
STATUTORY INSTRUMENTS

2001 No. 341

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

PART V **E+W**

ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

Receipt of Postal Ballot Papers

[^{F1}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—

Status: Point in time view as at 03/08/2012. This version of this provision has been superseded.

Changes to legislation: The Representation of the People (England and Wales) Regulations 2001, Section 85A 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)

- (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”;
- (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

- F1** 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))

Modifications etc. (not altering text)

- C1** [Reg. 85A 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
- C2** [Reg. 85A 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)
- C3** [Reg. 85A 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

Status:

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Changes to legislation:

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