
STATUTORY INSTRUMENTS

2001 No. 341

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

PART II

SERVICE AND OVERSEAS ELECTORS' DECLARATIONS

Service declarations

Qualification for Crown servant

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

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

Contents of service declaration

15.—(1) In addition to the matters specified in paragraphs (a) to (f) of section 16 of the 1983 Act⁽¹⁾, 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 [^{F1}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.

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

Status: Point in time view as at 03/04/2017.

Changes to legislation: The Representation of the People (England and Wales) Regulations 2001, Cross Heading: Service declarations is up to date with all changes known to be in force on or before 15 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) 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 [^{F2}or civil partner] of such a servant, the service declaration shall state—

- (a) the name of the Government department in which that servant works, ^{F3}...
- (b) a description of the post of that servant [^{F4}, and
- (c) any staff number, payroll number or other similar identifying number of that servant.]

(4) Where the declarant claims a service qualification on the grounds that he is a British Council employee or the spouse [^{F5}or civil partner] of such an employee, the service declaration shall [^{F6}state

- (a) a description of the post of that employee, and
- (b) any staff number, payroll number or other similar identifying number of that employee].

Textual Amendments

- F1** 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)**
- F2** 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)**
- F3** Word in reg. 15(3)(a) omitted (9.12.2014) by virtue of [The Representation of the People \(England and Wales\) \(Amendment No. 2\) Regulations 2014 \(S.I. 2014/3161\)](#), regs. 1, **3(a)(i)**
- F4** Reg. 15(3)(c) and word inserted (9.12.2014) by [The Representation of the People \(England and Wales\) \(Amendment No. 2\) Regulations 2014 \(S.I. 2014/3161\)](#), regs. 1, **3(a)(ii)**
- F5** 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)**
- F6** Words in reg. 15(4) substituted (9.12.2014) by [The Representation of the People \(England and Wales\) \(Amendment No. 2\) Regulations 2014 \(S.I. 2014/3161\)](#), regs. 1, **3(b)**

Commencement Information

- I2** Reg. 15 in force at 16.2.2001, see [reg. 1\(1\)](#)

[^{F7}Transmission of service declaration

16. A service declaration—

- (a) must be transmitted to the registration officer for the area within which is situated the address specified in the declaration in accordance with section 16(d) of the 1983 Act; and
- (b) may be transmitted through the digital service.]

Textual Amendments

- F7** Reg. 16 substituted (9.12.2014) by [The Representation of the People \(England and Wales\) \(Amendment No. 2\) Regulations 2014 \(S.I. 2014/3161\)](#), regs. 1, **4**

Notification by registration officer in respect of service declarations

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
- (b) does not comply with the requirements of sections 14 and 15 of the 1983 Act⁽²⁾ 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

I3 Reg. 17 in force at 16.2.2001, see [reg. 1\(1\)](#)

(2) Sections 14 and 15 were amended by Schedule 1 to the 2000 Act.

Status:

Point in time view as at 03/04/2017.

Changes to legislation:

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