
STATUTORY INSTRUMENTS

2023 No. 1225

**COUNCIL TAX, ENGLAND
LOCAL GOVERNMENT, ENGLAND
POLICE, ENGLAND AND WALES
REPRESENTATION OF THE PEOPLE
TOWN AND COUNTRY PLANNING, ENGLAND**

**The Representation of the People (Postal Vote
Handling and Secrecy) (Amendment) Regulations 2023**

Made - - - - 20th November 2023

Coming into force in accordance with regulation 1(2)

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 53(1)(c) and 201(3) of, and rules 24(1)(b) and 28(3) of Schedule 1 and paragraph 12ZA(2), (3), (5), (6), (8), (9) and (11) of Schedule 2 to, the Representation of the People Act 1983(1), section 15(5) of the Representation of the People Act 1985(2), paragraph 16(1) of Schedule 4B to the Town and Country Planning Act 1990(3) (including as applied by section 38A(3) of the Planning and Compulsory Purchase Act 2004(4)), sections 52ZQ(1) and (2) and 113(2) of the Local Government Finance Act 1992(5), sections 9HE(1)(a), 9MG(2) to (5) and 105(2)(a) of the Local Government Act 2000(6), section 114(1) of, and paragraph 12(1)(a) of Schedule 5B to, the Local Democracy, Economic Development and Construction Act 2009(7), sections 58(1) and (5) (including as extended

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- (1) 1983 c. 2. Section 201(1) provides that the power to make provision by regulations under section 53(1)(c) is exercisable by the Secretary of State. Section 201(3) was inserted by paragraph 21 of Schedule 1 to the Representation of the People Act 2000 (c. 2) and amended by paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c. 41). See section 202(1) for the meaning of “prescribed” in rules 24(1)(b) and 28(3) of Schedule 1. Paragraph 12ZA of Schedule 2 was inserted by section 5(5) of the Elections Act 2022 (c. 37).
- (2) 1985 c. 50.
- (3) 1990 c. 8. Schedule 4B was inserted by Schedule 10 to the Localism Act 2011 (c. 20) and paragraph 16 was amended by S.I. 2013/2597, 2021/1265.
- (4) 2004 c. 5. Section 38A was inserted by paragraph 7 of Schedule 9 to the Localism Act 2011.
- (5) 1992 c. 22. Section 52ZQ was inserted by Schedule 5 to the Localism Act 2011 (c. 20) and amended by S.I. 2021/1265. Section 113(1) and (2) was amended by paragraph 9 of Schedule 1 to the Local Government Act 1999 (c. 27), by paragraph 52 of Schedule 7 to the Local Government Act 2003 (c. 26), by section 80 of the Localism Act 2011 and by S.I. 2013/2597, 2015/1376, 2016/997, 2021/1265.
- (6) 2000 c. 22. Sections 9HE and 9MG were inserted by paragraph 1 of Schedule 2 to the Localism Act 2011 and were amended by S.I. 2013/2597, 2021/1265. Section 105 was amended by paragraph 14(1) and (2) of Schedule 3 to the Local Government Act 2003, by paragraph 70 of Schedule 3, and paragraph 52 of Schedule 4, to the Localism Act 2011 and by S.I. 2013/2597, 2018/644, 2021/1265.
- (7) 2009 c. 20. Schedule 5B was inserted by Schedule 1 to the Cities and Local Government Devolution Act 2016 (c. 1).

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by section 26(3) of the Welsh Language Act 1993⁽⁸⁾ and 154(5)(a) of the Police Reform and Social Responsibility Act 2011⁽⁹⁾ and section 18(1) of the Recall of MPs Act 2015⁽¹⁰⁾.

The Secretary of State has consulted the Electoral Commission in accordance with paragraph 16(5) of Schedule 4B to the Town and Country Planning Act 1990, section 52ZQ(6) of the Local Government Finance Act 1992, section 9HE(4) of the Local Government Act 2000, section 7(1) and (2)(e), (hc) and (k) of the Political Parties, Elections and Referendums Act 2000⁽¹¹⁾ and paragraph 12(4) of Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009.

A draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament in accordance with section 201(2) of the Representation of the People Act 1983, section 333(3A) of the Town and Country Planning Act 1990⁽¹²⁾, section 52ZQ(7) of the Local Government Finance Act 1992, section 105(6) of the Local Government Act 2000, section 117(2) of the Local Democracy, Economic Development and Construction Act 2009⁽¹³⁾, section 154(2)(b) of the Police Reform and Social Responsibility Act 2011, and section 21(6) of the Recall of MPs Act 2015.

⁽⁸⁾ 1993 c. 38. See section 27(4)(b) for the definition of “the appropriate Minister”.

⁽⁹⁾ 2011 c. 13. Section 58(1) was amended by S.I. 2021/1265, and section 58(5) was amended by S.I. 2015/1526, 2021/1265. Section 154(5) was amended by S.I. 2014/268, 2021/1265.

⁽¹⁰⁾ 2015 c. 25. See section 22 (as amended by S.I. 2016/997) for the definition of “the Minister”.

⁽¹¹⁾ 2000 c. 41. Section 7(2)(hc) was inserted by paragraph 11 of Schedule 10 to the Police Reform and Social Responsibility Act 2011. Section 7(2)(k) was inserted by paragraph 3(1) and (6) of Schedule 6 to the Recall of MPs Act 2015.

⁽¹²⁾ Section 333(3A) was inserted by paragraph 22(3) of Schedule 12 to the Localism Act 2011 (c. 20).

⁽¹³⁾ Section 117(2) was substituted by section 13(2) of the Localism Act 2011.