

*Status: Point in time view as at 24/12/2008.*

*Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)*

## STATUTORY INSTRUMENTS

# 2001 No. 341

## REPRESENTATION OF THE PEOPLE

### The Representation of the People (England and Wales) Regulations 2001

Made - - - - 9th February 2001

Coming into force - - 16th February 2001

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament; Now, therefore, the Secretary of State in exercise of the powers conferred on him by the provisions which are specified in Schedule 1 to these Regulations, hereby makes the following Regulations:—

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

- C1 Regulations modified (2.4.2001) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2001](#) (S.I. 2001/1298), regs. 1(1), 16(1)(6), **Sch. 5 Pt. 1** (as amended (13.3.2004) by S.I. 2004/226, regs. 1(1), 2, **Sch.**)
- C2 Regulations applied in part (with modifications) (2.4.2001) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2001](#) (S.I. 2001/1298), regs. 1(1), 10(1), **Sch. 4** (with reg. 10(2)(3))
- C3 Regulations applied in part (with modifications) (2.4.2001) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2001](#) (S.I. 2001/1298), regs. 1(1), 8(1), **Sch. 3** (with regs. 8(2), 10-12, 16, 17, 20, 25)
- C4 Regulations applied (with modifications) (9.4.2001) by [The European Parliamentary Elections \(Franchise of Relevant Citizens of the Union\) Regulations 2001](#) (S.I. 2001/1184), reg. 9, **Sch. Pt. 2**
- C5 Regulations applied (with modifications) (1.2.2002) by [The Local Authorities \(Mayoral Elections\) \(England and Wales\) Regulations 2002](#) (S.I. 2002/185), regs. 1, 3(2), **Sch. 2**
- C6 Regulations applied (with modifications) (1.2.2002) by [The Local Authorities \(Mayoral Elections\) \(England and Wales\) Regulations 2002](#) (S.I. 2002/185), regs. 1, 5(2), **Sch. 3 Pt. 1**
- C7 Regulations applied (with modifications) (9.7.2003) by [The Local and European Parliamentary Elections \(Registration of Citizens of Accession States\) Regulations 2003](#) (S.I. 2003/1557), reg. 7, **Sch. 2 para. 1**
- C8 Regulations applied (23.3.2004) by [The European Parliamentary Elections Regulations 2004](#) (S.I. 2004/293), reg. 1(2), **Sch. 2 para. 14(7)** (with regs. 3-5)
- C9 Regulations applied in part (with modifications) (24.3.2004) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2004](#) (S.I. 2004/870), regs. 1(1), 8-12, 15, Sch. 3, **Sch. 4 Table 3**
- C10 Regulations modified (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004](#) (S.I. 2004/1962), arts. 1(1), **5(3)**

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- C11** Regulations applied (with modifications) (27.3.2007) by [The Local Authorities \(Mayoral Elections\) \(England and Wales\) Regulations 2007 \(S.I. 2007/1024\)](#), regs. 1(2), 3(2)(3)(d)(4), **Sch. 2**
- C12** Regulations applied in part (with modifications) (23.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), regs. 1(2), 8, **Sch. 4 para. 1** Table 5 (as amended (31.1.2020) by S.I. 2019/115, regs. 1, **4(3)**; S.I. 2020/93, **reg. 2**)

## PART I **E+W**

### GENERAL, INTERPRETATION AND MISCELLANEOUS

#### Citation, commencement and extent **E+W**

1.—(1) These Regulations may be cited as the Representation of the People (England and Wales) Regulations 2001 and shall come into force on 16th February 2001.

(2) These Regulations shall not extend to Scotland or Northern Ireland.

#### Commencement Information

**I1** Reg. 1 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Revocations **E+W**

2. The instruments listed in column 1 of Schedule 2 to these Regulations (which have the references listed in column 2) are hereby revoked to the extent indicated in column 3 of that Schedule.

#### Commencement Information

**I2** Reg. 2 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Interpretation **E+W**

3.—(1) For the purposes of these Regulations, unless the context otherwise requires—

“1983 Act” means the Representation of the People Act 1983<sup>(1)</sup>;

“1985 Act” means the Representation of the People Act 1985<sup>(2)</sup>;

“2000 Act” means the Representation of the People Act 2000<sup>(3)</sup>;

“available for inspection” means available for inspection during ordinary office hours;

“British Council employee” means a person employed by the British Council in a post outside the United Kingdom;

[<sup>F1</sup>“candidate” has the same meaning as in section 118A of the 1983 Act];

[<sup>F2</sup>“certificate of anonymous registration” means a certificate issued in pursuance of regulation 45G;]

“Crown servant” means a person who is employed in a post falling within the class or description set out in regulation 14 below;

(1) 1983 c. 2.  
 (2) 1985 c. 50.  
 (3) 2000 c. 2.

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[<sup>F3</sup>“data” means information which is recorded with the intention that it should be processed by means of equipment operating automatically in response to instructions given for that purpose;]

[<sup>F4</sup>“data form” means information which is in a form which is capable of being processed by means of equipment operating automatically in response to instructions given for that purpose;

“edited register” has the meaning given in regulation 93(1) below;]

“European Parliamentary overseas elector” means a peer who has made a European Parliamentary overseas elector’s declaration and is registered or is entitled to be registered in pursuance of it;

“European Parliamentary overseas elector’s declaration” means a declaration made in pursuance of section 2 of the 1985 Act, as applied by regulation 13 of, and Schedule 4 to, these Regulations;

“list of overseas electors” means the list prepared under regulation 45 below;

“overseas elector” means a person who has made an overseas elector’s declaration and is registered or entitled to be registered as a parliamentary elector in pursuance of it;

“register” means the register of electors; and

[<sup>F5</sup>“registration area” means the area for which a registration officer acts;]

“registration officer” means the electoral registration officer.

(2) A reference in these Regulations to a numbered rule in the elections rules shall be construed as a reference to—

- (a) the rule of that number in the parliamentary elections rules in Schedule 1 to the 1983 Act in the case of a parliamentary election, or
- (b) the corresponding rule in the rules made under section 36 of the 1983 Act in the case of a local government election.

(3) A reference in these Regulations to a form identified by means of a letter shall be construed as a reference to the form so identified in Schedule 3 to these Regulations.

(4) In the application of these Regulations to the registers which are required to be published not later than 15th February 2001 by section 13(1) of the 1983 Act, as enacted, references to the publication of the revised version are to be read as references to the publication of the register.

#### Textual Amendments

- F1** Words in reg. 3(1) substituted (1.8.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(1), **5(2)**
- F2** Words in reg. 3(1) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **2**
- F3** Words in reg. 3(1) substituted (5.5.2001) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2001 \(S.I. 2001/1700\)](#), regs. 1(1), **3**
- F4** Words in reg. 3(1) inserted (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **5(3)** (with reg. 2(3))
- F5** Words in reg. 3(1) inserted (1.8.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(1), **5(5)**

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

- C13** Regs. 3-6 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

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#### Commencement Information

**I3** Reg. 3 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Forms **E+W**

**4.**—(1) The registration officer shall supply free of charge as many forms for use in connection with—

(a) section 10A(1)(a) and (3) of the 1983 Act<sup>(4)</sup>, and

(b) applications made under Schedule 4 to the 2000 Act and Part IV of these Regulations, as appear to that officer reasonable in the circumstances to any person who satisfies that officer of his intention to use the forms in connection with an election.

(2) The forms set out in Schedule 3 to these Regulations or forms substantially to the like effect may be used with such variations as the circumstances may require.

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

**C13** Regs. 3-6 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), [Sch. 2 Pt. 3](#)

#### Commencement Information

**I4** Reg. 4 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Communication of applications, notices etc. **E+W**

**5.** The requirement in these Regulations that any application, notice [<sup>F6</sup> representation] or objection should be in writing is satisfied where (apart from the usual meaning of that expression) the text of it—

(a) is transmitted by electronic means,

(b) is received in legible form, and

(c) is capable of being used for subsequent reference.

#### Textual Amendments

**F6** Word in [reg. 5](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **24(1)** (with [reg. 1\(2\)\(3\)\(a\)](#))

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

**C13** Regs. 3-6 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), [Sch. 2 Pt. 3](#)

#### Commencement Information

**I5** Reg. 5 in force at 16.2.2001, see [reg. 1\(1\)](#)

(4) Section 10A was substituted by Schedule 1 to the 2000 Act.

## Electronic signatures and related certificates **E+W**

6.—(1) A requirement in these Regulations for an application, notice [<sup>F7</sup>, representation] or objection to be signed is satisfied (as an alternative to the signature given by hand) where there is—

- (a) an electronic signature incorporated into or logically associated with a particular electronic communication, and
- (b) the certification by any person of such a signature.

(2) For the purposes of this regulation an electronic signature is so much of anything in electronic form as—

- (a) is incorporated into or otherwise logically associated with any electronic communication or both; and
- (b) purports to be so incorporated or associated for the purpose of being used in establishing the authenticity of the communication, the integrity of the communication or both.

(3) For the purposes of this regulation an electronic signature incorporated into or associated with a particular electronic communication is certified by any person if that person (whether before or after the making of the communication) has made a statement confirming that—

- (a) the signature,
- (b) a means of producing, communicating or verifying the signature, or
- (c) a procedure applied to the signature,

is (either alone or in combination with other factors) a valid means of establishing the authenticity of the communication, the integrity of the communication or both.

### Textual Amendments

**F7** Word in [reg. 6](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **24(2)** (with [reg. 1\(2\)\(3\)\(a\)](#))

### Modifications etc. (not altering text)

**C13** [Regs. 3-6](#) applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

### Commencement Information

**I6** [Reg. 6](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

## Copies of documents **E+W**

7.—<sup>F8</sup>(1) Where a document is made available for inspection under these Regulations, any person may make a copy (whether hand-written or by other means) of the whole or any part of it.

<sup>F9</sup>(2) Paragraph (1) does not apply to the full register.

(3) A person inspecting the full register may not—

- (a) make copies of any part of it, or
- (b) record any particulars included in it,

otherwise than by means of hand-written notes.

(4) A person who inspects the full register and makes a copy of it or records any particulars included in it otherwise than by means of hand-written notes shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

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- (5) In this regulation “full register” includes—
- (a) any part of it; and
  - (b) any notice published under section 13A(2) or 13B(3) [<sup>F10</sup>, (3B) or (3D)] of the 1983 Act altering the register.]

[<sup>F11</sup>(6) Paragraph (1) does not apply to copies of information covered by regulation 61(1) or to any of the documents open to public inspection under regulation 118.]

#### Textual Amendments

- F8** Reg. 7 renumbered as reg. 7(1) (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **6(1)** (with reg. 2(3))
- F9** Reg. 7(2)-(5) inserted (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **6(2)** (with reg. 2(3))
- F10** Words in reg. 7(5)(b) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **24(3)** (with reg. 1(2)(3)(a))
- F11** Reg. 7(6) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **54** (with reg. 1(2)(3)(d))

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

- C14** Reg. 7 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**
- C15** Reg. 7(1) modified (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **6(1)** (with reg. 2(3))

#### Commencement Information

- I7** Reg. 7 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Time **E+W**

**8.—(1)** Where the day or last day of the time allowed by these Regulations for the doing of any thing falls on any of the days mentioned in paragraph (3) below, that time shall be extended until the next following day which is not one of those days.

(2) Subject to regulation 56(6) below, in computing any period of not more than 7 days for the purposes of these Regulations any of the days mentioned in paragraph (3) below shall be disregarded.

(3) The days referred to in paragraphs (1) and (2) above are a Saturday, Sunday, Christmas Eve, Christmas Day, <sup>F12</sup>... Good Friday or a bank holiday.

(4) In paragraph (3) above “bank holiday” means a day which is a bank holiday under the Banking and Financial Dealings Act 1971(5) in England and Wales.

#### Textual Amendments

- F12** Words in reg. 8(3) omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **60(1)** (with reg. 1(2)(3)(d))

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

**C16** Reg. 8 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

**Commencement Information**

**I8** Reg. 8 in force at 16.2.2001, see [reg. 1\(1\)](#)

**[<sup>F13</sup>Official poll card and postal poll card at parliamentary elections **E+W****

**9.**—(1) For the purposes of rule 28(3) of the rules in Schedule 1 to the 1983 Act, the following forms are hereby prescribed.

- (2) The official poll card issued to an elector shall be in Form A.
- (3) The official postal poll card issued to an elector shall be in Form A1.
- (4) The official poll card issued to the proxy of an elector shall be in Form B.
- (5) The official postal poll card issued to the proxy of an elector shall be in Form B1.]

**Textual Amendments**

**F13** Reg. 9 substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **46** (with [reg. 1\(2\)\(3\)\(d\)](#))

**Commencement Information**

**I9** Reg. 9 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Return and declaration of election expenses **E+W****

**10.**—(1) For the purpose of section 75(3) of the 1983 Act, the form of the return of election expenses shall be in Form C and the form of the declaration as to election expenses shall be in Form D.

<sup>F14</sup>(2) .....

(3) The price of a copy of any such return, declaration or [<sup>F15</sup>any accompanying document] shall be at the rate of 20p for each side of each page.

**Textual Amendments**

**F14** Reg. 10 para. 2 revoked (1.8.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(1), **7(a)**

**F15** Words in [reg. 10](#) substituted (1.8.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(1), **7(b)**

**Commencement Information**

**I10** Reg. 10 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Interference with notices etc. **E+W****

**11.** If any person without lawful authority destroys, mutilates, defaces or removes any notice published by the registration officer in connection with his registration duties or any copies of a

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document which have been made available for inspection in pursuance of those duties, he shall be liable on a summary conviction to a fine not exceeding level 3 on the standard scale.

#### Commencement Information

**I11** Reg. 11 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Device referred to in rule 29(3A) (b) of parliamentary elections rules **E+W**

**12.**—(1) The device referred to in rule 29(3A)(b) of the rules in Schedule 1 to the 1983 Act<sup>(6)</sup> shall be of the description set out in this regulation.

(2) The device must be capable of being attached firmly to a ballot paper and of being removed from it after use without damage to the paper.

(3) On the right-hand side of the device there shall be tabs of equal size which satisfy the conditions in paragraphs (4) to (7) below.

(4) The tabs shall be capable of being positioned on the ballot paper so that each one is above one of the spaces to the right of the particulars of the candidates on which the vote is to be marked (“the relevant space”).

(5) Each tab shall be numbered so that, when the device is positioned over a ballot paper, the number of each tab corresponds to that of the candidate whose particulars are to the left of the relevant space covered by the tab in question.

(6) Each number on a tab shall be in raised form so that it can be clearly identified by touch.

(7) Each tab shall be capable of being lifted so as to reveal the relevant space and so that there is sufficient room to allow a voter to mark a cross on that space.

#### Commencement Information

**I12** Reg. 12 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Registration of European Parliamentary overseas electors **E+W**

**13.**—(1) A peer who, apart from the requirement of registration, is entitled by virtue of section 3 of the 1985 Act<sup>(7)</sup> to vote as an elector at a European Parliamentary election in a particular electoral region is entitled to be registered in a register under section 3 of that Act, prepared and published by a registration officer in accordance with this regulation and the provisions applied by it.

(2) It is the duty of the relevant registration officer appointed under section 8 of the 1983 Act<sup>(8)</sup> to prepare and publish a register under section 3 of the 1985 Act (which under subsection (7) of that section shall so far as practicable be combined with the register of parliamentary and local government electors) in respect of any year for which any peer to whom paragraph (1) above applies is entitled to be registered and to take reasonable steps to obtain information required by him for that purpose.

(3) For the purposes of paragraph (2) above, “the relevant registration officer” is the officer who acts for the area within which is situated the place specified in the declaration in accordance with section 2(4) of the 1985 Act, as applied by this regulation, as having been the address in respect of which the declarant was previously registered or, as the case may be, at which he was resident.

<sup>(6)</sup> Rule 29(3A) was inserted by section 13(2) of the 2000 Act.

<sup>(7)</sup> Sections 2 and 3 were substituted by Schedule 2 to the 2000 Act.

<sup>(8)</sup> Section 8 was amended by Schedule 16 to the Local Government (Wales) Act 1994 (c. 19).



(4) The provisions of the 1983 Act and the 1985 Act which are set out in column 1 of Schedule 4 to these Regulations shall, subject to—

- (a) any modifications and exceptions specified in relation to those provisions in column 2 of that Schedule, and
- (b) paragraph (5) below,

apply for the purposes of the registration of peers who (subject to the requirement of registration) are entitled to vote at a European Parliamentary election as they apply for the purpose of the registration of parliamentary electors.

(5) Unless the context otherwise requires, in the provisions applied by Schedule 4 to these Regulations—

- (a) any reference to an overseas elector's declaration shall be construed as a reference to a European Parliamentary overseas elector's declaration;
- (b) any reference to a constituency shall be construed as a reference to an electoral region;
- (c) any reference to a register of parliamentary electors shall be construed as a reference to a register kept under section 3 of the 1985 Act and any reference to the register of local government electors shall be disregarded; and
- (d) any reference to a provision which is also applied by Schedule 4 to these Regulations shall be construed as a reference to such a provision as so applied.

(6) The following provisions, namely—

- (a) regulations 3, 5 to 8 and 11 above, and
- (b) regulations 18 to 25, 27 to 32, 36(2), 38 to 43 and 45 below,

shall apply to a European Parliamentary overseas elector's declaration and registration in pursuance of it as they apply to an overseas elector's declaration and registration in pursuance of it.

(7) For the purposes set out in paragraph (6) above, those regulations shall, unless the context otherwise requires, have effect as if—

- (a) any reference to a parliamentary elector is a reference to a peer entitled to vote at a European Parliamentary election under section 3 of the 1985 Act;
- (b) any reference to an overseas elector is a reference to a European Parliamentary overseas elector;
- (c) any reference to an overseas elector's declaration is a reference to a European Parliamentary overseas elector's declaration; and
- (d) any reference to a provision which is applied by Schedule 4 to these Regulations is a reference to that provision as so applied.

(8) A register under section 3 of the 1985 Act may be published by means of a notice making additions to the registers of parliamentary electors and of local government electors with which it must be combined.

#### **Commencement Information**

**I13** Reg. 13 in force at 16.2.2001, see [reg. 1\(1\)](#)

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## PART II **E+W**

### SERVICE AND OVERSEAS ELECTORS' DECLARATIONS

#### *Service declarations*

#### **Qualification for Crown servant** **E+W**

**14.** A person (not being a member of the forces within the meaning of section 59(1) of the 1983 Act) who is employed in the service of the Crown in a post outside the United Kingdom falls within the class or description referred to in section 14(1)(b) of the 1983 Act if he is required to devote his whole working time to the duties of that post and the remuneration of it is paid wholly out of money provided by Parliament.

#### **Commencement Information**

**I14** Reg. 14 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### **Contents of service declaration** **E+W**

**15.—(1)** In addition to the matters specified in paragraphs (a) to (f) of section 16 of the 1983 Act<sup>(9)</sup>, a service declaration shall state—

- (a) the declarant's full name and present address,
- (b) the grounds on which the declarant claims a service declaration, and
- (c) such of the particulars specified in paragraph (2), (3) or (4) below as are relevant to the service qualification claimed by the declarant.

(2) Where the declarant claims a service qualification on the grounds that he is a member of the forces (within the meaning of section 59(1) of the 1983 Act) or the spouse [<sup>F16</sup>or civil partner] of such a member, the service declaration shall state—

- (a) the service (whether naval, military or air forces) in which that member serves,
- (b) the rank or rating of that member, and
- (c) the service number of that member;

and where that member serves in the military forces, the service declaration shall in addition state the regiment or corps in which he serves.

(3) Where the declarant claims a service qualification on the grounds that he is a Crown servant to whom regulation 14 above applies or the spouse [<sup>F17</sup>or civil partner] of such a servant, the service declaration shall state—

- (a) the name of the Government department in which that servant works, and
- (b) a description of the post of that servant.

(4) Where the declarant claims a service qualification on the grounds that he is a British Council employee or the spouse [<sup>F18</sup>or civil partner] of such an employee, the service declaration shall state a description of the post of that employee.

(9) Section 16 was amended by Schedule 1 to the 2000 Act.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

#### Textual Amendments

- F16** Words in reg. 15(2) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art 1, **Sch. 8 para. 1(2)**
- F17** Words in reg. 15(3) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, **Sch. 8 para. 1(2)**
- F18** Words in reg. 15(4) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, **Sch. 8 para. 1(2)**

#### Commencement Information

- I15** Reg. 15 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Transmission of service declaration **E+W**

**16.**—(1) A service declaration made by a member of the forces or his spouse [<sup>F19</sup>or civil partner] shall be transmitted to the appropriate registration officer.

(2) A service declaration made by a person who is or will be a Crown servant or by his spouse [<sup>F20</sup>or civil partner] shall be transmitted by the declarant to the Government department under which that person or his spouse is or will be employed or to an officer designated by that department and transmitted by that department or officer to the appropriate registration officer.

(3) A service declaration made by a person who is or will be a British Council employee or by his spouse [<sup>F21</sup>or civil partner] shall be transmitted by the declarant to the British Council and transmitted by the British Council to the appropriate registration officer.

(4) In this regulation, the “appropriate registration officer” means the registration officer for the area within which is situated the address specified in the declaration in accordance with section 16(d) or the 1983 Act<sup>(10)</sup>.

#### Textual Amendments

- F19** Words in reg. 16(1) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, **Sch. 8 para. 1(3)**
- F20** Words in reg. 16(2) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, **Sch. 8 para. 1(3)**
- F21** Words in reg. 16(3) inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, **Sch. 8 para. 1(3)**

#### Commencement Information

- I16** Reg. 16 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Notification by registration officer in respect of service declarations **E+W**

**17.**—(1) Where the registration officer is satisfied that the service declaration is duly made he shall so notify the declarant.

(2) Where the registration officer rejects an application for registration in pursuance of a service declaration because it—

- (a) does not contain the particulars required in paragraphs (a) to (f) of section 16 of the 1983 Act and regulation 15 above, or

<sup>(10)</sup> Section 16(d) was amended by Schedule 1 to the 2000 Act.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(b) does not comply with the requirements of sections 14 and 15 of the 1983 Act<sup>(11)</sup> or, where appropriate, regulation 14 or 16 above,  
he shall return the declaration to the declarant setting out his reasons for so doing.

#### Commencement Information

**I17** Reg. 17 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Overseas electors' declarations

#### Contents of overseas elector's declaration **E+W**

**18.**—(1) In addition to the information required by paragraphs (a) to (d) of subsection (3) and subsection (4) of section 2 of the 1985 Act<sup>(12)</sup>, an overseas elector's declaration shall state the declarant's full name and present address and, where appropriate, the information required by paragraphs (2) to (7) below.

(2) If the declarant—

- (a) was last registered in pursuance of a service or other declaration, rather than actual residence at the address specified in pursuance of section 2(4)(b) of the 1985 Act, and
- (b) no longer had connection with that address at the time at which he was so registered,

the declaration shall include a statement that the declarant was so registered.

(3) If the declarant claims that his name has changed since he was last registered in respect of the address specified in the overseas elector's declaration in accordance with section 2(4)(b) of the 1985 Act, that declaration shall—

- (a) set out the name in respect of which the declarant was last previously registered, and
- (b) give the reason for the change of name.

(4) Where a declarant—

- (a) has on a previous occasion been registered in a register of parliamentary electors in pursuance of an overseas elector's declaration, and
- (b) has not, since being so registered, been registered in such a register by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom,

his overseas elector's declaration shall state those facts and indicate when he was last registered in pursuance of an overseas elector's declaration.

For the purposes of the application of this paragraph by regulation 13(6) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words "a register of local government electors" were substituted for the words "such a register".

(5) Where a declarant has not made an overseas elector's declaration in pursuance of which he was registered in a register of parliamentary electors since being included in such a register by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom, or has never made such a declaration, his overseas elector's declaration shall state—

- (a) in the case of a declarant who is the bearer of a British passport which describes his national status as "British citizen", the number of that passport together with its date and place of issue; or

<sup>(11)</sup> Sections 14 and 15 were amended by Schedule 1 to the 2000 Act.

<sup>(12)</sup> Section 2 was substituted by Schedule 2 to the 2000 Act.

*Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)*

- (b) in the case of a declarant who is not the bearer of such a passport, but who was born in the United Kingdom before 1st January 1983, those facts; or
- (c) in the case of a declarant who is not the bearer of such a passport and who was not born in the United Kingdom before 1st January 1983, when and how he acquired the status of British citizen, together with the date, place and country of his birth.

For the purposes of the application of this regulation by regulation 13(6) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words “a register of local government electors” were substituted for the words “such a register”.

(6) Where, in the case of a declarant to whom regulation 19 below applies (and who is accordingly required to transmit a copy of his birth certificate together with his declaration), his name on his birth certificate is not the same as his name as given in his overseas elector’s declaration, that declaration shall state the reason for the change of name.

(7) Where, in the case of a declarant to whom regulation 19 below applies, he relies on the registration of either—

- (a) a parent whose name in the register referred to in section 1(4)(c) of the 1985 Act<sup>(13)</sup> is not the same as the name of that parent as given in either the declarant’s birth certificate or overseas elector’s declaration in accordance with section 2(4)(c)(iii) of the 1985 Act, or
- (b) a guardian whose name in the register referred to in section 1(4)(c) of the 1985 Act is not the same as the name of that guardian as given in the declarant’s overseas elector’s declaration in accordance with section 2(4)(c)(iii) of the 1985 Act,

that declaration shall state the name of the parent or, as the case may be, guardian as given in the register referred to in section 1(4)(c) and, where known, the reason for the change or, as the case may be, changes of name or, where such reason (or reasons) is not known, a statement to that effect.

For the purposes of the application of this regulation by regulation 13(6) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words “section 3(4)(c)” were substituted for the words “section 1(4)(c)”, in each place where those words occur.

#### Commencement Information

**I18** Reg. 18 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Certain declarants to supply copy of birth certificates **E+W**

**19.**—(1) This regulation applies to a person who has made an overseas elector’s declaration in which he claims to be qualified as an overseas elector by virtue of the conditions set out in section 1(4) of the 1985 Act, and who has not on a previous occasion made an overseas elector’s declaration in pursuance of which he was registered in a register of parliamentary electors.

For the purpose of the application of this regulation by regulation 13(6) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words “section 3(4)” were substituted for the words “section 1(4)”.

(2) Where this regulation applies, a declarant shall transmit together with his overseas elector’s declaration a copy of his birth certificate which shows the names of either or both of his parents as well as his date of birth.

<sup>(13)</sup> Sections 1 to 3 of the 1985 Act were substituted by Schedule 2 to the 2000 Act.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Commencement Information

**I19** Reg. 19 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Attestation of certain overseas electors' declarations **E+W**

**20.**—(1) An overseas elector's declaration shall be attested in accordance with the following paragraphs of this regulation except where the declarant has on a previous occasion made such a declaration in pursuance of which he was registered in a register of parliamentary electors and, since being so registered, he has not been included in any register of parliamentary electors by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom.

For the purposes of the application of this regulation by regulation 13(6) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words "local government" were substituted for the word "parliamentary" in the second place where it occurs.

(2) An overseas elector's declaration shall be attested by the bearer of a British passport which described his national status as a "British citizen" who—

- (a) is not resident in the United Kingdom;
- (b) is aged 18 years or over, and
- (c) is not the [<sup>F22</sup>spouse, civil partner], parent, grandparent, brother, sister, child or grandchild of the declarant.

(3) A person shall not attest an overseas elector's declaration unless he is satisfied, to the best of his knowledge and belief, that the declarant is a British citizen who is not resident in the United Kingdom on the date of the declaration.

(4) A person attesting an overseas elector's declaration shall record on it—

- (a) his full name and address;
- (b) that he is the bearer of a British passport which describes his national status as "British citizen" and the number of that passport together with its date and place of issue;
- (c) that he is aged 18 years or over;
- (d) that he is not resident in the United Kingdom on the date of the declaration;
- (e) that he is not the [<sup>F23</sup>spouse, civil partner], parent, grandparent, brother, sister, child or grandchild of the declarant; and
- (f) that, to the best of his knowledge and belief, the declarant is a British citizen who is not resident in the United Kingdom on the date of the declaration;

and he shall sign the declaration.

### Textual Amendments

**F22** Words in reg. 20(2)(c) substituted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, [Sch. 8 para. 1\(4\)](#)

**F23** Words in reg. 20(4)(e) substituted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 1, [Sch. 8 para. 1\(4\)](#)

### Commencement Information

**I20** Reg. 20 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Transmission of overseas elector's declaration **E+W**

**21.** An overseas elector's declaration shall be transmitted to the registration officer for that part of a constituency within which is situated the address specified in the declaration in accordance with section 2(4) of the 1985 Act.

#### Commencement Information

**I21** Reg. 21 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Notification about registration as overseas elector **E+W**

**22.**—(1) Where the registration officer is satisfied that the declarant qualifies as an overseas elector under the provisions of sections 1 and 2 of the 1985 Act, he shall so notify the declarant.

(2) Where the registration officer rejects an application for registration in pursuance of an overseas elector's declaration because—

- (a) in his opinion the declarant does not qualify as an overseas elector under section 1 of the 1985 Act, or
- (b) the declaration does not satisfy the requirements of section 2 of the 1985 Act or regulation 18 or 20 above, or
- (c) in the case of a person to whom regulation 19 above applies, the requirement in that regulation has not been complied with,

he shall return the declaration to the declarant and set out his reasons for rejecting the application for registration.

(3) For the purposes of the application of this regulation by regulation 13(6) above, paragraphs (1) and (2) above shall have effect as if, in addition to the modifications made by that regulation—

- (a) in paragraph (1), for the words “sections 1 and 2” there were substituted the words “sections 2 and 3”, and
- (b) in paragraph (2), for the words “section 1” there were substituted the words “section 3”.

#### Commencement Information

**I22** Reg. 22 in force at 16.2.2001, see [reg. 1\(1\)](#)

## PART III **E+W**

### REGISTRATION

#### *Information about electors*

### Power to require information **E+W**

**23.**—(1) A registration officer may require any person to give information required for the purposes of that officer's duties in maintaining registers of parliamentary and local government electors.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(2) A registration officer is under a duty to require persons to give information required for the purposes of that officer's duty under section 3(1) of the Juries Act 1974<sup>(14)</sup>.

(3) If any person—

(a) fails to comply with <sup>F24</sup>...

<sup>F24</sup>(b) .....

any such requisition of the registration officer as is mentioned in this regulation, he shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

#### Textual Amendments

**F24** Reg. 23(3)(b) and word omitted (1.1.2007) by virtue of The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 3

#### Commencement Information

**I23** Reg. 23 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Evidence as to age and nationality **E+W**

**24.**—(1) Where a registration officer has doubts about a person's age or nationality, he may require that person to produce such evidence as is specified in paragraph (2) below for the purposes of registration.

(2) The evidence which the registration officer may require is as follows—

- (a) a birth certificate or a statutory declaration as to the person's date of birth;
- (b) a certificate of naturalisation;
- (c) where a person has made an overseas elector's declaration, further evidence of his status as a British citizen including a document showing that he has become a British citizen by virtue of registration;
- (d) in any other case—
  - (i) a document showing that he has become a Commonwealth citizen by virtue of registration; or
  - (ii) a statutory declaration that he is a qualifying Commonwealth citizen or citizen of the Republic of Ireland or a relevant citizen of the Union.

(3) If any fee is payable in connection with the making of a declaration for the purposes of this regulation, the registration officer shall pay that fee and it shall be treated as part of his registration expenses within the meaning of section 54(1) of the 1983 Act<sup>(15)</sup>.

(4) Any such declaration shall be made available for inspection at the registration officer's office until the determination of the application for registration and of any objections duly made to it.

[<sup>F25</sup>(4A) Paragraph (4) does not apply where the declarant has, or has applied for, an anonymous entry.]

(5) This regulation does not apply where an application for registration is made in pursuance of a service declaration.

(6) In this regulation "qualifying Commonwealth citizen" has the same meaning as in section 4 of the 1983 Act<sup>(16)</sup>.

<sup>(14)</sup> 1974 c. 23; section 3(1) was amended by Schedule 15 to the Criminal Justice Act 1988 (c. 33).

<sup>(15)</sup> Section 54 was amended by Schedule 4 to the 1985 Act.

<sup>(16)</sup> Section 4 was substituted by section 1(2) of the 2000 Act.



#### Textual Amendments

**F25** Reg. 24(4A) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), 4

#### Commencement Information

**I24** Reg. 24 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Reminders to electors registered pursuant to a declaration **E+W**

**25.**—(1) This regulation applies in respect of a person registered in pursuance of—

- (a) a service declaration;
- (b) a declaration of local connection; and
- (c) an overseas elector’s declaration.

(2) Subject to paragraph (4) below, the registration officer shall, during the relevant period, send to a person to whom this regulation applies a reminder of the need to make a fresh declaration if he wishes to remain registered as an elector in pursuance of such a declaration.

(3) In paragraph (2) above “the relevant period” means the period beginning nine months after the date when the existing entry in a register of the person in question first takes effect and ending ten months after that date.

(4) Paragraph (2) above does not apply in respect of a person to whom this regulation applies where—

- (a) the registration officer has already received from that person a fresh declaration, or
- (b) information which the registration officer has received indicates that that person is no longer entitled to make the relevant declaration.

#### Commencement Information

**I25** Reg. 25 in force at 16.2.2001, see [reg. 1\(1\)](#)

### <sup>[F26]</sup>Reminders to persons who have an anonymous entry **E+W**

**25A.**—(1) This regulation applies to each person who has an anonymous entry.

(2) Subject to paragraph (3), the registration officer must, during the relevant period, send to a person to whom this regulation applies a reminder that—

- (a) his entitlement to registration will terminate at the end of the period of 12 months beginning with the date on which his entry in the register first took effect;
- (b) if he wishes to remain entered in the register after that period, he must make a fresh application for registration in accordance with the requirements prescribed for the purposes of section 10A(1)(a) of the 1983 Act;
- (c) if he wishes to remain entered in the register anonymously, the application for registration must be accompanied by a fresh application for an anonymous entry.

(3) Paragraph (2) does not apply where the registration officer has already received from that person a fresh application for registration made in accordance with the requirements prescribed for the purposes of section 10A(1)(a) which is accompanied by a fresh application for an anonymous entry.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(4) In this regulation, “the relevant period” must be construed in accordance with regulation 25(3)(a).]

**Textual Amendments**

**F26** Reg. 25A inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 5

**Applications for registration** **E+W**

**26.**—(1) An application for registration as a parliamentary or local government elector (or both) under section 10A(1)(a) or 13A(1)(a) of the 1983 Act<sup>(17)</sup>[<sup>F27</sup> (“an application for registration”) shall, in addition to the requirements of section 10A(1A) and 13A(2A) of that Act, state]—

- (a) the applicant’s full name;
- (b) the address in respect of which the applicant applies to be registered and at which he is resident on the date of the application;
- (c) any address in respect of which the applicant is currently registered as an elector, if he has ceased to reside at that address;
- (d) in the case of an applicant who has not attained the age of 18 years, his date of birth;
- (e) in the case of an applicant who is 70 years of age or older, that fact;

<sup>F28</sup>(f) . . . . .

<sup>F29</sup>(g) in the case of an applicant [<sup>F30</sup> whose application is not accompanied by an application for an anonymous entry and] who wishes his name and address to be omitted from the edited version of the register, that request.]

<sup>F31</sup>(h) except in the case of a person applying to be registered in pursuance of an overseas elector’s declaration, the applicant’s nationality.]

<sup>F32</sup>(i) in the case of an applicant whose application is accompanied by an application for an anonymous entry, that fact.]

(2) In the case of a person applying to be registered as a parliamentary or local government elector (or both) in pursuance of a service declaration, a declaration of local connection or an overseas elector’s [<sup>F33</sup> declaration], the declaration in question shall accompany the application.

(3) An application [<sup>F34</sup> for registration] shall include a declaration made by the applicant that—

- (a) the particulars given in accordance with paragraph (1) above are true;
- (b) subject to paragraph (5) below, in the case of an application by a relevant citizen of the Union for registration as a local government elector, he is such a citizen; and
- (c) in any other case, but subject to paragraph (5) below, he is a Commonwealth citizen or citizen of the Republic of Ireland.

(4) An application for registration shall be made in writing to the registration officer and be signed and dated by the applicant.

(5) Paragraph (3)(b) and (c) above does not apply to a person applying to be registered in pursuance of a service declaration or an overseas elector’s declaration.

<sup>F35</sup>(6) Where the registration officer provides the form on which an application for registration is made, the form of words in [<sup>F36</sup> Part 2 of the Schedule to the Representation of the People (Form

(17) Sections 10A and 13A were substituted by Schedule 1 to the 2000 Act.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

of Canvass) (England and Wales) Regulations 2006] or a form of words to the same effect, must form part of the application form.

(7) Where an application for registration is made otherwise than on a form provided by the registration officer, that officer must, on or before the determination of the application, send to the applicant the form of words referred to in paragraph (6) above and must, at the same time, inform the applicant, in writing, that he may, before the end of the period of 21 days, starting with the day on which the officer sends that form of words to the applicant, make a request, in writing, to the registration officer that he wishes his name and address to be excluded from the edited version of the register.

(8) Where an applicant does not reply to the registration officer within the period of 21 days mentioned in paragraph (7), the registration officer shall assume that the applicant does not request that his name and address be excluded from the edited version of the register.

(9) Where an applicant does reply to the registration officer within the period of 21 days mentioned in paragraph (7) and in his response requests that his name and address be excluded from the edited version register, that request shall be treated as part of the application for registration.]

[<sup>F37</sup>(10) Paragraphs (6) to (9) do not apply to an application for registration which is accompanied by an application for an anonymous entry.]

#### Textual Amendments

- F27** Words in [reg. 26](#) substituted (1.8.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(1), **8(2)**
- F28** [Reg. 26\(1\)\(f\)](#) omitted (23.3.2006) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **2(2)(a)**
- F29** [Reg. 26 para. 1\(g\)](#) substituted (1.8.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(1), **8(3)**
- F30** Words in [reg. 26\(1\)\(g\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **6(2)**
- F31** [Reg. 26\(1\)\(h\)](#) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **2(2)(b)**
- F32** [Reg. 26\(1\)\(i\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **6(3)**
- F33** Words in [reg. 26](#) substituted (1.8.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(1), **8(4)**
- F34** Words in [reg. 26](#) substituted (1.8.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(1), **8(5)**
- F35** [Reg. 26\(6\)-\(9\)](#) inserted (1.8.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(1), **8(6)**
- F36** Words in [reg. 26\(6\)](#) substituted (11.7.2006) by [The Representation of the People \(Form of Canvass\) \(England and Wales\) Regulations 2006 \(S.I. 2006/1694\)](#), regs. 1(1), **4(1)**
- F37** [Reg. 26\(10\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **6(4)**

#### Commencement Information

- I26** [Reg. 26](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Objections to registration **E+W**

**27.**—(1) Any objection to a person's registration shall state—

- (a) the name of the person against whom the objection is made;

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (b) [<sup>F38</sup>in the case of an objection made before that person is entered in the register,] the address of that person as given in the application for registration;
- [<sup>F39</sup>(ba) in the case of an objection made after that person is entered in the register, the electoral number and qualifying address of that person contained in the register;]
- (c) the grounds of the objection;
- (d) the name of the objector and his address as shown in the register (if so shown) together with the address to which correspondence should be sent if that address is different or if no address is shown in the register; and
- (e) the electoral number of the objector.
- (2) An objection shall be made in writing and be signed and dated by the person objecting.
- (3) In this Part of these Regulations “objection” includes representations made against an application for registration under section 13A(1)(a) of the 1983 Act.

#### Textual Amendments

- F38** Words in [reg. 27\(1\)\(b\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **7(2)**
- F39** [Reg. 27\(1\)\(ba\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **7(3)**

#### Commencement Information

- I27** [Reg. 27](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

### Inspection of applications and objections **E+W**

**28.**—[<sup>F40</sup>(1)] An application for registration and any objection to a person’s registration shall be made available for inspection at the registration officer’s office until the application or objection has been determined by the registration officer.

[<sup>F41</sup>(2) This regulation does not apply to an application for registration which is accompanied by an application for an anonymous entry.]

#### Textual Amendments

- F40** [Reg. 28](#) renumbered as [reg. 28\(1\)](#) (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **8(2)**
- F41** [Reg. 28\(2\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **8(3)**

#### Commencement Information

- I28** [Reg. 28](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

### Determination of applications and objections

#### Procedure for determining applications for registration and objections without a hearing **E** **+W**

29.—(1) A registration officer shall discharge his functions of determining an application for registration under section 10A(1) or 13A(1)(a) of the 1983 Act and an objection under section 10A(3) of that Act in accordance with this regulation and regulations 30 [<sup>F42</sup>to 31A] below.

[<sup>F43</sup>(2) The registration officer must keep separate lists of—

- (a) applications for registration;
- (b) objections made before the person against whom the objection is made is entered in the register;
- (c) objections made after the person against whom the objection is made is entered in the register.

(2A) On receipt of an application the registration officer must enter the name of the applicant and the address claimed as his qualifying address in the list he keeps in pursuance of paragraph (2)(a).

(2B) Paragraph (2A) does not apply to an application accompanied by an application for an anonymous entry.

(2C) On receipt of an objection made before the person against whom the objection is made is entered in the register, the registration officer must enter—

- (a) in the list he keeps in pursuance of paragraph (2)(b), the name and qualifying address of the objector together with the particulars referred to in paragraph (2A), and
- (b) in the list he keeps in pursuance of paragraph (2)(a), the particulars of the objection.

(2D) On receipt of any other objection, the registration officer must enter the name and qualifying address of the objector together with the particulars referred to in paragraph (2A) in the list he keeps in pursuance of paragraph (2)(c).]

(3) The registration officer may ask for further information and take no further action until such information is supplied, if he is of opinion that the particulars given in the application or objection are insufficient.

(4) [<sup>F44</sup>Subject to paragraph (4A),] the registration officer may allow an application without a hearing provided that no objection is made within [<sup>F45</sup>the period of five days beginning with the day following] the entry of the application in the list of applications.

[<sup>F46</sup>(4A) In the case of an application for registration accompanied by an application for an anonymous entry, the registration officer may allow the former application without a hearing at any time.]

(5) The registration officer may disallow an objection if he is of opinion that the objector is not entitled to object <sup>F47</sup>...; and he shall so inform the objector.

[<sup>F48</sup>(5A) The registration officer may disallow an objection without a hearing if he is of the opinion that the objection is clearly without merit.

(5B) Where the registration officer disallows an objection under paragraph (5A), he must send to the objector a notice stating that the application has been disallowed on that basis and the grounds for his opinion.

(5C) An objector may require the objection to be heard by giving notice to the registration officer within three days from the date of the notice given under paragraph (5B).

(5D) A notification under paragraph (5C) is not to prevent the application to which the objection relates from being allowed.]

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(6) The registration officer may send to the applicant or objector a notice stating his opinion that an application or objection cannot be allowed because—

- (a) the matter has been concluded by the decision of a court, or
- (b) the particulars given in the application or objection do not entitle the applicant or objector to succeed.

(7) In cases to which paragraph (6) applies, the registration officer shall state the grounds for his opinion and that he intends to disallow the application or objection unless that person gives the registration officer notice within three days from the date of the registration officer’s notice that he requires the application or objection to be heard; and if he receives no such notice within that time, he may disallow the application or objection.

[<sup>F49</sup>(8) In this regulation, “qualifying address” includes the address specified in an overseas elector’s declaration in accordance with section 2(4)(b) or (c)(ii) of the 1985 Act.]

#### Textual Amendments

- F42** Words in [reg. 29\(1\)](#) substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), [9\(2\)](#)
- F43** [Reg. 29\(2\)-\(2D\)](#) substituted for [reg. 29\(2\)](#) (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), [9\(3\)](#)
- F44** Words in [reg. 29\(4\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), [9\(4\)](#)
- F45** Words in [reg. 29\(4\)](#) substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), [9\(5\)](#)
- F46** [Reg. 29\(4A\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), [9\(6\)](#)
- F47** Words in [reg. 29\(5\)](#) omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), [9\(7\)](#)
- F48** [Reg. 29\(5A\)-\(5D\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), [9\(8\)](#)
- F49** [Reg. 29\(8\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), [9\(9\)](#)

#### Commencement Information

- I29** [Reg. 29](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Notice of hearing **E+W**

**30.**—(1) The registration officer shall, unless he allows or disallows the application or objection under regulation 29 above, send a notice—

- (a) in the case of an application, to the person making the application, and
- (b) in the case of an objection, to the objector and the person objected to, stating—
  - (i) the time and place at which he proposes to hear the application or objection;
  - (ii) the name and address of the objector and the grounds of the objection (in the case of a notice sent to a person objected to).

(2) The time fixed for the hearing of an application or objection shall not be earlier than the third day or later than the seventh day after the date of the notice referred to in paragraph (1) above.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

#### Commencement Information

**I30** Reg. 30 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Hearing of applications and objections **E+W**

**31.**—(1) The persons entitled to appear and be heard are as follows—

- (a) on an application, the applicant;
- (b) on an objection, the objector and the person objected to;
- (c) on an application or an objection, any other person who appears to the registration officer to be interested.

(2) The right to appear and be heard includes the right to make written representations.

(3) Any person entitled to appear and be heard may do so either in person or by any other person on his behalf.

(4) The registration officer may, at the request of any person entitled to appear and be heard or, if he thinks fit, without such a request, require that the evidence tendered by any person shall be given on oath and may administer the oath for the purpose.

#### Commencement Information

**I31** Reg. 31 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### <sup>F50</sup>Objections relating to applications that have been allowed, but before alterations to register have taken effect **E+W**

**31A.**—(1) This regulation applies where—

- (a) an application for registration has been allowed (whether without or following a hearing), and
- (b) either—
  - (i) an objection is later made to that application, or
  - (ii) an objector whose objection in respect of that application has been disallowed in pursuance of regulation 29(5A) notifies the registration officer, in accordance with regulation 29(5C), that he requires the objection to be heard, and
- (c) no alteration to the register has yet taken effect in respect of that application by virtue of section 13(5), 13A(2) or 13B(3) of the 1983 Act.

(2) Where the registration officer—

- (a) is able to determine the objection before the alteration to the register is due to take effect, and
- (b) allows the objection,

the application is to be treated as if it had been disallowed.

(3) Where the registration officer is not able to determine the objection before the alteration to the register is due to take effect, the objection is to be treated as if it was made after the person against whom it is made is entered in the register.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(4) Where paragraph (3) applies, the registration officer must transfer the entry relating to the objection from the list he keeps in pursuance of paragraph (2)(b) of regulation 29 to the list he keeps in pursuance of paragraph (2)(c) of that regulation.]

#### Textual Amendments

**F50** Reg. 31A inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **10**

#### [<sup>F51</sup>Other determinations by registration officer of entitlement to registration **E+W**

**31B.**—(1) A registration officer must discharge the functions specified in paragraph (2) in accordance with regulations 31C to 31F.

(2) The functions specified in this paragraph are—

- (a) determining, under the following provisions, whether a person was entitled to be registered—
  - (i) sections 7(3)(aa), 7A(3)(aa), 7C(2)(aa), and 15(2)(aa) of the 1983 Act, and
  - (ii) section 2(2)(aa) of the 1985 Act;
- (b) determining under section 10A(5)(b) of the 1983 Act whether a person—
  - (i) was entitled to be registered;
  - (ii) has ceased to be resident at the address in respect of which he is entered in the register or otherwise ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act.

#### Textual Amendments

**F51** Regs. 31B-31F inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **11**

#### Summary procedure for determining in specified circumstances person has ceased to satisfy conditions for registration **E+W**

**31C.**—(1) In any of the circumstances specified in paragraph (2) the registration officer may make the determination specified in regulation 31B(2)(b)(ii) without following the procedure set out in regulations 31D to 31F.

(2) The circumstances specified in this paragraph are where the registration officer—

- (a) has received an application under regulation 26 which includes a statement to which paragraph (1)(c) of that regulation refers;
- (b) has received a notice under regulation 37;
- (c) has been given information by the elector that he has ceased to reside at the address in question or has otherwise ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act;
- (d) has been notified by a relative or executor of the elector or by the registrar of births and deaths that the elector has died.

(3) In paragraph (2)—

“elector” means a person who is duly entered in a register in respect of an address;



“relative” means a spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

#### Textual Amendments

**F51** Regs. 31B-31F inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **11**

#### Procedure for reviewing entitlement to registration **E+W**

**31D.**—(1) A registration officer may, for the purposes of making a determination of the nature specified in regulation 31B(2), conduct a review in respect of a person entered in the register.

(2) Where the registration officer is not satisfied that the subject of the review is entitled to be registered, he must—

- (a) send to that person such notice, of a kind specified in paragraph (4), as he considers appropriate, and
- (b) enter the review in the list kept in pursuance of regulation 31E.

(3) Paragraph (2)(b) does not apply where the subject of a review has an anonymous entry.

(4) A notice is specified for the purposes of this paragraph if it—

- (a) states that the registration officer is of the opinion that the subject of the review is not entitled to be registered and the grounds for his opinion,
- (b) states the reason for the review and requires the subject of the review to provide such further information as might be specified in the notice or requires him to make a declaration under regulation 24 or both, or
- (c) states the reason for the review and that the registration officer intends to conduct a hearing of it.

(5) Where—

- (a) the registration officer sends to the subject of the review a notice in the form specified in paragraph (4)(a), and
- (b) that person does not, within 14 days beginning with the date of that notice, notify the registration officer that he requires the review to be heard,

the registration officer may determine without a hearing that the subject of the review was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act.

(6) Paragraph (7) applies where—

- (a) the registration officer sends to the subject of the review a notice in the form specified in paragraph (4)(b), and
- (b) that person does not respond to the registration officer’s satisfaction, or at all, within the period of 28 days beginning with the date of that notice.

(7) The registration officer may send a notice to the subject of the review which states that he is not satisfied that that person is entitled to be registered, and the grounds for his opinion.

(8) Where—

- (a) the registration officer sends to the subject of the review a notice in pursuance of paragraph (7), and
- (b) the subject of the review does not, within the period of 14 days beginning with the date of that notice, notify the registration officer that he requires the review to be heard,

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

the registration officer may determine without a hearing that the subject of the review was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act.

(9) In making a determination under paragraph (5) or (8), the registration officer must take into account any written representations made to him by the subject of the review and may take into account the written representations of any other person who appears to him to be interested.

(10) In this regulation and regulations 31E and 31F—

“review” must be construed in accordance with paragraph (1);

“the subject of the review” means the person in respect of whom the review is conducted.

#### Textual Amendments

**F51** Regs. 31B-31F inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **11**

#### List of reviews **E+W**

**31E.**—(1) The registration officer must keep a list of reviews.

(2) The list must contain, in relation to each review, the following particulars—

- (a) the full name of the subject of the review,
- (b) his electoral number,
- (c) his qualifying address, and
- (d) the reason for the review.

(3) The list must be made available for inspection at the registration officer’s office.

(4) This regulation does not apply to any review where the subject of the review has an anonymous entry.

#### Textual Amendments

**F51** Regs. 31B-31F inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **11**

#### Hearings of reviews **E+W**

**31F.**—(1) Where the registration officer determines that a hearing of the review should be conducted, the notice given under regulation 31D(4)(c) must also state the time and place at which he proposes to hear the review.

(2) Where the subject of the review requires the review to be heard, the registration officer must send to that person a notice stating the time and place at which he proposes to hear the review.

(3) The time fixed for the hearing must not be earlier than the third day after the date of the notice in which that time is stated.

(4) The persons entitled to appear and be heard are—

- (a) the subject of the review;
- (b) any other person who appears to the registration officer to be interested.

(5) Paragraphs (2) to (4) of regulation 31 apply to the hearing of a review as they apply to the hearing of an application for registration or objection.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(6) The registration officer may determine that the subject of the review was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act, despite the failure of that person (or any other person entitled to appear and be heard) to attend.

(7) In making a determination under paragraph (6), the registration officer must take into account any written representations made to him by the subject of the review and may take into account the written representations of any other person who appears to him to be interested.]

#### Textual Amendments

**F51** Regs. 31B-31F inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), regs. 1(1), **11**

### [<sup>F52</sup>Anonymous registration: applications and declarations **E+W**]

**31G.**—(1) An application for an anonymous entry must state—

- (a) the applicant's full name,
- (b) the address given in accordance with regulation 26(1)(b),
- (c) the reason for the application, and
- (d) the date of the application.

(2) The application must be in writing and signed by the applicant.

(3) The application must be accompanied by evidence of the nature prescribed in regulation 31I or 31J.

(4) Where the evidence mentioned in paragraph (3) relates not to the applicant, but to another person of the same household as the applicant, the application must be accompanied by evidence that that person is of that household.

(5) The application must be accompanied by a declaration made by the applicant that—

- (a) the particulars given in accordance with paragraph (1) are true,
- (b) so far as he is aware, the evidence provided in pursuance of paragraph (3) is genuine, and
- (c) where paragraph (4) applies—
  - (i) the person to whom the evidence relates is a person of the same household of the applicant, and
  - (ii) so far as he is aware, the evidence provided in pursuance of paragraph (4) is genuine.

(6) The application may give an address to which the registration officer must send correspondence, other than the address given in accordance with paragraph (1)(b).

#### Textual Amendments

**F52** Regs. 31G-31J inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), regs. 1(1), **12**

### Anonymous registration: determination of applications by registration officer **E+W**

**31H.**—(1) Paragraph (2) applies where—

- (a) the registration officer determines that the applicant for an anonymous entry is entitled to be registered, and

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (b) the application for an anonymous entry is made in accordance with regulation 31G(1), (2) and (5).
- (2) The registration officer must determine that the safety test is satisfied (and accordingly allow the application for an anonymous entry) where he is satisfied—
  - (a) that the evidence provided in support of the application in pursuance of regulation 31G(3) constitutes evidence of the nature prescribed in regulation 31I or 31J, and
  - (b) in the case of an application where regulation 31G(4) applies, that the evidence provided in pursuance of that paragraph establishes that the person in question is a person of the same household as the applicant.

#### Textual Amendments

**F52** Regs. 31G-31J inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **12**

#### Anonymous registration: evidence consisting of relevant court orders or injunctions **E+W**

**31I.**—(1) Evidence which meets the following conditions is prescribed for the purposes of regulations 31G(3) and 31H(2)(a).

- (2) The first condition is that the evidence is, or is a copy of, a relevant order or injunction.
- (3) A relevant order or injunction is—
  - (a) an injunction for the purpose of restraining a person from pursuing any conduct which amounts to harassment granted in proceedings under section 3 of the Protection from Harassment Act 1997;
  - (b) an injunction granted under section 3A(2) of the Protection from Harassment Act 1997**(18)**;
  - (c) a restraining order made under section 5(1) of the Protection from Harassment Act 1997**(19)**;
  - (d) a restraining order on acquittal made under section 5A(1) of the Protection from Harassment Act 1997**(20)**;
  - (e) a non-harassment order made under section 8(5)(b)(ii) of the Protection from Harassment Act 1997;
  - (f) a non-harassment order made under section 234A(2) of the Criminal Procedure (Scotland) Act 1995**(21)**;
  - (g) a non-molestation order made under section 42(2) of the Family Law Act 1996**(22)**.
- (4) The second condition is that the relevant order or injunction is made for the protection, or otherwise for the benefit, of—
  - (a) the applicant for an anonymous entry, or
  - (b) another person of the same household as him.
- (5) The third condition is that the relevant order or injunction is in force on the day on which the application for an anonymous entry is made.

**(18)** Section 2 was substituted by Schedule 2 to the 2000 Act.

**(19)** Section 56(1)(a) was amended by Schedule 1 to the 2000 Act.

**(20)** Section 10A was substituted by Schedule 1 to the 2000 Act.

**(21)** Section 4 was substituted by section 1(2) of the 2000 Act.

**(22)** Sections 7 and 7A were substituted and inserted by sections 4 and 5 of the 2000 Act.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Textual Amendments

**F52** Regs. 31G-31J inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **12**

### Anonymous registration: evidence by attestation **E+W**

**31J.**—(1) An attestation within the meaning of this regulation is prescribed for the purposes of regulations 31G(3) and 31H(2)(a).

(2) The attestation must—

- (a) certify that the safety of the applicant, or of another named person of the same household as him, would be at risk if the register contained the name of the applicant or his qualifying address,
- (b) state the date on which it is made, and
- (c) be in writing and signed by a qualifying officer.

(3) The attestation must state the period for which it has effect, being a period of between one and five years beginning with the date on which the attestation is made.

(4) Qualifying officer means—

- (a) the chief officer of police of any police force in England and Wales;
- (b) the chief constable of any police force in Scotland;
- (c) the Chief Constable of the Police Service of Northern Ireland;
- (d) the Director General of the Security Service;
- (e) the Director General of the Serious Organised Crime Agency;
- (f) in England, any director of adult social services within the meaning of section 6(A1) of the Local Authority Social Services Act 1970(**23**);
- (g) in England, any director of children’s services within the meaning of section 18 of the Children Act 2004(**24**);
- (h) in Wales, any director of social services within the meaning of section 6(1) of the Local Authority Social Services Act 1970(**25**).]

### Textual Amendments

**F52** Regs. 31G-31J inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **12**

### Modifications etc. (not altering text)

**C17** Reg. 31J modified (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **67(2)**

### Registration appeals **E+W**

**32.**—<sup>F53</sup>(1) This regulation makes provision in connection with the right of appeal—

(23) Section 10A was inserted by Schedule 1 to the 2000 Act.

(24) Section 10 was substituted by Schedule 1 to the 2000 Act.

(25) Section 13 was substituted by Schedule 1 to the 2000 Act.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (a) under section 56(1)(a) of the 1983 Act, from the decision of a registration officer regarding an application for registration;
  - (b) under section 56(1)(aa) of the 1983 Act, from the decision of a registration officer made in accordance with regulations 31C to 31F that a person was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act;
  - (c) under section 56(1)(ab) of the 1983 Act, from a determination of the registration officer under section 9B(2) of the 1983 Act, made in accordance with regulation 31H.]
- (2) A person desiring to appeal must—
- (a) give notice of appeal to the registration officer and to the opposite party (if any) when the decision is given, or within 14 days thereafter, and
  - (b) specify the grounds of appeal.
- (3) The registration officer shall forward any such notice to the appropriate county court in accordance with rules of court together, in each case, with—
- (a) a statement of the material facts which in his opinion have been established in the case, and
  - (b) his decision upon the whole case and on any point which may be specified as a ground of appeal.
- (4) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the appropriate county court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

#### Textual Amendments

**F53** Reg. 32(1) substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **13**

#### Commencement Information

**I32** Reg. 32 in force at 16.2.2001, see [reg. 1\(1\)](#)

### [<sup>F54</sup>Representations regarding clerical errors **E+W**

**32A.**—(1) For the purposes of section 13B(3C) of the 1983 Act a representation may be made orally or in writing.

(2) Where a representation is made in a polling station to a presiding officer, the presiding officer must as soon as practicable communicate that representation to the relevant registration officer.]

#### Textual Amendments

**F54** Reg. 32A inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **24(4)** (with reg. 1(2)(3)(a))

### Circumstances when the power in section 10A(5)(b) of the 1983 Act applies **E+W**

<sup>F55</sup>**33.** . . . . .

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

#### Textual Amendments

**F55** Reg. 33 omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), regs. 1(1), **14(1)**

#### Commencement Information

**I33** Reg. 33 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Retaining entries in register **E+W**

**34.**—(1) This regulation sets out the circumstances when a registration officer's duty to remove a person's entry from the register of parliamentary or local government electors under section 10A(6) of the 1983 Act(**23**) does not apply.

(2) Those circumstances are that—

(a) on the conclusion of a canvass under section 10 of the 1983 Act(**24**) the registration officer is unable to satisfy himself that a person duly entered in a register in respect of any address was, on the 15th October in question, resident at that address because—

(i) the form mentioned in section 10(4) of that Act was not returned in respect of that address, or

(ii) for any other reason, insufficient information was obtained as to whether that person was resident at that address on that date;

(b) the registration officer has no information which suggests that that person is no longer so resident; and

[<sup>F56</sup>(c) that person was registered at that address otherwise than in pursuance of—

(i) an application made by virtue of section 7(2) or 7A(2) of the 1983 Act, or

(ii) a declaration of local connection, a service declaration or an overseas elector's declaration.]

(3) Where the circumstances set out in this regulation apply, the registration officer is authorised to retain the entry of the person concerned in such a register for the period expiring with the publication of a revised version of the register under section 13(1) of the 1983 Act(**25**) in the year next following that in which the canvass referred to in paragraph (2)(a) above was conducted.

#### Textual Amendments

**F56** Reg. 34(2)(c) substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), regs. 1(1), **14(2)**

#### Commencement Information

**I34** Reg. 34 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Registration officer's right to inspect certain records **E+W**

**35.**—(1) A registration officer is authorised to inspect, for the purpose of his registration duties, records kept (in whatever form) by—

(23) Section 10A was inserted by Schedule 1 to the 2000 Act.

(24) Section 10 was substituted by Schedule 1 to the 2000 Act.

(25) Section 13 was substituted by Schedule 1 to the 2000 Act.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (a) an authority listed in paragraph (2) below, or
  - (b) any person providing services to, or authorised to exercise any function of, any such authority.
- (2) Those authorities are—
- (a) the council by which he was appointed; and
  - (b) any registrar of births and deaths.
- (3) A registration officer is authorised to make copies of information contained in such records.

#### Commencement Information

**I35** Reg. 35 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Notices in connection with registration **E+W**

- 36.**—(1) A notice under section 13(3) of the 1983 Act(**26**) must be published—
- (a) not less than 14 days before the publication of the revised version of the register to which it relates;
  - (b) in a newspaper circulating in the area for which the registration officer acts, and
  - (c) by posting a copy of it at his office and in some conspicuous place or places in that area.
- (2) A notice under section 13A(2) or 13B(3) [<sup>F57</sup>, (3B) or (3D)] of that Act must be issued by—
- [<sup>F58</sup>(a) making a copy of it available for inspection under supervision—
    - (i) at his office, and
    - (ii) at such places, if any, in his registration area as allow members of the public in that area reasonable facilities for that purpose;
      - (aa) supplying copies of it in accordance with Part VI of these Regulations;]
    - (b) except in a case falling within [<sup>F59</sup>regulation 31C(2)(d)] above, sending a copy of it to any person affected by its contents.
- [<sup>F60</sup>(3) For the purposes of section 13B(3A) and (3C) of the 1983 Act the prescribed time on the day of the poll is 9pm.]

#### Textual Amendments

- F57** Words in [reg. 36\(2\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), [regs. 1\(1\)](#), **25(2)** (with [reg. 1\(2\)\(3\)\(a\)](#))
- F58** [Reg. 36\(2\)\(a\)](#) substituted (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002](#) (S.I. 2002/1871), [regs. 2\(2\)](#), **9** (with [reg. 2\(3\)](#))
- F59** Words in [reg. 36\(2\)\(b\)](#) substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), [regs. 1\(1\)](#), **14(3)**
- F60** [Reg. 36\(3\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), [regs. 1\(1\)](#), **25(3)** (with [reg. 1\(2\)\(3\)\(a\)](#))

#### Commencement Information

**I36** Reg. 36 in force at 16.2.2001, see [reg. 1\(1\)](#)

(26) Sections 13, 13A and 13B were substituted by Schedule 1 to the 2000 Act.



**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

**[<sup>F61</sup>Communication of notices made on polling day E+W**

**36A.**—(1) Where a notice is issued under section 13B(3B) or (3D) of the 1983 Act on the day of the poll, the registration officer must take reasonable steps to ensure that the notice comes to the attention of the relevant presiding officer.

(2) Such steps may include communicating the notice to the presiding officer by telephone.

(3) Where a notice issued under section 13B(3B) or (3D) of the 1983 Act is communicated to a presiding officer by telephone, the presiding officer must make a written record of that notice.]

**Textual Amendments**

**F61** Reg. 36A inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), regs. 1(1), **26** (with reg. 1(2)(3)(a))

**Notice by registration officer of a change of address E+W**

**37.**—(1) This regulation applies where a registration officer receives an application for registration which includes a statement given in accordance with regulation 26(1)(c) above.

(2) Where the address given in the statement received by the registration officer (“the new registration officer”) is in an area for which another registration officer (“the former registration officer”) acts, the new registration officer shall as soon as practicable notify the former registration officer that the applicant no longer resides in his area.

**Commencement Information**

**I37** Reg. 37 in force at 16.2.2001, see [reg. 1\(1\)](#)

*The register*

**Separate part of a register for each parliamentary polling district E+W**

**38.**—(1) The register shall be framed in separate parts for each parliamentary polling district.

(2) Where a parliamentary polling district is contained in more than one electoral area, there shall be a separate part of the register for each part of the polling district contained in each electoral area.

**Commencement Information**

**I38** Reg. 38 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Different letter for each parliamentary polling district E+W**

**39.** There shall be a different letter or letters in the register for each parliamentary polling district and such letter or letters shall be deemed to form part of an elector’s number in the register.

**Commencement Information**

**I39** Reg. 39 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Qualifying addresses which are not included in the register **E+W**

**40.**—(1) Section 9(2)(b) of the 1983 Act<sup>(27)</sup> (which requires each register of parliamentary or local government electors to contain the qualifying addresses of the persons registered in it) does not apply—

- (a) to an address to which paragraph (2) or (3) below applies, or
- (b) which is specified in an overseas elector’s declaration in accordance with section 2(4)(b) or (c)(ii) of the 1985 Act<sup>(28)</sup>.

(2) This paragraph applies to an address where it appears to the registration officer that—

- (a) a service voter in his service declaration, or
- (b) a person who has made a declaration of local connection,

has given that address in such a declaration as an address—

- (i) at which he has resided, but
- (ii) which is not an address at which he is or would be residing but for the circumstances entitling him to make such a declaration.

(3) This paragraph applies to an address given in a declaration of local connection in accordance with section 7B(4)(b) of the 1983 Act<sup>(29)</sup>.

#### Commencement Information

**I40** Reg. 40 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Order of names **E+W**

**41.**—(1) Subject to paragraphs (2) and (3) below, the names and addresses of each separate part of the register shall be arranged in street order.

(2) If the registration officer determines for any part of the register that street order is not reasonably practicable, the names and addresses shall be arranged in alphabetical order or partly in street order and partly in alphabetical order.

(3) The name of any person whose qualifying address is not contained in a register by virtue of regulation 40 above shall be grouped together in alphabetical order—

- (a) at the end of that part of the register to which the address relates;
- (b) beneath the heading “Other electors”, and
- (c) without giving that address.

#### Commencement Information

**I41** Reg. 41 in force at 16.2.2001, see [reg. 1\(1\)](#)

### <sup>[F62]</sup> Anonymous entries **E+W**

**41A.**—(1) An anonymous entry of a person consists of that person’s electoral number together with the letter “N”.

<sup>(27)</sup> Section 9 was substituted by Schedule 1 to the 2000 Act.

<sup>(28)</sup> Section 2 was substituted by Schedule 2 to the 2000 Act.

<sup>(29)</sup> Section 7B was inserted by section 6 of the 2000 Act.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (2) The entry is to be entered in the register—
- (a) at the end of the part of the register which relates to the qualifying address of the person entitled to the entry,
  - (b) under the heading of “Other electors” as mentioned in regulation 41(3)(b), and
  - (c) following the names grouped together under that heading in pursuance of that regulation.]

#### Textual Amendments

**F62** Reg. 41A inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **15**

#### Marking of names **E+W**

**42.**—(1) Paragraphs (3) to (7) below specify the marks to appear against a person’s [F63 entry] in the register to indicate that he is registered in one or more of the four registers (those of: parliamentary electors; local government electors; relevant citizens of the Union registered as European Parliamentary electors, and peers overseas registered as European Parliamentary overseas electors) which are required to be combined.

(2) Where no mark appears against a person’s [F63 entry] in the register of electors, this indicates that he is registered in the registers of parliamentary and local government electors.

(3) To indicate that a relevant citizen of the Union is registered only in the register of local government electors, the letter “G” shall be placed against his [F63 entry].

(4) To indicate that such a citizen is registered in both that register and the register of such citizens registered as European Parliamentary electors, the letter “K” shall be placed against his [F63 entry].

(5) To indicate that any other person is registered only in the register of local government electors, the letter “L” shall be placed against his [F63 entry].

(6) To indicate that an overseas elector is registered only in the register of parliamentary electors, the letter “F” shall be placed against his [F63 entry].

(7) To indicate that a European Parliamentary overseas elector is registered only in the register of such electors, the letter “E” shall be placed against his [F63 entry].

#### Textual Amendments

**F63** Word in reg. 42 substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **16**

#### Commencement Information

**I42** Reg. 42 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Publication of register **E+W**

**43.**—[F64(1) The manner in which each revised version of the full register is to be published under section 13(1) and (3) of the 1983 Act is by the registration officer—

- (a) making a copy of it available for inspection under supervision—
  - (i) at his office, and

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(ii) at such places, if any, in his registration area as allow members of the public in that area reasonable facilities for that purpose; and

(b) supplying copies of it in accordance with Part VI of these Regulations.

(1A) Where a copy of the full register is made available pursuant to paragraph (1)(a) above by providing the register on a computer screen or otherwise in data form, the registration officer shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

(a) search it by electronic means by reference to the name of any person; or

(b) copy or transmit any part of that copy by electronic, or any other, means.]

(2) The revised version of the register shall be kept published until the coming into force of the next revised version of it.

#### Textual Amendments

**F64** Reg. 43(1)(1A) substituted for reg. 43(1) (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **10** (with reg. 2(3))

#### Commencement Information

**I43** Reg. 43 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Information about register **E+W**

**44.**—(1) As soon as practicable after the publication of a revised version of the register under section 13(1) of the 1983 Act, the registration officer shall supply to the Secretary of State a document setting out the information about electors which is required by paragraphs (2) to (4) [<sup>F65</sup>and (6)] below.

(2) The document referred to in paragraph (1) above shall state the name of the constituency (and, if only part of the constituency is situated in the area for which the registration officer acts, that fact) and shall list the following total numbers of electors in that constituency or part thereof, namely—

- (a) parliamentary electors (including those referred to in sub-paragraph (d) below);
- (b) local government electors (including those referred to in sub-paragraph (d) below);
- (c) those local government electors who are ineligible to vote at parliamentary elections; and
- (d) those registered in pursuance of section 4(5) of the 1983 Act<sup>(30)</sup>.

(3) The document referred to in paragraph (1) above shall set out separately as respects those electors referred to in sub-paragraphs (a) and (d) of paragraph (2) above the following totals, namely—

- (a) those registered by virtue of residence at a qualifying address;
- (b) those registered in pursuance of a service declaration;
- (c) those registered in pursuance of an overseas elector's declaration; and
- (d) those registered in pursuance of a declaration of local connection.

(4) The document referred to in paragraph (1) above shall in respect of each relevant area in the constituency state—

- (a) its name or number;

<sup>(30)</sup> Section 4 was substituted by section 1(2) of the 2000 Act.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (b) the letters referred to in regulation 39 above for each parliamentary polling district in each relevant area (or part thereof); and
- (c) if only part of the relevant area is situated in the constituency, that fact;
- and shall list the following total numbers of electors in that area (or part thereof) namely—
- (i) parliamentary electors (including those referred to in sub-paragraph (ii)) below;
- (ii) those registered by virtue of section 4(5) of the 1983 Act; and
- (iii) those local government electors who are ineligible to vote at parliamentary elections.
- (5) In paragraph (4) above “relevant area” means—
- (a) in England, a ward of a district, of a London borough or of the City of London, and
- (b) in Wales, an electoral division of a county or county borough.
- [<sup>F66</sup>(6) The document referred to in paragraph (1) shall state the total number of electors who have an anonymous entry.]

#### Textual Amendments

- F65** Words in [reg. 44\(1\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), [regs. 1\(1\)](#), [17\(1\)](#)
- F66** [Reg. 44\(6\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), [regs. 1\(1\)](#), [17\(2\)](#)

#### Commencement Information

- I44** [Reg. 44](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

### Preparation and publication of list of overseas electors **E+W**

**45.—(1)** The registration officer shall prepare a list of the names of each person who appears to him to be entitled to be registered in pursuance of an overseas elector’s declaration (“the list of overseas electors”); and shall include in that list the address specified in that declaration in accordance with section 2(4) of the 1985 Act and regulation 18(1) above.

(2) In respect of each constituency which is wholly or partly comprised in the area for which the registration officer acts there shall be a separate part of the list of overseas electors; and the names of the persons included in each part shall be listed in alphabetical order.

(3) At the time when the registration officer publishes a revised version of the register under section 13(1) of the 1983 Act, he shall publish the list of overseas electors by making a copy of it available for inspection [<sup>F67</sup>under supervision] at his office; and the list shall be kept so published until the next revised version of the register is published under section 13(1) of the 1983 Act.

(4) The name of a person appearing to the registration officer to be entitled to be registered in pursuance of a European Parliamentary overseas elector’s declaration (and included in the list of overseas electors by virtue of regulation 13(6) above) shall be marked with the letter “E”.

#### Textual Amendments

- F67** Words in [reg. 45\(3\)](#) inserted (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), [regs. 2\(2\)](#), [11](#) (with [reg. 2\(3\)](#))

#### Commencement Information

- I45** [Reg. 45](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

*Status: Point in time view as at 24/12/2008.*

*Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)*

## <sup>F68</sup> Record of anonymous entries **E+W**

**45A.**—(1) The registration officer must keep a record of anonymous entries.

(2) The registration officer must enter in the record each person who is entered in the register with an anonymous entry.

(3) The entry in the record must contain the following particulars—

- (a) the full name of the person to whom the entry relates;
- (b) his electoral number;
- (c) his qualifying address;
- (d) where he has given in his application for an anonymous entry an address other than his qualifying address to which correspondence should be sent, that address;
- (e) the date on which the anonymous entry in the register took effect.

(4) Where the application of a person with an anonymous entry to vote by post is granted, the registration officer must also enter in the record the address to which the postal ballot paper should be sent as given in the application (in accordance with regulation 51(2)(d)).

### Textual Amendments

**F68** Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

## Duties of registration officer and his staff in relation to record of anonymous entries **E+W**

**45B.**—(1) This regulation applies to—

- (a) the registration officer,
- (b) any deputy registration officer, and
- (c) any person appointed to assist any such officer or who in the course of his employment is assigned to assist such officer in his registration duties.

(2) Where the registration officer is also the returning officer or acting returning officer at any election or counting officer at any referendum (and in consequence has access to the record of anonymous entries without being supplied with a copy of it), this regulation applies to—

- (a) the registration officer acting in that other capacity,
- (b) any deputy returning officer, deputy acting returning officer or deputy counting officer, and
- (c) any person appointed to assist any person mentioned in sub-paragraph (a) or (b) or who in the course of his employment is assigned to assist any such officer in his duties in respect of the election or referendum in question.

(3) No person to whom this regulation applies may—

- (a) supply to any person a copy of the record,
- (b) disclose information contained in it, or
- (c) make use of such information,

otherwise than in accordance with an enactment (including these Regulations) or the order of any court or tribunal made at any hearing or during the course of any proceedings.

(4) Nothing in paragraph (3) applies to the supply or disclosure by a person to whom this regulation applies to another such person in connection with his registration duties or for the purposes of an election or referendum.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(5) The persons to whom this regulation applies must take proper precautions for the safe custody of the record.

(6) In this regulation and regulation 45C—

“counting officer” means the counting officer at a referendum held by or under any Act;

“enactment” has the same meaning as in section 17(2) of the 2000 Act<sup>(31)</sup>.

#### Textual Amendments

**F68** Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

### Supply of record of anonymous entries to returning and counting officers **E+W**

**45C.**—(1) Paragraph (2) applies whenever the registration officer supplies a copy of the full register, or any part of it, to a returning officer or counting officer.

(2) The registration officer must supply—

(a) together with the copy of the register, a copy of the record of anonymous entries;

(b) together with any part of the register, a copy of the record so far as it relates to that part.

(3) A registration officer may supply a copy of the record to a returning officer or counting officer at any other time.

(4) No person to whom a copy of the record has been supplied under this regulation may—

(a) supply a copy of the record,

(b) disclose any information contained in it, or

(c) make use of any such information,

other than for the purposes of an election or referendum (as the case may be).

(5) Each person supplied with a copy of the record under this regulation must take proper precautions for its safe custody.

#### Textual Amendments

**F68** Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

### Supply of record of anonymous entries in connection with summoning of juries **E+W**

**45D.**—(1) Paragraph (2) applies to any person to whom a copy of the full register has been supplied or to whom information contained in it has been disclosed for the purpose of summoning juries, other than a designated officer within the meaning of section 3(1) of the Juries Act 1974.

(2) The registration officer must at the request in writing of a person to whom this paragraph applies supply to that person a copy of the record of anonymous entries.

(3) Paragraphs (4) and (5) apply to—

(a) each person who has been supplied with a copy of the record of anonymous entries in accordance with section 3(1A) of the Juries Act 1974;

<sup>(31)</sup> The exercise of the powers in section 52(1) is made subject to section 7(1) of the Political Parties, Elections and Referendums Act 2000 (c. 41) and section 52(1A), as inserted by Schedule 21 to that Act, is relevant to those powers.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (b) each person who has been supplied with a copy of the record in accordance with paragraph (2).
- (4) No person to whom this paragraph applies may—
  - (a) supply a copy of the record,
  - (b) disclose any information contained in it, or
  - (c) make use of any such information,
 other than for the purpose of summoning juries.
- (5) The persons to whom this paragraph applies must take proper precautions for the safe custody of the record.

**Textual Amendments**  
**F68** Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

**Supply of record of anonymous entries to the security services** E+W

- 45E.**—(1) This regulation applies where the registration officer supplies a copy of the full register to—
- (a) the Security Service;
  - (b) the Government Communications Headquarters;
  - (c) the Secret Intelligence Service.
- (2) The registration officer must supply a copy of the record of anonymous entries together with the register.
- <sup>F69</sup>(3) .....
- <sup>F69</sup>(4) .....

**Textual Amendments**  
**F68** Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**  
**F69** Reg. 45E(3)(4) revoked (24.12.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), s. 100(5), Sch. 1 para. 2(2), **Sch. 9 Pt. 2** (with s. 101(5)); S.I. 2008/3296, art. 2

**Supply of the record of anonymous entries to police forces and other organisations** E+W

- 45F.**—(1) The registration officer must supply a copy of the record of anonymous entries, at the request in writing of a senior officer, to—
- (a) any police force in Great Britain,
  - (b) the Police Service of Northern Ireland or the Police Service of Northern Ireland (Reserve),
  - (c) the Police Information Technology Organisation,
  - (d) any body of constables established under an Act, or
  - (e) the Serious Organised Crime Agency.
- (2) Senior officer means—



**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (a) in the case of the forces and organisations mentioned in paragraph (1)(a) to (d), an officer of a rank senior to that of superintendent;
  - (b) in the case of the Serious Organised Crime Agency, the Director General of that Agency.
- (3) No person serving whether as a constable, officer or employee of any of the forces and organisations mentioned in paragraph (1) may—
- (a) supply to any person a copy of the record,
  - (b) disclose any information contained in it, or
  - (c) make use of any such information,
- otherwise than for the purposes specified in paragraph (4).
- (4) The purposes are—
- (a) the prevention and detection of crime and the enforcement of the criminal law (whether in England and Wales or elsewhere);
  - (b) the vetting of a relevant person for the purpose of safeguarding national security.
- (5) Relevant person means—
- (a) a constable or officer or prospective constable or officer of the force or organisation;
  - (b) an employee of, or applicant for employment by, the force or organisation.
- (6) Each person supplied with a copy of the record under this regulation must take proper precautions for its safe custody.

#### Textual Amendments

**F68** Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

#### Certificate of anonymous registration **E+W**

**45G.**—(1) Where a registration officer enters a person in the record of anonymous entries, he must issue to that person a certificate of anonymous registration.

(2) A certificate of anonymous registration must be in writing and signed by the registration officer.

- (3) A certificate for anonymous registration must state—
- (a) the name of the area for which the registration officer acts;
  - (b) the name, electoral number and qualifying address of the person who has the anonymous entry;
  - (c) the date on which the anonymous entry took effect;
  - (d) that unless a fresh application for an anonymous entry is made, the entitlement to remain registered anonymously will terminate no later than at the end of the period of 12 months beginning with the date stated in accordance with sub-paragraph (c).

#### Textual Amendments

**F68** Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

**Certificate of anonymous registration prescribed for purposes of paragraph 10(2) of Schedule 2A E+W**

**45H.** The evidence prescribed for the purposes of paragraph 10(2) of Schedule 2A to the 1983 Act is a certificate of anonymous registration.]

**Textual Amendments**

**F68** Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

**Supply of free copies of register and list of overseas electors otherwise than on request E+W**

<sup>F70</sup>**46.** . . . . .

**Textual Amendments**

**F70** [Reg. 46](#) revoked (16.10.2002) by [The Representation of the People \(England and Wales\)\(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **3(1)** (with reg. 2(3))

**Commencement Information**

**I46** [Reg. 46](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

**Supply of free copies of register and list of overseas electors on request E+W**

<sup>F70</sup>**47.** . . . . .

**Textual Amendments**

**F70** [Reg. 46](#) revoked (16.10.2002) by [The Representation of the People \(England and Wales\)\(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **3(1)** (with reg. 2(3))

**Sale of register and list of overseas electors E+W**

**48.**—(1) Subject to paragraph (4) below, the registration officer shall supply a copy or copies of the register or of the list of overseas electors to any person on payment of a fee calculated in accordance with paragraph (2) or (3) below.

- (2) In the case of the register—
  - (a) in data form, the fee shall be at the rate of £20 plus £1.50 for each 1,000 entries (or remaining part of 1,000 entries) in it; and
  - (b) in printed form, the fee shall be at the rate of £10 plus £5 for each 1,000 entries (or remaining part of 1,000 entries) in it.
- (3) In the case of the list of overseas electors—
  - (a) in data form, the fee shall be at the rate of £20 plus £1.50 for each 100 entries (or remaining part of 100 entries) in it; and
  - (b) in printed form, the fee shall be at the rate of £10 plus £5 for each 100 entries (or remaining part of 100 entries) in it.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(4) The registration officer shall not supply a printed copy of the register under this regulation if to do so would result in his having insufficient copies of it for the purposes of any requirement made by or under any enactment.

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

**C18** Reg. 48 extended (1.3.2003) by [The National Assembly for Wales \(Representation of the People\) Order 2003 \(S.I. 2003/284\)](#), art. 1(1), **Sch. 1 para. 2**

**Commencement Information**

**I47** Reg. 48 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Supply of register and list of overseas electors in data form** **E+W**

**49.**—(1) Subject to any direction of the Secretary of State under section 52(1) of the 1983 Act(**31**), any duty on the registration officer to supply data under regulations 46 to 48 above imposes only a duty to supply such data recorded in the form in which he holds it.

(2) The registration officer shall not supply data which includes information not included in the printed version of the register otherwise than under regulation 46(4).

**Commencement Information**

**I48** Reg. 49 in force at 16.2.2001, see [reg. 1\(1\)](#)

**PART IV** **E+W**

**ABSENT VOTERS**

**Interpretation of Part IV** **E+W**

**50.** In this Part of these Regulations—

“Schedule 4” means Schedule 4 to the 2000 Act,<sup>F71</sup> ...

[<sup>F72</sup>“absent voter” means an elector who is entitled to vote by proxy or an elector or proxy who is entitled to vote by post;]

“allotted polling station” has the meaning set out in regulation 53(7) below.

**Textual Amendments**

**F71** Word in [reg. 50](#) omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **31(1)**

**F72** Words in [reg. 50](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **31(1)**

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

**C19** [Regs. 50-61](#) applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

(31) The exercise of the powers in section 52(1) is made subject to section 7(1) of the Political Parties, Elections and Referendums Act 2000 (c. 41) and section 52(1A), as inserted by Schedule 21 to that Act, is relevant to those powers.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Commencement Information

**I49** Reg. 50 in force at 16.2.2001, see [reg. 1\(1\)](#)

### General requirements for applications for an absent vote **E+W**

**51.**—(1) An application under Schedule 4 must comply with the requirements of this regulation and such further requirements in this Part of these Regulations as are relevant to the application.

(2) The application must state—

- (a) the full name of the applicant;
- (b) the address in respect of which the applicant is [<sup>F73</sup>registered or has applied to be (or is treated as having applied to be) registered] in the register except in the case of an application under paragraph 7(4) or (7) of Schedule 4;
- (c) in the case of such an application, the proxy's address, together with the name of the elector for whom he will act as proxy and the elector's address for the purposes of sub-paragraph (b) above;
- (d) in the case of a person applying to vote by post, the address to which the ballot paper should be sent,<sup>F74</sup> ...
- (e) in the case of an application to vote by proxy, the grounds on which the elector claims to be entitled to an absent vote.
- [<sup>F75</sup>(f) in the case of a person who is unable to provide a signature, the reasons for his request for waiver of any requirement under paragraph 3, 4 or 7 of Schedule 4 to provide a signature and the name and address of any person who has assisted him to complete his application, and
- (g) where the applicant has, or has applied for, an anonymous entry, that fact.]

[<sup>F76</sup>(3) The application shall be made in writing and shall be dated.

(3A) Where an application is required to contain a signature and date of birth, the information must be set out in a manner that is sufficiently clear and unambiguous as to be capable of electronic scanning into his record by configuring the information as follows—

- (a) the signature shall appear against a background of white unlined paper of at least five centimetres long and two centimetres high; and
- (b) the applicant's date of birth shall be set out numerically configured in the sequence of date, month and year, namely [d][d][m][m][y][y][y][y].

(3B) Where the application contains a request that the registration officer waive the requirement for a signature, sub-paragraph (a) of paragraph (3A) shall not apply.]

(4) An application under Schedule 4 which is made for an indefinite period or the period specified in the application must state-

- (a) that it is so made, and
- (b) whether it is made for parliamentary elections, local government elections or both.

(5) An application under Schedule 4 which is made for a particular parliamentary or local government election must-

- (a) state that it is so made, and
- (b) identify the election in question,

but, where the poll at one election falls on the same day as the poll at another election, the same application may be used for both elections.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(6) Where an application is made to vote by proxy, it shall include an application for the appointment of a proxy which meets the requirements of regulation 52 below.

#### Textual Amendments

- F73** Words in reg. 51(2)(b) substituted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **3**
- F74** Word in reg. 51(2)(d) omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **32(2)**
- F75** Reg. 51(2)(f)(g) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **32(3)**
- F76** Reg. 51(3)(3A)(3B) substituted for reg. 51(3) (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **32(4)**

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

- C19** Regs. 50-61 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

#### Commencement Information

- I50** Reg. 51 in force at 16.2.2001, see [reg. 1\(1\)](#)

[<sup>F77</sup>**Additional provision concerning the requirement that an application for an absent vote must be signed by the applicant** **E+W**]

[<sup>F78</sup>**51A.** The registration officer may satisfy himself—

- (a) that an application under Schedule 4 meets any requirements that it has been signed by the applicant and states his date of birth by referring to any signature and date of birth—
- (i) previously provided by the applicant to the registration officer or the returning officer; or
- (ii) previously provided by the applicant to the authority referred to in regulation 35(2)(a), which the registration officer is authorised to inspect for the purposes of his registration duties; and
- (b) as to whether the applicant is unable to provide a signature or a consistent signature due to any disability or inability to read or write.]

#### Textual Amendments

- F77** Regs. 51A, 51B inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **4**
- F78** Reg. 51A substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **33**

[<sup>F79</sup>**Additional requirement for applications for ballot papers to be sent to different address from that stated in application** **E+W**]

**51AA.**—(1) Paragraph (2) applies where—

- (a) in the case of an application to vote by post under paragraph 3(1) or (7) or 4(1) of Schedule 4, the addresses stated in accordance with regulation 51(2)(b) and (d) are different;

**Status:** Point in time view as at 24/12/2008.

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- (b) in the case of an application by a proxy to vote by post under paragraph 7(4) of Schedule 4, the proxy's address stated in accordance with regulation 51(2)(c) and the address stated in accordance with regulation 51(2)(d) are different.
- (2) The application must set out why the applicant's circumstances will be or are likely to be such that he requires the ballot paper to be sent to the address stated in accordance with regulation 51(2)(d).
- (3) This regulation does not apply where an applicant has, or has applied for, an anonymous entry.]

#### Textual Amendments

- F77** Regs. 51A, 51B inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **4**
- F79** Reg. 51AA inserted (24.11.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(4), **61**

#### Additional requirements for applications for ballot papers to be sent to different address from that shown in the record kept under paragraph 3(4) or 7(6) of Schedule 4 **E+W**

- 51B.**—[
- <sup>F80</sup>(1)] An application under—
- (a) paragraph 4(3)(a) of Schedule 4 by a person shown as voting by post in the record kept under paragraph 3(4) of that Schedule; or
- (b) paragraph 7(7) of that Schedule by a person shown as voting by post in the record kept under paragraph 7(6) of that Schedule,

for his ballot paper to be sent to a different address from that shown in the record shall set out why the applicant's circumstances will be or are likely to be such that he requires his ballot paper to be sent to that address.

- [
- <sup>F81</sup>(2) This regulation does not apply where an applicant has, or has applied for, an anonymous entry.]]

#### Textual Amendments

- F77** Regs. 51A, 51B inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **4**
- F80** Reg. 51B(1): reg. 51B renumbered as reg. 51B(1) (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **19(2)**
- F81** Reg. 51B(2) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **19(3)**

#### Additional requirements for applications for the appointment of a proxy **E+W**

**52.** An application for the appointment of a proxy under paragraphs 3 and 4 of Schedule 4 shall state the full name and address of the person whom the applicant wishes to appoint as his proxy, together with his family relationship, if any, with the applicant, and-

- (a) if it is signed only by the applicant, shall contain a statement by him that he has consulted the person so named and that that person is capable of being and willing to be appointed to vote as his proxy, or

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- (b) if it is also signed by the person to be appointed, shall contain a statement by that person that he is capable of being and willing to be appointed to vote as the applicant's proxy.

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

**C19** Regs. 50-61 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

**Commencement Information**

**I51** Reg. 52 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Additional requirements for applications for a proxy vote for a definite or indefinite period on grounds of [<sup>F82</sup>blindness or any other disability] **E+W****

**53.**—(1) An application to vote by proxy for a [<sup>F83</sup>particular] or indefinite period under paragraph 3(3)(b) of Schedule 4 shall specify [<sup>F84</sup>the disability] by reason of which it is made.

[<sup>F85</sup>(2) Subject to paragraph (3) below, such an application shall be attested and signed by—

- (a) a registered medical practitioner;
  - (b) a nurse registered on the register maintained by the Nursing and Midwifery Council under article 5 of the Nursing and Midwifery Order 2001 by virtue of qualifications in nursing;
  - (c) a registered dentist as defined by section 53(1) of the Dentists Act 1984;
  - (d) a registered dispensing optician or a registered optometrist within the meaning of the Opticians Act 1989;
  - (e) a registered pharmaceutical chemist as defined by section 24(1) of the Pharmacy Act 1954;
  - (f) a registered osteopath as defined by section 41 of the Osteopaths Act 1993;
  - (g) a registered chiropractor as defined by section 43 of the Chiropractors Act 1994;
  - (h) a Christian Science practitioner;
  - (i) a person for the time being listed in the British Psychological Society's Register of Chartered Psychologists;
  - (j) a person registered as a member of a profession to which the Health Professions Order 2001 for the time being extends;
  - (k) the person carrying on a care home registered under Part 2 of the Care Standards Act 2000;
  - (l) the warden of premises forming one of a group of premises provided for persons of pensionable age or disabled persons for which there is a resident warden, where the applicant states that he resides in such premises;
  - (m) a manager within the meaning of section 145(1) of the Mental Health Act 1983, or on behalf of such a manager; or
  - (n) a person registered in the register for social workers maintained in accordance with section 56 of the Care Standards Act 2000.
- (3) A person who qualifies—
- (a) by virtue of any of sub-paragraphs (a) to (j) of paragraph (2) above, may not attest an application for these purposes unless—
    - (i) he is treating the applicant for the disability specified in the application; or
    - (ii) the applicant is receiving care from him in respect of that disability; or

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (b) by virtue of sub-paragraph (n) of paragraph (2) above, may not attest an application for these purposes unless—
  - (i) he is treating the applicant for the disability specified in the application;
  - (ii) the applicant is receiving care from him in respect of that disability; or
  - (iii) he has arranged care or assistance for the person in respect of their disability.
- (4) The person attesting the application shall state—
  - (a) his name and address and the qualification by virtue of which he attests the application;
  - (b) where the person who attests the application is a person referred to in paragraph (3)(a) above, that—
    - (i) he is treating the applicant for the disability specified in the application; or
    - (ii) the applicant is receiving care from him in respect of that disability;
  - (c) where the person who attests the application is a person referred to in paragraph (3)(b) above, that—
    - (i) he is treating the applicant for the disability specified in the application;
    - (ii) the applicant is receiving care from him in respect of that disability; or
    - (iii) he has arranged care or assistance for the applicant in respect of that disability;
  - (d) that, to the best of his knowledge and belief, the applicant has the disability specified in the application and that he cannot reasonably be expected to go in person to his allotted polling station or to vote unaided there by reason of that disability; and
  - (e) that, to the best of his knowledge and belief, the disability specified in the application is likely to continue either indefinitely or for a period specified by the person attesting the application.]
- (5) Paragraphs (2) to (4) above shall not apply where—
  - (a) the application is based on the applicant’s blindness and the applicant is registered as a blind person by the local authority which is specified in the application under section 29(4)(g) of the National Assistance Act 1948; or
  - (b) the application states that the applicant is in receipt of the higher rate of the mobility component of a disability living allowance (payable under section 73 of the Social Security Contributions and Benefits Act 1992(32)) because of the [<sup>F86</sup>disability] specified in the application.
- [<sup>F87</sup>(5A) A person who qualifies by virtue of sub-paragraph (m) of paragraph (2) above, shall, instead of the matters specified in paragraph (4)(a) above, state in the attestation—
  - (i) his name;
  - (ii) his position in the hospital at which the applicant is liable to be detained or at which he is receiving treatment;
  - (iii) that he is a person authorised to make the attestation; and
  - (iv) in the case of an applicant who is liable to be detained in hospital, the statutory provision under which the applicant is liable to be so detained.]
- (6) The fact that an applicant is registered with a local authority under section 29(4)(g) of the National Assistance Act 1948 shall be deemed sufficient evidence that he is eligible to vote by proxy on the grounds set out in paragraph 3(3)(b) of Schedule 4.

(32) 1992 c. 4.



**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(7) In this regulation and in regulations 54 and 55 below, “his allotted polling station”, in relation to an elector means the polling station allotted or likely to be allotted to him under the appropriate rules (as defined in paragraph 1 of Schedule 4).

#### Textual Amendments

- F82** Words in reg. 53 heading substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **42(2)**
- F83** Word in reg. 53(1) substituted (5.5.2001) by The Representation of the People (England and Wales) (Amendment) Regulations 2001 (S.I. 2001/1700), regs. 1(1), **5**
- F84** Words in reg. 53(1) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **42(3)**
- F85** Reg. 53(2)-(4) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **42(4)**
- F86** Word in reg. 53(5)(b) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **42(5)**
- F87** Reg. 53(5A) inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **42(6)**

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

- C19** Regs. 50-61 applied (with modifications) (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

#### Commencement Information

- I52** Reg. 53 in force at 16.2.2001, see **reg. 1(1)**

#### Additional requirements for applications for a proxy vote for a definite or indefinite period based on occupation, service, employment or attendance on a course **E+W**

**54.**—(1) An application to vote by proxy for a [<sup>F88</sup>particular] or indefinite period under paragraph 3(3)(c) of Schedule 4 shall state—

- (a) whether the occupation, service or employment in respect of which it is made is that of the applicant or his spouse [<sup>F89</sup>or civil partner] or, as the case may be, it is the applicant or his spouse [<sup>F89</sup>or civil partner] who is attending the course provided by an educational institution in respect of which the application is made;
- (b) the nature of the occupation, service or employment or course provided by an educational institution giving rise to the application;
- (c) where the person in respect of whose occupation, service or employment it is made (in this regulation referred to as “the employed person”) is self employed, that fact; and in any other case the name of that person’s employer;
- (d) the reason, relevant to the general nature of the employment, service or occupation in question or the course provided by an educational institution, why the applicant cannot reasonably be expected to go in person to his allotted polling station.

(2) Such an application shall be attested and signed—

- (a) where the person is self-employed, by a person who—
  - (i) is aged 18 years or over;
  - (ii) knows the self-employed person; and
  - (iii) is not related to him;

**Status:** Point in time view as at 24/12/2008.

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- (b) by the employer of the employed person or by another employee to whom this function is delegated by the employer; and
  - (c) in the case of a course provided by an educational institution, by the director or tutor of that course or by the principal or head of that institution or an employee to whom this function is delegated by the head or principal.
- (3) The person attesting an application made under paragraph (2) above shall—
- (a) where the applicant is the employed person or the person attending the course, certify that the statements required by sub-paragraphs (a) to (d) of paragraph (1) above to be included in the application are true; or
  - (b) where the applicant is the spouse [<sup>F90</sup>or civil partner] of the employed person or the person attending the course, certify that the statements included in the application in accordance with the requirements of sub-paragraphs (a) to (c) of paragraph (1) above are true.
- (4) The person attesting an application under paragraph (2) above shall also state—
- (a) his name and address, that he is aged 18 years or over, that he knows the employed person, self-employed person or person attending a course provided by an educational institution but is not related to him; and
  - (b) if he is attesting as or on behalf of the employer of the employed person, that he is the employer or the position he holds in the employment of that employer; or
  - (c) if he is attesting an application made on the grounds of attendance at a course provided by an educational institution, the post he holds at that institution.
- (5) For the purposes of this regulation, one person is related to another if he is the [<sup>F91</sup>spouse, civil partner,] parent, grandparent, brother, sister, child or grandchild of the other.

#### Textual Amendments

- F88** Word in reg. 54(1) substituted (5.5.2001) by The Representation of the People (England and Wales) (Amendment) Regulations 2001 (S.I. 2001/1700), regs. 1(1), 5
- F89** Words in reg. 54(1)(a) inserted (5.12.2005) by The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005 (S.I. 2005/2114), art. 1, **Sch. 8 para. 1(6)(a)**
- F90** Words in reg. 54(3)(b) inserted (5.12.2005) by The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005 (S.I. 2005/2114), art. 1, **Sch. 8 para. 1(6)(b)**
- F91** Words in reg. 54(5) substituted (5.12.2005) by The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005 (S.I. 2005/2114), art. 1, **Sch. 8 para. 1(6)(c)**

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

- C19** Regs. 50-61 applied (with modifications) (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

#### Commencement Information

- I53** Reg. 54 in force at 16.2.2001, see **reg. 1(1)**

#### <sup>F92</sup>Additional requirements for applications for a proxy vote in respect of a particular election **E+W**

**55.**—(1) An application under paragraph 4(2) of Schedule 4 to vote by proxy at a particular election shall set out why the applicant's circumstances on the date of the poll for that election in respect of which it is made will be or are likely to be such that he cannot reasonably be expected to vote in person at his allotted polling station.

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[<sup>F93</sup>(1A) Paragraph (1) does not apply where the applicant has an anonymous entry.]

(2) Where an application under paragraph 4(2) of Schedule 4—

- (a) is made on the grounds of the applicant's [<sup>F94</sup>disability]; and
- (b) is made after 5 p.m. on the sixth day before the date of the poll at the election for which it is made,

the requirements of regulation 53 as to the matters to be specified and the attestation shall apply.

(3) Where an application mentioned in paragraph (2) above is made, the person who attests the application shall state, in addition to those matters specified in [<sup>F95</sup>regulation 53], to the best of his knowledge and belief, the date upon which the applicant became [<sup>F96</sup>disabled].]

[<sup>F97</sup>(4) Where an application under paragraph 4(2) of Schedule 4 is made by a person to whom paragraph 2(5A) of that Schedule applies after 5 p.m. on the sixth day before the date of the poll at the election for which it is made, the requirements of paragraph (5) below as to the matters to be specified and as to attestation shall apply.

(5) Where an application mentioned in paragraph (4) above is made—

- (a) the application shall additionally state the name and address of the hospital at which the applicant is liable to be detained; and
- (b) the application shall be attested by or on behalf of a manager, within the meaning of section 145(1) of the Mental Health Act 1983, of the hospital at which the applicant is liable to be detained, and the attestation shall state—
  - (i) the name of the person attesting the application;
  - (ii) his position in the hospital at which the applicant is liable to be detained;
  - (iii) that he is a person authorised to make the attestation; and
  - (iv) the statutory provision under which the applicant is liable to be detained in the hospital.

(6) This regulation does not apply where an applicant has an anonymous entry.]

### Textual Amendments

- F92** Reg. 55 substituted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **5**
- F93** Reg. 55(1A) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **20**
- F94** Word in reg. 55(2)(a) substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **43(2)**
- F95** Words in reg. 55(3) substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **43(3)(a)**
- F96** Words in reg. 55(3) substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **43(3)(b)**
- F97** Reg. 55(4)-(6) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **43(4)**

### Modifications etc. (not altering text)

- C19** Regs. 50-61 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

## Closing date for applications **E+W**

**56.**—(1) An application under paragraph [F<sup>98</sup>3(1), (6) or (7), or 7(4)] of Schedule 4 shall be disregarded for the purposes of a particular parliamentary or local government election and an application under paragraph 4(3) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eleventh day before the date of the poll at that election.

(2) An application under paragraph [F<sup>99</sup>3(2) or 6(7)] of Schedule 4 shall be disregarded for the purposes of a particular parliamentary or local government election if it is received by the registration officer after 5 p.m. on the sixth day before the date of the poll at that election.

[F<sup>100</sup>(3) Subject to paragraph (3A), an application under paragraph 4(2) or 6(8) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the sixth day before the date of the poll at the election for which it is made.

[F<sup>101</sup>(3A) Where an application made under paragraph 4(2) of Schedule 4 is made—

- (a) on the grounds of the applicant’s disability and the applicant became disabled after 5 p.m. on the sixth day before the date of the poll at the election for which it is made; or
- (b) by a person to whom paragraph 2(5A) of that Schedule applies,

the application, or an application under paragraph 6(8) of that Schedule made by virtue of that application, shall be refused if it is received after 5 p.m. on the day of the poll at the election for which it is made.]

(4) An application under paragraph [F<sup>102</sup>4(1) or 7(7)] of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eleventh day before the date of the poll at the election for which it is made.

(5) An application under—

- (a) paragraph 3(5)(a) of Schedule 4 by an elector to be removed from the record kept under paragraph 3(4) of that Schedule, or
- (b) paragraph 7(9)(a) of Schedule 4 by a proxy to be removed from the record kept under paragraph 7(6) of that Schedule,

and a notice under paragraph 6(10) of that Schedule by an elector cancelling a proxy’s appointment shall be disregarded for the purposes of a particular parliamentary or local government election if it is received by the registration officer after [F<sup>103</sup>5 p.m. on the eleventh day before the date of the poll at that election].

(6) In computing a period of days for the purposes of this regulation, Saturday, Sunday, Christmas Eve, Christmas Day, F<sup>104</sup>... Good Friday or a bank holiday shall be disregarded.

(7) In paragraph (6) above “bank holiday” means—

- (a) in relation to a parliamentary general election, a day which is a bank holiday under the Banking and Financial Dealings Act 1971(33) in any part of the United Kingdom, and
- (b) in relation to a parliamentary by-election or a local government election, a day which is a bank holiday under that Act in England and Wales;

except that where, at a parliamentary general election, any proceedings are commenced afresh by reason of a candidate’s death, sub-paragraph (b), not (a), shall apply.]

### Textual Amendments

**F98** Words in reg. 56(1) substituted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), 6(2)

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- F99** Words in reg. 56(2) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **6(3)**
- F100** Reg. 56(3)-(3A) substituted for reg. 56(3) (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **6(4)**
- F101** Reg. 56(3A) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **44**
- F102** Words in reg. 56(4) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **6(5)**
- F103** Words in reg. 56(5) substituted for reg. 56(5)(i)(ii) (5.5.2001) by The Representation of the People (England and Wales) (Amendment) Regulations 2001 (S.I. 2001/1700), regs. 1(1), **6**
- F104** Words in reg. 56(6) omitted (1.1.2007) by virtue of The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **60(2)** (with reg. 1(2)(3) (d))

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

- C19** Regs. 50-61 applied (with modifications) (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

#### Commencement Information

- I54** Reg. 56 in force at 16.2.2001, see **reg. 1(1)**

### Grant or refusal of applications **E+W**

**57.**—(1) Where the registration officer grants an application to vote by post, he shall <sup>F105</sup>... notify the applicant of his decision.

(2) Where the registration officer grants an application for the appointment of a proxy, he shall confirm in writing to the elector that the proxy has been appointed, his name and address, and the duration of the appointment.

(3) The form of proxy paper (as amended for use also in respect of European Parliamentary elections) in Form E is hereby prescribed for the purposes of paragraph 6(9) of Schedule 4.

(4) Where the registration officer refuses an application under Schedule 4, he shall notify the applicant of his decision and of the reason for it.

[<sup>F106</sup>(4A) Where the registration officer grants an application made under—

- (a) paragraph 4(3)(a) of Schedule 4 by a person shown as voting by post in the record kept under paragraph 3(4) of that Schedule; or
- (b) paragraph 7(7) of that Schedule by a person shown as voting by post in the record kept under paragraph 7(6) of that Schedule,

he shall notify the applicant of this.

(4B) Where a person is removed from the record kept pursuant to paragraph 3(4) [<sup>F107</sup>or 7(6)] of Schedule 4, the registration officer shall [<sup>F108</sup>where practicable] notify him of this and the reason for it.

(4C) Where the appointment of a proxy is cancelled by the elector or otherwise ceases to be in force, the registration officer shall [<sup>F109</sup>where practicable] notify the elector that the appointment has been cancelled or, as the case may be, notify him that the appointment has ceased and the reason for it.]

(5) Where, under regulation 56 above, a registration officer disregards an application for the purposes of any particular parliamentary or local government election, he shall <sup>F110</sup>... notify the applicant of this.

**Status:** Point in time view as at 24/12/2008.

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(6) At a parliamentary election where the registration officer is not the acting returning officer for any constituency or part of a constituency in the area for which he is the registration officer, he shall send to that officer details of any application to vote by post which he has granted as soon as practicable after doing so.

#### Textual Amendments

- F105** Words in [reg. 57\(1\)](#) omitted (23.3.2006) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **7(2)**
- F106** [Reg. 57\(4A\)-\(4C\)](#) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **7(3)**
- F107** Words in [reg. 57\(4B\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **62(2)(a)** (with [reg. 1\(2\)\(3\)\(e\)](#))
- F108** Words in [reg. 57\(4B\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **62(2)(b)** (with [reg. 1\(2\)\(3\)\(e\)](#))
- F109** Words in [reg. 57\(4C\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **62(3)** (with [reg. 1\(2\)\(3\)\(e\)](#))
- F110** Words in [reg. 57\(5\)](#) omitted (23.3.2006) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **7(2)**

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

- C19** [Regs. 50-61](#) applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

#### Commencement Information

- I55** [Reg. 57](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

### Notice of appeal **E+W**

**58.—(1)** A person desiring to appeal under section 56(1)(b) of the 1983 Act<sup>(34)</sup> against the decision of a registration officer must give notice of the appeal to the registration officer within 14 days of the receipt of the notice given under regulation 57(4) above specifying the grounds of appeal.

(2) The registration officer shall forward any such notice to the appropriate county court in the manner directed by rules of court together in each case with a statement of the material facts which in his opinion have been established in the case, of his decision upon the whole case and on any point which may be specified as a ground of appeal.

(3) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the county court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

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

- C19** [Regs. 50-61](#) applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

#### Commencement Information

- I56** [Reg. 58](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

<sup>(34)</sup> Section 56(1)(b) was amended by Schedule 2 to the 1985 Act.

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## Cancellation of proxy appointment **E+W**

59. Where the appointment of a proxy is cancelled by notice given to the registration officer under paragraph 6(10) of Schedule 4 or ceases to be in force under that provision or is no longer in force under paragraph 6(11)(b) of that Schedule, the registration officer shall—

- (a) notify the person whose appointment as proxy has been cancelled, expired, ceases to be or is no longer in force, unless the registration officer has previously been notified by that person that he no longer wishes to act as proxy, and
- (b) remove his name from the record kept under paragraph 3(4)(c) of Schedule 4.

### Modifications etc. (not altering text)

**C19** Regs. 50-61 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

### Commencement Information

**I57** Reg. 59 in force at 16.2.2001, see [reg. 1\(1\)](#)

## Inquiries by registration officer **E+W**

60.—(1) The registration officer may, at such times as he thinks fit, make inquiries of a person—

- (a) who is shown as voting by proxy in the record kept under paragraph 3(4) of Schedule 4 in pursuance of an application granted on the grounds set out in paragraph 3(3)(b) and (c) of that Schedule; or
- (b) who immediately before the date of the commencement of Schedule 4 was entitled to vote by proxy for an indefinite period at parliamentary elections, local government elections or both in pursuance of an application granted on grounds corresponding to those set out in paragraph 3(3)(b) and (c) of Schedule 4 (physical incapacity, blindness, occupation, service or employment),

for the purpose of determining whether there has been a material change of circumstances.

(2) Where the grant of an application for a proxy vote for an indefinite or <sup>[F111]</sup>particular period was based on the grounds referred to in paragraph 3(3)(c) of Schedule 4 (or grounds corresponding to those grounds), the registration officer shall make the inquiries referred to not later than three years after the granting of the application or the last such inquiries, as the case may be.

(3) The registration officer may treat the failure by a person of whom inquiries have been made to respond to such inquiries within one month of the date on which they were made as sufficient evidence of a material change in circumstances.

### Textual Amendments

**F111** Word in [reg. 60\(2\)](#) substituted (5.5.2001) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2001 \(S.I. 2001/1700\)](#), regs. 1(1), 7

### Modifications etc. (not altering text)

**C19** Regs. 50-61 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

### Commencement Information

**I58** Reg. 60 in force at 16.2.2001, see [reg. 1\(1\)](#)

*Status: Point in time view as at 24/12/2008.*

*Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)*

**[<sup>F112</sup>Requirement to provide fresh signatures at five yearly intervals E+W]**

**60A.**—(1) The registration officer shall every year by 31 January send every person who remains an absent voter and whose signature held on the personal identifiers record is more than five years old a notice in writing—

- (a) requiring him to provide a fresh signature, and
- (b) informing him of the date (six weeks from the date of sending the notice) on which he would cease to be entitled to vote by post or by proxy in the event of a failure or refusal to provide a fresh signature.

(2) The notice must be sent by the registration officer to the current or last known address of the absent voter.

(3) The registration officer must, if the absent voter has not responded to the notice within three weeks from the date on which the notice was sent, as soon as practicable send a copy of the notice to him.

(4) Where a notice or copy of a notice is sent by post, the registration officer may use—

- (a) a universal postal service provider; or
- (b) a commercial delivery firm,

and postage shall be prepaid.

(5) A notice or copy of a notice sent to an absent voter in accordance with paragraph (1) or (3) must be accompanied by a pre-addressed reply envelope and, in the case of any notice or copy of a notice sent to an address in the United Kingdom, return postage must be prepaid.

(6) Upon the expiration of the period specified in the notice sent to the absent voter the registration officer shall determine whether the absent voter has failed or refused to provide a fresh signature.

(7) Where the registration officer determines that the absent voter has refused or failed to provide a fresh signature within the specified period, he must remove that person's entry from the records kept pursuant to paragraph 3(4) or 7(6) of Schedule 4 and from the postal voters list, list of proxies or proxy postal voters list (as the case may be) kept under paragraph 5(2), 5(3) or 7(8) of that Schedule.

(8) Where a registration officer removes an absent voter's entry in the circumstances to which paragraph (7) refers—

- (a) the registration officer shall inform the absent voter, where appropriate, of the location of the polling station allotted or likely to be allotted to him under the appropriate rules (as defined in paragraph 1 of Schedule 4);
- (b) regulation 57(4) and regulation 58 shall apply as if the registration officer were refusing an application under Schedule 4; and
- (c) in the case of an entry removed from the proxy postal voters list, the registration officer must also notify the elector who appointed the proxy whose entry has been removed.

(9) The registration officer shall include in the notice to be sent to an absent voter regarding their removal from the records kept pursuant to paragraph 3(4) or 7(6) of Schedule 4 and from the postal voters list, list of proxies or proxy postal voters list (as the case may be) kept under paragraph 5(2), 5(3) or 7(8) of that Schedule, information—

- (a) explaining the effect of such removal; and
- (b) reminding the absent voter that he may make a fresh application under Schedule 4 to vote by post or by proxy (as the case may be).]



### Textual Amendments

**F112** Reg. 60A inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **34**

### <sup>F113</sup>Records and lists kept under Schedule 4 **E+W**

**61.**—(1) Any person entitled to be supplied in accordance with regulation 103, 105, 106 or 108 below with copies of the full register is also a person entitled, subject to this regulation and to regulation 61A, to request that the registration officer supply free of charge the relevant part (within the meaning of those regulations) of a copy of any of the following information which he keeps—

(a) the current version of the information which would, in the event of a particular parliamentary or local government election, be included in the postal voters lists, the list of proxies or the proxy postal voters lists, which he is required to keep under paragraph 5 or 7(8) of Schedule 4;

(b) the current or final version of the postal voters list, the list of proxies or the proxy postal voters lists kept under paragraph 5 or 7(8) of Schedule 4.

(2) A request under paragraph (1) shall be made in writing and shall specify—

(a) the information (or the relevant parts of the information) requested;

(b) whether the request is made only in respect of the current lists or whether it includes a request for the supply of any final list; and

(c) whether a printed copy of the records or lists is requested or a copy in data form.

(3) A person who obtains any information under this regulation may use it only for the permitted purposes specified in regulation 61A, and any restrictions—

(a) specified in that regulation, or

(b) which would apply to the use of the full register under whichever of regulation 103, 105, 106 or 108 entitled that person to obtain that information,

shall apply to such use.

(4) The registration officer shall supply a current copy of the information requested under paragraph (1), as soon as practicable after receipt of a request that is duly made.

(5) The registration officer shall supply a final copy of the postal voters list kept under paragraph 5(2) of Schedule 4, as soon as practicable after 5pm on the eleventh day before the day of the poll, in response to a request under paragraph (1) that has been duly made.

(6) As soon as practicable after 5pm on the sixth day before the day of the poll the registration officer shall—

(a) make a copy of the lists kept under paragraphs 5 and 7(8) of Schedule 4 available for inspection at his office in accordance with paragraphs (10) to (15); and

(b) at a parliamentary election, if he is not the acting returning officer for any constituency or part of a constituency in the area for which he is the registration officer, send to that officer a copy of those lists;

(c) supply a final copy of the postal voters lists or the list of proxies in response to every request under paragraph (1) that has been duly made.

(7) The registration officer shall supply a final copy of the proxy voters list kept under paragraph 5(3) of Schedule 4, updated to include any additions to that list made in consequence of any applications granted in accordance with regulation 56(3A), as soon as practicable after 5pm on the day of the poll, to every person who received that list in accordance with paragraph (6)(c).

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(8) Any person who has obtained or is entitled to obtain a copy of information covered by paragraph (1) may—

- (a) supply a copy of the information to a processor for the purpose of processing the information, or
- (b) procure that a processor processes and supplies to them any copy of the information which the processor has obtained under this regulation,

for use in respect of the purposes for which that person is entitled to obtain such information.

(9) Paragraphs (2) and (3) and the condition in paragraph (9) of regulation 92 shall be taken to apply to the supply and processing of information supplied under this regulation as they apply to the supply and processing of the full register under Part 6 of these Regulations.

(10) Any person is entitled to request that the registration officer make available for inspection a copy of any of the information specified in paragraph (1).

(11) A request under paragraph (10) shall be made in writing and shall specify—

- (a) the information (or relevant parts of the information) requested;
- (b) whether the request is made only in respect of the current lists or whether it includes a request for the inspection of any final list;
- (c) who will inspect the information;
- (d) the date on which they wish to inspect the information; and
- (e) whether they would prefer to inspect the information in a printed or data form.

(12) The registration officer shall make a copy of the information available for inspection under supervision as soon as practicable after the date of receipt of a request that has been duly made.

(13) Where inspection takes place by providing a copy of the information on a computer screen or otherwise in data form, the registration officer shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

- (a) search it by electronic means by reference to the name of any person; or
- (b) copy or transmit any part of that copy by electronic, or any other means.

(14) A person who inspects a copy of the information, whether a printed copy or in data form, may not—

- (a) make copies of any part of it, or
- (b) record any particulars in it,

otherwise than by means of hand-written notes.

(15) Subject to any direction by the Secretary of State under section 52(1) of the 1983 Act, any duty on a registration officer to supply a copy or make information available for inspection under this regulation, imposes only a duty to provide that information in the form in which he holds it.

(16) For the purposes of this regulation—

- (a) a “current copy” of records or lists is a copy of the records or lists as kept by the registration officer at 9 a.m. on the date it is supplied; and
- (b) any period of days shall be calculated in accordance with regulation 56(6) and (7).

(17) The registration officer shall ensure that where he supplies or discloses information covered by paragraph (1)(a) in accordance with this regulation, he does not supply or disclose any record relating to a person specified in paragraph (18).

(18) The persons specified in this paragraph are—

- (a) a person who has an anonymous entry;
- (b) the proxy of a person who has an anonymous entry.]

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

#### Textual Amendments

**F113** Reg. 61 substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **55** (with reg. 1(2)(3)(d))

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

**C19** Regs. 50-61 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

#### Commencement Information

**I59** Reg. 61 in force at 16.2.2001, see [reg. 1\(1\)](#)

### [<sup>F114</sup>Conditions on the use, supply and inspection of absent voter records or lists **E+W**

**61A.** The restrictions on the supply, disclosure and use of the full register in regulations 94 and 96 shall apply to information covered by regulations 61(1)(a) and (b), as they apply to the full register, except that the permitted purpose shall mean either—

- (a) research purposes within the meaning of that term in section 33 of the Data Protection Act 1998; or
- (b) electoral purposes.]

#### Textual Amendments

**F114** Reg. 61A inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **56** (with reg. 1(2)(3)(d))

### [<sup>F115</sup>The personal identifiers record **E+W**

**61B.**—(1) The registration officer shall maintain a record (“the personal identifiers record”), apart from the other records and lists which he is required to keep under Schedule 4, of the signatures and dates of birth provided by persons whose applications under paragraph 3(1) or (2), paragraph 4(1) or (2) or paragraph 7(4)(a) or (b) of Schedule 4 were granted, until the expiry of twelve months from—

- (a) the date on which a person is removed from the record kept pursuant to paragraph 3(4) or 7(6) of Schedule 4; or
- (b) the date of the poll for the purposes of which the person’s application for an absent vote was granted under paragraph 4(1) or (2) or 7(4)(b) of Schedule 4.

(2) The personal identifiers record shall contain the following information in respect of each absent voter on the postal voters list, list of proxies or proxy postal voters list—

- (a) his name;
- (b) his date of birth; and
- (c) his signature, or a record of the waiver by the registration officer of the requirement for a signature;

(3) The registration officer may disclose information held in the personal identifiers records to—

- (a) any candidate or agent attending proceedings on receipt of postal ballot papers, in accordance with and for the purposes referred to in regulation 85;

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (b) any person attending proceedings on receipt of postal ballot papers, who is entitled to do so by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000, but only to the extent required to permit them to observe the proceedings.]

#### Textual Amendments

**F115** Reg. 61B inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **35**

#### Marked register for polling stations **E+W**

**62.** To indicate that an elector or his proxy is entitled to vote by post and is for that reason not entitled to vote in person, the letter “A” shall be placed against the [F116entry] of that elector in any copy of the register, or part of it, provided for a polling station.

#### Textual Amendments

**F116** Word in reg. 62 substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **16**

#### Commencement Information

**I60** Reg. 62 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Certificate of employment at a parliamentary election **E+W**

**63.—(1)** The form of certificate in Form F is hereby prescribed for the purposes of rule 32(3) of the elections rules in Schedule 1 to the 1983 Act.

(2) The prescribed officer of police for those purposes is one of or above the rank of inspector.

#### Commencement Information

**I61** Reg. 63 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### [F117]Corresponding number lists **E+W**

**63A.—(1)** The form of the corresponding number list to be prepared by a returning officer under rule 19A of the rules in Schedule 1 to the 1983 Act shall be in Form L1.

(2) The form of the corresponding number list to be prepared by a returning officer for the purposes of [F118rules 29(3)(e) and 37(1)(b)] and 37(1)(d) of the rules in Schedule 1 to the 1983 Act shall be in Form L2.

(3) The form of the corresponding number list to be prepared by a returning officer under rule 19A of the rules in Schedule 1 to the 1983 Act, when a parliamentary election is combined with another poll under section 15 of the Representation of the People Act 1985 or [F119section 44 or 45] of the Local Government Act 2000 shall be in Form M1.

(4) The form of the corresponding number list to be prepared by a returning officer for the purposes of [F120rules 29(3)(e) and 37(1)(b)], and 37(1)(d) of the rules in Schedule 1 to the 1983 Act, when a parliamentary election is combined with another poll under section 15 of the Representation of the People Act 1985 or [F121section 44 or 45] of the Local Government Act 2000 shall be in Form M2.]

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Textual Amendments

- F117** Reg. 63A inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **29(1)** (with reg. 1(2)(3)(a))
- F118** Words in reg. 63A(2) substituted (9.4.2007) by The Representation of the People (England and Wales) and the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2007 (S.I. 2007/1025), regs. 1(2), **2(2)** (with reg. 1(3))
- F119** Words in reg. 63A(3) substituted (9.4.2007) by The Representation of the People (England and Wales) and the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2007 (S.I. 2007/1025), regs. 1(2), **2(3)** (with reg. 1(3))
- F120** Words in reg. 63A(4) substituted (9.4.2007) by The Representation of the People (England and Wales) and the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2007 (S.I. 2007/1025), regs. 1(2), **2(2)** (with reg. 1(3))
- F121** Words in reg. 63A(4) substituted (9.4.2007) by The Representation of the People (England and Wales) and the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2007 (S.I. 2007/1025), regs. 1(2), **2(3)** (with reg. 1(3))

## PART V **E+W**

### ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

#### Interpretation of Part V **E+W**

- 64.** For the purposes of this Part of these Regulations, unless the context otherwise requires—
- F122** ...
- “agent” includes the election agent and a person appointed to attend in the election agent’s place;
- “ballot paper envelope” and “covering envelope” mean the envelopes referred to in regulation 74 below;
- F123** ...
- “postal ballot paper” means a ballot paper issued to a postal voter;
- “postal voter” means an elector or proxy who is entitled to vote by post;
- “postal voters’ ballot box” means the ballot box referred to in regulation 81(1)(a);
- “receptacle for ballot paper envelopes”, and other references to specified receptacles, means the receptacles referred to in regulation 81(5) below;
- “spoilt postal ballot paper” means a ballot paper referred to in regulation 77(1) below;
- “universal postal service provider” has the meaning given in the Postal Services Act 2000(**35**) to a “universal service provider”; and
- [<sup>F124</sup>“valid postal voting statement” means a postal voting statement which, in accordance with regulation 85 or 85A, the returning officer is satisfied has been duly completed.]

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Textual Amendments

- F122** Words in [reg. 64](#) omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **48(2)** (with [reg. 1\(2\)\(3\)](#) (d))
- F123** Words in [reg. 64](#) omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **48(3)** (with [reg. 1\(2\)\(3\)](#) (d))
- F124** Words in [reg. 64](#) substituted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **31(2)** (with [reg. 1\(2\)\(3\)](#) (b))

### Commencement Information

- I62** [Reg. 64](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

## Issue of Postal Ballot Papers

### Combination of polls **E+W**

- 65.** Where the polls at elections are taken together under—
- subsection (1) or (2) of section 15 of the 1985 Act (combination of polls at parliamentary, European Parliamentary and local government elections), or
  - subsection (3) or (3AB) of section 36 of the 1983 Act (combination of polls at local elections)**(36)**,

the proceedings on the issue and receipt of postal ballot papers in respect of each election may, if the returning officers concerned agree, be taken together.

### Modifications etc. (not altering text)

- C20** [Reg. 65](#) modified (23.3.2004) by [The Representation of the People \(Combination of Polls\) \(England and Wales\) Regulations 2004 \(S.I. 2004/294\)](#), regs. 1(1), **7(6)**

### Commencement Information

- I63** [Reg. 65](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

### Form of [<sup>F125</sup>postal voting statement] **E+W**

**66.** The form of the [<sup>F125</sup>postal voting statement] for the purposes of rule 24 of the rules in Schedule 1 to the 1983 Act**(37)** shall be—

- in Form G at a parliamentary election taken alone;
- in Form H at a parliamentary election where the proceedings on the issue and receipt of postal ballot papers are taken together with those proceedings at another election;
- in Form J at a parliamentary election where the poll is taken together with the poll at another election, but where the proceedings on the issue and receipt of postal ballot papers are not.

**(36)** Section 36(3) was substituted by section 17 of the 1985 Act and section 36(3B) was inserted by Schedule 16 to the Local Government (Wales) Act 1994 (c. 19).

**(37)** Rule 24 was substituted by Schedule 6 to the 2000 Act.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

#### Textual Amendments

**F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))

#### Commencement Information

**I64** Reg. 66 in force at 16.2.2001, see **reg. 1(1)**

### Persons entitled to be present at proceedings on issue of postal ballot papers **E+W**

**67.** [<sup>F126</sup>Without prejudice to the provisions of section 6A, 6B, 6C, 6D, or 6E of the Political Parties, Elections and Referendums Act 2000,] no person may be present at the proceedings on the issue of postal ballot papers other than the returning officer and his clerks.

#### Textual Amendments

**F126** Words in reg. 67 inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **63** (with reg. 1(2)(3)(e))

#### Commencement Information

**I65** Reg. 67 in force at 16.2.2001, see **reg. 1(1)**

### Persons entitled to be present at proceedings on receipt of postal ballot papers **E+W**

**68.** [<sup>F127</sup>Without prejudice to the provisions of section 6A, 6B, 6C, 6D, or 6E of the Political Parties, Elections and Referendums Act 2000,] no person may be present at the proceedings on the receipt of postal ballot papers other than—

- (a) the returning officer and his clerks,
- (b) a candidate,
- (c) an election agent or any person appointed by a candidate to attend in his election agent's place or, at an election of parish or community councillors, any person appointed by the candidate to attend at those proceedings, and
- (d) any agents appointed under regulation 69 below.

#### Textual Amendments

**F127** Words in reg. 68 inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **63** (with reg. 1(2)(3)(e))

#### Commencement Information

**I66** Reg. 68 in force at 16.2.2001, see **reg. 1(1)**

### Agents of candidates who may attend proceedings on receipt of postal ballot papers **E+W**

**69.**—(1) Each candidate may appoint one or more agents to attend the proceedings on the receipt of the postal ballot papers up to the number he may be authorised by the returning officer to appoint so, however, that the number authorised shall be the same in the case of each candidate.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(2) Notice in writing of the appointment stating the names and addresses of the persons appointed shall be given by the candidate to the returning officer before the time fixed for the opening of the postal voters' ballot box.

(3) Where postal ballot papers for more than one election are issued together under regulation 65 above, the returning officer to whom notice shall be given under paragraph (2) above and paragraphs (4) and (5) below is the returning officer who issues the postal ballot papers.

(4) If an agent dies or becomes incapable of acting, the candidate may appoint another agent in his place and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.

(5) Agents may be appointed and notice of appointment given to the returning officer by the candidate's election agent instead of by the candidate.

(6) In this Part of these Regulations references to agents shall be taken as references to agents whose appointments have been duly made and notified and, in the case of agents appointed under paragraph (1) above, who are within the number authorised by the returning officer.

(7) A candidate may himself do any act or thing which any agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.

(8) Where in this Part of these Regulations any act or thing is required or authorised to be done in the presence of the candidates or their agents, the non-attendance of any such persons or person at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

#### Commencement Information

**I67** Reg. 69 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Notification of requirement of secrecy **E+W**

**70.** The returning officer shall make such arrangements as he thinks fit to ensure that every person attending the proceedings in connection with the issue of receipt or postal ballot papers has been given a copy in writing of the provisions of subsections (4) and (6) of section 66 of the 1983 Act(**38**).

#### Commencement Information

**I68** Reg. 70 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Time when postal ballot papers are to be issued **E+W**

**71.—**(1) In the case of a person shown in the record kept under—

- (a) paragraph 3(4), or
- (b) paragraph 7(6),

of Schedule 4 to the 2000 Act (electors and proxies entitled to vote by post for an indefinite or definite period), no postal ballot paper (and [<sup>F125</sup>postal voting statement]) shall be issued until after 5 p.m. on the eleventh day before the date of the poll (computed in accordance with regulation 56(6) above).

(2) In the case of any other person, the postal ballot paper (and [<sup>F125</sup>postal voting statement]) shall be issued by the returning officer as soon as practicable after the registration officer has granted the application to vote by post.

(38) Section 66(6) was amended by Schedule 3 to the 1985 Act.



**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

**Textual Amendments**

**F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))

**Commencement Information**

**I69** Reg. 71 in force at 16.2.2001, see **reg. 1(1)**

**Procedure on issue of postal ballot paper** **E+W**

72.—<sup>F128</sup>(1) . . . . .

(2) The number of the elector as stated in the register shall be marked on the [<sup>F129</sup>corresponding number list, next to the number and unique identifying mark of the ballot paper issued to that elector].

(3) A mark shall be placed in the [<sup>F130</sup>postal voters list] or the [<sup>F131</sup>proxy postal voters list] against the number of the elector to denote that a ballot paper has been issued to the elector or his proxy, but without showing the particular ballot paper issued.

(4) The number of a postal ballot paper shall be marked on the [<sup>F125</sup>postal voting statement] sent with that paper.

(5) Where postal ballot papers for more than one election are issued together under regulation 65 above—

(a) one mark shall be placed in the [<sup>F130</sup>postal voters list] or the [<sup>F132</sup>proxy postal voters list] under paragraph (3) above to denote that ballot papers have been issued in respect of all those elections; except that, where ballot papers are not so issued, a different mark shall be placed in the [<sup>F130</sup>postal voters list] or [<sup>F132</sup>proxy postal voters list] to identify the election in respect of which the ballot paper was issued; and

(b) the number of each ballot paper shall be marked on the [<sup>F125</sup>postal voting statement] under paragraph (4) above.

(6) Where the poll at one election is taken with the poll at another election (under the provisions referred to in regulation 65 above) but not the proceedings on the issue and receipt of postal ballot papers, the colour of the postal ballot paper shall also be marked on the [<sup>F125</sup>postal voting statement] sent with that paper.

[<sup>F133</sup>(7) [<sup>F134</sup>Subject to paragraph (8),] the address to which the postal ballot paper, [<sup>F125</sup>postal voting statement] and the envelopes referred to in regulation 74 below are to be sent is—

(a) in the case of an elector, the address shown in the [<sup>F130</sup>postal voters list];

(b) in the case of a proxy, the address shown in the [<sup>F135</sup>proxy postal voters list].]

[<sup>F136</sup>(8) Where a person has an anonymous entry in the register, the items specified in paragraph (7) must be sent (as the case may be) to the address to which postal ballot papers should be sent—

(a) as shown in the record kept under paragraph 3(4) or 7(6) of Schedule 4, or

(b) as given in pursuance of an application made under paragraph 4(1) or 7(4)(b) of Schedule 4.]

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Textual Amendments

- F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))
- F128** Reg. 72(1) omitted (1.1.2007) by virtue of The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **30(1)** (with reg. 1(2)(3)(a))
- F129** Words in reg. 72(2) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **30(1)** (with reg. 1(2)(3)(a))
- F130** Words in reg. 72 substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **49(4)** (with reg. 1(2)(3)(d))
- F131** Words in reg. 72(3) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **49(1)(2)(a)** (with reg. 1(2)(3)(d))
- F132** Words in reg. 72(5)(a) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **49(1)(2)(a)** (with reg. 1(2)(3)(d))
- F133** Reg. 72(7) inserted (1.8.2002) by The Representation of the People (England and Wales) (Amendment) Regulations 2002 (S.I. 2002/1871), regs. 2(1), **12**
- F134** Words in reg. 72(7) inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **21(2)**
- F135** Words in reg. 72(7)(b) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **49(3)** (with reg. 1(2)(3)(d))
- F136** Reg. 72(8) inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **21(3)**

### Commencement Information

- I70** Reg. 72 in force at 16.2.2001, see **reg. 1(1)**

## Refusal to issue postal ballot paper **E+W**

**73.** Where a returning officer is satisfied that two or more entries in the [<sup>F137</sup>postal voters list], or the [<sup>F138</sup>proxy postal voters list] or in each of those lists relate to the same elector, he shall not issue more than one ballot paper in respect of that elector at any one election.

### Textual Amendments

- F137** Words in reg. 73 substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **49(4)** (with reg. 1(2)(3)(d))
- F138** Words in reg. 73 substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **49(1)(2)(b)** (with reg. 1(2)(3)(d))

### Commencement Information

- I71** Reg. 73 in force at 16.2.2001, see **reg. 1(1)**

## Envelopes **E+W**

**74.—**(1) Paragraphs (2) and (3) below prescribe the envelopes which are to be issued to a postal voter in addition to the ballot paper and [<sup>F125</sup>postal voting statement] (which are issued under rule 24 of the elections rules(**39**)).

(39) Rule 24 was substituted by paragraph 10(3) of Schedule 6 to the 2000 Act.

Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(2) There shall be issued an envelope for the return of the postal ballot paper or, as the case may be, ballot papers and the [F125 postal voting statement] (referred to as a “covering envelope”) which shall be marked with the letter “B”.

(3) There shall also be issued a smaller envelope (referred to as a “ballot paper envelope”) which shall be marked with-

- (a) the letter “A”;
- (b) the words “ballot paper envelope”, and
- (c) [F139 unless the envelope has a window through which the number on the ballot paper (or ballot papers) can be displayed,] the number of the ballot paper or, as the case may be, ballot papers.

(4) Where polls are taken together (under the provisions referred to in regulation 65 above) but not the proceedings on the issue and receipt of postal ballot papers—

- (a) the envelope referred to in paragraph (2) above shall also be marked “Covering envelope for the [insert colour of ballot paper] coloured ballot paper”, and
- (b) on the envelope referred to in paragraph (3) above, after the words “Ballot paper envelope” there shall be added the words “for the [insert colour of ballot paper] coloured ballot paper”.

**Textual Amendments**

**F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))

**F139** Words in reg. 74(3)(c) inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **64** (with reg. 1(2)(3)(e))

**Commencement Information**

**I72** Reg. 74 in force at 16.2.2001, see **reg. 1(1)**

**Sealing up of [F140 completed corresponding number lists] and security of special lists E+W**

**75.**—(1) As soon as practicable after the issue of each batch of postal ballot papers, the returning officer shall make up into a packet the [F140 completed corresponding number lists] of those ballot papers which have been issued and shall seal such a packet.

[F141(2) Until the time referred to in regulation 84(9), the returning officer shall take proper precautions for the security of the marked copy of the postal voters list and the proxy postal voters list.]

[F142(3) .....

**Textual Amendments**

**F140** Words in reg. 75 substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **30(2)** (with reg. 1(2)(3)(a))

**F141** Reg. 75(2) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **50(2)** (with reg. 1(2)(3)(d))

**F142** Reg. 75(3) omitted (1.1.2007) by virtue of The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **50(3)** (with reg. 1(2)(3)(d))

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

#### Commencement Information

**I73** Reg. 75 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Delivery of postal ballot papers **E+W**

**76.**—(1) For the purposes of delivering postal ballot papers, the returning officer may use—

- (a) a universal postal service provider;
- (b) a commercial delivery firm, or
- (c) clerks appointed under rule 26(1) of the elections rules.

(2) Where the services of a universal postal service provider or commercial delivery firm are to be used, envelopes addressed to postal voters shall be counted and delivered by the returning officer with such form of receipt to be endorsed by that provider or firm as may be arranged.

(3) Postage shall be prepaid on envelopes addressed to the postal voters (except where paragraph (1)(c) above applies).

(4) Return postage shall be prepaid on all covering envelopes where the address provided by the postal voter for the receipt of the postal ballot paper is within the United Kingdom.

#### Commencement Information

**I74** Reg. 76 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Spoilt postal ballot papers **E+W**

**77.**—<sup>[F143]</sup>(1) If a postal voter has inadvertently dealt with his postal ballot paper or <sup>[F125]</sup>postal voting statement] in such a manner that it cannot be conveniently used as a ballot paper (referred to as “a spoilt ballot paper”) or, as the case may be, a <sup>[F125]</sup>postal voting statement] (referred to as “a spoilt <sup>[F125]</sup>postal voting statement]”) he may return (either by hand or by post) to the returning officer the spoilt ballot paper or, as the case may be, the spoilt <sup>[F125]</sup>postal voting statement].

(2) Where a postal voter exercises the entitlement conferred by paragraph (1), he shall also return—

- (a) the postal ballot paper or, as the case may be, the <sup>[F125]</sup>postal voting statement], whether spoilt or not;
- (b) where postal ballot papers for more than one election have been issued together under regulation 65, all other ballot papers so issued, whether spoilt or not; and
- (c) the envelopes supplied for the return of the documents mentioned in paragraph (1) or subparagraph (a) or (b).]

(3) <sup>[F144]</sup>Subject to paragraph (3A)] on receipt of the documents referred to in paragraph (1) and, where applicable paragraph (2) above, the returning officer shall issue another postal ballot paper or, as the case may be, ballot papers except where those documents are received after <sup>[F145]</sup>5pm on the day of the poll].

<sup>[F146]</sup>(3A) Where the returning officer receives the documents referred to in paragraph (1) and, where applicable paragraph (2), after 5pm on the day before the day of the poll, he shall only issue another postal ballot paper or, as the case may be, ballot papers if the postal voter returned the documents by hand.]

(4) Regulations 72 (except paragraph (3)), 74, 75 and, subject to paragraph (7) below, 76 above shall apply to the issue of a replacement postal ballot paper under paragraph (3) above.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

[<sup>F147</sup>(5) Any postal ballot paper or [<sup>F125</sup>postal voting statement], whether spoilt or not, returned in accordance with paragraph (1) or (2) shall be immediately cancelled.]

(6) The returning officer, as soon as practicable after cancelling those documents, shall make up those documents in a separate packet and shall seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall be again made up and sealed.

[<sup>F148</sup>(7) Where a postal voter applies in person—

- (a) by 5pm on the day before the day of the poll, the returning officer may hand a replacement postal ballot paper to him; or
- (b) after 5pm on the day before the day of the poll, the returning officer may only hand a replacement postal ballot paper to him,

instead of delivering it in accordance with regulation 76.]

(8) The returning officer shall enter in a list kept for the purpose (“the list of spoilt postal ballot papers”)—

- (a) the name and number of the elector as stated in the register [<sup>F149</sup> (or, in the case of an elector who has an anonymous entry, his electoral number alone)] ;
- (b) the number of the postal ballot paper (or papers) issued under this regulation; and
- (c) where the postal voter whose ballot paper is spoilt is a proxy, his name and address.

#### Textual Amendments

- F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))
- F143** Reg. 77(1)(2) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **9(2)**
- F144** Words in reg. 77(3) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **9(3)(a)**
- F145** Words in reg. 77(3) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **9(3)(b)**
- F146** Reg. 77(3A) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **9(4)**
- F147** Reg. 77(5) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **9(5)**
- F148** Reg. 77(7) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **9(6)**
- F149** Words in reg. 77(8)(a) inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **22**

#### Commencement Information

- I75** Reg. 77 in force at 16.2.2001, see **reg. 1(1)**

#### Lost postal ballot papers **E+W**

78.—[<sup>F150</sup>(1) Where a postal voter claims either to have lost or not to have received—

- (a) his postal ballot paper, or
- (b) the [<sup>F125</sup>postal voting statement], or
- (c) one or more of the envelopes supplied for their return,

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

by the fourth day before the day of the poll, he may apply (whether or not in person) to the returning officer for a replacement ballot paper.]

(2) Such an application shall include evidence of the voter's identity.

[<sup>F151</sup>(2A) Where a postal voter exercises the entitlement conferred by paragraph (1), he shall return—

- (a) the documents referred to in paragraph (1)(a) to (c); and
- (b) where postal ballot papers for more than one election have been issued together under regulation 65, all other ballot papers so issued,

which he has received and which have not been lost.

(2B) Any postal ballot paper or [<sup>F125</sup>postal voting statement] returned in accordance with paragraph (2A) shall be immediately cancelled.

(2C) The returning officer, as soon as practicable after cancelling those documents, shall make up those documents in a separate packet and shall seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall be again made up and sealed.]

(3) [<sup>F152</sup>Subject to paragraph (3A)] where the application is received by the returning officer before [<sup>F153</sup>5pm on the day of the poll] and the returning officer—

(a) is satisfied as to the voter's identity, and

[<sup>F154</sup>(b) has no reason to doubt that the postal voter has either lost or has not received the original postal ballot paper or the [<sup>F125</sup>postal voting statement] or one or more of the envelopes provided for their return.]

he shall issue another postal ballot paper or, as the case may be, postal ballot papers.

[<sup>F155</sup>(3A) Where the application is received by the returning officer after 5pm on the day before the day of the poll, he shall only issue another postal ballot paper or, as the case may be, other ballot papers if the postal voter applied in person.]

(4) The returning officer shall enter in a list kept for the purpose (“the list of lost postal ballot papers”)—

(a) the name and number of the elector as stated in the register [<sup>F156</sup>(or, in the case of an elector who has an anonymous entry, his electoral number alone)];

(b) the number of the postal ballot paper issued under this regulation; and

[<sup>F157</sup>(c) where the postal voter is a proxy, his name and address.]

(5) Regulations 72 (except paragraph (3)), 74, 75 and, subject to paragraph (6) below, 76 above shall apply to the issue of a replacement postal ballot paper under paragraph (3) above.

[<sup>F158</sup>(6) Where a postal voter applies in person—

(a) by 5pm on the day before the day of the poll, the returning officer may hand a replacement postal ballot paper to him; or

(b) after 5pm on the day before the day of the poll, the returning officer may only hand a replacement postal ballot paper to him,

instead of delivering it in accordance with regulation 76.]

#### Textual Amendments

**F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- F150** Reg. 78(1) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **10(2)**
- F151** Reg. 78(2A)-(2C) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **10(3)**
- F152** Words in reg. 78(3) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **10(4)(a)**
- F153** Words in reg. 78(3) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **10(4)(b)**
- F154** Reg. 78(3)(b) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **10(4)(c)**
- F155** Reg. 78(3A) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **10(5)**
- F156** Words in reg. 78(4)(a) inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **22**
- F157** Reg. 78(4)(c) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **10(6)**
- F158** Reg. 78(6) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **10(7)**

#### Commencement Information

- I76** Reg. 78 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Receipt of Postal Ballot Papers

#### Alternative means of returning postal ballot paper or [F125postal voting statement] **E+W**

**79.—(1)** For the purposes of rule 45(1B) of the rules in Schedule 1 to the 1983 Act(**40**) the manner in which a postal ballot paper or [F125postal voting statement] may be returned to a polling station is by hand.

(2) For these purposes, the manner in which such a paper or [F159statement] may be returned to the returning officer is by post or by hand.

(3) [F160Subject to paragraph (4)] the presiding officer of the polling station shall deliver, or cause to be delivered, any postal ballot paper or [F125postal voting statement] returned to that station to the returning officer in the same manner and at the same time as he delivers, or causes to be delivered, the packets referred to in rule 43(1) of the elections rules.

[F161(4) The returning officer may collect, or cause to be collected, any postal ballot paper or [F125postal voting statement] which by virtue of paragraph (3) the presiding officer of a polling station would otherwise be required to deliver or cause to be delivered to him.

(5) Where the returning officer collects, or causes to be collected, any postal ballot paper or [F125postal voting statement] in accordance with paragraph (4) the presiding officer shall first make it (or them) up into a packet (or packets) sealed with his own seal and the seals of such polling agents as are present and desire to affix their seals.]

#### Textual Amendments

- F125** Words in [Regulation](#) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with [reg. 1\(2\)\(3\)\(e\)](#))

(40) Rule 45(1B) was inserted by paragraph 10(4)(a) of Schedule 6 to the 2000 Act.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- F159** Word in reg. 79(2) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(b)(i)** (with reg. 1(2)(3)(e))
- F160** Words in reg. 79(3) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **11(2)**
- F161** Reg. 79(4)(5) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **11(3)**

#### Commencement Information

**I77** Reg. 79 in force at 16.2.2001, see **reg. 1(1)**

### Notice of opening of postal ballot paper envelopes **E+W**

**80.**—(1) The returning officer shall give to each candidate not less than 48 hours' notice in writing of each occasion on which a postal voters' ballot box and the envelopes contained in it is to be opened.

(2) Such a notice shall specify—

- (a) the time and place at which such an opening is to take place, and
- (b) the number of agents a candidate may appoint under regulation 69(1) above to attend each opening.

#### Commencement Information

**I78** Reg. 80 in force at 16.2.2001, see **reg. 1(1)**

### Postal ballot boxes and receptacles **E+W**

**81.**—(1) The returning officer shall provide a separate ballot box for the reception of—

- (a) the covering envelopes when returned by the postal voters (“postal voters' ballot box”), and
- (b) postal ballot papers (“postal ballot box”).

(2) Each such ballot box shall be marked “postal voters' ballot box” or “postal ballot box”, as the case may be, and with the name of the constituency or electoral area (or areas) for which the election (or elections) is held.

(3) The postal ballot box shall be shown to the agents present on the occasion of opening the first postal voters' ballot box as being empty.

(4) The returning officer shall then lock the ballot box and apply his seal in such manner as to prevent its being opened without breaking the seal; any of the agents present who wish to add their seals may then do likewise.

(5) The returning officer shall provide the following receptacles—

- (a) the receptacle for rejected votes;
- (b) the receptacle for declarations of identity;
- (c) the receptacle for ballot paper envelopes; <sup>F162</sup>...
- (d) the receptacle for rejected ballot paper envelopes;
- <sup>F163</sup>(e) the receptacle for rejected votes (verification procedure); and
- (f) the receptacle for postal voting statements (verification procedure).]

(6) The returning officer shall take proper precautions for the safe custody of every ballot box and receptacle referred to in this regulation.



**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

#### Textual Amendments

- F162** Word in [reg. 81\(5\)](#) omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), [regs. 1\(1\)](#), [36](#)
- F163** [Reg. 81\(5\)\(e\)\(f\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), [regs. 1\(1\)](#), [36](#) (with [reg. 1\(2\)\(3\)\(c\)](#))

#### Commencement Information

- I79** [Reg. 81](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

### Receipt of covering envelope **E+W**

**82.**—(1) The returning officer shall, immediately on receipt (whether by hand or by post) of a covering envelope (or an envelope which is stated to include a postal vote) before the close of the poll, place it unopened in a postal voters' ballot box.

(2) Where an envelope, other than a covering envelope issued by the returning officer—

(a) has been opened, and

(b) contains a ballot paper envelope, [<sup>F125</sup>postal voting statement] or ballot paper,

the first-mentioned envelope, together with its contents, shall be placed in a postal voters' ballot box.

#### Textual Amendments

- F125** Words in [Regulation](#) substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), [regs. 1\(1\)](#), [65\(a\)](#) (with [reg. 1\(2\)\(3\)\(e\)](#))

#### Commencement Information

- I80** [Reg. 82](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

### Opening of postal voters' ballot box **E+W**

**83.**—(1) Each postal voters' ballot box shall be opened by the returning officer in the presence of the agents.

(2) So long as the returning officer ensures that there is at least one sealed postal voters' ballot box for the reception of covering envelopes up to the time of the close of the poll, the other postal voters' ballot boxes may previously be opened by him.

(3) The last postal voters' ballot box and the postal ballot box shall be opened at the counting of the votes under rule 45 of the elections rules.

#### Commencement Information

- I81** [Reg. 83](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

### Opening of covering envelopes **E+W**

**84.**—<sup>F164</sup>(1) When a postal voters' ballot box is opened, the returning officer shall count and record the number of covering envelopes (including any envelope which is stated to include a postal vote and any envelope described in [regulation 82\(2\)](#)(above)).

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(1A) He shall set aside for personal identifier verification a percentage, not less than 20%, of the envelopes recorded on that occasion.

(1B) He shall open separately each covering envelope (including an envelope described in regulation 82(2) above).]

(2) [<sup>F165</sup>The procedures in regulation 85 or 85A apply] where a covering envelope (including an envelope to which regulation 82(2) above applies) contains both—

- (a) a [<sup>F125</sup>postal voting statement] ; and
- (b) a ballot paper envelope, or if there is no ballot paper envelope, a ballot paper (or ballot papers).

(3) Where the covering envelope does not contain the [<sup>F125</sup>postal voting statement] separately, the returning officer shall open the ballot paper envelope to ascertain whether the [<sup>F125</sup>postal voting statement] is inside.

(4) Where a covering envelope does not contain both—

- (a) a [<sup>F125</sup>postal voting statement] (whether separately or not), and
- (b) a ballot paper envelope or, if there is no ballot paper envelope, a ballot paper (or ballot papers),

the returning officer shall mark the covering envelope “provisionally rejected”, attach its contents (if any) and place it in the receptacle for rejected votes.

[<sup>F166</sup>(5) Where—

- (a) an envelope contains the postal voting statement of an elector with an anonymous entry, and
- (b) paragraph (4) does not apply,

the returning officer shall set aside that envelope and its contents for personal identifier verification in accordance with regulation 85A.

(6) In carrying out the procedures in this regulation and regulations 85 to 88, the returning officer—

- (a) shall keep the ballot papers face downwards and shall take proper precautions for preventing any person from seeing the votes made on the ballot papers; and
- (b) shall not be permitted to view the corresponding number list used at the issue of postal ballot papers.

(7) Where an envelope opened in accordance with paragraph (1B) contains a postal voting statement, the returning officer shall place a mark in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned.

(8) A mark made under paragraph (7) shall be distinguishable from and shall not obscure the mark made under regulation 72(3).

(9) As soon as practicable after the last covering envelope has been opened, the returning officer shall make up into a packet the copy of the marked postal voters list and proxy postal voters list that have been marked in accordance with paragraph (7) and shall seal such a packet.]

#### Textual Amendments

**F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- F164** Reg. 84(1)(1A)(1B) substituted for reg. 84(1) (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **37(2)** (with reg. 1(2)(3)(c))
- F165** Words in reg. 84(2) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **37(3)** (with reg. 1(2)(3)(c))
- F166** Reg. 84(5)-(9) inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **51** (with reg. 1(2)(3)(d))

#### Commencement Information

- I82** Reg. 84 in force at 16.2.2001, see **reg. 1(1)**

### [<sup>F167</sup>Confirming receipt of postal voting statements] **E+W**

**84A.**—(1) An elector or a proxy voter who is shown in the postal voters list or proxy postal voters list may make a request, at any time between the first issue of postal ballots under regulation 71 and the close of the poll, that the returning officer confirm—

- (a) whether a mark is shown in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned, and
  - (b) whether the number of the ballot paper issued to the elector or his proxy has been recorded on either of the lists of provisionally rejected votes kept by the returning officer under paragraphs (2) and (3) of regulation 87.
- (2) A request under paragraph (1) shall—
- (a) be made by any method specified, and
  - (b) include any evidence of the voter's identity requested,

by the returning officer.

(3) Where a request is received in accordance with paragraph (2) the returning officer shall satisfy himself that the request has been made by the elector or their proxy and where he is so satisfied provide confirmation of the matters under paragraph (1).]

#### Textual Amendments

- F167** Reg. 84A inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **52** (with reg. 1(2)(3)(d))

### Procedure in relation to declarations of identity **E+W**

**85.**—[<sup>F168</sup>(1) This regulation applies to any postal voting statement contained in an envelope that has not been set aside for personal identifier verification in accordance with regulation 84(1A) or (5).

(1A) The returning officer must satisfy himself that the postal voting statement is duly completed.]

(2) Where the returning officer is not so satisfied, he shall mark the [<sup>F169</sup>statement] “rejected”, attach to it the ballot paper envelope, or if there is no such envelope, the ballot paper (or ballot papers), and, subject to paragraph (3) below, place it in the receptacle for rejected votes.

(3) Before placing the declaration in the receptacle for rejected votes, the returning officer shall show it to the agents and, if any of them object to his decision, he shall add the words “rejection objected to”.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(4) The returning officer shall then examine the number (or numbers) on the [F125 postal voting statement] against the number (or numbers) on the ballot paper envelope and, where they are the same, he shall place the [F170 statement] and the ballot paper envelope respectively in the receptacle for declarations of identity and the receptacle for ballot paper envelopes.

[F171(5) Where—

- (a) the number (or numbers) on a valid [F125 postal voting statement] is not the same as the number (or numbers) on the ballot paper envelope, or
- (b) that envelope has no number on it (or only one number when the [F125 postal voting statement] has more than one),

the returning officer shall open the envelope.

(6) Paragraph (7) below applies where—

- (a) there is a valid [F125 postal voting statement] but no ballot paper envelope; or
- (b) the ballot paper envelope has been opened under regulation 84(3) or paragraph (5) above.

(7) In the circumstances described in paragraph (6) above, the returning officer shall place—

- (a) in the postal ballot box, any ballot paper the number on which is the same as the number (or one of the numbers) on the valid [F125 postal voting statement];
- (b) in the receptacle for rejected votes, any other ballot paper, with the valid [F125 postal voting statement] attached and marked “provisionally rejected”;
- (c) in the receptacle for rejected votes, any valid [F125 postal voting statement] marked “provisionally rejected” where—
  - (i) there is no ballot paper, or
  - (ii) in the case of a [F172 statement] on which the number of more than one ballot paper appears, there is not a sufficient number of ballot papers and, in such a case, shall mark the [F172 statement] to indicate which ballot paper is missing;
- (d) in the receptacle for declarations of identity, any valid [F172 statement] not disposed of under sub-paragraph (b) or (c) above.]

#### Textual Amendments

**F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))

**F168** Reg. 85(1)(1A) substituted for reg. 85(1) (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **38** (with reg. 1(2)(3)(c))

**F169** Word in reg. 85(2) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(b)(ii)** (with reg. 1(2)(3)(e))

**F170** Word in reg. 85(4) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(b)(ii)** (with reg. 1(2)(3)(e))

**F171** Reg. 85(5)-(7) substituted (1.8.2002) by The Representation of the People (England and Wales) (Amendment) Regulations 2002 (S.I. 2002/1871), regs. 2(1), **14**

**F172** Word in reg. 85(7) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(b)(ii)** (with reg. 1(2)(3)(e))

#### Commencement Information

**I83** Reg. 85 in force at 16.2.2001, see **reg. 1(1)**

**[<sup>F173</sup> Procedure in relation to postal voting statements: personal identifier verification E+W**

**85A.**—(1) This regulation applies to any postal voting statement contained in an envelope that is set aside for personal identifier verification in accordance with regulation 84(1A) or (5).

(2) The returning officer must satisfy himself that the postal voting statement is duly completed and as part of that process must compare the date of birth and the signature on the postal voting statement against the date of birth and signature contained in the personal identifier record relating to the person to whom the postal ballot paper was addressed.

(3) Where the returning officer is not so satisfied, he shall mark the statement “rejected”, attach to it the ballot paper envelope, or if there is no such envelope, the ballot paper, and, subject to paragraph (4), place it in the receptacle for rejected votes (verification procedure).

(4) Before placing a postal voting statement in the receptacle for rejected votes (verification procedure), the returning officer must show it to the agents and must permit them to view the entries in the personal identifiers record which relate to the person to whom the postal ballot paper was addressed, and if any of them object to his decision, he must add the words “rejection objected to”.

(5) The returning officer shall then examine the number on the postal voting statement against the number on the ballot paper envelope and, where they are the same, he shall place the statement and the ballot paper envelope respectively in the receptacle for postal voting statements (verification procedure) and the receptacle for ballot paper envelopes.

(6) Where—

- (a) the number on a valid postal voting statement is not the same as the number on the ballot paper envelope, or
- (b) that envelope has no number on it (or only one number when the postal voting statement has more than one),

the returning officer shall open the envelope.

(7) Paragraph (8) applies where—

- (a) there is a valid postal voting statement but no ballot paper envelope; or
- (b) the ballot paper envelope has been opened under regulation 84(3) or paragraph (6) above.

(8) In the circumstances described in paragraph (7) above, the returning officer shall place—

- (a) in the postal ballot box, any ballot paper the number on which is the same as the number on the valid postal voting statement;
- (b) in the receptacle for rejected votes (verification procedure), any other ballot paper, with the valid postal voting statement attached and marked “provisionally rejected”<sup>4</sup>
- (c) in the receptacle for rejected votes (verification procedure), any valid postal voting statement marked “provisionally rejected” where—
  - (i) there is no ballot paper, or
  - (ii) in the case of a statement on which the number of more than one ballot paper appears, there is not a sufficient number of ballot papers and, in such a case, shall mark the statement to indicate which ballot paper is missing;
- (d) in the receptacle for postal voting statements (verification procedure), any valid statement not disposed of under sub-paragraph (b) or (c) above.

**Textual Amendments**

**F173** Regs. 85A, 85B inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **39** (with reg. 1(2)(3)(c))

*Status: Point in time view as at 24/12/2008.*

*Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)*

### Postal Voting Statements: additional personal identifier verification **E+W**

**85B.**—(1) A returning officer may on any occasion at which a postal voters' ballot box is opened in accordance with regulation 83 undertake verification of the personal identifiers on any postal voting statement that has on a prior occasion been placed in the receptacle for postal voting statements.

(2) Where a returning officer undertakes additional verification of personal identifiers, he must—

- (a) remove as many postal voting statements from the receptacle for postal voting statements as he wishes to subject to additional verification; and
- (b) compare the date of birth and the signature on each such postal voting statement against the date of birth and signature contained in the personal identifiers record relating to the person to whom the postal ballot paper was addressed.

(3) Where the returning officer is no longer satisfied that the postal voting statement has been duly completed he must mark the statement “rejected” and before placing the postal voting statement in the receptacle for rejected votes (verification procedure), he must—

- (a) show it to the agents and must permit them to view the entries in the personal identifiers record which relate to the person to whom the postal ballot paper was addressed, and if any of them object to his decision, he must add the words “rejection objected to”;
- (b) open any postal ballot box and retrieve the ballot paper corresponding to the ballot paper number on the postal voting statement;
- (c) show the ballot paper number on the retrieved ballot paper to the agents; and
- (d) attach the ballot paper to the postal voting statement.

(4) Following the removal of a postal ballot paper from a postal ballot box the returning officer must lock and reseal the postal ballot box in the presence of the agents.

(5) Whilst retrieving a ballot paper in accordance with paragraph (3), the returning officer and his staff—

- (a) shall keep the ballot papers face downwards and shall take proper precautions for preventing any person seeing the votes made on the ballot papers, and
- (b) shall not be permitted to view the corresponding number list used at the issue of postal ballot papers.]

#### Textual Amendments

**F173** Regs. 85A, 85B inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **39** (with reg. 1(2)(3)(c))

### Opening of ballot paper envelopes **E+W**

**86.**—(1) The returning officer shall open separately each ballot paper envelope placed in the receptacle for ballot paper envelopes.

(2) He shall place—

- (a) in the postal ballot box, any ballot paper the number on which is the same as the number (or one of the numbers) on the ballot paper envelope;
- (b) in the receptacle for rejected votes, any other ballot paper which shall be marked “provisionally rejected” and to which shall be attached the ballot paper envelope; and
- (c) in the receptacle for rejected ballot paper envelopes, any ballot paper envelope which shall be marked “provisionally rejected” because it does not contain either a ballot paper or,

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where more than one number appears on the ballot paper envelope, a sufficient number of ballot papers (and indicating, in such a case, the missing ballot paper).

#### Commencement Information

**I84** Reg. 86 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### [<sup>F174</sup> Retrieval of cancelled postal ballot papers **E+W**

**86A.**—(1) Where it appears to the returning officer that a cancelled postal ballot paper has been placed—

- (a) in a postal voters' ballot box;
- (b) in the receptacle for ballot paper envelopes; or
- (c) a postal ballot box,

he shall proceed as follows.

(2) He shall, on at least one occasion on which a postal voters ballot box is opened in accordance with regulation 83, also open any postal ballot box and the receptacle for ballot paper envelopes and—

- (a) retrieve the cancelled ballot paper;
- (b) show the ballot paper number on the cancelled ballot paper to the agents;
- (c) retrieve the postal voting statement that relates to a cancelled ballot paper from the receptacle for postal voting statements;
- (d) attach any cancelled postal ballot paper to the postal voting statement to which it relates;
- (e) place the cancelled documents in a separate packet and deal with that packet in the manner provided for by regulation 77(6); and
- (f) unless the postal ballot box has been opened for the purposes of the counting of votes under rule 45 of the elections rules, re-lock (if it has a lock) and re-seal the postal ballot box in the presence of the agents.

(3) Whilst retrieving a cancelled ballot paper in accordance with paragraph (2), the returning officer and his staff—

- (a) shall keep the ballot papers face downwards and shall take proper precautions for preventing any person seeing the votes made on the ballot papers, and
- (b) shall not be permitted to view the corresponding number list used at the issue of postal ballot papers.

#### Textual Amendments

**F174** Reg. 86A inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **45** (with reg. 1(2)(3)(d))

#### Lists of rejected postal ballot papers **E+W**

**87.**—(1) In respect of any election, the returning officer shall keep two separate lists of rejected postal ballot papers.

(2) In the first list, he shall record the ballot paper number of any postal ballot paper for which no valid [<sup>F125</sup>postal voting statement] was received with it.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(3) In the second list, he shall record the ballot paper number of any postal ballot paper which is entered on a valid [F125 postal voting statement] where that ballot paper is not received with the [F125 postal voting statement].

#### Textual Amendments

**F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))

**F174** Reg. 86A inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **45** (with reg. 1(2)(3)(d))

#### Commencement Information

**I85** Reg. 87 in force at 16.2.2001, see **reg. 1(1)**

### Checking of lists kept under regulation 87 **E+W**

**88.**—(1) Where the returning officer receives a valid [F125 postal voting statement] without the postal ballot paper (or papers or, as the case may be, all of the papers) to which it relates, he may, at any time prior to the close of the poll, check the list kept under regulation 87(2) above to see whether the number (or numbers) of a postal ballot paper to which the [F175 statement] relates is entered in that list.

(2) Where the returning officer receives a postal ballot paper without the [F125 postal voting statement] to which it relates, he may, at any time prior to the close of the poll, check the list kept under regulation 87(3) above to see whether the number of that ballot paper is entered in that list.

(3) The returning officer shall conduct the checks required by paragraphs (1) and (2) above as soon as practicable after the receipt of packets from every polling station in the constituency or, as the case may be, electoral area under rule 43(1) of the elections rules.

(4) Where the ballot paper number in the list matches that number on a valid [F125 postal voting statement] or, as the case may be, the postal ballot paper, the returning officer shall retrieve that [F176 statement] or paper.

(5) The returning officer shall then take the appropriate steps under this Part of these Regulations as though any document earlier marked “provisionally rejected” had not been so marked and shall amend the document accordingly.

#### Textual Amendments

**F125** Words in Regulation substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(a)** (with reg. 1(2)(3)(e))

**F174** Reg. 86A inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **45** (with reg. 1(2)(3)(d))

**F175** Word in reg. 88(1) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(b)(iii)** (with reg. 1(2)(3)(e))

**F176** Word in reg. 88(4) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **65(b)(iii)** (with reg. 1(2)(3)(e))

#### Commencement Information

**I86** Reg. 88 in force at 16.2.2001, see **reg. 1(1)**



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## Sealing of receptacles **E+W**

**89.**—(1) As soon as practicable after the completion of the procedure under regulation 88(3) and (4) above, the returning officer shall make up into separate packets the contents of-

- (a) the receptacle of rejected votes,
- (b) the receptacle of declarations of identity,
- (c) the receptacle of rejected ballot paper envelopes, <sup>F177</sup> ...
- (d) the lists of spoilt and lost postal ballot papers,
- [ the receptacle of rejected votes (verification procedure), and
- <sup>F178</sup>(e)
- (f) the receptacle of postal voting statements (verification procedure),]

and shall seal up such packets.

(2) Any document in those packets marked “provisionally rejected” shall be deemed to be marked “rejected”.

### Textual Amendments

**F174** Reg. 86A inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **45** (with reg. 1(2)(3)(d))

**F177** Word in reg. 89(1) omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **40** (with reg. 1(2)(3)(c))

**F178** Reg. 89(1)(e)(f) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **40** (with reg. 1(2)(3)(c))

### Commencement Information

**I87** Reg. 89 in force at 16.2.2001, see [reg. 1\(1\)](#)

## Abandoned poll **E+W**

**90.**—(1) Where a poll is abandoned or countermanded after postal ballot papers have been issued, by reason of the death of a candidate, the returning officer—

- (a) shall not take any step or further step to open covering envelopes or deal with the contents in accordance with the provisions of this Part of these Regulations; and
- (b) shall, notwithstanding regulations 84 to 86 above, treat all unopened covering envelopes and the contents of those that have been opened as if they were counted ballot papers.

(2) Paragraph (1) above shall not apply where postal ballot papers for more than one election have been issued together under regulation 65 above.

### Textual Amendments

**F174** Reg. 86A inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **45** (with reg. 1(2)(3)(d))

### Commencement Information

**I88** Reg. 90 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

**Forwarding of documents** E+W

**91.**—(1) <sup>F179</sup>The returning officer shall forward to the relevant registration officer determined in accordance with rule 55(1A) of the elections rules at the same time as he forwards the documents mentioned in rule 55 of the elections rules—]

- (a) any packets referred to in regulations 75, 77(6) <sup>F180</sup>, 78(2C)]<sup>F181</sup>, 84(9)] and 89 above, subject to regulation 90 above, endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the constituency or electoral area (or areas) for which the election (or elections) was held, and
- (b) <sup>F182</sup>... a completed statement in Form K of the number of postal ballot papers issued.

<sup>F183</sup>(2) .....

(3) Where—

- (a) any covering envelopes are received by the returning officer after the close of the poll (apart from those delivered in accordance with the provisions of regulation 79(3) above);
- (b) any envelopes addressed to postal voters are returned as undelivered too late to be readdressed, or
- (c) any spoilt postal ballot papers are returned too late to enable other postal ballot papers to be issued,

the returning officer shall put them unopened in a separate packet, seal up such packet and endorse and forward it at a subsequent date in the manner described in paragraph (1) above.

(4) Rules 56 and 57 of the elections rules shall apply to any packet or document forwarded under this regulation.

(5) A copy of the statement referred to in paragraph (1)(b) above shall be provided by the returning officer to the Secretary of State <sup>F184</sup>and the Electoral Commission in the period which starts 10 days after the day of the poll and ends 15 days after that day].]

**Textual Amendments**

- F174** Reg. 86A inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **45** (with reg. 1(2)(3)(d))
- F179** Words in reg. 91(1) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **53(2)** (with reg. 1(2)(3)(d))
- F180** Word in reg. 91(1)(a) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **12(2)(a)**
- F181** Word in reg. 91(1)(a) inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **53(3)** (with reg. 1(2)(3)(d))
- F182** Words in reg. 91(1)(b) omitted (23.3.2006) by virtue of The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **12(2)(b)**
- F183** Reg. 91(2) omitted (1.1.2007) by virtue of The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **53(4)** (with reg. 1(2)(3)(d))
- F184** Words in reg. 91(5) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **12(3)**

**Commencement Information**

- I89** Reg. 91 in force at 16.2.2001, see **reg. 1(1)**

## [<sup>F185</sup> PART VI **E+W**

### SUPPLY OF REGISTER ETC

#### Textual Amendments

**F185** Pt. 6 inserted (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), 15 (with reg. 2(3))

#### *Interpretation and edited register*

#### Interpretation and application of Part VI etc **E+W**

**92.**—(1) In this Part “register” includes—

- (a) any part of the register referred to, and
- (b) (except in regulation 93 and in the context of the supply by the registration officer of the register and notices altering the register), any notice altering the register which is published under section 13A(2) or 13B(3) [<sup>F186</sup>, (3B) or (3D)] of the 1983 Act.

(2) In this Part—

- (a) “enactment” has the same meaning as in section 17(2) of the 2000 Act, <sup>F187</sup>...
- (b) “processor” means any person who provides a service which consists of putting information into data form or processing information in data form and any reference to a processor includes a reference to his employees.

[ “relevant conditions” has the same meaning as in section 33(1) of the Data Protection Act <sup>F188</sup>(c) 1998, and

- (d) “research purposes” shall be construed in accordance with section 33(1) of the Data Protection Act 1998.]

(3) In this Part, any reference to an employee of any person who has access to a copy of the full register shall be deemed to include any person working or providing services for the purposes of that person or employed by or on behalf of, or working for, any person who is so working or who is supplying such a service.

(4) Where any person has been supplied with a copy of a register of electors pursuant to the Representation of the People (Scotland) Regulations 2001, or the Representation of the People (Northern Ireland) Regulations 2001, that person shall be under the same duties and obligations and subject to the same penalties in relation to the copy supplied as he would have been under had that copy been supplied to him pursuant to these Regulations (and, accordingly, where that copy is a copy of a full register he shall be under the same duties, obligations and penalties that he would have been under had he been supplied with a copy of a full register pursuant to these Regulations).

(5) Subject to any direction of the Secretary of State under section 52(1) of the 1983 Act, any duty on a registration officer to supply data under this Part imposes only a duty to supply data in the form in which he holds it.

(6) The registration officer shall not supply data which includes information not included in the printed version of the full register otherwise than under a provision in an enactment.

(7) Any person who has obtained [<sup>F189</sup>or is entitled to obtain] a copy of the full register under regulations [<sup>F190</sup>97(5), 97A(7),] 98, 100, 101, 103, 105, 106, 109, [<sup>F191</sup>109A(9),] 113 or 114 may—

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (a) supply a copy of the full register to a processor for the purpose of processing the information contained in the register,
- (b) procure that a processor processes and provides to them any copy of the register which the processor has obtained under these Regulations,

for use in respect of the purposes for which that person is entitled to obtain such copy or information (as the case may be).

<sup>F192</sup>(8) .....

(9) The processor may not disclose the full register or the information contained in it except to the person who supplied it to the processor or an employee of that person or a person who is entitled to obtain a copy of the full register under these Regulations or any employee of such a person.

(10) The restrictions contained in regulations 94(3), 95(2), [<sup>F193</sup>97(6), 97A(8),] 98(9), 100(3), 101(6), 103(3), 104(3), 105(4), 106(3), [<sup>F194</sup>107(3)], 107(8), 108(5) [<sup>F195</sup>, 109(3) and 109A(10)] below apply to a person to whom the full register, or any information contained in it (that is not contained in the edited register) has been supplied or disclosed under those paragraphs as they apply to the person to whom those regulations apply.

**Textual Amendments**

- F186** Words in reg. 92(1)(b) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **27** (with reg. 1(2)(3)(a))
- F187** Word in reg. 92(2)(a) omitted (23.3.2006) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **13(2)(a)**
- F188** Reg. 92(2)(c)-(d) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **13(2)(b)**
- F189** Words in reg. 92(7) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **13(3)(a)**
- F190** Words in reg. 92(7) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **13(3)(b)**
- F191** Word in reg. 92(7) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **13(3)(c)**
- F192** Reg. 92(8) omitted (1.1.2007) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **57** (with reg. 1(2)(3)(d))
- F193** Words in reg. 92(10) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **13(4)(a)**
- F194** Word in reg. 92(10) substituted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **13(4)(b)**
- F195** Words in reg. 92(10) substituted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **13(4)(c)**

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

- C21** Regs. 92, 93 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

**Edited version of register** **E+W**

**93.**—(1) At the time when the registration officer publishes a version of the register under section 13(1) or (3) of the 1983 Act, (“the full register”), he shall also publish a version of the register under this regulation (“the edited register”).

(2) The edited register shall omit the name and address of any elector whose details are included in the full register, if a request has been duly made in the form referred to in section 10(4) of the

*Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)*

1983 Act or in accordance with regulation 26 above by or on behalf of that elector for his name and address to be excluded from the edited register.

[  
F196(2A) The edited register shall omit all anonymous entries in the register, and any information relating to them.]

(3) In other respects the edited register shall be identical to the full register (and, accordingly, shall include any mark or date which is required to be recorded against the name of any elector).

(4) Notwithstanding the omission of names and addresses in accordance with paragraph (2), regulation 41 above shall apply to the edited register as it applies to the full register.

(5) Unless the contrary intention appears, any reference in these Regulations to the register is to the full register.

(6) The manner in which each revised version of the edited register is to be published under this regulation is—

- (a) by the registration officer making a copy of it available for inspection at his office; and
- (b) by such other means (if any) as he thinks appropriate.

(7) Each revised version of the edited register shall be kept published until the coming into force of the next revised version of it.

#### **Textual Amendments**

**F196** Reg. 93(2A) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), regs. 1(1), **23**

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

**C21** Regs. 92, 93 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004](#) (S.I. 2004/1962), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

### *General restrictions*

#### **Restrictions on supply of full register and disclosure of information from it by the registration officer and his staff** **E+W**

**94.**—(1) This regulation applies to—

- (a) the registration officer;
- (b) any deputy registration officer; and
- (c) any person appointed to assist any such officer or who in the course of his employment is assigned to assist any such officer in his registration duties.

(2) Where the registration officer is also the returning officer or acting returning officer at any election or the counting officer at a referendum held by or under an Act of Parliament (and thereby has access to the full register without being supplied with a copy of it), this regulation also applies to—

- (a) the registration officer acting in that other capacity;
- (b) any deputy returning officer, deputy acting returning officer or deputy counting officer; and

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (c) any person appointed to assist any person mentioned in paragraph (a) or (b) or who in the course of his employment is assigned to assist any such officer in his duties in respect of the election or referendum in question.
- (3) No person to whom this regulation applies may—
- (a) supply to any person a copy of the full register,
  - (b) disclose information contained in it (and not contained in the edited register), or
  - (c) make use of any such information,
- otherwise than in accordance with an enactment, including these Regulations.
- (4) Nothing in paragraph (3) above applies to the supply or disclosure by a person to whom this regulation applies to another such person in connection with his registration duties or for the purposes of an election or referendum.

**Restrictions on use of the full register supplied under section 3 of the Juries Act 1974 or information contained in it** **E+W**

- 95.**—(1) This regulation applies to—
- (a) any officer designated by the Lord Chancellor under section 3(1) of the Juries Act 1974; and
  - (b) any other person to whom a copy of the full register has been supplied or to whom information contained in it has been disclosed for the purpose of summoning jurors.
- (2) No person to whom this regulation applies may—
- (a) supply a copy of the full register,
  - (b) disclose any information contained in it (that is not contained in the edited register), or
  - (c) make use of such information,
- otherwise than for the purpose of summoning jurors.

**Restriction on use of the full register, or information contained in it, supplied in accordance with enactments or obtained otherwise** **E+W**

- 96.**—(1) This regulation applies to—
- (a) any person to whom a copy of the full register has been supplied in pursuance of a relevant provision;
  - (b) any person to whom information contained in the full register has been disclosed in pursuance of a relevant provision;
  - (c) any person to whom a person referred to in sub-paragraph (a) or (b) has supplied a copy of the full register or information contained in it for the purposes (express or implied) of a relevant provision; and
  - (d) any person who has obtained access to a copy of the full register or information contained in it by any other means.
- (2) No person to whom this regulation applies may—
- (a) supply a copy of the full register,
  - (b) disclose any information contained in it (that is not contained in the edited register), or
  - (c) make use of any such information,

[<sup>F197</sup> other than for a permitted purpose construed in accordance with paragraph (2A).]

[

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

<sup>F198</sup>(2A) The “permitted purpose”—

- (a) where the copy was supplied or the information obtained in pursuance of a relevant provision, means the particular purpose for which the copy was supplied or the information disclosed to the person in question pursuant to the relevant provision;
- (b) where the copy was not supplied or the information was not disclosed in pursuance of a relevant provision—
  - (i) in the case of a person to whom the copy of the full register was made available for inspection under supervision in accordance with regulations 43(1)(a), 97(2)(a) and (3), 97A(4)(a) and (b), 99(4)(a) and 109A(6)(a) and (b), does not include direct marketing within the meaning of section 11(3) of the Data Protection Act 1998; and
  - (ii) in any other case, means any purpose for which the person to whom this regulation applies could have obtained a copy of the register or the information contained in it pursuant to any enactment, including these Regulations.]

(3) In this regulation “relevant provision” means any enactment (except the Juries Act 1974 and these Regulations) under which a copy of the full register is to be supplied or information from that register disclosed for a particular purpose.

#### Textual Amendments

**F197** Words in reg. 96(2) substituted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **14(2)**

**F198** Reg. 96(2A) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **14(3)**

#### *Supply on publication and specific restrictions*

#### **Supply of free copy of full register to the British Library and restrictions on use** **E+W**

97.—(1) Each registration officer shall supply, free of charge and on publication <sup>F199</sup>...—

- (a) [<sup>F200</sup>one printed copy and one data copy of] any revised version of the register published under section 13(1) or (3) of the 1983 Act, and
- (b) [<sup>F201</sup>one printed copy of] any list of overseas electors,

to the British Library.

(2) [<sup>F202</sup>Subject to paragraph (5)] no person employed by the British Library may—

- (a) supply a copy of the full register other than to another such person or to a person using the Library to inspect it under supervision;
- (b) disclose any information contained in it (that is not contained in the edited register) otherwise than in accordance with paragraph (3); or
- (c) make use of any such information.

(3) [<sup>F203</sup>Subject to paragraph (5)] no information which is contained in the full register (that is not contained in the edited register) may be disclosed otherwise than by allowing a person using the British Library to inspect it under supervision.

[<sup>F204</sup>(3A) Where a copy of the full register is made available for inspection by providing the register on a computer screen or otherwise in data form, the British Library shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (a) search it by electronic means by reference to the name of any person; or
  - (b) copy or transmit any part of that copy by electronic means.]
- (4) A person who inspects the copy of the full register held by the British Library [<sup>F205</sup>, whether a printed copy or in data form,] may not—
- (a) make copies of any part of it, or
  - (b) record any particulars included in it,
- otherwise than by means of hand-written notes.
- [
- <sup>F206</sup>(5) A person employed by the British Library is not prohibited from supplying a copy of, or disclosing information contained in, a version of the full register where—
- (a) more than ten years have expired since that version of the register was first published in accordance with regulation 43; and
  - (b) the supply or disclosure is for research purposes in compliance with the relevant conditions.
- (6) No person who obtains a copy of the full register or to whom information contained in it that is not contained in the edited register is disclosed under the circumstances described in paragraph (5) may—
- (a) supply a copy of it,
  - (b) disclose any such information, or
  - (c) make use of any such information,
- otherwise than for research purposes in compliance with the relevant conditions.]

#### Textual Amendments

- F199** Words in [reg. 97\(1\)](#) omitted (23.3.2006) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **15(2)(a)**
- F200** Words in [reg. 97\(1\)\(a\)](#) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **15(2)(b)**
- F201** Words in [reg. 97\(1\)\(b\)](#) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **15(2)(c)**
- F202** Words in [reg. 97\(2\)](#) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **15(3)**
- F203** Words in [reg. 97\(3\)](#) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **15(4)**
- F204** [Reg. 97\(3A\)](#) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **15(5)**
- F205** Words in [reg. 97\(4\)](#) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **15(6)**
- F206** [Reg. 97\(5\)\(6\)](#) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **15(7)**

#### [<sup>F207</sup> Supply of free copy of full register to the National Library of Wales and restrictions on use **E+W**

- 97A.**—(1) Each registration officer in Wales shall supply, free of charge and on publication—
- (a) one printed copy and one data copy of any revised version of the register published under section 13(1) or (3) of the 1983 Act, and



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(b) one printed copy of any list of overseas electors,  
to the National Library of Wales.

(2) Each registration officer in England shall supply, free of charge and on publication—

(a) one copy of any revised version of the register published under section 13(1) or (3) of the 1983 Act, and

(b) one printed copy of any list of overseas electors,

to the National Library of Wales.

(3) In paragraph (2)(a), the duty to supply is a duty to supply a data copy unless, prior to publication, the National Library of Wales has requested in writing a printed copy instead.

(4) Subject to paragraph (7), no person employed by the National Library of Wales may—

(a) supply a copy of the full register other than to another such person or to a person using the Library to inspect it under supervision;

(b) disclose any information contained in it (that is not contained in the edited register) otherwise than by allowing a person using the National Library of Wales to inspect it under supervision; or

(c) make use of any such information.

(5) Where a copy of the full register is made available for inspection by providing the register on a computer screen or otherwise in data form, the National Library of Wales shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

(a) search it by electronic means by reference to the name of any person; or

(b) copy or transmit any part of that copy by electronic means.

(6) A person who inspects a copy of the full register, whether a printed copy or in data form, may not—

(a) make copies of any part of it, or

(b) record any particulars included in it,

otherwise than by means of hand-written notes.

(7) A person employed by the National Library of Wales is not prohibited from supplying a copy of, or disclosing information contained in, a version of the full register where—

(a) more than ten years have expired since that version of the register was first published in accordance with regulation 43; and

(b) the supply or disclosure is for research purposes in compliance with the relevant conditions.

(8) No person who obtains a copy of the full register or to whom information contained in it that is not contained in the edited register is disclosed under the circumstances described in paragraph (7) may—

(a) supply a copy of it,

(b) disclose any such information, or

(c) make use of any such information,

otherwise than for research purposes in compliance with the relevant conditions.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

#### Textual Amendments

**F207** Regs. 97A, 97B inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **16**

### Supply of free copy of full register to the National Library of Scotland **E+W**

**97B.** Each registration officer in England and Wales shall supply, free of charge and on publication—

- (a) one data copy of any revised version of the register published under section 13(1) or (3) of the 1983 Act; and
- (b) one printed copy of any list of overseas electors,

to the National Library of Scotland“.]

#### Textual Amendments

**F207** Regs. 97A, 97B inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **16**

### Supply of free copy of full register for electoral purposes and restrictions on use **E+W**

**98.**—(1) Each registration officer shall supply, free of charge and on publication, one copy of—

- (a) any revised version of the register published under section 13(1) or (3) of the 1983 Act, and
- (b) any notice setting out an alteration to the register published under section 13A(2) or 13B(3) [<sup>F208</sup>, (3B) or (3D)] of that Act,

to the persons listed in paragraph (2) below.

(2) Those persons are—

- (a) the returning officer for a non-metropolitan county;
- (b) the persons or officers who, under subsections (2B) and (2C) of section 35 of the 1983 Act are the returning officers at an election of members of the London Assembly and of the Mayor of London;
- (c) the returning officer appointed pursuant to section 35(1) or (1A) (as the case may be) of the 1983 Act for elections to each parish or community council within the electoral area.

(3) In paragraph (1) the duty to supply one copy of the register is a duty to supply it in data form unless, prior to publication, the officer or person to whom it is to be supplied has requested in writing a printed copy instead.

(4) As soon as practicable after the relevant event, a registration officer who is not the acting returning officer for a constituency wholly or partly in his registration area shall supply free of charge to that officer as many printed copies of—

- (a) the latest revised version of the register published under section 13(1) or (3) of the 1983 Act, as the case may be,
- (b) any notice setting out an alteration to that version of the register published under section 13A(2) or 13B(3) of that Act, and
- (c) the most recent list of overseas electors,

as the returning officer may reasonably require for the purposes of a parliamentary election.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(5) In paragraph (4) above—

(a) “relevant event” means—

- (i) the announcement of Her Majesty’s intention to dissolve Parliament, or
- (ii) the occurrence of a vacancy in the relevant constituency; and

(b) the duty to supply as many printed copies of the register, notices and list of overseas electors as the returning officer may reasonably require includes a duty to supply one copy of each in data form.

(6) As soon as practicable after the relevant date, a registration officer who is not designated as a local returning officer for part of an electoral region which falls wholly or partly in his registration area shall supply free of charge to that officer as many printed copies of the documents referred to in paragraph (4)(a), (b) and (c) above as the local returning officer may reasonably require for the purposes of a European Parliamentary election.

(7) In paragraph (6) above—

(a) “relevant date” means—

- (i) in the case of a general election of MEPs, the date which is two months before the day appointed by order of the Secretary of State for the poll, or
- (ii) where the Secretary of State has made an order appointing a day for the poll at a by-election, the date on which that order was made; and

(b) the duty to supply as many printed copies of the register, notices and list of overseas electors as the local returning officer may reasonably require includes a duty to supply one copy of each in data form.

(8) Where a registration officer is not the returning officer for any election to the National Assembly for Wales in respect of any constituency or region wholly or partly within his registration area, he shall supply free of charge to that officer as many printed copies of the documents referred to in paragraph (4)(a) or (b) above, together with one copy of each in data form, as the returning officer may reasonably require for the purposes of such an election.

(9) No person to whom a copy of the register has been supplied under this regulation may—

- (a) supply a copy of the full register,
- (b) disclose any information contained in it (that is not contained in the edited register), or
- (c) make use of any such information,

other than for the purposes of an election.

#### Textual Amendments

**F208** Words in [reg. 98](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **28** (with [reg. 1\(2\)\(3\)\(a\)](#))

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

**C22** [Reg. 98](#) applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

#### Supply of free copy of full register etc to Office for National Statistics and restrictions on use **E+W**

**99.**—(1) Each registration officer shall supply, free of charge and on publication, one copy of—

- (a) any revised version of the register published under section 13(1) or (3) of the 1983 Act,

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(b) any notice setting out an alteration to the register published under section 13A(2) or 13B(3) [F209, (3B) or (3D)] of that Act, and

(c) any list of overseas electors,

to the Office for National Statistics (in this regulation referred to as “the Office”).

(2) In paragraph (1) the duty to supply is a duty to supply in data form unless, prior to publication, the Office has requested in writing a printed copy instead.

(3) [F210Subject to paragraph (6)] no person employed by the Office may—

(a) supply a copy of the full register other than to another such person;

(b) disclose any information contained in it (that is not contained in the edited register) otherwise than in accordance with paragraph (4) below; or

(c) make use of any such information other than for statistical purposes.

(4) [F211Subject to paragraph (6)] no information which is contained in the full register and not in the edited register may be disclosed otherwise than—

(a) by allowing a person using the premises of the Office to inspect it under supervision, and

(b) by publishing information about electors which does not include the name or address of any elector.

[F212(4A) Where a copy of the full register is made available by providing the register on a computer screen or otherwise in data form, the Office shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

(a) search it by electronic means by reference to the name of any person; or

(b) copy or transmit any part of that copy by electronic means.]

(5) A person who inspects the full register [F213, whether a printed copy or in data form,] may not—

(a) make copies of any part of it, or

(b) record any particulars included in it,

otherwise than by means of hand-written notes.

[F214(6) A person employed by the Office is not prohibited from supplying a copy of, or disclosing information contained in, a version of the full register where—

(a) more than ten years have expired since that version of the register was first published in accordance with regulation 43; and

(b) the supply or disclosure is for research purposes in compliance with the relevant conditions.

(7) No person who obtains a copy of the full register or to whom information contained in it that is not contained in the edited register is disclosed under the circumstances described in paragraph (6) may—

(a) supply a copy of it,

(b) disclose any such information, or

(c) make use of any such information,

otherwise than for research purposes in compliance with the relevant conditions.]

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Textual Amendments

- F209** Words in reg. 99 inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **28** (with reg. 1(2)(3)(a))
- F210** Words in reg. 99(3) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **17(2)**
- F211** Words in reg. 99(4) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **17(3)**
- F212** Reg. 99(4A) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **17(4)**
- F213** Words in reg. 99(5) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **17(5)**
- F214** Reg. 99(6)(7) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **17(6)**

### Supply of free copy of full register etc to Electoral Commission and restrictions on use **E**

**+W**

- 100.**—(1) Each registration officer shall supply, free of charge and on publication, one copy of—
- any revised version of the register published under section 13(1) or (3) of the 1983 Act,
  - any notice setting out an alteration to the register published under section 13A(2) or 13B(3) [<sup>F215</sup>, (3B) or (3D)] of that Act, and
  - any list of overseas electors,

to the Electoral Commission (in this regulation referred to as “the Commission”).

(2) In paragraph (1) the duty to supply is a duty to supply in data form unless, prior to publication, the Commission has requested in writing a printed copy instead.

- (3) Neither the Electoral Commissioners nor any person employed by the Commission may—
- supply a copy of the full register other than to an Electoral Commissioner or another such person;
  - disclose any information contained in it that is not contained in the edited register otherwise than in accordance with paragraph (5) below; or
  - make use of any such information otherwise than in connection with their functions under, or by virtue of, the Political Parties, Elections and Referendums Act 2000.

(4) In paragraph (3) “Electoral Commissioner” includes a Deputy Electoral Commissioner and an Assistant Electoral Commissioner.

(5) The full register or any information contained in it and not in the edited register may not be disclosed otherwise than—

- where necessary to carry out the Commission’s duties in relation to the rules on permissible donors in the Political Parties, Elections and Referendums Act 2000; or
- by publishing information about electors which does not include the name or address of any elector.

### Textual Amendments

- F215** Words in reg. 100 inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **28** (with reg. 1(2)(3)(a))

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

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

**C23** Reg. 100 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 8

### Supply of free copy of full register etc to certain Commissions and restrictions on use **E+W**

**101.**—(1) Each registration officer in England shall supply, free of charge and on publication, one copy of each of the documents listed in paragraph (3) below to the Boundary Commission for England.

(2) Each registration officer in Wales shall supply, free of charge and on publication, one copy of each of the documents listed in paragraph (3) below to the Boundary Commission for Wales and the Local Government Boundary Commission for Wales.

(3) Those documents are—

- (a) any revised version of the register published under section 13(1) or (3) of the 1983 Act;
- (b) any notice setting out an alteration to the register published under section 13A(2) or 13B(3) [<sup>F216</sup>, (3B) or (3D)] of that Act; and
- (c) any list of overseas electors.

(4) In paragraphs (1) and (2) the duty to supply is a duty to supply in data form unless, prior to publication, the Commission to whom it is to be supplied has requested in writing a printed copy instead.

(5) In paragraph (6) below “a relevant person” means, in relation to each of the Commissions referred to in paragraphs (1) and (2) above—

- (a) a member of the Commission in question;
- (b) a person appointed to assist the Commission in question to carry out its functions; and
- (c) a person employed by the Commission in question.

(6) A relevant person may not—

- (a) supply a copy of the full version of the register, other than to another relevant person;
- (b) disclose any information contained in it and not contained in the edited register, otherwise than by publishing information about electors which does not include the name and address of any elector; or
- (c) process or make use of any such information, other than in connection with their statutory functions.

#### Textual Amendments

**F216** Words in [reg. 101](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **28** (with [reg. 1\(2\)\(3\)\(a\)](#))

### *Supply on request and specific restrictions*

### Supply of full register etc under regulations 103 to [<sup>F217</sup>109]: general provisions **E+W**

**102.**—(1) The persons or organisations falling within regulations 103 to 109 below may request the registration officer to supply free of charge the relevant part (within the meaning of those regulations) of any of the following—

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (a) a revised version of the register published under section 13(1) or (3) of the 1983 Act;
  - (b) any notice setting out an alteration to the register published under section 13A(2) or 13B(3) [F218, (3B) or (3D)] of that Act;
  - (c) a list of overseas electors.
- (2) Such a request shall be made in writing and shall—
- (a) specify the documents requested;
  - (b) subject to paragraph (5) below, state whether the request is made only in respect of the current documents or whether it includes a request for the supply of any subsequent document on publication for as long as the person making the request falls within the category of person entitled to receive such copies; and
  - (c) state whether a printed copy of any of the documents is requested instead of the version in data form.
- (3) Unless a request has been made in advance of supply under paragraph (2)(c) above, the copy of a document supplied under this regulation shall be in data form.
- (4) The registration officer shall supply the relevant part of the documents referred to in paragraph (1) above in accordance with a request that has been duly made.
- (5) A person falling within regulation 108 below may not make the request for the supply of any subsequent document on publication.
- (6) A person who obtains a copy of any document under paragraph (4) above may use it for any purpose for which that person would be entitled to obtain that document under these Regulations and any restrictions which apply under whichever of [F219 regulations 103 to 108 or 109 ] entitles that person to obtain that document for that purpose shall apply to such use.

#### Textual Amendments

- F217** Word in reg. 102 heading substituted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **18(1)**
- F218** Words in reg. 102 inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **28** (with reg. 1(2)(3)(a))
- F219** Words in reg. 102(6) substituted (24.12.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), s. 100(5), **Sch. 1 para. 2(3)** (with s. 101(5)); S.I. 2008/3296, art. 2

#### Supply of full register etc to elected representatives for electoral purposes and restrictions on use **E+W**

- 103.**—(1) This regulation applies to—
- (a) the Member of Parliament for any constituency wholly or partly within the registration area;
  - (b) each Member of the European Parliament for an electoral region in which the registration area is situated;
  - (c) each Member of the National Assembly for Wales for any constituency or region wholly or partly within the registration area;
  - (d) each councillor for an electoral area falling within the registration area;
  - (e) the Mayor of London and the London members of the London Assembly, where the registration area falls wholly or partly within Greater London;

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (f) the constituency members of the London Assembly, where the registration area falls wholly or partly within an Assembly constituency (within the meaning of the Greater London Authority Act 1999); and
  - (g) an elected mayor within the meaning of section 39(1) of the Local Government Act 2000 where the registration area falls wholly or partly within the area of the local authority for which the mayor is elected.
- (2) For the purposes of regulation 102(1) above the relevant part of the documents listed in that provision—
- (a) in the case of a Member of Parliament or of the National Assembly for Wales, is so much of them as relates to the whole or any part of the constituency or region which he represents as falls within the registration area;
  - (b) in the case of a Member of the European Parliament, is all parts of them;
  - (c) in the case of a councillor for an electoral area, is so much of them as relates to that area;
  - (d) in the case of the Mayor of London and a London member of the London Assembly, is so much of them as relates to the Greater London area;
  - (e) in the case of a constituency member of the London Assembly, is so much of them as relates to any part of the Assembly constituency which he represents as falls within the registration area;
  - (f) in the case of a mayor falling within paragraph (1)(g) above, is so much of them as relates to any part of the area of the local authority for which he is elected as falls within the registration area.
- (3) No person to whom this regulation applies who has been supplied with a copy of the register may—
- (a) supply a copy of the full register to any person,
  - (b) disclose any information contained in it that is not contained in the edited register, or
  - (c) make use of any such information,
- otherwise than for purposes in connection with the office by virtue of which he is entitled to the full register or for electoral purposes.

### **Supply of full register to holders of relevant elective offices and candidates** E+W

- 104.**—(1) This regulation applies to—
- (a) the holder of a relevant elective office within the meaning of paragraph 1(8) of Schedule 7 to the Political Parties, Elections and Referendums Act 2000;
  - (b) a candidate for election at a Parliamentary, local government or Authority election.
- (2) For the purposes of regulation 102(1) above, the relevant part of the documents listed in that provision is the whole of them.
- (3) No person to whom this regulation applies who has been supplied with a copy of the register may—
- (a) supply a copy of the full register to any person,
  - (b) disclose any information contained in it that is not contained in the edited register, or
  - (c) make use of any such information,
- otherwise than for the purpose set out in paragraph (4) below.
- (4) That purpose is the purpose of complying with the controls on donations contained in Schedule 7 to, the Political Parties, Elections and Referendums Act 2000 or Schedule 2A of the Representation of the People Act 1983, as the case may be.



### **Supply of full register etc to local constituency parties and restrictions on use** E+W

**105.**—(1) This regulation applies to any person nominated to act for the purposes of this regulation for a particular constituency by the registered nominating officer, (within the meaning of section 24 of the Political Parties, Elections Referendums Act 2000) of a registered political party.

(2) Not more than one person for the same constituency may be nominated under paragraph (1) above in respect of the same registered political party and registration area.

(3) In the case of a person to whom this regulation applies, the relevant part of the documents listed in regulation 102(1) above is so much of them as relates to the whole or any part of the constituency in question as falls within the registration area.

(4) No person to whom this regulation applies who has been supplied with a copy of the register may—

- (a) supply a copy of the full register to any person,
- (b) disclose any information contained in it (that is not contained in the edited register), or
- (c) make use of any such information,

otherwise than for electoral purposes or the purposes of electoral registration.

### **Supply of full register etc to registered political parties etc and restrictions on use** E+W

**106.**—(1) This regulation applies to—

- (a) a registered political party other than a minor party, within the meaning of section 160(1) of the Political Parties, Elections and Referendums Act 2000;
- (b) a recognised third party within the meaning of section 85(5) of that Act, other than a registered political party; and
- (c) a permitted participant within the meaning of section 105(1) of that Act, other than a registered political party.

(2) In the case of the parties and participants to whom this regulation applies, the relevant part of the documents listed in regulation 102(1) above is the whole of them.

(3) No person employed by, or assisting (whether or not for reward) a party or participant to which this regulation applies and to which a copy of the register has been supplied may—

- (a) supply a copy of the full register to any person,
- (b) disclose any information contained in it (that is not contained in the edited register), or
- (c) make use of any such information,

otherwise than for the purposes set out in paragraph (4) below.

(4) Those purposes are—

- (a) in the case of a party falling within paragraph (1)(a) or (b),
  - (i) electoral purposes, and
  - (ii) the purpose of complying with the controls on donations under Part IV of or, as the case may be, Schedule 11 to, the Political Parties, Elections and Referendums Act 2000; and
- (b) in the case of a permitted participant within the meaning of section 105(1) of that Act,
  - (i) purposes in connection with the campaign in respect of the referendum identified in the declaration made by the participant under section 106 of that Act, and
  - (ii) the purposes of complying with the controls on donations in Schedule 15 to that Act.

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

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

**C24** Reg. 106 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

### Supply of full register etc to certain councils and restrictions on use **E+W**

**107.**—<sup>F220</sup>(1) Paragraphs (2) to (5) of this regulation apply to—

- (a) the local authority by which the registration officer was appointed, and
- (b) a local authority whose area falls wholly or partly within the registration area of that local authority, other than a parish council or community council (within the meaning of paragraph (6)).]

(2) For the purposes of regulation 102(1) above, the relevant part of the documents listed in that provision is <sup>F221</sup>so much of them as relates to the area of the local authority concerned.]

(3) Subject to paragraph (4) below, no councillor or employee of the <sup>F222</sup>local authority] may—

- (a) supply a copy of the full register to any person other than to another councillor of or employee of the same <sup>F222</sup>local authority];
- (b) disclose any information contained in it that is not included in the edited register; or
- (c) make use of any such information.

(4) A councillor or employee of the <sup>F223</sup>local authority] may supply a copy of the register, or disclose or make use of information contained in it that is not contained in the edited register—

- (a) where necessary for the discharge of a statutory function of the <sup>F223</sup>local authority] or any other local authority relating to security, law enforcement and crime prevention, or  
[ for the purposes of a poll under section 116 (local polls) of the Local Government Act <sup>F224</sup>(aa) 2003, or]
- (b) for statistical purposes, in which case no information shall be disclosed which includes the name and address of any elector (whether that name or address appears in the edited register or only in the full register).

(5) In this regulation, “local authority” has the meaning given by <sup>F225</sup>section 116 of the Local Government Act 2003].

(6) Paragraphs (7) and (8) of this regulation apply to parish councils, as established by sections 9(4) of the Local Government Act 1972 and community councils as referred to in section 27(2) of that Act.

(7) For the purposes of regulation 102(1) above, the relevant part of the documents listed is so much of them as relates to the parish or community concerned.

(8) No parish or community councillor, person employed by or otherwise assisting (whether or not for reward) a parish or community council and to which a copy of the register has been supplied may—

- (a) supply a copy of the full register to any person,
- (b) disclose any information contained in it that is not included in the edited register, or
- (c) make use of any such information,

otherwise than for the purpose of establishing whether any person is entitled to attend and participate in a meeting of, or take any action on behalf of, the parish or community, as the case may be <sup>F226</sup>or for the purposes of a poll under section 116 (local polls) of the Local Government Act 2003].

*Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)*

### Textual Amendments

- F220** Reg. 107(1) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **19(2)**
- F221** Words in reg. 107(2) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **19(3)**
- F222** Words in reg. 107(3) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **19(4)**
- F223** Words in reg. 107(4) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **19(5)(a)**
- F224** Reg. 107(4)(aa) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **19(5)(b)**
- F225** Words in reg. 107(5) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **19(6)**
- F226** Words in reg. 107(8) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **19(7)**

### Supply of full register etc to certain candidates and restrictions on use **E+W**

**108.**—(1) This regulation applies to a candidate at—

- (a) a Parliamentary or European Parliamentary election,
- (b) an election to the National Assembly of Wales,
- (c) a local government election, and
- (d) an election of a mayor under Part II of the Local Government Act 2000,

where any part of the area in respect of which the candidate stands for election includes the whole or part of a registration area.

(2) In this regulation “candidate” includes—

- (a) a candidate at an election of a mayor under Part II of the Local Government Act 2000; and
- (b) an individual candidate at a European Parliamentary election or an election in an electoral region for the National Assembly for Wales.

(3) In the case of a registered political party which submits a list of candidates at a European Parliamentary election, an election of the London members of the London Assembly or an election in an electoral region for the National Assembly for Wales, the entitlement otherwise conferred by this regulation on a candidate is conferred on the election agent of that party.

(4) For the purposes of regulation 102(1) above, the relevant part of the documents listed in that provision is so much of them as relate to the area for which the candidate is standing.

(5) No candidate or election agent to whom a copy of the register has been supplied by virtue of this regulation may—

- (a) supply a copy of the full register to any person,
- (b) disclose any information contained in it (that is not contained in the edited register), or
- (c) make use of any such information,

other than for electoral purposes.

### <sup>F227</sup>Supply of full register etc to the security services **E+W**

**108A.**—(1) This regulation applies to—

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (a) the Security Service;
- (b) the Government Communications Headquarters;
- (c) the Secret Intelligence Service.

(2) For the purposes of regulation 102(1) above the relevant part of the documents listed in that provision is the whole of them.]

**Textual Amendments**

**F227** Reg. 108A inserted (24.12.2008) by Counter-Terrorism Act 2008 (c. 28), s. 100(5), Sch. 1 para. 2(4) (with s. 101(5)); S.I. 2008/3296, art. 2

**Supply of full register etc to police forces [<sup>F228</sup>and other agencies,] and restrictions on use <sup>E</sup>**  
<sup>+W</sup>

**109.**—(1) This regulation applies to—

- (a) any police force in Great Britain;
- (b) the Police Service of Northern Ireland and the Police Service of Northern Ireland (Reserve);
- <sup>F229</sup>(c) the Serious Organised Crime Agency;]
- (d) the National Crime Squad;
- (e) the Police Information Technology Organisation; <sup>F230</sup> ...
- (f) any body of constables established under an Act of Parliament.
- <sup>F231</sup>(g) .....
- <sup>F231</sup>(h) .....
- <sup>F231</sup>(i) .....

(2) For the purposes of regulation 102(1) above the relevant part of the documents listed in that provision is the whole of them.

(3) No person serving whether as a constable, officer or employee in any of the forces and organisations to which this regulation applies may—

- (a) supply a copy of the full register to any person,
- (b) disclose any information contained in it (that is not contained in the edited register), or
- (c) make use of any such information,

otherwise than for the [<sup>F232</sup>purposes specified in paragraph (4)].

<sup>F233</sup>(4) The purposes referred to in paragraph (3) are—

- (a) <sup>F234</sup> ...
  - (i) the prevention and detection of crime and the enforcement of the criminal law (whether in England and Wales or elsewhere);
  - (ii) the vetting of a relevant person for the purpose of safeguarding national security; <sup>F235</sup> ...
- <sup>F235</sup>(b) .....

(5) In this Regulation “relevant person” means—

*Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)*

- (a) a constable or officer or prospective constable or officer of the force or organisation; or
- (b) an employee of, or applicant for employment by, the force or organisation.]

#### Textual Amendments

- F228** Words in reg. 109 heading inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **20(2)**
- F229** Reg. 109(1)(c) substituted for reg. 109(1)(c)(d) (1.4.2006) by [The Serious Organised Crime and Police Act 2005 \(Consequential and Supplementary Amendments to Secondary Legislation\) Order 2006 \(S.I. 2006/594\)](#), art. 1, **Sch. para. 24**
- F230** Word in reg. 109(1)(e) omitted (23.3.2006) by virtue of [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **20(3)(a)**
- F231** Reg. 109(1)(g)-(i) revoked (24.12.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), s. 100(5), Sch. 1 para. 2(5)(a), **Sch. 9 Pt. 2** (with s. 101(5)); S.I. 2008/3296, art. 2
- F232** Words in reg. 109(3) substituted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **20(4)**
- F233** Reg. 109(4)-(5) inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **20(5)**
- F234** Words in reg. 109(4)(a) revoked (24.12.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), s. 100(5), Sch. 1 para. 2(5)(b), **Sch. 9 Pt. 2** (with s. 101(5)); S.I. 2008/3296, art. 2
- F235** Reg. 109(4)(b) and word revoked (24.12.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), s. 100(5), Sch. 1 para. 2(5)(c), **Sch. 9 Pt. 2** (with s. 101(5)); S.I. 2008/3296, art. 2

#### [<sup>F236</sup>Supply of full register to public libraries and local authority archives service, and restrictions on use **E+W**

**109A.**—(1) A public library or a local authority archives service may request the registration officer to supply free of charge the relevant part (within the meaning of paragraph (2)) of any of the following—

- (a) a revised version of the register published under section 13(1) or (3) of the 1983 Act;
- (b) any notice setting out an alteration to the register published under section 13A(2) or 13B(3) [<sup>F237</sup>, (3B) or (3D)] of that Act;
- (c) a list of overseas electors.

(2) For the purposes of paragraph (1) the relevant part of the documents listed in that provision is so much of them as a public library or local authority archives service has been given responsibility for keeping by a library authority or local authority respectively.

(3) Such a request shall be made in writing and shall—

- (a) specify the documents requested;
- (b) state whether the request is made only in respect of the current documents or whether it includes a request for the supply of any subsequent document on publication; and
- (c) state whether a printed copy of any of the documents is requested instead of the version in data form.

(4) Unless a request has been made in advance of supply under paragraph (3)(c), the copy of a document supplied under this regulation shall be in data form.

(5) The registration officer shall supply the relevant part of the documents referred to in paragraph (1) in accordance with a request that has been duly made.

(6) Subject to paragraph (9), no person employed by the public library or the local authority archives service may—

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- (a) supply a copy of the full register other than to another such person or to a person using the library or the archives service to inspect it under supervision;
- (b) disclose any information contained in it (that is not contained in the edited register) otherwise than by allowing a person using the library or the archives service to inspect it under supervision; or
- (c) make use of any such information.

(7) Where a copy of the full register is made available for inspection in accordance with paragraph (6)(a) or (b) by providing the register on a computer screen or otherwise in data form, the library or the archives service shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

- (a) search it by electronic means by reference to the name of any person; or
- (b) copy or transmit any part of that copy by electronic means.

(8) A person who inspects a copy of the full register, whether a printed copy or in data form, may not—

- (a) make copies of any part of it, or
- (b) record any particulars in it,

otherwise than by means of hand-written notes.

(9) The public library or local authority archives service is not prohibited from supplying a copy of, or disclosing information contained in, a version of the full register where—

- (a) more than ten years have expired since that version of the register was first published in accordance with regulation 43; and
- (b) the supply or disclosure is for research purposes in compliance with the relevant conditions.

(10) No person who obtains a copy of the full register or to whom information contained in it that is not contained in the edited register is disclosed under the circumstances described in paragraph (9) may—

- (a) supply a copy of it,
- (b) disclose such information, or
- (c) make use of any such information,

otherwise than for research purposes in compliance with the relevant conditions.

(11) In this regulation—

“library authority” has the same meaning as in section 206 of the Local Government Act 1972 and section 4 of the Public Libraries and Museums Act 1964;

“local authority archives service” means an archives service established by—

- (a) a county council,
- (b) a county borough council,
- (c) a district council,
- (d) a London Borough council,
- (e) the Common Council of the City of London, or
- (f) the Council of the Isles of Scilly,

in exercise of its functions under the Local Government (Records) Act 1962;

“public library” means a library maintained by a library authority.]

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Textual Amendments

**F236** Reg. 109A inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **21**

**F237** Words in reg. 109A inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **28** (with reg. 1(2)(3)(a))

### *Sale of edited anhd full registers and specified restrictions*

#### Sale of edited register **E+W**

**110.**—(1) The registration officer shall supply a copy of the edited register to any person on payment of a fee calculated in accordance with paragraph (2) below.

(2) In the case of the register—

- (a) in data form, the fee shall be at the rate of £20 plus £1.50 for each 1,000 entries (or remaining part of 1,000 entries) in it; and
- (b) in printed form, the fee shall be at the rate of £10 plus £5 for each 1,000 entries (or remaining part of 1,000 entries) in it.

#### Sale of full register etc: restrictions on supply, charges, etc **E+W**

**111.**—(1) The registration officer may not sell a copy of—

- (a) the full register,
- (b) any notice under section 13A(2) or 13B(3) of the 1983 Act altering the register (“a relevant notice”), or
- (c) the list of overseas electors,

except to a person who is entitled under regulation 113 or 114 below to purchase them.

(2) The fee for such sale is to be calculated in accordance with paragraphs (3) to (6) below.

(3) Where a person purchases the full register together with any relevant notices which are published at that time altering the register, the register and the notices shall be treated as the same document for the purposes of the calculations set out in paragraph (5) below; and any entry in the register which is deleted by a notice shall accordingly be ignored for the purposes of the calculation.

(4) Where a person purchases a relevant notice separately from the full register, the calculations set out in paragraph (5) below shall be applied to that notice.

(5) Subject to paragraph (3) above, in the case of the register or a relevant notice—

- (a) in data form, the fee shall be at the rate of £20 plus £1.50 for each 1,000 entries (or remaining part of 1,000 entries) in it; and
- (b) in printed form, the fee shall be at the rate of £10 plus £5 for each 1,000 entries (or remaining part of 1,000 entries) in it.

(6) In the case of the list of overseas electors—

- (a) in data form, the fee shall be at the rate of £20 plus £1.50 for each 100 entries (or remaining part of 100 entries) in it; and
- (b) in printed form, the fee shall be at the rate of £10 plus £5 for each 100 entries (or remaining part of 100 entries) in it.

(7) In any copy of the full register [<sup>F238</sup>or any copy of a notice under section 13A(2) or 13B(3) [<sup>F239</sup>, (3B) or (3D)] of the 1983 Act] which is sold in accordance with regulations 112 to 114 below,

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

the letter “Z” shall be placed against the [F240 entry] of any person whose [F240 entry] is not included in the edited version of the register.

#### Textual Amendments

- F238** Words in reg. 111(7) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **22**
- F239** Words in reg. 111 inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **28** (with reg. 1(2)(3)(a))
- F240** Word in reg. 111(7) substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **16**

#### Sale of full register etc: general provisions **E+W**

**112.**—(1) This regulation applies in respect of the supply on payment of a fee of copies of the full register, including any notice published under section 13A(2) or 13B(3) of the 1983 Act altering that register, in accordance with regulations 113 and 114 below.

(2) The registration officer shall not supply a printed copy of the full register under those regulations if to do so would result in his having insufficient copies of it for the purposes of any requirement made by or under any enactment.

(3) In those regulations, “the relevant restrictions” means the restrictions set out in paragraphs (4) and (5) below.

(4) No person in an organisation to which a copy of the register has been supplied under regulations 113 or 114 below may—

- (a) supply a copy of the full register to any person,
- (b) disclose any information contained in it (and not contained in the edited register), or
- (c) make use of any such information,

other than for the purpose set out in the regulation by virtue of which the full register has been supplied.

(5) The restrictions in paragraph (4) above apply to a person to whom a copy of the full register has been supplied in accordance with regulations 113 and 114 below or to whom information contained in it has been so disclosed as it applies to a person in the organisation to which the copy of the full register was supplied under the regulation in question.

(6) In regulations 113 and 114 below, “a relevant document” means—

- (a) the full register published under section 13(1) or (3) of the 1983 Act;
- (b) any notice published under section 13A(2) or 13B(3) [F241, (3B) or (3D)] of that Act amending it; and
- (c) the list of overseas electors.

(7) A request for a copy of the full register, or of any notice published under section 13A(2) or 13B(3) of the 1983 Act altering that register, as the case may be, must be made in writing and must—

- (a) specify the documents required;
- (b) state whether the request is made only in respect of the current documents or whether it includes a request for the supply of any subsequent documents on publication for as long as the person making the request pays for them; and
- (c) state whether a printed copy of any document is requested instead of the version in data form.



### Textual Amendments

**F241** Words in reg. 112 inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **28** (with reg. 1(2)(3)(a))

### Sale of full register to government departments [<sup>F242</sup> and other bodies] **E+W**

**113.**—(1) Subject to regulation 112(2) above, the registration officer shall supply on request and on payment of a fee calculated in accordance with regulation 111 above a copy of a relevant document [<sup>F243</sup>to—

- (a) a government department;
- (b) the Environment Agency;
- (c) the Financial Services Authority; or
- (d) a body not falling within sub-paragraphs (a) to (c) which carries out the vetting of any person for the purpose of safeguarding national security,

other than [<sup>F244</sup>a department to which regulation 108A applies or ] a force or organisation to which regulation 109(1) applies.]

[<sup>F245</sup>(2) For the purposes of regulation 112(3), the relevant restrictions apply—

- (a) in the case of a body falling within sub-paragraphs (a) to (c) of paragraph (1), except for the purpose of—
  - (i) the prevention and detection of crime and the enforcement of the criminal law (whether in England and Wales or elsewhere);
  - (ii) the vetting of employees and applicants for employment where such vetting is required pursuant to any enactment;
  - (iii) the vetting of any person where such vetting is for the purpose of safeguarding national security; or
  - (iv) supply and disclosure in accordance with paragraphs (3) to (6); and
- (b) in the case of a body falling within sub-paragraph (d) of paragraph (1), except for the purpose of the vetting of any person where such vetting is for the purpose of safeguarding national security.]

(3) A government department [<sup>F246</sup>, other than one mentioned in [<sup>F247</sup>regulation 108A]] may supply (whether or not on payment) a copy of the full register to a person (“an authorised person”), who may only disclose information contained in it in accordance with paragraph (5) below.

(4) In this regulation any reference to an authorised person includes a reference to his employees.

(5) Information contained in the full register may not be disclosed by an authorised person except to any person falling within regulations 103 to 108 above; and for use for the purposes for which such a person could obtain a register under the regulation concerned.

(6) The restrictions in regulations 103 to 108 respectively apply to a person to whom information contained in the full register is disclosed under paragraph (5) as it applies to a person to whom a copy of the register is applied under those regulations.

### Textual Amendments

**F242** Words in reg. 113 heading inserted (23.3.2006) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2006 \(S.I. 2006/752\)](#), regs. 1(1), **23(2)**

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

- F243** Words in reg. 113(1) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **23(3)**
- F244** Words in reg. 113(1) inserted (24.12.2008) by Counter-Terrorism Act 2008 (c. 28), s. 100(5), **Sch. 1 para. 2(6)(a)** (with s. 101(5)); S.I. 2008/3296, art. 2
- F245** Reg. 113(2) substituted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **23(4)**
- F246** Words in reg. 113(3) inserted (23.3.2006) by The Representation of the People (England and Wales) (Amendment) Regulations 2006 (S.I. 2006/752), regs. 1(1), **23(5)**
- F247** Words in reg. 113(3) substituted (24.12.2008) by Counter-Terrorism Act 2008 (c. 28), s. 100(5), **Sch. 1 para. 2(6)(b)** (with s. 101(5)); S.I. 2008/3296, art. 2

### Sale of full register to credit reference agencies **E+W**

**114.**—(1) Subject to regulation 112(2) above, the registration officer shall supply on request and on payment of a fee calculated in accordance with regulation 111 above copies of a relevant document to a credit reference agency which is registered under Part III of the Consumer Credit Act 1974 (by virtue of section 147 of that Act) and which is carrying on the business of providing credit reference services.

(2) For the purposes of regulation 112(3) above, the relevant restrictions apply except for the purposes set out in paragraph (3) below.

(3) Those purposes are—

- (a) vetting applications for credit or applications that can result in the giving of credit or the giving of any guarantee, indemnity or assurance in relation to the giving of credit;
- (b) meeting any obligations contained in the Money Laundering Regulations [<sup>F248</sup>2007]<sup>F249</sup> ... or any rules made pursuant to section 146 of the Financial Services and Markets Act 2000; and
- (c) statistical analysis of credit risk assessment in a case where no person whose details are included in the full register is referred to by name or necessary implication.

(4) The registration officer may require a credit reference agency to provide such evidence that it is carrying on the business of providing credit reference services as he shall reasonably require.

(5) In this regulation—

“application for credit” includes an application to refinance or reschedule an existing credit agreement;

“credit” includes a cash loan and any other form of financial accommodation; and

“credit reference services” means the furnishing of persons with information relevant to the financial standing of individuals, which is information collected by the person furnishing it for the purpose of so furnishing it.

#### Textual Amendments

- F248** Word in reg. 114(3)(b) substituted (15.12.2007) by The Money Laundering Regulations 2007 (S.I. 2007/2157), reg. 1(1), **Sch. 6 para. 8**
- F249** Words in reg. 114(3)(b) omitted (1.3.2004) by virtue of The Money Laundering Regulations 2003 (S.I. 2003/3075), reg. 1(2)(d), **Sch. 2 para. 5(2)(ii)**

## Offences

### [<sup>F250</sup>Offences in respect of contravention of Part 3, Part 4 and Part 6 regulations **E+W**]

**115.**—(1) A person is guilty of an offence—

- (a) if he contravenes any of the provisions specified in paragraph (2), or
- (b) if he is an appropriate supervisor of a person (P) who fails to comply with any of those provisions and he failed to take appropriate steps.

(2) Those provisions are regulations 45C(4), 45D(4), <sup>F251</sup>... 45F(3), 61(3), 61(14), 92(9), 94(3), 95(2), 96(2), 97(2), (4) and (6), 97A(4), (6) and (8), 98(9), 99(3), (5) and (7), 100(3) and (5), 101(6), 103(3), 104(3), 105(4), 106(3), 107(3) and (8), 108(5), 109(3), 109A(6), (8) and (10), 112(4) and (5) and 113(5) and (6).

(3) P is not guilty of an offence under paragraph (1) if—

- (a) he has an appropriate supervisor, and
- (b) he has complied with all the requirements imposed on him by his appropriate supervisor.

(4) A person who is not P or an appropriate supervisor is not guilty of an offence under paragraph (1) if he takes all reasonable steps to ensure that he complies with the provisions specified in paragraph (2).

(5) In paragraphs (1)(b) and (3)—

- (a) an appropriate supervisor is a person who is a director of a company or concerned in the management of an organisation in which P is employed or under whose direction or control P is;
- (b) appropriate steps are such steps as it was reasonable for the appropriate supervisor to take to secure the operation of procedures designed to prevent, so far as reasonably practicable, the occurrence of a failure to comply with the provisions in paragraph (2).

(6) A person guilty of an offence as mentioned in paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.]]

#### Textual Amendments

**F250** Reg. 115 substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006](#) (S.I. 2006/2910), regs. 1(1), **58** (with reg. 1(2)(3)(d))

**F251** Word in reg. 115(2) revoked (24.12.2008) by [Counter-Terrorism Act 2008](#) (c. 28), s. 100(5), Sch. 1 para. 2(7), **Sch. 9 Pt. 2** (with s. 101(5)); S.I. 2008/3296, art. 2

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

**C25** Reg. 115 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004](#) (S.I. 2004/1962), arts. 1(1), 6(1), **Sch. 2 Pt. 3**

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

## [<sup>F252</sup>PART 7 E+W

### ACCESS TO MARKED REGISTERS AND OTHER DOCUMENTS OPEN TO PUBLIC INSPECTION AFTER AN ELECTION

#### Textual Amendments

**F252** Pt. 7 inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **59** (with reg. 1(2)(3)(d))

#### Interpretation of Part 7 E+W

**116.**—(1) In this Part references to the “marked register or lists” means any part of the marked copies of—

(a) the full register;

[ the notices amending the full register issued under section 13B(3B) or (3D) of the 1983 <sup>F253</sup>(aa) Act;]

(b) the postal voters list;

(c) the list of proxies; and

(d) the proxy postal voters list,

forwarded to the relevant registration officer under regulation 91 above or [<sup>F254</sup>rule 55(1)(e)] of the elections rules.

(2) For the purposes of this Part any period of days shall be calculated in accordance with regulation 56.

(3) Paragraphs (2) and (3), and the condition in paragraph (9), of regulation 92 shall be taken to apply to the supply and processing of information supplied under this Part as they apply to the supply and processing of the full register under Part 6 of these Regulations.

(4) Subject to any direction by the Secretary of State under section 52(1) of the 1983 Act, any duty on a relevant registration officer to supply records or lists or make them available for inspection under this Part imposes only a duty to provide that information in the form in which he holds it.

#### Textual Amendments

**F253** [Reg. 116\(1\)\(aa\)](#) inserted (18.7.2008) by [The Representation of the People \(Amendment\) Regulations 2008 \(S.I. 2008/1901\)](#), regs. 1(1), **4(1)** (with reg. 2)

**F254** Words in [reg. 116\(1\)](#) substituted (9.4.2007) by [The Representation of the People \(England and Wales\) and the Representation of the People \(Combination of Polls\) \(England and Wales\) \(Amendment\) Regulations 2007 \(S.I. 2007/1025\)](#), regs. 1(2), **2(5)** (with reg. 1(3))

#### Supply of marked registers and lists after an election E+W

**117.**—(1) Any person entitled to be supplied in accordance with regulation 100, 103, 105, 106, 108, 109 or 113 above, with copies of the full register at a particular parliamentary or local government election, is also a person entitled, subject to this regulation and to regulation 119, to request that a relevant registration officer supply copies of the relevant part (within the meaning of those regulations) of the marked register or lists he is required to keep.

*Changes to legislation: The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)*

(2) A person whose entitlement to request copies of the marked register or lists under paragraph (1) arises from being in a category of persons covered by regulation 103, 105, 106 or 108 before a particular election, shall be entitled to request those documents regardless of whether he remains in a entitled category after that election for which the marked register or list was prepared.

(3) A request under paragraph (1) shall be made in writing and shall—

- (a) specify which of the marked register or lists (or the relevant part of the register or lists) are requested;
- (b) state whether a printed copy of the records or lists is requested or a copy in data form,
- (c) state the purposes for which the marked register or lists will be used and why the supply or purchase of a copy of the full register or unmarked lists would not be sufficient to achieve that purpose.

(4) The relevant registration officer shall supply a copy of the relevant part of the marked register or lists where a request is duly made, and—

- (a) he is satisfied that the requestor needs to see the marks on the marked register or lists in order to achieve the purpose for which it is requested, and
- (b) he has received payment of a fee calculated in accordance with regulation 120 below.

(5) If the relevant registration officer is not satisfied in accordance with paragraph (4)(a) he may treat the request for a marked register or list as a request for information in unmarked lists under regulation 61 or for the published copy of the full register in accordance with regulation 102, or both.

(6) A person who obtains a copy of any part of a marked register or list under this regulation may use it only for the permitted purposes specified in paragraph (2) of regulation 119, and any conditions—

- (a) specified in that paragraph, or
- (b) which would apply to the use of the full register under whichever of regulations 100, 103, 105, 106, 108, 109 or 113 entitled that person to obtain that document,

shall apply to such use.

(7) The conditions [<sup>F255</sup>in regulations 100(3), 103(3), 105(4), 106(3), 108(5) and 109(3) shall] apply to a person to whom [<sup>F255</sup>a marked register or list], or any information contained in it (that is not contained in the edited register) has been supplied or disclosed under those paragraphs as they apply to the person to whom those regulations apply.

(8) Any person who has obtained or is entitled to obtain a copy of the marked register or lists under this regulation may—

- (a) supply a copy of the marked register or lists to a processor for the purpose of processing the information contained therein, or
- (b) procure that a processor processes and supplies to them any copy of the information in the marked register or lists which the processor has obtained under this regulation,

for use in respect of the purposes for which that person is entitled to obtain such copy or information (as the case may be).

#### Textual Amendments

**F255** Words in [reg. 117\(7\)](#) substituted (9.4.2007) by [The Representation of the People \(England and Wales\) and the Representation of the People \(Combination of Polls\) \(England and Wales\) \(Amendment\) Regulations 2007 \(S.I. 2007/1025\)](#), regs. 1(2), **2(6)** (with [reg. 1\(3\)](#))

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

## Inspection of documents open to public inspection **E+W**

**118.**—(1) Any person is entitled to request that the relevant registration officer make available for inspection a copy of any of the following documents (referred to in this regulation and in regulation 119 as “the documents open to public inspection”)—

- (a) the marked register or lists;
- (b) such other documents relating to an election as the relevant registration officer is required by or under any enactment to retain for any period except—
  - (i) ballot papers
  - (ii) completed corresponding number lists;
  - (iii) certificates as to employment on the day of the election.
- (2) A request under paragraph (1) shall be made in writing and shall specify—
  - (a) which documents are requested;
  - (b) the purposes for which the information in any document will be used,
  - (c) where the request is to inspect the marked register or lists, any reason why inspecting the full register or unmarked lists would not be sufficient to achieve that purpose,
  - (d) who will inspect the documents,
  - (e) the date on which they wish to inspect the documents, and
  - (f) whether they would prefer to inspect the documents in a printed or data form.

(3) Subject to paragraph (4), the relevant registration officer shall make the documents open to public inspection available for inspection under supervision not later than 10 days after the date of receipt of a request that has been duly made.

(4) Where a request has been made to inspect copies of the marked register or lists under paragraph (2) and the relevant registration officer is not satisfied that the purposes of the requestor cannot be met by inspection of the full register, he shall inform the requestor—

- (a) of his decision under this paragraph, and
- (b) provide the requestor with information concerning the availability of the published full register for inspection in accordance with regulation 43.

(5) A person who obtains a copy of or information in any document open to public inspection under this regulation may use it only for the permitted purposes specified in regulation 119, and any conditions—

- (a) specified in that regulation,
- (b) specified in paragraph (7) below, or
- (c) which would apply to the use of the full register under regulation 109 where such a person has obtained a copy of that document under paragraph (8),

shall apply to such use.

(6) Where inspection takes place by providing the records or lists on a computer screen or otherwise in data form, the relevant registration officer shall ensure that the manner in, and equipment on which that copy is provided do not permit any person consulting that copy to—

- (a) search it by electronic means by reference to the name of any person; or
- (b) copy or transmit any part of that copy by electronic, or any other means.

(7) Subject to paragraph (8) a person who inspects a copy of a document open to public inspection, whether a printed copy or in data form, may not—

- (a) make copies of any part of it, or

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

(b) record any particulars in it,  
except that a person who inspects a copy of the marked register or lists may make hand written notes.

[<sup>F256</sup>(8) The relevant registration officer shall, on request, supply free of charge copies of any documents open to public inspection—

- (a) to each of the departments mentioned in regulation 108A;
- (b) to a person who has inspected those documents and who is entitled to be supplied with a copy of the marked register or lists by virtue of being a person to whom regulation 109 applies.]

#### Textual Amendments

**F256** Reg. 118(8) substituted (24.12.2008) by Counter-Terrorism Act 2008 (c. 28), s. 100(5), Sch. 1 para. 2(8) (with s. 101(5)); S.I. 2008/3296, art. 2

### Conditions on the use, supply and disclosure of documents open to public inspection **E+W**

**119.**—(1) Subject to paragraphs (2) and (3) the restrictions on the supply, disclosure and use of information in regulations 94 and 96 shall apply to the documents open to public inspection as they apply to the full register.

(2) Where a person—

- (a) obtains copies of the information in the marked register or lists in accordance with regulation 117(1), or
- (b) a person inspects information in accordance with regulation 118(1),

the permitted purpose shall mean either—

- (i) research purposes within the meaning of that term in section 33 of the Data Protection Act 1998; or
- (ii) electoral purposes.

(3) Where a copy of any information was supplied in the circumstances to which [<sup>F257</sup>regulation 118(8)(b)] applies, the permitted purpose means the purposes set out in regulation 109(4).]

#### Textual Amendments

**F257** Words in reg. 119(3) substituted (24.12.2008) by Counter-Terrorism Act 2008 (c. 28), s. 100(5), Sch. 1 para. 2(9) (with s. 101(5)); S.I. 2008/3296, art. 2

### [<sup>F258</sup>Calculating the fee for supply of marked registers or lists **E+W**

**120.**—(1) The fee to be paid in accordance with regulation 117(4)(b) by a person making a request for a copy of the whole or of any part of the marked register or lists is set out in paragraph (2).

(2) The fee shall be the sum of £10, plus for a copy—

- (a) in printed form, £2 for each 1,000 entries (or remaining part of 1,000 entries) covered by the request; and
- (b) in data form, £1 for each 1,000 entries (or remaining part of 1,000 entries) covered by the request.

(3) For the purposes of this regulation, a request for a copy of the whole or the same part of the marked register or lists in both a printed and data form may be treated as two separate requests.]

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

### Textual Amendments

**F258** Reg. 120 substituted (18.7.2008) by [The Representation of the People \(Amendment\) Regulations 2008 \(S.I. 2008/1901\)](#), regs. 1(1), **5** (with reg. 2)

## <sup>F259</sup>PART 8 **E+W**

### Access to documents after an election to the National Assembly for Wales

### Textual Amendments

**F259** Pt. 8 inserted (27.4.2007) by [The Representation of the People \(National Assembly for Wales\) \(Access to Election Documents\) Regulations 2007 \(S.I. 2007/1368\)](#), regs. 1(2), **2** (with reg. 1(3))

### Interpretation of Part 8 **E+W**

**121.** In this Part—

“the 2007 Order” means the National Assembly for Wales (Representation of the People) Order 2007(3);

“Assembly election” means an election to the National Assembly for Wales under Part 1 of the Government of Wales Act 1998 or under Part 1 of the Government of Wales Act 2006(4);

“the Assembly list of proxies” means the list kept under article 10(1) and (3) of the 2007 Order;

“the Assembly postal voters list” means the list kept under article 10(1) and (2) of the 2007 Order;

“the Assembly proxy postal voters list” means the list kept under article 12(8) of the 2007 Order;

“the National Assembly for Wales” means the National Assembly for Wales constituted by the Government of Wales Act 2006; and

“relevant Assembly election documents” means such documents relating to an Assembly election as the relevant registration officer is required to retain by rule 69(1) of Schedule 5 to the 2007 Order.

(2) “The marked Assembly register or lists” means any part of the marked copies of—

(a) the full register;

[ the notices amending the full register issued under section 13B(3B) or (3D) of the 1983<sup>F260</sup>(aa) Act;]

(b) the Assembly postal voters list;

(c) the Assembly list of proxies; and

(d) the Assembly proxy postal voters list,

forwarded to the relevant registration officer under paragraph 31 of Schedule 3 or rules 67(1)(h) and (2)(f) of Schedule 5 to the 2007 Order.

**122.** Subject to the modifications specified in regulations 123 to 126, Part 7 of these Regulations shall apply in respect of the marked Assembly register or lists and the other relevant Assembly

(3) 2000 c. 2.

(4) Section 10A was substituted by Schedule 1 to the 2000 Act.



election documents as it applies in respect of the marked register or lists and other documents open to inspection under that Part.

**123.** References in Part 7 to “the marked register or lists” shall be construed as references to the marked Assembly register or lists, and any like terms shall be similarly construed.

**124.** Regulation 116 shall apply as if—

- (a) paragraph (1) were omitted;
- (b) in paragraph (2) the reference to regulation 56 were a reference to paragraph 7 of Schedule 1 to the 2007 Order; and
- (c) in paragraph (4), the reference to a direction by the Secretary of State under section 52(1) of the 1983 Act included a reference to a direction by the Secretary of State under article 28(1) of the 2007 Order.

**125.** Regulation 117 shall apply as if—

- (a) references to “a particular parliamentary or local government election” and to “a particular election” include reference to a particular Assembly election; and
- (b) the reference in paragraph (5) to regulation 61 were a reference to paragraph 13 of Schedule 1 to the 2007 Order.

**126.** Regulations 118 and 119 shall apply as if references to “documents open to public inspection” were a reference to—

- (a) the Assembly marked register or lists; and
- (b) the other relevant Assembly election documents except—
  - (i) ballot papers;
  - (ii) completed corresponding number lists;
  - (iii) certificates as to employment on the day of the election,

and any like terms shall be construed accordingly.]

#### Textual Amendments

**F260** Reg. 121(2)(aa) inserted (18.7.2008) by [The Representation of the People \(Amendment\) Regulations 2008 \(S.I. 2008/1901\)](#), regs. 1(1), **4(2)** (with reg. 2)

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

## SCHEDULE 1 E+W

### ENABLING POWERS

#### Commencement Information

**I90** Sch. 1 in force at 16.2.2001, see [reg. 1\(1\)](#)

These Regulations are made under the following powers:

- (a) sections 10A(7) and (9)(**41**), 13A(6), 36(3C)(**42**), 53(**43**) and 201(1) and (3)(**44**) of, rule 24(**45**) of Schedule 1 and Schedule 2(**46**) to, the Representation of the People Act 1983 (“the 1983 Act”);
- (b) sections 3(5), (6) and (7)(**47**) and 15(5) of the Representation of the People Act 1985 (“the 1985 Act”);
- (c) having regard to the definition of “prescribed” in section 202(1) of the 1983 Act, sections 4(4)(**48**), 9(2)(**49**), 10A(1), (3), (6) and (7), 13(3), 13A(2), 13B(3), 14(1), 16, 56(1) and (5), 75(3) and 89(1) of, rules 24, 28(3), 29(3A)(**50**), 32(3) and 45(1B)(**51**) in Schedule 1 to, and paragraph 8(1) of Schedule 4 to, that Act;
- (d) having regard to the definition of “prescribed” in section 202(1) of the 1983 Act and section 27(2) of the 1985 Act, section 2(3) of the 1985 Act(**52**);
- (e) having regard to the definition of “prescribed” in section 202(1) of the 1983 Act and paragraph 1(2) of Schedule 4 to the Representation of the People Act 2000, the following provisions in that Schedule, namely, paragraphs 3(1)(b) and (2)(c), 4(1)(b), (2)(c) and (4)(a), 6(7) and (8) and 7(5)(c) and (7);
- (f) having regard to the designation(**53**) of the Secretary of State for the purposes of section 2(2) of the European Communities Act 1972(**54**) in relation to measures relating to the rights of citizens of the Union to vote at European Parliamentary elections and local government elections in England and Wales, that section 2(2); and
- (g) paragraph 2(4)(b) of Schedule 1 to the European Parliamentary Elections Act 1978(**55**).

(41) Sections 10A and 13A were substituted by Schedule 1 to the 2000 Act.

(42) Section 36(3C) was substituted by section 17 of the 1985 Act.

(43) Section 53 was amended by Schedule 4 to the 1985 Act and Schedule 1 to the 2000 Act.

(44) Section 201(1) was amended by [S.I. 1991/1728](#) and section 201(3) was inserted by Schedule 1 to the 2000 Act.

(45) Rule 24 was substituted by Schedule 6 to the 2000 Act.

(46) Schedule 2 was amended by Schedules 2 and 4 to the 1985 Act; Schedules 1 and 6 to the 2000 Act; Schedule 16 to the Local Government (Wales) Act 1994 ([c. 19](#)); and section 5 of the Representation of the People Act 1989 ([c. 28](#)). Schedule 2 has also been amended by section 9 of the 2000 Act but the amendments are not yet in force.

(47) Section 3 was substituted by Schedule 2 to the 2000 Act.

(48) Section 4 was substituted by section 1(2) of the 2000 Act.

(49) Sections 9, 10A, 13, 13A and 13B were substituted by Schedule 1 to the 2000 Act.

(50) Rule 29(3A) was inserted by section 13(2) of the 2000 Act.

(51) Rule 45(1B) was inserted by Schedule 6 to the 2000 Act.

(52) Section 2 was substituted by Schedule 2 to the 2000 Act.

(53) The European Communities (Designation) (No. 3) Order 1993 ([S.I. 1993/2661](#)).

(54) [1972 c. 68](#).

(55) [1978 c. 10](#).

**Status:** Point in time view as at 24/12/2008.

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SCHEDULE 2 **E+W**

Regulation 2

## REVOCATIONS

**Commencement Information****I91** Sch. 2 in force at 16.2.2001, see **reg. 1(1)**

| <i>1</i><br><i>Regulations revoked</i>  | <i>2</i><br><i>References</i>  | <i>3</i><br><i>Extent of revocation</i>                     |
|---|--------------------------------|---|
| The Representation of the People Regulations 1986   | <a href="#">S.I. 1986/1081</a> | The whole Regulations except regulations 1, 4 and 97 to 100 |
| The Representation of the People (Amendment) Regulations 1990   | <a href="#">S.I. 1990/520</a>  | The whole Regulations except regulations 29 to 31           |
| The Representation of the People (Amendment) Regulations 1991   | <a href="#">S.I. 1991/1198</a> | The whole Regulations                                       |
| The Representation of the People (Amendment) Regulations 1992   | <a href="#">S.I. 1992/722</a>  | The whole Regulations                                       |
| The European Parliamentary Elections (Changes to the Franchise and Qualification of Representatives) Regulations 1994 | <a href="#">S.I. 1994/342</a>  | Part I of the Schedule                                      |
| The Local Government Elections (Changes to the Franchise and Qualification of Members) Regulations 1995               | <a href="#">S.I. 1995/1948</a> | Paragraphs 12 to 16 of Schedule 2                           |
| The Representation of the People (Amendment) Regulations 1997   | <a href="#">S.I. 1997/880</a>  | The whole Regulations                                       |

F261F261F262F263F264F265F266F267F268F269F270F271F272F273F274F275F276F277 SCHEDULE

3 **E+W**FORMS  
ARRANGEMENT OF FORMS**Textual Amendments****F261** Sch. 3 Forms substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 47(3), **Sch. 2** (with reg. 1(2)(3)(d))**F262** Sch. 3 Form A1 Form inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 47(4), **Sch. 2** (with reg. 1(2)(3)(d))

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- F263** Sch. 3 Form substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 47(5), **Sch. 2** (with reg. 1(2)(3)(d))
- F264** Sch. 3 Form B1 Form inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 47(6), **Sch. 2** (with reg. 1(2)(3)(d))
- F265** Sch. 3 Form substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 66, **Sch. 2** (with reg. 1(2)(3)(e))
- F266** Sch. 3 Form substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 66, **Sch. 2** (with reg. 1(2)(3)(e))
- F267** Sch. 3 Form substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 66, **Sch. 2** (with reg. 1(2)(3)(e))
- F268** Sch. 3 Form K substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 41, **Sch. 2** (with reg. 1(2)(3)(c))
- F269** Sch. 3 Form L1 inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 29(3), **Sch. 2** (with reg. 1(2)(3)(a))
- F270** Sch. 3 Form L2 inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 29(3), **Sch. 2** (with reg. 1(2)(3)(a))
- F271** Sch. 3 Form M1 inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 29(3), **Sch. 2** (with reg. 1(2)(3)(a))
- F272** Sch. 3 Form M2 inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), 29(3), **Sch. 2** (with reg. 1(2)(3)(a))
- F273** Words in Sch. 3 Form B1 in the heading for “From B1” substitute “Form B1” (9.4.2007) by The Representation of the People (England and Wales) and the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2007 (S.I. 2007/1025), regs. 1(2), **2(4)(b)** (with reg. 1(3))
- F274** Sch. 3 Form A substituted (9.4.2007) by The Representation of the People (England and Wales) and the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2007 (S.I. 2007/1025), regs. 1(2), 2(4)(a), **Sch. Form A** (with reg. 1(3))
- F275** Sch. 3 Form B substituted (9.4.2007) by The Representation of the People (England and Wales) and the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2007 (S.I. 2007/1025), regs. 1(2), 2(4)(a), **Sch. Form B** (with reg. 1(3))
- F276** Sch. 3 Form L2 substituted (9.4.2007) by The Representation of the People (England and Wales) and the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2007 (S.I. 2007/1025), regs. 1(2), 2(4)(a), **Sch. Form L2** (with reg. 1(3))
- F277** Sch. 3 Form M2 substituted (9.4.2007) by The Representation of the People (England and Wales) and the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2007 (S.I. 2007/1025), regs. 1(2), 2(4)(a), **Sch. Form M2** (with reg. 1(3))

#### Commencement Information

- I92** Sch. 3 in force at 16.2.2001, see **reg. 1(1)**

|                            |  |
|----------------------------|--|
| [ <sup>F278</sup> Form A:  | Official poll card (to be sent to an elector voting in person)]                    |
| [ <sup>F278</sup> Form A1: | Official postal poll card (to be sent to an elector voting by post)]               |
| [ <sup>F278</sup> Form B:  | Official proxy poll card (to be sent to an appointed proxy voting in person)]      |
| [ <sup>F278</sup> Form B1  | Official proxy postal poll card (to be sent to an appointed proxy voting by post)] |
| Form C:                    | Return of expenses required by section 75 of the 1983 Act                          |

**Status:** Point in time view as at 24/12/2008.

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|                           |  |
|---------------------------|--|
| Form D:                   | Declaration as to expenses required by section 75 of the 1983 Act  |
| Form E:                   | Proxy paper  |
| Form F:                   | Certificate of employment  |
| Form G:                   | [ <sup>F125</sup> postal voting statement] (for use at parliamentary elections)  |
| Form H:                   | [ <sup>F125</sup> postal voting statement] (for use when postal ballots are combined)  |
| Form J:                   | [ <sup>F125</sup> postal voting statement] (for use when a parliamentary poll is combined with another poll but the postal ballots are not combined) |
| Form K:                   | Statement as to postal ballot papers   |
| [ <sup>F279</sup> Form L1 | Corresponding Number List for use at parliamentary election taken alone]   |
| [ <sup>F279</sup> Form L2 | Corresponding Number List for use in polling station at parliamentary election taken alone ]   |
| [ <sup>F279</sup> Form M1 | Corresponding Number List for use when parliamentary election combined with a relevant election or referendum ]                                      |
| [ <sup>F279</sup> Form M2 | Corresponding Number List for use in polling station when parliamentary election combined with a relevant election or referendum ]                   |

**Textual Amendments**

- F278** Sch. 3 Table of Contents entries substituted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **47(2)** (with reg. 1(2)(3)(d))
- F279** Sch. 3 Table of Contents entries inserted (1.1.2007) by The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2910), regs. 1(1), **29(2)** (with reg. 1(2)(3)(a))

Form A:ELECTOR'S OFFICIAL POLL CARD

**Status:** Point in time view as at 24/12/2008.

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Regulation 9(2)

|  |   |
|--|---|
| <p><b>Form A: OFFICIAL POLL CARD</b><br/>                 (to be sent to an elector voting in person)<br/> <i>Front of card</i></p>  |   |
| <p><b>OFFICIAL POLL CARD</b></p>   |   |
| <p>Constituency:<br/>                 Polling Day:<br/>                 Polling hours: <b>7 a.m. to 10 p.m.</b><br/>                 Your polling station will be:</p>   | <p>Number on register:<br/>                 *Name<br/>                 .....<br/>                 *Address<br/>                 .....<br/>                 * (Returning officer to omit where poll card sent to an anonymous elector. Poll card to anonymous elector must be delivered in a sealed envelope.)</p> |
| <p><b>*This card is for information only. You can vote without it, but it will save you time if you take it to the polling station and show it to the clerk there.</b></p> <p><i>SEE FURTHER INFORMATION ON THE BACK OF THIS CARD</i></p>  |   |
| <p><i>Back of card</i></p>   |   |
| <p><b>PARLIAMENTARY ELECTION</b></p>   |   |
| <p>*When you go to the polling station, tell the clerk your name and address, as shown on the front of the card.</p> <p>*The clerk will confirm your details on the register.</p> <p>When you are given your ballot paper, go to one of the polling booths. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate you are voting for.</p> <p><b>Vote for ONE candidate only. Do not put any other mark on the ballot paper, or your vote may not be counted.</b></p> <p>If you spoil your ballot paper by mistake, show it to the presiding officer and ask for a replacement.</p> <p>Fold the ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see your vote. Put the ballot paper in the ballot box and leave the polling station.</p> <p>If you will be away on the date of the poll –</p> <ul style="list-style-type: none"> <li>• You can apply to vote by post. Your application must be received by the Returning Officer before 5 p.m. on [-11 day/date deadline]. If you are given a postal vote, you will not be entitled to vote in person at this election.</li> <li>• You can apply to vote by proxy (this means someone else can vote on your behalf). Your application must be received before 5 p.m. on [-6 day/date deadline]. If you appoint a proxy, you can still vote in this election yourself if you do so before your proxy has voted for you.</li> </ul> <p>In certain circumstances it may be possible to apply to vote by proxy after [-6 day/date deadline].</p> <p>To change any of your voting arrangements please contact [helpline number] as soon as possible.</p> |   |
| <p>Issued by the Returning Officer</p>   |   |
| <p>[Where poll card sent to an anonymous elector substitute for the paragraphs marked with * above:-</p>   |   |
| <p><b>You must have this card with you when you vote. You cannot vote without it.</b></p> <p><b>When you go to the polling station, ask to speak to the presiding officer and show them this card.</b></p>   |   |

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Form A1:ELECTOR'S OFFICIAL POSTAL POLL CARD

|  |   |
|--|---|
| <p>Form A1: OFFICIAL POSTAL POLL CARD<br/>(to be sent to an elector voting by post)<br/><i>Front of card</i></p>   |   |
| <p><b>OFFICIAL POSTAL POLL CARD</b></p>  |   |
| <p>Constituency:<br/><br/>For the election on: [day/date]<br/><br/>Number on Register:<br/><br/>*Name and Address:<br/><br/>*(Returning Officer to omit where postal poll card sent to an anonymous elector. Postal poll card to anonymous elector must be delivered in a sealed envelope.)</p>  | <p>This notice is to tell you that you have asked to vote by post for this election, and you will not be able to vote in a polling station. If you want to cancel your postal vote please call: [helpline number] before 5pm on [-11 day/date deadline].</p> <p><b>We will send your postal voting papers around [day/date].</b><br/>Addressed to:<br/>(Name and Address)</p> <p><b>If your postal voting papers have not arrived by [day/date] call: [helpline number] and ask for help.</b></p> |
| <p>If you lose or accidentally spoil your postal ballot paper, please call: [helpline number] as soon as possible. Replacement ballot papers can only be issued before 5 p.m. on [day/date of poll].</p>   |   |
| <p><b>This card is to provide you with information about voting by post.</b><br/><b>SEE INFORMATION ON THE BACK OF THIS CARD</b><br/><i>Back of card</i></p>   |   |
| <p>PARLIAMENTARY ELECTION</p>  |   |
| <p>When you receive your postal voting pack, please read the instructions with it carefully before completing your postal ballot paper.</p> <p>Do not let anyone see your vote. If you need help voting, the person helping you must not tell anyone how you have voted. You can get independent help from the Returning Officer: please call our helpline on [helpline number].</p> <p>You must <b>sign</b> the postal voting statement (unless you have been granted a waiver by prior arrangement with the Returning Officer) and <b>provide your date of birth</b>. This is a security measure. It will not affect your vote or mean it can be identified. Without your signature and date of birth the statement will not be valid and your vote will not be counted. The Returning Officer can cross check your signature against other records that they hold.</p> <p>If you lose or accidentally spoil your ballot paper, please call the helpline number below as soon as possible. We can only issue replacement postal ballot papers before 5 p.m. on [day/date of poll].</p> <p>Complete and return your postal vote as soon as possible. The Returning Officer must receive your postal vote by 10pm on [day/date of poll]. You can deliver your completed voting papers to any polling station in the constituency.</p> <p>If you want to vote in person at these elections, you must cancel your postal vote before 5 p.m. on [-11 day/date deadline].</p> <p>If you need any assistance, please call our helpline on: [helpline number].</p> |   |
| <p><b>It is an offence to vote using a ballot paper that was not addressed to you.</b><br/>Issued by the Returning Officer</p>   |   |

Form B:PROXY'S OFFICIAL POLL CARD

**Status:** Point in time view as at 24/12/2008.

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Regulation 9(3)

|  |   |
|--|---|
| <p><b>Form B: OFFICIAL PROXY POLL CARD</b><br/>                 (to be sent to an appointed proxy voting in person)<br/> <i>Front of card</i></p>  |   |
| <p><b>OFFICIAL PROXY POLL CARD</b></p>   |   |
| <p>Constituency:<br/>                 Polling Day:<br/>                 Polling hours: <b>7 a.m. to 10 p.m.</b><br/>                 Elector's polling station will be:</p>  | <p>*This poll card is to tell you that for this election, the elector named on the back of this card has appointed you as their proxy.</p> <p>*Proxy's name<br/>                 .....</p> <p>*Proxy's address<br/>                 .....</p> <p><i>*(Returning officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of anonymous elector must be delivered in a sealed envelope.)</i></p> |
| <p><b>*This card is for information only. You can vote without it, but it will save time if you take it to the polling station and show it to the clerk there.</b></p> <p><i>SEE FURTHER INFORMATION ON THE BACK OF THIS CARD</i></p>  |   |
| <p><i>Back of card</i></p>   |   |
| <p><b>PARLIAMENTARY ELECTION</b></p>   |   |
| <p>*This poll card is to tell you that for this election you are appointed as proxy for:<br/>                 .....</p> <p>*(Elector's name)<br/>                 .....</p> <p>*(Elector's address)<br/>                 .....</p> <p>*(Elector's number on register)<br/>                 .....</p> <p>*When you go to the polling station, tell the clerk that you wish to vote as proxy on behalf of the voter shown above.</p> <p>The clerk will confirm your details on the register.</p> <p>When you are given the ballot paper, go to one of the polling booths. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate the elector is voting for.</p> <p><b>Vote for ONE candidate only. Do not put any other mark on the ballot paper, or the vote may not be counted.</b></p> <p>If you spoil the ballot paper by mistake, show it to the presiding officer and ask for a replacement.</p> <p>Fold the ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see the vote. Put the ballot paper in the ballot box and leave the polling station.</p> <p>If you will be away on the date of the poll, you can apply to vote by post before 5 p.m. on [-11 day/date deadline]. If you are given a postal vote, you or the elector will <i>not</i> be entitled to vote in person at this election.</p> <p>The person who appointed you as proxy may vote at this election. If they wish to do so they must vote in person before you vote on their behalf.</p> |   |



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Form B1:OFFICIAL PROXY POSTAL POLL CARD

|   |   |
|---|---|
| <p>From B1: OFFICIAL PROXY POSTAL POLL CARD<br/>(to be sent to an appointed proxy voting by post)<br/><i>Front of card</i></p>  |   |
| <p><b>OFFICIAL PROXY POSTAL POLL CARD</b></p>   |   |
| <p>Constituency:<br/><br/>For the election on: [day/date]<br/><br/>Name and Address (Proxy):</p>  | <p>This poll card is to tell you that for this election, the elector named on the back of this card has appointed you as their proxy and you have decided to vote by post. <b>You will not be able to vote on behalf of the elector in a polling station.</b> If you want to cancel this postal vote and vote in person on polling day, please call: [helpline number] before 5pm on [-11 day/date deadline].<br/><b>We will send the proxy postal voting papers around [day/date].</b><br/><br/><b>If the postal voting papers have not arrived by [day/date] please call: [helpline number] and ask for help.</b></p> |
| <p>If you lose or accidentally spoil the elector's postal ballot paper, please call: [helpline number] as soon as possible. Replacement ballot papers can only be issued before 5pm on [day/date of poll].</p>  |   |
| <p><b>This card is to provide you with information about voting by post.</b><br/><b>SEE INFORMATION ON THE BACK OF THIS CARD</b></p>  |   |
| <p><i>Back of card</i></p>  |   |
| <p>PARLIAMENTARY ELECTION</p>   |   |
| <p><b>*This poll card is to tell you that for this election you are appointed as proxy for the elector named below and you have decided to vote by post.</b></p>  |   |
| <p>.....<br/>*(Elector's name)<br/>.....</p>  |   |
| <p>.....<br/>*(Elector's address)<br/>.....</p>   |   |
| <p>When you receive the postal voting pack, please read the instructions with it carefully before completing the postal ballot paper.</p>   |   |
| <p>Do not let anyone see your vote. If you need help voting, the person helping you must not tell anyone how you have voted.</p>  |   |
| <p>You must <b>sign</b> the postal voting statement (unless you have been granted a waiver by prior arrangement with the Returning Officer) and <b>provide your date of birth</b>. This is a security measure. It will not affect your vote or mean it can be identified. Without your signature and date of birth the statement will not be valid and your vote will not be counted. The Returning Officer can cross check your signature against other records they hold.</p> |   |
| <p>If you lose or accidentally spoil the postal ballot paper, please call the helpline number below as soon as possible. We can only issue replacement postal ballot papers before 5pm on [day/date of poll].</p>   |   |
| <p>Complete and return the postal vote as soon as possible. The Returning Officer must receive the postal vote by 10pm on [day/date of poll]. You can deliver your completed</p>  |   |

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voting papers to any polling station in your area/ward.

If you want to vote in person as a proxy at these elections, you must cancel your postal vote before 5 p.m. on [-11 day/date deadline].

**It is illegal to do any of the following:**

- Vote more than once (unless you are appointed as a proxy for another elector) at the same election.
- Vote as a proxy at the same election for two or more persons unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
- Vote as a proxy for a person if you know that the person is subject to a legal incapacity to vote.

**Issued by the Returning Officer**

*[Where poll card sent to the proxy of an anonymous elector substitute for the text marked with \* above:-*

**This poll card is to tell you that for this election you are appointed as proxy for the elector whose electoral number is shown below and you have decided to vote by post.**

You are entitled to vote as proxy for the elector whose electoral number is shown below:

.....  
(Elector's number on register)].

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Regulation 10(1)

## REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE.....CONSTITUENCY/LOCAL GOVERNMENT AREA

Date of publication of notice of election .....

The expenses shown below were authorised in writing in accordance with the provisions of section 75 of the Representation of the People Act 1983.

They were authorised

by .....(name of election agent)

for the candidate .....(name of candidate) in the above-mentioned election.

They were incurred by .....(person/association/body of persons).

The agent's written authority is attached to this return.

Amount of expenses incurred: £.....

Signature..... Date.....

Form D:DECLARATION AS TO EXPENSES REQUIRED BY SECTION 75 OF THE 1983 ACT

**Status:** Point in time view as at 24/12/2008.

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Regulation 10(1)

**REPRESENTATION OF THE PEOPLE ACTS**

ELECTION IN THE.....CONSTITUENCY/LOCAL GOVERNMENT AREA

Date of publication of notice of election .....

Name of candidate .....

Name of election agent.....

I hereby declare that—

1. I am [the person] *or* [a director, general manager, secretary or similar officer of the association, organisation or body of persons]\* named as incurring expenses in the accompanying return of expenses required by section 75 of the Representation of the People Act 1983.

2. To the best of my knowledge and belief that return is complete and correct.

3. The matter for which the expenses referred to in that return were incurred were as follows

.....  
.....  
.....  
.....

Signature.....

Office held .....  
(In the case of an association or body of persons)

Date .....

\*enter as appropriate

Form E:PROXY PAPER

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

Regulation 57(3)

### REPRESENTATION OF THE PEOPLE ACTS

Constituency .....  
Polling district.....  
Local government electoral area(s) .....

European Parliamentary electoral region .....

Name of Proxy .....

Address .....

is hereby appointed as proxy for

(Name of elector) .....

\*[who is qualified to be registered for

(Qualifying address) .....

\*[who qualifies as an overseas elector in respect of the above constituency] to vote for him/her at

\*[the \*[parliamentary] \*[local government] \*[European Parliamentary] election for the above  
\*[constituency] \*[electoral area] \*[European Parliamentary electoral region] on (date).....]

\*[any \*[parliamentary] \*[local government] \*[European Parliamentary] election for the above  
\*[constituency] \*[electoral area] \*[European Parliamentary electoral region]]

\*[This proxy appointment is not valid until .....

\*[This proxy appointment remains valid until..... ]

Signature .....

Electoral Registration Officer

Address .....

Date .....

*\*Delete whichever is inappropriate*

### YOUR RIGHT TO VOTE AS PROXY

1. This proxy paper gives you the right to vote as proxy on behalf of the elector whose name is given overleaf. However, you may not vote as proxy at the same election for more than two electors of whom you are not the husband, wife, parent, grandparent, brother, sister, child or grandchild.

2. Your appointment as proxy may be for a particular election only, or it may be for a definite or indefinite period.

If it is for a particular election, you have the right to vote as proxy only at the election specified in the proxy paper.

If it is for an indefinite period, you have in general the right to vote as proxy at any parliamentary, European Parliamentary or local government election for which the elector is qualified to vote until the electoral registration officer informs you to the contrary.

If it is for a definite period, your right to vote as proxy expires on the date stated on the form.

3. You may vote as proxy at the polling station allotted to the elector on whose behalf you are appointed. Shortly before polling day you will be sent a proxy poll card telling you where the polling station is. You do not need to take either the poll card or this proxy paper to the polling station but you may find it helpful to do so.

4. If you cannot vote in person at the polling station, you should consult the electoral registration officer about your right to vote by post.

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Form F: CERTIFICATE OF EMPLOYMENT

Regulation 63(1)

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE ..... CONSTITUENCY

I certify that (name) .....  
who is numbered ..... in the register of electors for the  
constituency named above cannot reasonably be expected to go in person to the polling station allotted  
to him or her at the election on (date of poll) ..... by reason of the particular  
circumstances of his or her employment on that date for a purpose connected with the election—

*\*Delete whichever*      *\*(a)* as a constable  
*is inappropriate*      *\*(b)* by me.

Signature .....  
*\*Returning officer/police officer (inspector or above).*

Date .....

Note: The person named above is entitled to vote at any polling station of the above constituency on  
production and surrender of this certificate to the presiding officer.

Form G:

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

Regulation 66(a)

**Form G: Form of postal voting statement  
(for use at parliamentary elections)**

**Postal Voting Statement**

\*Voter's name: ..... Ballot paper No. ....  
\*(Returning Officer to insert name but omit where ballot papers sent to an anonymous elector)  
[other identifying mark]

**You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.**

I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT TO

Date of birth 

|   |   |   |   |   |   |   |   |
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|---|---|---|---|---|---|---|---|

 (voter's date of birth)

#Signature 

|                |
|----------------|
| Signature Here |
|----------------|

 (voter's signature)  
IMPORTANT – Keep signature within border

\*(Returning Officer to omit where a person has been granted a waiver)

**Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.**

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the Returning Officer

INSTRUCTIONS TO THE VOTER

**Complete the ballot paper yourself and in private. If you need help contact the Returning Officer's staff as shown below**

[contact details for assistance  
include address as appropriate]

1. You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.
2. Vote for ONE candidate only. Do not mark the ballot paper in any other way or your vote may not be counted.
3. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate you are voting for.
4. If you need help voting, the person helping you must not tell anyone how you voted.
5. Put the ballot paper in the small envelope marked **A** and seal it.
6. Complete the postal voting statement by signing it, and providing your date of birth.
7. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.
8. **After receiving this postal vote, you cannot vote in person at a polling station at this election.**
9. If you accidentally spoil your ballot paper, you can apply to the Returning Officer for a replacement before 5 p.m. on [day/date of poll]. You must return the spoiled ballot paper, the

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postal voting statement, and the envelopes marked **A** and **B**. Make sure you contact the Returning Officer as soon as possible.

**!** Your ballot paper and the postal voting statement must be received by the Returning Officer by 10pm on [day/date of poll]. You can deliver your completed postal vote to any polling station in your constituency on polling day.

**Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.**

**It is illegal to vote more than once (unless you are appointed as a proxy for another elector) at the same election.**

#(Returning Officer to omit where a person has been granted a waiver)



**Status:** Point in time view as at 24/12/2008.

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**Form H: Form of postal voting statement**  
(for use where there is a joint issue and receipt of postal ballot papers)

**Postal Voting Statement**

\*Voter's name: ..... Ballot paper Nos. ....  
\*(Returning Officer to insert name but omit where ballot papers sent to an anonymous elector)  
[other identifying marks]

**You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.**

I AM THE PERSON THE BALLOT PAPERS NUMBERED ABOVE WERE SENT TO

Date of birth 

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| D | D | M | M | Y | Y | Y | Y |
|---|---|---|---|---|---|---|---|

 (voter's date of birth)

# Signature 

|                |
|----------------|
| Signature Here |
|----------------|

 (voter's signature)  
IMPORTANT – Keep signature within border

\*(Returning Officer to omit where a person has been granted a waiver)

**Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.**

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the Returning Officer

INSTRUCTIONS TO THE VOTER

**Complete the ballot paper yourself and in private. If you need help contact the Returning Officer's staff as shown below**

[contact details for assistance  
include address as appropriate]

1. You must provide your [#signature and] date of birth. You must do this even if you have already signed a postal voting statement in respect of another election to be held on the same day. If you do not, this postal voting statement will be invalid and your vote will not be counted.
2. When you are voting in a Parliamentary election ([insert colour of ballot paper] ballot paper), mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate you are voting for. Vote for ONE candidate only.
3. When you are voting in a local government election ([insert colour of ballot paper] ballot paper), mark a cross (X) in the box on the right hand side of each ballot paper opposite the name of each candidate you are voting for. Vote for no more than [...] candidates.
4. When you are voting in a European Parliamentary election ([insert colour of ballot paper] ballot paper), mark a cross (X) in the box on the right hand side of the name of the party or individual candidate of your choice. Vote for ONE party or candidate only.
5. [#\* When you are voting in a Greater London Authority election—
  - (a) [#\* in the constituency members' election ([insert colour of ballot paper] ballot paper), mark a cross (X) in the box on the right hand side of the name of the party or individual

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candidate of your choice. Vote for ONE candidate only.]

(b) [\* in the London members' election ([insert colour of ballot paper] ballot paper), mark a cross (X) in the box on the right hand side of the name of the party or individual candidate of your choice. Vote for ONE party or candidate only.]

(c) [\* in the London Mayoral election ([insert colour of ballot paper] ballot paper), vote ONCE for your FIRST CHOICE and ONCE for your SECOND CHOICE.]]

6. [\* When you are voting in a [\* specify] election ([insert colour of ballot paper] ballot paper), mark a cross (X) in the box on the right hand side of the name of the candidate of your choice. Vote for ONE candidate only/Vote ONCE for your FIRST CHOICE and ONCE for your SECOND CHOICE.\*]
7. [\* When you are voting in a referendum, mark a cross (X) in the box on the right hand side of the answer of your choice. Vote ONCE only.]

8. Do not mark your ballot papers in any other way or your votes may not be counted.
9. If you need help voting, the person helping you must not tell anyone how you voted.
10. Put all the ballot papers in the small envelope marked **A** and seal it.
11. Complete the postal voting statement by signing it, and providing your date of birth.
12. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straight away.

**After receiving this postal vote, you cannot vote in person at a polling station at this election.**

If you accidentally spoil any of your ballot papers, you can apply to the Returning Officer for a replacement before 5 p.m. on [day/date of poll]. You must return the spoiled ballot paper, the postal voting statement, and the envelopes marked **A** and **B**. Make sure you contact the Returning Officer as soon as possible.

**!** Your ballot papers and the postal voting statement must be received by the Returning Officer by 10pm on [day/date of poll]. You can deliver your completed postal vote to any polling station in your constituency on polling day.

**Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.**

**It is illegal to vote more than once (unless you are appointed as a proxy for another elector) at the same election.**

#{Returning Officer to omit where a person has been granted a waiver}

Form J:

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

Regulation 66(c)

**Form J: Form of postal voting statement**  
(for use when a parliamentary poll is combined with another poll  
but the postal ballot papers are not combined)

Postal Voting Statement

\*Voter's name: ..... Ballot paper No. .... (Colour)  
\*(Returning Officer to insert name but omit where ballot papers sent to an anonymous elector)  
[other identifying mark]

**You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.**

I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT TO

Date of birth 

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| D | D | M | M | Y | Y | Y | Y |
|---|---|---|---|---|---|---|---|

 (voter's date of birth)

Signature 

|                |
|----------------|
| Signature Here |
|----------------|

 (voter's signature)  
**IMPORTANT – Keep signature within border**

\*(Returning Officer to omit where a person has been granted a waiver)

**Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.**

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the Returning Officer

INSTRUCTIONS TO THE VOTER

**Complete the ballot paper yourself and in private. If you need help contact the Returning Officer's staff as shown below**

[contact details for assistance  
include address as appropriate]

1. You must provide your [# signature and] date of birth. You must do this even if you have already signed a postal voting statement in respect of another election to be held on the same day. If you do not, this postal voting statement will be invalid and your vote will not be counted.
2. Vote for ONE candidate only. Do not mark the ballot paper in any other way or your vote may not be counted.
3. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidates you are voting for.
4. If you need help voting, the person helping you must not tell anyone how you voted.
5. Different colours are used for the ballot papers for each election [and referendum\*]. Each ballot paper has its own ballot paper envelope (marked **A**), postal voting statement and return envelope (marked **B**). The return envelope and postal voting statement for each ballot paper refer to the colour of that ballot paper. It is important that you use the correct envelopes and postal voting statement or your vote may not be counted. You may find it helpful to sort the documents into separate sets.

**Status:** Point in time view as at 24/12/2008.

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6. Put the ballot paper in the small envelope marked **A** and seal it.
7. Complete the postal voting statement by signing it, and providing your date of birth.
8. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.

**After receiving this postal vote, you cannot vote in person at a polling station at this election.**

If you accidentally spoil your ballot paper, you can apply to the Returning Officer for a replacement before 5 p.m. on [day/date of poll]. You must return the spoiled ballot paper, the postal voting statement, and the envelopes marked **A** and **B**. Make sure you contact the Returning Officer as soon as possible.

**!** Your ballot paper and the postal voting statement must be received by the Returning Officer by 10pm on [day/date of poll]. You can deliver your completed postal vote to any polling station in your area/ward on polling day.

**Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.**

**It is illegal to vote more than once (unless you are appointed as a proxy for another elector) at the same election.**

#{Returning Officer to omit where a person has been granted a waiver}

**Status:** Point in time view as at 24/12/2008.

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**Form K: STATEMENT AS TO POSTAL BALLOT PAPERS  
REPRESENTATION OF THE PEOPLE ACTS  
PARLIAMENTARY ELECTION**

Constituency: ..... Date of Poll: .....

| <i>A. Issue of postal ballot papers</i>  | <i>Number</i> |
|--|---------------|
| 1. Total number of postal ballot papers issued under regulation 71   |               |
| 2. Total number of postal ballot papers issued under regulation 77 (spoilt and returned for cancellation) and regulation 78 (lost or not received)   |               |
| 3. Total number of postal ballot papers cancelled under regulation 86A (where the first ballot paper was cancelled and retrieved)  |               |
| 4. Total number of postal ballot papers issued (1 to 3)  |               |
|  |               |
| <i>B (1). Receipt of and replacement postal ballot papers</i>  | <i>Number</i> |
| 5. Number of covering envelopes received by the returning officer or at a polling station before the close of poll (excluding any undelivered or returned under regulation 77(1) (spoilt), regulation 78(1) (lost) and regulation 86A (cancelled ballot papers)) |               |
| 6. Number of covering envelopes received by the returning officer after the close of poll, excluding any returned as undelivered   |               |
| 7. Number of postal ballot papers returned spoilt for cancellation in time for another ballot paper to be issued   |               |
| 8. Number of postal ballot paper identified as lost or not received in time for another ballot paper to be issued  |               |
| 9. Number of ballot papers cancelled and retrieved in time for another ballot paper to be issued   |               |
| 10. Number of postal ballot papers returned as spoilt too late for another ballot paper to be issued   |               |
| 11. Number of covering envelopes returned as undelivered (up to the 25 <sup>th</sup> day after the date of poll)   |               |
| 12. Number of covering envelopes not received by the returning officer (by the 25 <sup>th</sup> day after the date of poll)  |               |
| 13. Total numbers 5 to 12 (this should be the same as that in 4 above)   |               |
|  |               |
| <i>B (2). Receipt of postal ballot papers – Postal voting statements</i>   | <i>Number</i> |
| 14. Number of covering envelopes set aside for the verification of personal identifiers on postal vote statements  |               |
| 15. Number of postal voting statements not subject to verification procedure rejected as not completed (excluding prior cancellations)   |               |
| 16. Number of postal voting statements subject to verification procedure rejected as not completed (excluding prior cancellations)   |               |
| 17. Number of postal voting statements rejected following verification procedures due to the personal identifiers on the postal voting statement not matching those in the personal identifiers record (excluding prior cancellations)                           |               |
|  |               |
| <i>C. Count of postal ballot papers</i>  | <i>Number</i> |
| 18. Number of ballot papers returned by postal voters which were included in the count of ballot papers  |               |
| 19. Number of cases in which a covering envelope or its contents were marked "Rejected" (cancellations under regulations 77, 78 and 86A are not rejections and should be included in items 2,3,7,8 and 9 above)  |               |

Date ..... Signed .....  
Returning Officer

Authority .....

Form L1:CORRESPONDING NUMBER LIST FOR USE AT PARLIAMENTARY ELECTION  
TAKEN ALONE



**Status:** Point in time view as at 24/12/2008.

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|  |       |
|--|-------|
| <b>Form L2</b>   |       |
| <b>Corresponding Number List</b><br>(to be used in polling stations at a parliamentary election taken alone) |       |
| Constituency:  | ..... |
| Date of Poll:  | ..... |
| Polling Station:   | ..... |
| Sheet No.:   | ..... |

**Status:** Point in time view as at 24/12/2008.

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| Ballot Paper Number | Elector Number |
|---------------------|----------------|
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Form M1-CORRESPONDING NUMBER LIST FOR USE WHEN PARLIAMENTARY ELECTION COMBINED WITH A RELEVANT ELECTION OR REFERENDUM



**Status:** Point in time view as at 24/12/2008.

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|  |
|--|
| <b>Form M1</b>   |
| <b>Corresponding Number List</b><br>(to be used when a parliamentary election is combined<br>with another election/referendum) |
| Constituency/<br>Area(s): .....  |
| Date of Poll: .....  |
| Sheet No.: .....   |

| Ballot Paper Number<br><i>Identify the number issued<br/>for election/referendum</i> | Unique Identifying Mark<br><i>Identify the mark for each<br/>ballot paper</i> | Elector Number<br><i>(to be completed only in<br/>respect of ballot papers<br/>issued to postal voters)</i> |
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Form M2:CORRESPONDING NUMBER LIST FOR USE IN POLLING STATION WHEN PARLIAMENTARY ELECTION COMBINED WITH A RELEVANT ELECTION OR REFERENDUM

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

| Form M2   |       |
|---|-------|
| <b>Corresponding Number List</b><br>(to be used in polling stations when a parliamentary election is combined with another election/referendum) |       |
| Constituency/<br>Area(s):   | ..... |
| Date of Poll:   | ..... |
| Polling Station:  | ..... |
| Sheet No.:  | ..... |

**Status:** Point in time view as at 24/12/2008.

**Changes to legislation:** The Representation of the People (England and Wales) Regulations 2001 is up to date with all changes known to be in force on or before 01 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)

| <b>Ballot Paper Number</b><br><i>Identify the number issued for<br/>election/referendum</i> | <b>Elector Number</b> |
|---|-----------------------|
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SCHEDULE 4 **E+W**

Regulation 13

APPLICATION WITH MODIFICATIONS OF PROVISIONS OF THE 1983 AND 1985 ACTS  
FOR REGISTRATION OF EUROPEAN PARLIAMENTARY OVERSEAS ELECTORS

**Commencement Information**

**I93** Sch. 4 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Status:** Point in time view as at 24/12/2008.

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| <i>I</i>  | <i>2</i>  |
|---|---|
| <i>Provision applied</i>  | <i>Modification</i>   |
| PART I: THE 1983 ACT  |   |
| Section 4(5) (attainers)( <b>56</b> )                             |   |
| Section 9 (register of electors)( <b>57</b> )                     | In subsection (1)(a) omit “for each constituency or part of a constituency”.<br><br>Omit subsection (2)(b).<br><br>Omit subsections (5) to (8).   |
| Section 13 (publication of registers)( <b>58</b> )                | For subsections (1) to (3) substitute:<br><br>“(1) Where a register under section 3 of the 1985 Act is in force, a revised version of it shall be published when a revised version of the registers of parliamentary and local government electors is published under this section as it has effect for the purposes of such registers.”. |
| Section 13A (alteration of registers)                             |   |
| Section 13B (alteration of register: pending elections)           | For subsection (4) substitute:<br><br>“(4) This section applies to elections to the European Parliament.”.  |
| Section 50 (effect of misdescription)                             | For paragraphs (a), (b) and (c) substitute “in the register”.   |
| Section 52 (discharge of registration duties)( <b>59</b> )        | In subsections (1) and (4) after the word “Act” insert “and regulation 13 of the Representation of the People (England and Wales) Regulations 2001”.  |
| Section 54 (payment of expenses of registration)( <b>60</b> )     | In subsection (1) after the word “Act” in the first place where it occurs, insert “and regulation 13 of the Representation of the People (England and Wales) Regulations 2001”.<br><br>Omit subsection (3).   |
| Section 56 (registration appeals: England and Wales)( <b>61</b> ) | Omit subsection (1)(b).   |
| Section 63 (breach of official duty)( <b>62</b> )                 | In subsection (3)—<br>(a) for paragraphs (a) to (d) substitute:<br><br>“(a) any registration officer;”;<br>and  |

(56) Section 4 was substituted by section 1(2) of the 2000 Act.

(57) Section 9 was substituted by Schedule 1 to the 2000 Act.

(58) Sections 13 to 13B were substituted by Schedule 1 to the 2000 Act.

(59) Section 52 was amended by Schedule 4 to the 1985 Act and Schedule 16 to the Local Government (Wales) Act 1994.

(60) Section 54 was amended by Schedule 4 to the 1985 Act.

(61) Section 56 was amended by Schedule 4 to the 1985 Act and Schedule 1 to the 2000 Act.

(62) Section 63 was substituted by Schedule 4 to the 1985 Act.

**Status:** Point in time view as at 24/12/2008.

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| <i>1</i>  | <i>2</i>   |
|---|--|
| <i>Provision applied</i>  | <i>Modification</i>  |
|   | (b) for the words from “relating to” to the end of the subsection substitute “relating to the registration of European Parliamentary overseas electors”. |
| <b>PART II: THE 1985 ACT</b>  |  |
| Section 2 (registration of British citizens overseas) <b>(63)</b>             | In paragraph (a) of subsection (1) omit “constituency or” and in paragraph (b) after “of that” insert “part of the”.                                     |
|   | In paragraph (c) of subsection (2) for the words from “parliamentary” to the end of that paragraph, substitute “local government electors”.              |
|   | In subsection (4) for “section 1” substitute “section 3”.  |
|   | In subsection (7) omit “constituency or”.  |
|   | In subsection (8) for “section 1(1)(a)” substitute “section 3(1)(a)”.  |
| In section 12 (offences as to declarations etc), subsections (1), (2) and (4) | In subsection (1)(a) for the word “parliamentary” substitute “European Parliamentary”.   |

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations replace the Representation of the People Regulations 1986, as amended, (“the 1986 Regulations”) except Part VI of those Regulations (which relates to the procedure where the polls at more than one election are taken together). These Regulations are needed in consequence of changes made by the Representation of the People Act 2000 (“the 2000 Act”).

Part I of these Regulations is based on Part I of the 1986 Regulations (as amended). Regulation 5 of these Regulations is simpler than the equivalent provision in the 1986 Regulations and is intended (together with regulation 6) to facilitate the use of electronic communications. The fees in regulation 10 are increased from £1.50 as the fee for inspection and 15p as the fee for copies to £5 and 20p, respectively.

Regulation 12 of these Regulations exercises the power conferred by rule 29(3A)(b) of the parliamentary elections rules, as inserted by section 13(2) of the 2000 Act. This imposes on the

**(63)** Section 2 was substituted by Schedule 2 to the 2000 Act.

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returning officer a duty to supply to each polling station a device of a description prescribed in regulations to enable blind or partially sighted voters to vote without assistance.

Provision about the registration of relevant citizens of the Union as European Parliamentary electors which was made by regulation 14A of the 1986 Regulations, as amended, will be included in a separate set of regulations.

Part II of these Regulations is based on Part II of the 1986 Regulations (as amended). However, the provision in the latter in respect of patients' declarations is omitted consequent on the replacement of section 7 of the 1983 Act (subsections (2) to (9) of which provided for such declarations) by the 2000 Act. This has resulted in the omission of this category of declaration.

Part III of these Regulations differs from Part III of the 1986 Regulations because it no longer includes provision about electors lists (whether or not in the form of the draft register). This is because the changes made by Schedule 1 to the 2000 Act abolished the need for such lists consequent on the introduction of "rolling registration". Under this system the register of electors continues in force indefinitely (although revised versions of it will be produced at least once a year). This contrasts with the previous system under which the register remained in force for one year and was compiled by reference to residence on a qualifying date.

In spite of these changes the following regulations are in substance the same as provisions in the 1986 Regulations (including provisions in those Regulations about amendments to the published register). These regulations are regulations 23 and 24, 26 to 32, 35 to 40 and 42 to 45. Regulation 41 (order of names) no longer includes provision about the numbering of names in the register (because that is provided for in section 9(3) and (4) of the 1983 Act, as substituted by Schedule 1 to the 2000 Act); it also enables the registration officer, rather than the council which appointed him, to determine when street order is not a reasonably practicable way of arranging the register.

Regulation 25 extends the duty on registration officers to send out reminders to all persons registered in pursuance of a declaration and not just overseas electors; it thereby covers those who made service declarations and declarations of local connection.

Under section 10A(5) of the 1983 Act (as substituted by Schedule 1 to the 2000 Act) a person who is duly entered in a register is entitled to remain there until the occurrence of any of the circumstances set out in that provision. Paragraph (b) of that provision enables regulations to set out circumstances for these purposes and regulation 33 exercises that power.

Amongst the circumstances set out in section 10A(5) are those where no form used for the purposes of the annual canvass (under section 10(4) of the 1983 Act, as substituted by Schedule 1 to the 2000 Act) has been returned in respect of someone included in the register. Regulation 34 exercises the power in section 10A(7) to enable such a name to be included in the register for the period of one year only notwithstanding the absence of a return.

Regulation 35 is a new provision which enables the registration officer to inspect the records listed in that regulation for electoral registration purposes. Regulation 36 specifies notices for the purposes of sections 13(3), 13A(2) and 13B(3) of the 1983 Act (as substituted by Schedule 1 to the 2000 Act). Regulation 37 makes provision about notification where one registration officer is informed by a person who has moved into his area that he no longer resides in the area of another registration officer.

Regulation 46 repeats the substance of the existing rules on the free supply of copies of the register but adds the Electoral Commission and returning officers at elections to the Greater London Authority to the list of officers to whom copies of revised version of the register (and list of overseas electors) are to be supplied free of charge on publication. Regulation 47 repeats the substance of the existing rules on the free supply of copies of the register on request but adds political parties registered under Part II of the Political Parties, Elections and Referendums Act 2000 to the list of recipients. In the case of both regulations the copy is to be supplied in data form, subject to exceptions. Regulations 48 and 49 make fresh provision about the sale of copies of the register (and list of overseas electors).

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Part IV of these Regulations supplements the new rules about absent voting which are set out in Schedule 4 to the 2000 Act. Those rules differ from the existing rules (in sections 5 to 9 of the Representation of the People Act 1985) in that persons are entitled to apply to vote by post without the need to put forward a reason for doing so. Accordingly, the additional requirements set out in regulations 53 to 55 of these Regulations closely resemble the equivalent provisions in the 1986 Regulations except that they are limited to persons applying to vote by proxy.

Regulation 56 (which sets the closing dates by which applications for an absent vote must be received by the registration officer to be effective for the purposes of a particular election) differs from the equivalent provision in the 1986 Regulations (as amended) in that, in most cases, the closing date is now the sixth working day before the date of the poll. Regulation 57(6) enables a returning officer at a parliamentary election who is not the registration officer for a particular part of his constituency to be informed of applications which are granted before that date (when the lists referred to in regulation 61(3) are published). The remaining regulations in Part IV of these Regulations are in substance the same as the equivalent provisions in the 1986 Regulations.

Part V of these Regulations differs in a number of respects from Part V of the 1986 Regulations.

Regulation 71 is a new provision which is designed to ensure that, subject to special provision in paragraph (1) in respect of those entitled to vote by post for a definite or indefinite period, a postal ballot paper is issued as soon as practicable after the registration officer has granted the application. Since postal ballot papers will no longer be issued in batches, the provision about the persons entitled to attend the issue (regulation 67) has been amended to restrict the right to the returning officer and his staff.

Regulation 76 expands the existing provision as to the means by which postal ballot papers may be delivered to the voters. Regulation 78 is a new provision which allows postal ballot papers that have been lost in the post to be replaced.

Regulations 79, 87 and 88 are consequent on rule 45(1B) of the parliamentary elections rules, as inserted by Schedule 6 to the 2000 Act. This enables a postal ballot paper and a [<sup>F125</sup>postal voting statement] to be validly returned even if they are returned separately provided that they reach the returning officer or a polling station in the constituency in the manner provided by regulations before the close of the poll. Paragraphs (1) and (2) of regulation 79 prescribe the manner of return and regulations 87 and 88 provides the means of matching up postal ballot papers and declarations of identity that have been returned separately. The remaining regulations are in substance the same as those in Part V of the 1986 Regulations.

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