
STATUTORY INSTRUMENTS

2016 No. 295

The Recall of MPs Act 2015 (Recall Petition) Regulations 2016

PART 3

CONDUCT

CHAPTER 3

The Petition

Tendered signing sheets

30.—(1) In the following cases a person is entitled to sign a petition signing sheet (referred to in these Regulations as a “tendered signing sheet”) in the same manner as any other person signing the petition if—

- (a) in cases 1 to 5, the person satisfactorily answers the questions permitted by law to be asked at the petition signing place;
 - (b) in case 6, the person satisfactorily answers the questions permitted by law to be asked at the petition signing place other than the question at entry 1(c) in the table in regulation 25 (questions to be put to persons signing the petition).
- (2) Case 1 is that a person representing themselves to be—
- (a) a particular elector named in the register and not named in the postal signers list, or
 - (b) a particular person named in the list of proxies as proxy for an elector and not entitled to sign the petition by post as proxy,

applies for a signing sheet after another person has signed the petition in person either as the elector or the elector’s proxy.

- (3) Case 2 is that—
- (a) a person applies for a signing sheet representing themselves to be a particular elector named in the register;
 - (b) that person is also named in the postal signers list; and
 - (c) that person claims that they did not make an application to sign the petition by post.
- (4) Case 3 is that—
- (a) a person applies for a signing sheet representing themselves to be a particular person named as a proxy in the list of proxies;
 - (b) that person is also named in the proxy postal signers list, and
 - (c) that person claims that they did not make an application to sign the petition by post as proxy.

(5) Case 4 is that before the end of the signing period but after the last time at which a person may apply for a replacement postal signing sheet under regulation 96 or 97 (lost postal signing sheets), a person represents themselves to be—

- (a) a particular elector named in the register who is also named in the postal signers list, or
- (b) a particular person named as a proxy in the list of proxies who is also named in the proxy postal signers list,

and claims that they have lost or not received their postal signing sheet.

(6) Case 5 is that—

- (a) a person applies for a signing sheet for a petition in Northern Ireland, and
- (b) there has been a refusal to deliver a signing sheet to that person under paragraph (5) of regulation 28 (including that paragraph as applied by regulation 29 (signing sheets endorsed by petition clerk).

(7) Case 6 is that—

- (a) a person applies for a signing sheet for a petition in Northern Ireland, and
- (b) the person fails to answer the question at entry 1(c) in the table in regulation 25.

(8) Paragraphs (3) to (7) of regulation 28 (signing procedure: Northern Ireland) apply in the case of a person entitled to sign a tendered signing sheet as they apply in the case of a person who applies for a signing sheet under regulation 28(1).

(9) A tendered signing sheet must—

- (a) be of a colour differing from the other signing sheets;
- (b) instead of being put into the ballot box, be given to the petition clerk and endorsed by that clerk with the name of the person signing the petition and that person's number in the register and set aside in a separate packet.

(10) The name of the person and that person's number in the register must be entered on a list (the "tendered signing list") and the person must sign the list opposite the entry relating to them.

(11) In the case of a person signing the petition as proxy for an elector, the number to be endorsed or entered together with the elector's name must be the elector's number.

(12) This regulation applies to an elector who has an anonymous entry as if—

- (a) in paragraph (9)(b) the reference to the name of the person signing the petition is omitted;
- (b) otherwise, a reference to a person named in a register or list were a reference to a person whose number appears in the register or list (as the case may be).

(13) This regulation applies in the case of a person in respect of whom a notice has been issued under section 13BC(6) of the 1983 Act (alteration of registers: recall petition) as if—

- (a) in paragraphs (2)(a), (3)(a) and (5)(a) for "named in the register" there were substituted "in respect of whom a notice under section 13BC(6) of the 1983 Act has been issued";
- (b) in paragraph (9)(b) and (10) for "that person's number in the register" there were substituted "the number relating to that person on a notice issued under section 13BC(6) of the 1983 Act".

(14) This regulation does not apply in relation to an elector who has an anonymous entry in a register maintained by the Chief Electoral Officer for Northern Ireland.