
STATUTORY INSTRUMENTS

2001 No. 341

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

PART IV

ABSENT VOTERS

[^{F1}Additional requirements for applications for a proxy vote in respect of a particular election

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.

[^{F2}(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 [^{F3}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 [^{F4}regulation 53], to the best of his knowledge and belief, the date upon which the applicant became [^{F5}disabled].

[^{F6}(3ZA) For the purposes of paragraphs (2) and (3), an application on grounds of the applicant's disability does not include an application on grounds relating to coronavirus within the meaning of regulation 56(3AA)(a), (b) or (c).]

[^{F7}(3A) Where an application under paragraph 4(2) of Schedule 4—

- (a) is made on grounds relating to the applicant's occupation, service or employment; 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 55A as to the matters to be specified and the attestation shall apply.]

[^{F8}(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

Status: Point in time view as at 10/03/2022. This version of this provision has been superseded.

Changes to legislation: The Representation of the People (England and Wales) Regulations 2001, Section 55 is up to date with all changes known to be in force on or before 14 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 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

- F1** 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**
- F2** 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**
- F3** 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)**
- F4** 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)**
- F5** 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)**
- F6** Reg. 55(3ZA) inserted (temp. until 1.3.2023) (24.3.2021) by virtue of The Representation of the People (Proxy Vote Applications) (Coronavirus) Regulations 2021 (S.I. 2021/391), regs. 1(1), **3(3)** (with regs. 1(2)(a), 2) (as amended (27.2.2022) by S.I. 2022/175, regs. 1(1), **6**)
- F7** Reg. 55(3A) inserted (6.4.2014) by The Representation of the People (England and Wales) (Description of Electoral Registers and Amendment) Regulations 2013 (S.I. 2013/3198), regs. 1(3)(b), **23**; S.I. 2014/414, art. 3(a)
- F8** 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)

- C1** 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**
- C2** Reg. 55 applied (with modifications) (E.) (9.2.2012) by The Local Authorities (Conduct of Referendums)(England) Regulations 2012 (S.I. 2012/323), reg. 1, **Sch. 4 para. 1** Table 6
- C3** Reg. 55 applied (with modifications) (E.) (18.2.2012) by The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012 (S.I. 2012/444), reg. 1, **Sch. 4 para. 1** Table 6 (with reg. 27)
- C4** Reg. 55 applied (with modifications) (E.) (3.8.2012) by The Neighbourhood Planning (Referendums) Regulations 2012 (S.I. 2012/2031), regs. 1, 8, 12, 13, **Sch. 4 Pt. 1** Table 6
- C5** Reg. 55 applied (with modifications) (26.2.2016) by The European Union Referendum (Conduct) Regulations 2016 (S.I. 2016/219), reg. 1, **Sch. 3 para. 11**

Status:

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Changes to legislation:

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