b) for paragraphs (a) and (b) of subsection (2) the following paragraphs shall be substituted:—
    - “(a) to either of the sheriffs of the City of London; or
    - (b) to the Secondary of the City of London; or
    - (c) to the person found in a place recorded in the prescribed manner as the office of the said sheriffs who is for the time being in charge thereof”.
- (7) In relation to university elections the preceding provisions of this section shall have effect subject to the following modifications, that is to say:—
- (a) the proviso to subsection (1), and subsections (3) and (5), shall not have effect; and
  - (b) for paragraph (a) of subsection (2) the following paragraph shall be substituted:—
    - “(a) to a person designated under paragraph 25 of Part I of the Fifth Schedule to the Representation of the People Act, 1918, to act temporarily as returning officer at the election or a person appointed under paragraph 39 of Part II of that Schedule by the University Court of the University of Edinburgh to discharge the duties imposed by that Act on the Vice-Chancellor of that University, as the case may be”.
- (8) In this section the expression "prescribed" means prescribed by an Order in Council made under section twenty-nine of this Act and the expressions "constituency" and "university election" have the same meanings as in the Representation of the People Act, 1918.

## **28 Exclusion of s. 30 of 7 & 8 Geo. 5. c. 64**

Section thirty of the Representation of the People Act, 1918 (which provides for the discharge of the duties of returning officer at a parliamentary election by the registration officer as acting returning officer), shall not apply to any duty imposed on a returning officer by virtue of the last preceding section or of an Order in Council made under the next succeeding section.

## **29 Manner in which, writs are to be conveyed, and provisions consequential thereon**

- (1) His Majesty may by Order in Council specify the manner in which writs for parliamentary elections are to be conveyed, whether by sending through the post,

---

*Status: This is the original version (as it was originally enacted).*

---

delivery by an officer appointed by the Lord Chancellor or otherwise, and any such Order in Council may contain different provisions with respect to different classes of writs.

- (2) An Order in Council made under this section may—
- (a) prescribe the form of any notice to be sent under the proviso to subsection (1) of section twenty-seven of this Act;
  - (b) require the person to whom, on the occasion for the issue of a writ for a parliamentary election arising, the writ would, under subsection (1) of section twenty-seven of this Act, be required to be conveyed, if requested by or on behalf of such authority or officer as may be specified in the Order so to do, to furnish to that authority or officer the address of a place at which the writ may be conveyed to him and, on any change of that address, the new address;
  - (c) provide for recording the place the address of which is last furnished under any provision of the Order having effect by virtue of the last preceding paragraph by any person as the office of that person;
  - (d) provide for the giving of receipts for writs for parliamentary elections by the persons to whom they are conveyed under section twenty-seven of this Act or who may receive them in the course of the conveyance thereof;
  - (e) provide for any incidental or supplementary matters for which it appears to His Majesty to be necessary or expedient for the purposes of the Order to provide.
- (3) His Majesty shall not be recommended to make an Order in Council under this section until a draft thereof has lain before each House of Parliament for a period of forty days, and if either House of Parliament within that period resolves that no further proceedings be taken in relation thereto, no further proceedings shall be so taken, but without prejudice to the preparation of a fresh draft.

In reckoning any such period of forty days as aforesaid, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

- (4) An Order in Council made under this section may be varied or revoked by a subsequent Order of His Majesty in Council.

### **30 Application of Part II to Scotland**

- (1) This Part of this Act shall, in its application to Scotland, have effect subject to the modifications contained in the following provisions of this section.
- (2) The proviso to subsection (1) of section twenty-seven and subsections (3) and (5) thereof shall not have effect, and for paragraph (a) of subsection (2) thereof there shall (except in relation to university elections) be substituted the following paragraph:—
- “(a) to a sheriff substitute who is for the time being authorised by paragraph (13) of section forty-three of the Representation of the People Act, 1918, as amended by this Part of this Act, to act as returning officer at the election”.
- (3) For section twenty-eight there shall be substituted the following section:—
- Nothing in the last paragraph of section eight of the Ballot Act, 1872, or in paragraph (13) of section forty-three of the Representation of the People Act, 1918, as amended by this Part of this Act, shall entitle a deputy returning officer to discharge any duty imposed on a returning officer by virtue of

the last preceding section or of an Order in Council made under the next succeeding section”.

### **31 Application of Part II to Northern Ireland**

- (1) This Part of this Act shall, in its application to Northern Ireland, have effect subject to the modifications contained in the following provisions of this section.
- (2) For the words " sheriff, mayor ", wherever those words occur, there shall be substituted the word " under-sheriff ".
- (3) For the reference in subsection (1) of section twenty-nine to the Lord Chancellor there shall be substituted a reference to the Governor of Northern Ireland.
- (4) The proviso to subsection (1) of section twenty-seven and subsections (3) and (5) thereof shall not have effect.
- (5) For section twenty-eight there shall be substituted the following section:—

Nothing in the last paragraph of section eight of the Ballot Act, 1872, in section thirteen of the Redistribution of Seats Act, 1885, or in Article 3 of the Government of Ireland (Election Laws Adaptation) (Northern Ireland) Order, 1922, shall enable a deputy or an assistant returning officer to be appointed to discharge any duty imposed on a returning officer by virtue of the last preceding section or of an Order in Council made under the next succeeding section, and nothing in the said section thirteen shall apply in relation to anything required or authorised to be done by the preceding provisions of this Part of this Act or any such Order in Council”.

### **32 Transitional provisions relating to Part II**

- (1) During the period beginning with the commencement of this Act and ending with the date on which the Order in Council first made as respects Great Britain under section twenty-nine of this Act comes into operation, section twenty-seven of this Act shall, in its application to Great Britain, have effect subject to the modifications specified in Part I of the Fifth Schedule to this Act, and the provisions contained in Part II of that Schedule shall have effect with respect to the conveyance of writs for parliamentary elections in Great Britain.
- (2) During the period beginning with the commencement of this Act and ending with the date on which the Order in Council first made as respects Northern Ireland under section twenty-nine of this Act comes into operation, paragraph (b) of subsection (2) of section twenty-seven of this Act shall, in its application to Northern Ireland, have effect with the omission of the words " a place recorded in the prescribed manner as ".

### **33 Consequential amendments and repeals**

- (1) The Acts specified in the Sixth Schedule to this Act shall have effect subject to the amendments specified in the third column of that Schedule.
- (2) The Acts specified in Part I of the Seventh Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Part of that Schedule as from the commencement of this Act, and the Acts specified in Part II of that Schedule are hereby repealed to the extent mentioned in the third column of that Part of that Schedule

---

*Status: This is the original version (as it was originally enacted).*

---

as from the date of the coming into operation of the Order in Council first made as respects Great Britain under section twenty-nine of this Act.

### **PART III**

#### MEETING OF PARLIAMENT WHEN PROROGUED

#### **34 Time for summoning parliament during prorogation**

The date appointed for the meeting of parliament by a proclamation issued under section one of the Meeting of Parliament Act, 1797 (which relates to the summoning of parliament when prorogued), may be any day after the date of the proclamation; and accordingly that section as amended by the Meeting of Parliament Act, 1870, shall have effect as if for the words " any day not being less than six days from the date of such proclamation " there were substituted the words " any day after the date of such proclamation ".

### **PART IV**

#### GENERAL

#### **35 Short title**

This Act may be cited as the Parliament (Elections and Meeting) Act, 1943.