
STATUTORY INSTRUMENTS

2001 No. 341

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

PART V

ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

Receipt of Postal Ballot Papers

[^{F1}Retrieval of cancelled postal ballot papers

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 [^{F2}(verification procedure)];
- (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) [^{F3}or 78A(2)]; 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.]

Status: Point in time view as at 26/02/2016.

Changes to legislation: The Representation of the People (England and Wales) Regulations 2001, Section 86A is up to date with all changes known to be in force on or before 08 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

- F1** 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))
- F2** Words in reg. 86A(2)(c) 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), **33(a)**; S.I. 2014/414, art. 3(a)
- F3** Words in reg. 86A(2)(e) 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), **33(b)**; S.I. 2014/414, art. 3(a)

Modifications etc. (not altering text)

- C1** Reg. 86A 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. 86A 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. 86A 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
- C4** Reg. 86A applied (with modifications) (26.2.2016) by The European Union Referendum (Conduct) Regulations 2016 (S.I. 2016/219), reg. 1, **Sch. 3 para. 44**

Status:

Point in time view as at 26/02/2016.

Changes to legislation:

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