
STATUTORY INSTRUMENTS

2004 No. 293

The European Parliamentary Elections Regulations 2004

PART 1

GENERAL

Requirement of secrecy

29.—(1) The following persons—

- (a) every local returning officer and every presiding officer or clerk attending at a polling station,
- (b) every candidate or election agent or polling agent so attending,

[^{F1}(c) every person so attending by virtue of any of sections 6A to 6D of the 2000 Act,]

shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to—

- (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
- (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
- (iii) the official mark.

(2) Every person attending at the verification of the ballot paper accounts or the counting of the votes shall maintain and aid in maintaining the secrecy of voting and shall not—

- (a) ascertain or attempt to ascertain at the counting of the votes the number [^{F2}or other unique identifying mark] on the back of any ballot paper;
- (b) communicate any information obtained at the verification of the ballot paper accounts or the counting of the votes as to the way in which any vote is given on any particular ballot paper.

(3) No person attending at the verification of the ballot paper accounts shall express to any person an opinion based on information obtained at that verification as to the likely result of the election.

(4) No person shall—

- (a) interfere with or attempt to interfere with a voter when recording his vote;
- (b) otherwise obtain or attempt to obtain in a polling station information as to the way in which a voter in that station is about to vote or has voted;
- (c) communicate at any time to any person any information obtained in a polling station as to the way in which a voter in that station is about to vote or has voted, or as to the number [^{F3}or other unique identifying mark] on the back of the ballot paper given to a voter at that station;
- (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the way in which he has voted.

Status: Point in time view as at 30/01/2009. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the The European Parliamentary Elections Regulations 2004, Section 29. (See end of Document for details)

(5) Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post shall maintain and aid in maintaining the secrecy of the voting and shall not—

- (a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; or
- (b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number [^{F4}or other unique identifying mark] on the back of the ballot paper sent to any person; or
- (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number [^{F4}or other unique identifying mark] on the back of any ballot paper; or
- (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the way in which any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings.

(6) No person having undertaken to assist a voter with disabilities to vote shall communicate at any time to any person any information as to the way in which that voter intends to vote or has voted, or as to the number [^{F5}or other unique identifying mark] on the back of the ballot paper given for the use of that voter.

(7) If a person acts in contravention of this regulation he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months.

Textual Amendments

- F1** Reg. 29(1)(c) substituted (30.1.2009) by [The European Parliamentary Elections \(Amendment\) Regulations 2009 \(S.I. 2009/186\)](#), regs. 1(2), **19(2)**
- F2** Words in reg. 29(2)(a) inserted (30.1.2009) by [The European Parliamentary Elections \(Amendment\) Regulations 2009 \(S.I. 2009/186\)](#), regs. 1(2), **19(3)**
- F3** Words in reg. 29(4)(c) inserted (30.1.2009) by [The European Parliamentary Elections \(Amendment\) Regulations 2009 \(S.I. 2009/186\)](#), regs. 1(2), **19(3)**
- F4** Words in reg. 29(5)(b)(c) inserted (30.1.2009) by [The European Parliamentary Elections \(Amendment\) Regulations 2009 \(S.I. 2009/186\)](#), regs. 1(2), **19(3)**
- F5** Words in reg. 29(6) inserted (30.1.2009) by [The European Parliamentary Elections \(Amendment\) Regulations 2009 \(S.I. 2009/186\)](#), regs. 1(2), **19(3)**

Status:

Point in time view as at 30/01/2009. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The European Parliamentary Elections Regulations 2004, Section 29.