
STATUTORY INSTRUMENTS

2001 No. 341

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

Receipt of Postal Ballot Papers

Opening of covering envelopes

84.—^[F1](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).

(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) ^[F2]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 ^[F3]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 ^[F3]postal voting statement] separately, the returning officer shall open the ballot paper envelope to ascertain whether the ^[F3]postal voting statement] is inside.

(4) Where a covering envelope does not contain both—

- (a) a ^[F3]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.

^[F4](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

Status: Point in time view as at 09/02/2012. This version of this provision has been superseded.

Changes to legislation: The Representation of the People (England and Wales) Regulations 2001, Section 84 is up to date with all changes known to be in force on or before 07 August 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) 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

- F1** 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))
- F2** 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))
- F3** 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))
- F4** 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))

Modifications etc. (not altering text)

- C1** Reg. 84 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

Commencement Information

- I1** Reg. 84 in force at 16.2.2001, see [reg. 1\(1\)](#)

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