Changes to legislation: *Representation of the People Act 2000, SCHEDULE 4 is up to date with all changes known to be in force on or before 16 April 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) View outstanding changes*

SCHEDULES

SCHEDULE 4

Section 12.

ABSENT VOTING IN GREAT BRITAIN

Modifications etc. (not altering text)

C1 Sch. 4 applied (with modifications) (E.W.) (2.4.2001) by S.I. 2001/1298, regs. 15, 16, 17, Sch. 5 Pt. I Table (as amended (13.3.2004) by S.I. 2004/226, **art. 2(3)**, Sch.)
Sch. 4: functions transferred (25.11.2002) by S.I. 2002/2626, art. 11(1), **Sch. 1** (with arts. 12, 13)

C2 Sch. 4: functions transferred (19.8.2003) by The Secretary of State for Constitutional Affairs Order (S.I. 2003/1887), art. 4, {Sch. 1}

C3 Sch. 4 applied (with modifications) (W.) (24.3.2004) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2004 (S.I. 2004/870), reg. 8, **Sch. 3** Table 1 (which S.I. was revoked (24.7.2008) by S.I. 2008/1848, **reg. 1**)

C4 Sch. 4 applied (with modifications) (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), art. 6, **Sch. 2 Pt. 1**

C5 Sch. 4 applied (with modifications) (E.) (28.7.2007) by The Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089), regs. 8, 11, 12, 13, **Sch. 4** Table 3

C6 Sch. 4 applied (with modifications) (W.) (24.7.2008) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 (S.I. 2008/1848), reg. 8, **Sch. 4 para. 1** Table 2

C7 Sch. 4 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 3** (as amended (31.10.2023) by S.I. 2023/1147, regs. 1(2), **15(5)(b)**)

C8 Sch. 4 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 3** (with reg. 27) (as amended (31.10.2023) by S.I. 2023/1147, regs. 1(2), **16(5)(b)**)

C9 Sch. 4 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 3** (as amended (31.10.2023) by S.I. 2023/1147, regs. 1(2), **18(5)(b)**)

Interpretation

1 (1) In this Schedule—

F1 . . . . . .

"the appropriate rules" means—

(a) in the case of a parliamentary election, the parliamentary elections rules, and

(b) in the case of a local government election, rules made (or having effect as if made) under section 36 **[**[F2], section 36A**]** or, as the case may be, section 42 of the 1983 Act;

"local government election" means a local government election in England, Wales or Scotland.

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(2) The 1983 Act and this Schedule shall have effect as if this Schedule were contained in Part I of that Act.

(3) References in an enactment other than one contained in this Act or the 1983 Act to Part I of that Act include a reference to this Schedule.

Textual Amendments

F1 Sch. 4 para. 1: definition of "absent voters list" repealed (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 74, 77, Sch. 1 para. 137(2), **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 12, 13 (subject to transitional provisions in Sch. 2)

F2 Words in Sch. 4 para. 1(1) inserted (W.) (20.3.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(3)(f), **Sch. 2 para. 8(3)(a)**

Commencement Information

I1 Sch. 4 para. 1 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, **art. 2(1)** (subject to art. 2(3)-(5))

Manner of voting at parliamentary or local government elections

2 (1) This paragraph applies to determine the manner of voting of a person entitled to vote as an elector at a parliamentary or local government election.

(2) He may vote in person at the polling station allotted to him under the appropriate rules, unless he is entitled as an elector to an absent vote at the election.

(3) He may vote by post if he is entitled as an elector to vote by post at the election.

(4) If he is entitled to vote by proxy at the election, he may so vote unless, before a ballot paper has been issued for him to vote by proxy, he applies at the polling station allotted to him under the appropriate rules for a ballot paper for the purpose of voting in person, in which case he may vote in person there.

(5) If—

(a) he is not entitled as an elector to an absent vote at the election, but

(b) he cannot reasonably be expected to go in person to the polling station allotted to him under the appropriate rules by reason of the particular circumstances of his employment, either as a constable or by the returning officer, on the date of the poll for a purpose connected with the election,

he may vote in person at any polling station in the constituency or, as the case may be, electoral area.

[F3(5ZA) In the application of sub-paragraph (5) to an election in England or Wales, a reference to a constable includes a person designated as a community support officer [F4or community support volunteer] under section 38 of the Police Reform Act 2002 (police powers for employees [F5or volunteers]).]

[F6(5A) Nothing in the preceding provisions of this paragraph applies to a person to whom section 7 of the 1983 Act (mental patients who are not detained offenders) applies and who is liable, by virtue of any enactment, to be detained in the mental hospital in question, whether he is registered by virtue of that provision or not; and such a person may vote—

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(a) in person (where he is granted permission to be absent from the hospital and voting in person does not breach any condition attached to that permission), or

(b) by post or by proxy (where he is entitled as an elector to vote by post or, as the case may be, by proxy at the election).**]**

[[F7](5B) In relation to a local government election in Scotland, nothing in the preceding provisions of this paragraph applies to a person to whom section 7 of the 1983 Act (mental patients who are not detained offenders) applies and who is liable, by virtue of any enactment, to be detained in the mental hospital in question, whether he is registered by virtue of that provision or not; and such a person may vote—

(a) in person (where he is granted permission to be absent from the hospital and voting in person does not breach any condition attached to that permission), or

(b) by post or by proxy (where he is entitled as an elector to vote by post or, as the case may be, by proxy at the election).**]**

(6) Nothing in the preceding provisions of this paragraph applies to—

[F8](a) . . . . . .

(b) a person to whom section 7A of that Act (persons remanded in custody) applies,

whether he is registered by virtue of that provision or not; and such a person may only vote by post or by proxy (where he is entitled as an elector to vote by post or, as the case may be, by proxy at the election).

[[F9](6ZA) In relation to a local government election in Scotland, nothing in the preceding provisions of this paragraph applies to a person to whom section 3(1A) of the 1983 Act (exception to disenfranchisement for offenders sentenced to term not exceeding 12 months) applies; and such a person may only vote by post or by proxy (where the person is entitled as an elector to vote by post or, as the case may be, by proxy at the election).**]**

[[F10](6A) Sub-paragraph (2) above does not prevent a person, at the polling station allotted to him, marking a tendered ballot paper in pursuance of rule 40(1ZC) or (1ZE) of the parliamentary elections rules.**]**

[[F11](6B) Sub-paragraph (2) above does not prevent a person, at the polling station allotted to him at a local government election in Scotland, marking a tendered ballot paper in pursuance of any provision—

(a) made under section 3(1) of the Local Governance (Scotland) Act 2004 (asp 9) as to the conduct of elections of councillors, and

(b) which entitles him to do so despite the fact that he is or may be entitled to an absent vote at the election.**]**

(7) For the purposes of the provisions of—

(a) this Schedule, and

(b) the 1983 Act so far as it has effect in relation to England, Wales and Scotland,

a person entitled to vote as an elector at a parliamentary or local government election is entitled as an elector to vote by post or entitled to vote by proxy at the election **[**[F12]if sub-paragraph (8) or (9) (as the case may be) applies to him in relation to the election**]**; and references in those provisions to entitlement as an elector to an absent

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vote at a parliamentary or local government election are references to entitlement as an elector to vote by post or entitlement to vote by proxy at the election.

[[F13](8) This sub-paragraph applies to a person who is shown in the postal voters list mentioned in paragraph 5(2) below as entitled to vote by post at an election.

(9) This sub-paragraph applies to a person who is shown in the list of proxies mentioned in paragraph 5(3) below as entitled to vote by proxy at an election.**]**

Textual Amendments

F3 Sch. 4 para. 2(5ZA) inserted (6.4.2014) by Electoral Registration and Administration Act 2013 (c. 6), **ss. 21(3)**, 27(1); S.I. 2014/414, art. 3(e) (with art. 4)

F4 Words in Sch. 4 para. 2(5ZA) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 12 para. 12(a)**; S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

F5 Words in Sch. 4 para. 2(5ZA) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 12 para. 12(b)**; S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

F6 Sch. 4 para. 2(5A) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 35(2)**, 77 (with saving in s. 35(4)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 5 (subject to transitional provisions in Sch. 2)

F7 Sch. 4 para. 2(5B) inserted (S.) (17.2.2007) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 32(a)**, 63(2); S.S.I. 2007/26, **art. 3**

F8 Sch. 4 para. 2(6)(a) and word "or " following it repealed (other than in relation to local government elections in Scotland) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 35(3)(4), 74(2), 77, Sch. 2; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F9 Sch. 4 para. 2(6ZA) inserted (S.) (2.4.2020) by Scottish Elections (Franchise and Representation) Act 2020 (asp 6), **ss. 9(2)**, 12(1)

F10 Sch. 4 para. 2(6A) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 38(6)(a)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14 (subject to transitional provisions in Sch. 2)

F11 Sch. 4 para. 2(6B) inserted (S.) (17.2.2007) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 27(2)(a)**, 63(2); S.S.I. 2007/26, **art. 3**

F12 Words in Sch. 4 para. 2(7) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 137(3)(a)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F13 Sch. 4 para. 2(8)(9) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 137(3)(b)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

Commencement Information

I2 Sch. 4 para. 2 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, **art. 2(1)** (subject to art. 2(3)-(5))

*Absent vote at elections for **[**[F14]a**]** period*

Textual Amendments

F14 Word in Sch. 4 para. 3 heading substituted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(8)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

3 (1) Where a person applies to the registration officer to vote by post at parliamentary elections, at local government elections or at both [F15]..., the registration officer shall grant the application if—

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(a) he is satisfied that the applicant is or will be registered in the register of parliamentary electors, local government electors or both (as the case may be), and

(b) the application **[**[F16]contains the applicant's signature and date of birth and**]** meets the prescribed requirements **[**[F17]and, in the case of an application to vote by post at local government elections in Scotland or Wales for a particular period, specifies the period**]**.

[[F18](1A) Any grant of an application under sub-paragraph (1) to vote by post at parliamentary elections, or at local government elections in England, is to be for—

(a) the period ending with the third 31 January following the date on which the application is granted, or

(b) any shorter period specified in the application.

(1B) But where the person is or will be registered in the register of parliamentary electors in pursuance of an overseas elector's declaration, sub-paragraph (1A) does not apply and instead any grant of an application to vote by post at parliamentary elections is to be for—

(a) the period ending with the 1 November until which, by virtue of section 1D(1)(a) or (3)(a) of the Representation of the People Act 1985, the person is entitled to remain registered in that register, or

(b) any shorter period specified in the application.**]**

(2) Where a person applies to the registration officer to vote by proxy at parliamentary elections, at local government elections or at both (whether for an indefinite period or for a particular period specified in his application), the registration officer shall grant the application if—

(a) he is satisfied that the applicant is eligible to vote by proxy at elections to which the application relates,

(b) he is satisfied that the applicant is or will be registered in the register of parliamentary electors, local government electors or both (as the case may be), and

(c) the application **[**[F19]contains the applicant's signature and date of birth and**]** meets the prescribed requirements.

(3) For the purposes of this paragraph a person is eligible to vote by proxy at parliamentary or local government elections—

(a) if he is or will be registered as a service voter,

[[F20](aa) if he has an anonymous entry in the register of electors for the election,**]**

(b) if he cannot reasonably be expected—

(i) to go in person to the polling station allotted or likely to be allotted to him under the appropriate rules, or

(ii) to vote unaided there,

by reason of **[**[F21]blindness or other disability **[**[F22]or, in the case of local government elections in Scotland, by reason of**]** blindness or other physical incapacity**]**,

(c) if he cannot reasonably be expected to go in person to that polling station by reason of the general nature of his occupation, service or employment or that of **[**[F23]his spouse or civil partner,**]** or by reason of his attendance on

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a course provided by an educational institution or that of **[**[F23]his spouse or civil partner,**][**[F24]or**]**

(d) if he cannot go in person from his qualifying address to that polling station without making a journey by air or sea, **[**[F25]or

(e) in the case of local government elections in Scotland, if the person is a person to whom section 3(1A) of the 1983 Act (exception to disenfranchisement for offenders sentenced to term not exceeding 12 months) applies,**]**

and a person is also eligible to vote by proxy at parliamentary elections if he is or will be registered in pursuance of an overseas elector's declaration.

[[F26](3A) **[**[F27]Sub-paragraph (3)(aa) does not apply to an application to vote by proxy at a local government election in Scotland**]]**

(4) The registration officer shall keep a record of those whose applications under this paragraph have been granted showing—

(a) whether their applications—

(i) were in respect of parliamentary elections, local government elections or both, [F28]...

[F29](ii) . . . . . .

[[F30](aa) in the case of those who may vote by post at parliamentary elections or at local government elections in England (or both), the period for which they may do so,

(ab) in the case of—

(i) those who may vote by post at local government elections in Scotland or Wales, or

(ii) those who may vote by proxy,

whether their applications were to vote by post or proxy for an indefinite or a particular period (specifying that period),**]**

(b) in the case of those who may vote by post, the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent, and

(c) in the case of those who may vote by proxy, the names and addresses of those appointed as their proxies.

(5) The registration officer shall remove a person from the record—

(a) if he applies to the registration officer to be removed,

[[F31](aa) in the case of a person who is eligible to vote by proxy by virtue of having an anonymous entry, if he ceases to have an anonymous entry,**]**

(b) in the case of any registered person, if he ceases to be registered or registered at the same qualifying address or ceases to be, or becomes, registered in pursuance of—

(i) a service declaration,

(ii) a declaration of local connection, or

(iii) an overseas elector's declaration,

(c) in the case of any person shown in the record as voting by proxy, if the registration officer gives notice that he has reason to believe there has been a material change of circumstances, [F32]...

[[F33](ca) in the case of a person shown in the record as voting by post at parliamentary elections or at local government elections in England (or both), once the

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period for which the person is entitled to vote by post at elections of the kind in question has expired, or**]**

(d) in the case of a person who applied to vote by post **[**[F34]at local government elections in Scotland or Wales**]** for a particular period, **[**[F35]or who applied to vote by proxy for a particular period,**]** once that period has expired.

(6) A person shown in the record as voting by post may subsequently alter his choice by applying to the registration officer to vote by proxy instead (whether for an indefinite period or for a particular period specified in his application); and, if the registration officer would be required to grant that application if it were one made under sub-paragraph (2), the registration officer shall amend the record accordingly.

(7) A person shown in the record as voting by proxy may subsequently alter his choice by applying to the registration officer to vote by post instead [F36]...; and, if the application meets the prescribed requirements **[**[F37]and, in the case of an application to vote by post at local government elections in Scotland or Wales for a particular period, specifies the period**]** , the registration officer shall amend the record accordingly.

[[F38](7A) Sub-paragraph (1A) applies to an application under sub-paragraph (7) to vote by post at parliamentary elections, or at local government elections in England, as it applies to an application under sub-paragraph (1) (but this is subject to sub-paragraph (7B)).

(7B) Where an application under sub-paragraph (7) to vote by post at parliamentary elections is made by a person who is or will be entitled to be registered in the register of parliamentary electors in pursuance of an overseas elector's declaration, sub-paragraph (1B) applies to the application as it applies to an application under sub-paragraph (1).**]**

[[F39](8) The registration officer may dispense with the requirement under sub-paragraph (1)(b) or (2)(c) for the applicant to provide a signature if he is satisfied that the applicant is unable—

(a) to provide a signature because of any disability the applicant has,

(b) to provide a signature because the applicant is unable to read or write, or

(c) to sign in a consistent and distinctive way because of any such disability or inability.

(9) The registration officer must also keep a record in relation to those whose applications under this paragraph have been granted showing—

(a) their dates of birth;

(b) except in cases where the registration officer in pursuance of sub-paragraph (8) has dispensed with the requirement to provide a signature, their signatures.

(10) The record kept under sub-paragraph (9) must be retained by the registration officer for the prescribed period.**]**

Textual Amendments

F15 Words in Sch. 4 para. 3(1) omitted (31.10.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(2)(a)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F16 Words in Sch. 4 para. 3(1)(b) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 14(1)(a)**, 77 (with saving in s. 14(8)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 3 (subject to transitional provisions in Sch. 2)

F17 Words in Sch. 4 para. 3(1)(b) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(2)(b)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F18 Sch. 4 para. 3(1A)(1B) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(3)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F19 Words in Sch. 4 para. 3(2)(c) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 14(1)(b)**, 77 (with saving in s. 14(8)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 3 (subject to transitional provisions in Sch. 2)

F20 Sch. 4 para. 3(3)(aa) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, **Sch. 1 para. 20(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F21 Words in Sch. 4 para. 3(3)(b) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 137(4)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F22 Words in Sch. 4 para. 3(3)(b) repealed (S.) (17.2.2007) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 34(5)**, 63(2); S.S.I. 2007/26, **art. 3(1)(h)** (subject to transitional provisions in art. 3(2))

F23 Words in Sch. 4 para. 3(3)(c) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 261(1), 263, **Sch. 27 para. 164(2)**; S.I. 2005/3175, **art. 2(2)**

F24 Word in Sch. 4 para. 3(3)(c) repealed (S.) (2.4.2020) by Scottish Elections (Franchise and Representation) Act 2020 (asp 6), **ss. 9(3)(a)**, 12(1)

F25 Sch. 4 para. 3(3)(e) and word inserted (S.) (2.4.2020) by Scottish Elections (Franchise and Representation) Act 2020 (asp 6), **ss. 9(3)(b)**, 12(1)

F26 Sch. 4 para. 3(3A) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, **Sch. 1 para. 20(3)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F27 Sch. 4 para. 3(3A) repealed (S.) (29.1.2007) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 20(c)(i)**, 63(2); S.S.I. 2007/26, **art. 2**

F28 Word in Sch. 4 para. 3(4)(a)(i) omitted (31.10.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(4)(a)(i)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F29 Sch. 4 para. 3(4)(a)(ii) omitted (31.10.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(4)(a)(ii)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F30 Sch. 4 para. 3(4)(aa)(ab) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(4)(b)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F31 Sch. 4 para. 3(5)(aa) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, **Sch. 1 para. 20(4)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F32 Word in Sch. 4 para. 3(5)(c) omitted (31.10.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(5)(a)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F33 Sch. 4 para. 3(5)(ca) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(5)(b)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F34 Words in Sch. 4 para. 3(5)(d) substituted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(5)(c)(i)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F35 Words in Sch. 4 para. 3(5)(d) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(5)(c)(ii)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F36 Words in Sch. 4 para. 3(7) omitted (31.10.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(6)(a)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F37 Words in Sch. 4 para. 3(7) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(6)(b)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F38 Sch. 4 para. 3(7A)(7B) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 2(7)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F39 Sch. 4 para. 3(8)-(10) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 14(1)(c)**, 77 (with saving in s. 14(8)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 3 (subject to transitional provisions in Sch. 2)

Changes to legislation: *Representation of the People Act 2000, SCHEDULE 4 is up to date with all changes known to be in force on or before 16 April 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) View outstanding changes*

Modifications etc. (not altering text)

C10 Sch. 4 para. 3(1B)(a) modified (31.10.2023) by The Elections Act 2022 (Commencement No. 9, Transitional and Savings Provisions and Appointed and Specified Days) and Ballot Secrecy Act 2023 (Commencement) Regulations 2023 (S.I. 2023/1145), **Sch. para. 8**

C11 Sch. 4 para. 3(1B)(a) modified (16.1.2024) by The Elections Act 2022 (Commencement No. 11, Transitional Provisions and Specified Day) and Levelling-up and Regeneration Act 2023 (Commencement No. 1) Regulations 2023 (S.I. 2023/1405), **reg. 5**

Commencement Information

I3 Sch. 4 para. 3 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, **art. 2(1)** (subject to art. 2(3)-(5))

Absent vote at particular election

4 (1) Where a person applies to the registration officer to vote by post at a particular parliamentary or local government election, the registration officer shall grant the application if—

(a) he is satisfied that the applicant is or will be registered in the register of parliamentary or, as the case may be, local government electors, and

(b) the application **[**[F40]contains the applicant's signature and date of birth and**]** meets the prescribed requirements.

(2) Where a person applies to the registration officer to vote by proxy at a particular parliamentary or local government election, the registration officer shall grant the application if—

(a) he is satisfied that the applicant's circumstances on the date of the poll will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to him under the appropriate rules,

(b) he is satisfied that the applicant is or will be registered in the register of parliamentary or, as the case may be, local government electors, and

(c) the application **[**[F41]contains the applicant's signature and date of birth and**]** meets the prescribed requirements.

[[F42](2A) Where a person who has an anonymous entry in the register of electors for a parliamentary or local government election applies to the registration officer to vote by proxy at a particular such election the registration officer shall grant the application if it meets the prescribed requirements.

(2B) **[**[F43]Sub-paragraph (2A) does not apply to an application to vote by proxy at a local government election in Scotland.**]]**

(3) Nothing in sub-paragraph (1) or (2) applies to a person who is included in the record kept under paragraph 3 in respect of elections of the kind in question, but such a person may, in respect of a particular parliamentary or local government election, apply to the registration officer—

(a) for his ballot paper to be sent to a different address from that shown in the record, or

(b) to vote by proxy,

if he is shown in the record as voting by post at elections of the kind in question.

Changes to legislation: *Representation of the People Act 2000, SCHEDULE 4 is up to date with all changes known to be in force on or before 16 April 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) View outstanding changes*

(4) The registration officer shall grant an application under sub-paragraph (3) if—

(a) (in the case of any application) it meets the prescribed requirements; and

(b) (in the case of an application to vote by proxy) the registration officer is satisfied that the applicant's circumstances on the date of the poll will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to him under the appropriate rules.

[[F44](5) The registration officer may dispense with the requirement under sub-paragraph (1)(b) or (2)(c) for the applicant to provide a signature if he is satisfied that the applicant is unable—

(a) to provide a signature because of any disability the applicant has,

(b) to provide a signature because the applicant is unable to read or write, or

(c) to sign in a consistent and distinctive way because of any such disability or inability.

(6) The registration officer must keep a record of those whose applications under this paragraph have been granted showing—

(a) their dates of birth;

(b) except in cases where the registration officer in pursuance of sub-paragraph (5) has dispensed with the requirement to provide a signature, their signatures.

(7) The record kept under sub-paragraph (6) must be retained by the registration officer for the prescribed period.**]**

Textual Amendments

F40 Words in Sch. 4 para. 4(1)(b) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 14(2)(a)**, 77 (with saving in s. 14(8)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 3 (subject to transitional provisions in Sch. 2)

F41 Words in Sch. 4 para. 4(2)(c) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 14(2)(b)**, 77 (with saving in s. 14(8)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 3 (subject to transitional provisions in Sch. 2)

F42 Sch. 4 para. 4(2A)(2B) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F43 Sch. 4 para. 4(2B) repealed (S.) (29.1.2007) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 20(c)(ii)**, 63(2); S.S.I. 2007/26, **art. 2**

F44 Sch. 4 para. 4(5)-(7) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 14(2)(c)**, 77 (with saving in s. 14(8)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 3 (subject to transitional provisions in Sch. 2)

Commencement Information

I4 Sch. 4 para. 4 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, **art. 2(1)** (subject to art. 2(3)-(5))

Absent voters list

5 (1) The registration officer shall, in respect of each parliamentary or local government election, keep **[**[F45]the two special**]** lists mentioned in sub-paragraphs (2) and (3) respectively.

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(2) The first of those lists is a list **[**[F46] ("the postal voters list")**]** of—

(a) those whose applications under paragraph 4(1) to vote by post at the election have been granted, together with the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent, and

(b) those who are for the time being shown in the record kept under paragraph 3 as voting by post at elections of the kind in question (excluding those so shown whose applications under paragraph 4(3)(b) above to vote by proxy at the election have been granted), together with the addresses provided by them in their applications under paragraph 3 or, as the case may be, paragraph 4(3)(a) as the addresses to which their ballot papers are to be sent.

(3) The second of the lists mentioned in sub-paragraph (1) is a list ("the list of proxies") of—

(a) those whose applications under paragraph 4(2) or (3) to vote by proxy at the election have been granted, and

(b) those who are for the time being shown in the record kept under paragraph 3 as voting by proxy at elections of the kind in question,

together with (in each case) the names and addresses of those appointed as their proxies.

[[F47](4) In the case of a person who has an anonymous entry in a register the postal voters list or list of proxies (as the case may be) must show in relation to the person only—

(a) his electoral number, and

(b) the period for which the anonymous entry has effect.

(5) **[**[F48]Sub-paragraph (4) does not apply to any list kept in respect of a local government election in Scotland.**]]**

Textual Amendments

F45 Words in Sch. 4 para. 5(1) substituted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 137(5)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F46 Words in Sch. 4 para. 5(2) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 137(6)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F47 Sch. 4 para. 5(4)(5) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, **Sch. 1 para. 22**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F48 Sch. 4 para. 5(5) repealed (S.) (29.1.2007) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 20(c)(iii)**, 63(2); S.S.I. 2007/26, **art. 2**

Commencement Information

I5 Sch. 4 para. 5 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, **art. 2(1)** (subject to art. 2(3)-(5))

Proxies at elections

6 (1) Subject to the provisions of this paragraph, any person is capable of being appointed proxy to vote for another (in this paragraph and paragraph 7 referred to as "the elector") at any parliamentary or local government election and may vote in pursuance of the appointment.

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(2) The elector cannot have—

(a) more than one person at a time appointed as proxy to vote for him at parliamentary elections (whether in the same constituency or elsewhere), or

(b) more than one person at a time appointed as proxy to vote for him at local government elections in the same electoral area.

[[F49](3) A person is not capable of being appointed to vote, or voting, as proxy at a parliamentary election unless the person is or will be registered in a register of parliamentary electors in Great Britain or Northern Ireland.

(3A) A person is not capable of being appointed to vote, or voting, as proxy at a local government election unless the person is or will be registered in a register of local government electors in Great Britain or Northern Ireland.

(4) A person is not capable of being appointed to vote, or voting, as proxy at a parliamentary or local government election if the person is subject to any legal incapacity (age apart) to vote at that election as an elector.**]**

(5) A person is not capable of voting as proxy at a parliamentary or local government election **[**[F50](other than a local government election in Scotland)**][**[F51](other than a local government election in Wales)**]** unless on the date of the poll he has attained the age of 18.

[[F52](5A) A person is not capable of voting as proxy at a local government election in Scotland unless on the date of the election the person has attained the age of 16.**]**

[[F53](5A) A person is not capable of voting as proxy at a local government election in Wales unless on the date of the election the person has attained the age of 16.**]**

[[F54](5B) A person is not capable of voting as proxy at a local government election in Scotland if on the date of the election the person is a person to whom section 3(1A) of the 1983 Act (exception to disenfranchisement for offenders in prison sentenced to term not exceeding 12 months) applies.**]**

[[F55](5C) A person—

(a) is not entitled to vote as proxy at a parliamentary election, or at a local government election in England, on behalf of more than two electors who do not fall within sub-paragraph (5D), but

(b) subject to paragraph (a), is entitled to vote as proxy at any such election on behalf of up to four electors.

(5D) An elector falls within this sub-paragraph—

(a) in relation to a parliamentary election, if the elector is registered in a register of parliamentary electors in pursuance of an overseas elector's declaration or a service declaration;

(b) in relation to a local government election in England, if the elector is registered in a register of local government electors in England in pursuance of a service declaration.

(5E) Where the polls for two or more parliamentary elections are held on the same day, references in sub-paragraph (5C) to a parliamentary election are to all of those elections taken together.

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(5F) Where the polls for two or more local government elections in England are held on the same day, references in sub-paragraph (5C) to a local government election in England are to all of those elections taken together.**]**

(6) A person is not entitled to vote as proxy—

[F56](a) . . . . . .

(b) at the same local government election in any electoral area **[**[F57]in Wales or Scotland**]**,

on behalf of more than two electors of whom that person is not the **[**[F58]spouse, civil partner,**]** parent, grandparent, brother, sister, child or grandchild.

(7) Where the elector applies to the registration officer for the appointment of a proxy to vote for him at parliamentary elections, at local government elections or at both (whether for an indefinite period or for a particular period specified in his application), the registration officer shall make the appointment if the application meets the prescribed requirements and he is satisfied that the elector is or will be—

(a) registered in the register of parliamentary electors, local government electors or both (as the case may be), and

(b) shown in the record kept under paragraph 3 as voting by proxy at such elections,

and that the proxy is capable of being, and willing to be, appointed to vote as proxy at such elections.

(8) Where the elector applies to the registration officer for the appointment of a proxy to vote for him at a particular parliamentary or local government election, the registration officer shall make the appointment if the application meets the prescribed requirements and he is satisfied that the elector is or will be—

(a) registered in the register of parliamentary or, as the case may be, local government electors, and

(b) entitled to vote by proxy at that election by virtue of an application under paragraph 4(2) or (3),

and that the proxy is capable of being, and willing to be, appointed.

(9) The appointment of a proxy under this paragraph is to be made by means of a proxy paper in the prescribed form issued by the registration officer.

(10) The appointment may be cancelled by the elector by giving notice to the registration officer and shall also cease to be in force—

(a) where the appointment related to a parliamentary election or parliamentary elections, on the issue of a proxy paper appointing a different person to vote for him at a parliamentary election or parliamentary elections (whether in the same constituency or elsewhere),

(b) where the appointment related to a local government election or local government elections, on the issue of a proxy paper appointing a different person to vote for him at a local government election or local government elections in the same electoral area, or

(c) where the appointment was for a particular period, once that period expires.

(11) Subject to sub-paragraph (10), the appointment shall remain in force—

(a) in the case of an appointment for a particular election, for that election, and

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(b) in any other case, while the elector is shown as voting by proxy in the record kept under paragraph 3 in pursuance of the same application under that paragraph.

Textual Amendments

F49 Sch. 4 para. 6(3)-(4) substituted for Sch. 4 para. 6(3)(4) (10.6.2014 for E.W., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), **ss. 3**, 27(1) (with Sch. 5); S.I. 2014/414, art. 5(c)

F50 Words in Sch. 4 para. 6(5) inserted (S.) (25.7.2015) by Scottish Elections (Reduction of Voting Age) Act 2015 (asp 7), **ss. 16(2)**, 21

F51 Words in Sch. 4 para. 6(5) inserted (W.) (20.3.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(3)(f), **Sch. 2 para. 8(3)(b)(i)** (with s. 3)

F52 Sch. 4 para. 6(5A) inserted (S.) (25.7.2015) by Scottish Elections (Reduction of Voting Age) Act 2015 (asp 7), **ss. 16(3)**, 21

F53 Sch. 4 para. 6(5A) inserted (W.) (20.3.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(3)(f), **Sch. 2 para. 8(3)(b)(ii)** (with s. 3)

F54 Sch. 4 para. 6(5B) inserted (S.) (2.4.2020) by Scottish Elections (Franchise and Representation) Act 2020 (asp 6), **ss. 9(4)**, 12(1)

F55 Sch. 4 para. 6(5C)-(5F) inserted (31.1.2024) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 4 para. 7(2)**; S.I. 2023/1145, reg. 4(d)(v) (with Sch. para. 4)

F56 Sch. 4 para. 6(6)(a) omitted (31.1.2024) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 4 para. 7(3)(a)**; S.I. 2023/1145, reg. 4(d)(v) (with Sch. para. 4)

F57 Words in Sch. 4 para. 6(6)(b) inserted (31.1.2024) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 4 para. 7(3)(b)**; S.I. 2023/1145, reg. 4(d)(v) (with Sch. para. 4)

F58 Words in Sch. 4 para. 6(6) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 261(1), 263, **Sch. 27 para. 164(3)**; S.I. 2005/3175, **art. 2(2)**

Modifications etc. (not altering text)

C12 Sch. 4 para. 6(6) restricted (31.10.2023) by The Elections Act 2022 (Commencement No. 9, Transitional and Savings Provisions and Appointed and Specified Days) and Ballot Secrecy Act 2023 (Commencement) Regulations 2023 (S.I. 2023/1145), **Sch. para. 4**

Commencement Information

I6 Sch. 4 para. 6 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, **art. 2(1)** (subject to art. 2(3)-(5))

Voting as proxy

7 (1) A person entitled to vote as proxy at a parliamentary or local government election may do so in person at the polling station allotted to the elector under the appropriate rules unless he is entitled to vote by post as proxy for the elector at the election, in which case he may vote by post.

(2) Where a person is entitled to vote by post as proxy for the elector at any election, the elector may not apply for a ballot paper for the purpose of voting in person at the election.

(3) For the purposes of this Schedule and the 1983 Act a person entitled to vote as proxy for another at a parliamentary or local government election is entitled so to vote by post if he is included in the list kept under sub-paragraph (8) in respect of the election.

(4) Where a person applies to the registration officer to vote by post—

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(a) as proxy at parliamentary elections, at local government elections or at both [F59]..., or

(b) as proxy at a particular parliamentary or local government election,

the registration officer shall grant the application if the conditions set out in sub-paragraph (5) are satisfied.

(5) Those conditions are—

(a) that the registration officer is satisfied that the elector is or will be registered in the register of parliamentary electors, local government electors or both (as the case may be), and

(b) that there is in force an appointment of the applicant as the elector's proxy to vote for him at elections of the kind in question or, as the case may be, the election concerned, and

(c) that the application **[**[F60]contains the applicant's signature and date of birth and**]** meets the prescribed requirements **[**[F61]and, in the case of an application to vote by post as proxy at local government elections in Scotland or Wales for a particular period, specifies the period**]**.

[[F62](5A) Any grant of an application under sub-paragraph (4)(a) to vote by post as proxy at parliamentary elections, or at local government elections in England, is to be for—

(a) the period ending with the third 31 January following the date on which the application is granted, or

(b) any shorter period specified in the application.**]**

(6) The registration officer shall keep a record of those whose applications under sub-paragraph (4)(a) have been granted showing—

(a) whether their applications—

(i) were in respect of parliamentary elections, local government elections or both, [F63]...

[F64](ii) . . . . . .

[[F65](aa) in the case of those who may vote by post as proxy at parliamentary elections or at local government elections in England (or both), the period for which they may do so,

(ab) in the case of those who may vote by post as proxy at local government elections in Scotland or Wales, whether their applications were to vote by post as proxy for an indefinite or a particular period (specifying that period), and**]**

(b) the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent.

(7) Where, in the case of a particular parliamentary or local government election, a person included in the record kept under sub-paragraph (6) in respect of elections of the kind in question applies to the registration officer for his ballot paper to be sent to a different address from that shown in the record, the registration officer shall grant the application if it meets the prescribed requirements.

(8) The registration officer shall, in respect of each parliamentary or local government election, keep a special list **[**[F66] ("the proxy postal voters list")**]** of—

(a) those who are for the time being included in the record kept under sub-paragraph (6) in respect of elections of the kind in question, together with the addresses provided by them in their applications under sub-paragraph (4)

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(a) or, as the case may be, sub-paragraph (7) as the addresses to which their ballot papers are to be sent, and

(b) those whose applications under sub-paragraph (4)(b) above have been granted in respect of the election concerned, together with the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent.

[[F67](8A) In the case of a person who has an anonymous entry in a register the special list mentioned in sub-paragraph (8) must contain only—

(a) the person's electoral number, and

(b) the period for which the anonymous entry has effect.

(8B) **[**[F68]Sub-paragraph (8A) does not apply to a special list kept in respect of a local government election in Scotland.**]]**

(9) The registration officer shall remove a person from the record kept under sub-paragraph (6)—

(a) if he applies to the registration officer to be removed,

(b) if the elector ceases to be registered as mentioned in sub-paragraph (5)(a),

(c) if the appointment of the person concerned as the elector's proxy ceases to be in force (whether or not he is re-appointed), [F69]...

[[F70](ca) in the case of a person shown in the record as voting by post as proxy at parliamentary elections or at local government elections in England (or both), once the period for which the person is entitled to vote by post as proxy at elections of the kind in question has expired, or**]**

(d) in the case of a person who applied to vote by post as proxy **[**[F71]at local government elections in Scotland or Wales**]** for a particular period, once that period expires.

[[F72](10) Sub-paragraph (2) above does not prevent a person, at the polling station allotted to him, marking a tendered ballot paper in pursuance of rule 40(1ZC) or (1ZE) of the parliamentary elections rules.**]**

[[F73](11) The registration officer may dispense with the requirement under sub-paragraph (5)(c) for the applicant to provide a signature if he is satisfied that the applicant is unable—

(a) to provide a signature because of any disability the applicant has,

(b) to provide a signature because the applicant is unable to read or write, or

(c) to sign in a consistent and distinctive way because of any such disability or inability."

(12) The registration officer must also keep a record in relation to those whose applications under sub-paragraph (4)(a) or (b) have been granted showing—

(a) their dates of birth;

(b) except in cases where the registration officer in pursuance of sub-paragraph (11) has dispensed with the requirement to provide a signature, their signatures.

(13) The record kept under sub-paragraph (12) must be retained by the registration officer for the prescribed period.**]**

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[[F74](14) Sub-paragraph (2) above does not prevent a person entitled to vote as proxy for another, at the polling station allotted to him at a local government election in Scotland, marking a tendered ballot paper in pursuance of any provision—

(a) made under section 3(1) of the Local Governance (Scotland) Act 2004 (asp 9) as to the conduct of elections of councillors, and

(b) which entitles him to do so despite the fact that he is or may be entitled to vote by post as proxy.**]**

Textual Amendments

F59 Words in Sch. 4 para. 7(4)(a) omitted (31.10.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 3(2)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F60 Words in Sch. 4 para. 7(5)(c) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 14(3)(a)**, 77 (with saving in s. 14(8)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 3 (subject to transitional provisions in Sch. 2)

F61 Words in Sch. 4 para. 7(5)(c) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 3(3)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F62 Sch. 4 para. 7(5A) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 3(4)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F63 Word in Sch. 4 para. 7(6)(a)(i) omitted (31.10.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 3(5)(a)(i)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F64 Sch. 4 para. 7(6)(a)(ii) omitted (31.10.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 3(5)(a)(ii)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F65 Sch. 4 para. 7(6)(aa)(ab) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 3(5)(b)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F66 Words in Sch. 4 para. 7(8) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 137(7)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F67 Sch. 4 para. 7(8A)(8B) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, **Sch. 1 para. 23**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12 (subject to transitional provisions in Sch. 2)

F68 Sch. 4 para. 7(8B) repealed (S.) (29.1.2007) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 20(c)(iv)**, 63(2); S.S.I. 2007/26, **art. 2**

F69 Word in Sch. 4 para. 7(9) omitted (31.10.2023) by virtue of Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 3(6)(a)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F70 Sch. 4 para. 7(9)(ca) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 3(6)(b)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F71 Words in Sch. 4 para. 7(9)(d) inserted (31.10.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 3 para. 3(6)(c)** (with Sch. 7 para. 16(2)); S.I. 2023/1145, reg. 2(e)

F72 Sch. 4 para. 7(10) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 38(6)(b)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14 (subject to transitional provisions in Sch. 2)

F73 Sch. 4 para. 7(11)-(13) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 14(3)(b)**, 77 (with saving in s. 14(8)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 3 (subject to transitional provisions in Sch. 2)

F74 Sch. 4 para. 7(14) inserted (S.) (17.2.2007) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 27(2)(b)**, 63(2); S.S.I. 2007/26, **art. 3**

Commencement Information

I7 Sch. 4 para. 7 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, **art. 2(1)** (subject to art. 2(3)-(5))

Changes to legislation: *Representation of the People Act 2000, SCHEDULE 4 is up to date with all changes known to be in force on or before 16 April 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) View outstanding changes*

[F75 Provision of fresh signatures

Textual Amendments

F75 Sch. 4 paras. 7A-7D inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 14(4)**, 77 (with saving in s. 14(8)); S.I. 2006/3412, **art. 3**, Sch. 1 para. 3 (subject to transitional provisions in Sch. 2)

7A (1) A person who remains on the record kept under paragraph 3(4) or 7(6) may, at any time, provide the registration officer with a fresh signature.

(2) Anything required or authorised to be done for the purposes of any enactment in relation to a signature required to be provided in pursuance of this Schedule must be done in relation to a signature provided as mentioned in sub-paragraph (1) instead of in relation to a signature provided on any earlier occasion.

7B Regulations may make provision as to—

(a) circumstances in which a registration officer may require a person who remains on the record kept under paragraph 3(4) or 7(6) to provide a fresh signature;

(b) the consequences of a person refusing or failing to comply with a requirement to provide a fresh signature.

Use of personal identifier information

7C The registration officer must either —

(a) provide the returning officer for an election with a copy of the information contained in records kept by the registration officer in pursuance of paragraphs 3(9), 4(6) and 7(12) in relation to electors at the election, or

(b) give the returning officer access to such information.

7D Information contained in records kept by a registration officer in pursuance of paragraph 3(9), 4(6) or 7(12) may be disclosed by him (subject to any prescribed conditions) to—

(a) any other registration officer if he thinks that to do so will assist the other registration officer in the performance of his duties;

(b) any person exercising functions in relation to the preparation or conduct of legal proceedings under the Representation of the People Acts;

(c) such other persons for such other purposes relating to elections as may be prescribed.**]**

[F76 Notification of rejected postal vote

Textual Amendments

F76 Sch. 4 paras. 7E, 7F and cross-headings inserted (2.4.2013) by Electoral Registration and Administration Act 2013 (c. 6), **ss. 22(1)**, 27(1); S.I. 2013/702, art. 3(d)

7E (1) Regulations may make provision as to circumstances in which, following the close of the poll at a parliamentary or local government election, a registration officer must—

(a) notify a person that the person's postal ballot paper has been rejected, and

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(b) where such notification is required to be given to a person appointed as proxy to vote for another ("the elector") in respect of a proxy postal ballot paper, notify the elector that the ballot paper has been rejected.

(2) For the purposes of sub-paragraph (1), a postal ballot paper is "rejected" if it was not taken to have been duly returned in accordance with the appropriate rules because the returned postal voting statement was not duly completed.

(3) Regulations under this paragraph may include provision as to—

(a) the information to be notified (which may include information as to the respect in which the postal voting statement was not duly completed);

(b) the time within which the notification is to be given;

(c) the way in which it is to be given.

Regulations under paragraph 7E in relation to local government elections in Scotland

7F (1) The power to make regulations under paragraph 7E in relation to local government elections in Scotland is exercisable by the Scottish Ministers.

(2) Regulations made by the Scottish Ministers by virtue of this paragraph are subject to the affirmative procedure.

(3) Such regulations may—

(a) make different provision for different cases, circumstances or areas;

(b) contain such incidental, supplemental, saving or transitional provision as the Scottish Ministers think fit.**]**

Offences

8 A person who—

(a) in any declaration or form used for any of the purposes of this Schedule, makes a statement which he knows to be false, or

(b) attests an application under paragraph 3 or 4 when he knows that he is not authorised to do so or that it contains a statement which is false,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Commencement Information

I8 Sch. 4 para. 8 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, **art. 2(1)** (subject to art. 2(3)-(5))

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Changes and effects yet to be applied to :

– Sch. 4 power to amend by 2022 c. 37 Sch. 2 para. 12(1)(a)