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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

**The Representation of the People (England and  
Wales) (Amendment) (No. 2) Regulations 2006**

**PART 9**

**Postal Voters List**

**Interpretation of Part 5**

- 48.**—(1) Regulation 64 shall be amended as follows.
- (2) Omit the definition of “absent voters list”.
  - (3) Omit the definition of “list of postal proxies”.

**Proxy postal voters list**

- 49.**—(1) For the words “list of postal proxies” wherever they occur in the provisions mentioned in paragraph (2) substitute “proxy postal voters list”.
- (2) The provisions mentioned in this paragraph are—
    - (a) paragraphs (3) and (5)(a) of regulation 72, and
    - (b) regulation 73.
  - (3) In regulation 72(7)(b) for the words “special list” to the end substitute “proxy postal voters list.”
  - (4) In regulations 72 and 73 for “absent voters list” in each place that it occurs substitute “postal voters list”(1).

**Amendments to procedure for security of special lists**

- 50.**—(1) Regulation 75 is amended as follows.
- (2) For paragraph (2) substitute—
    - “(2) Until the time referred to in regulation 84(9), the returning officer shall take proper precautions for the security of the marked copy of the postal voters list and the proxy postal voters list.”
  - (3) Omit paragraph (3).

**Amendment to procedure for the opening of covering envelopes**

- 51.** In regulation 84, after paragraph (4) insert—
  - “(5) Where—

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(1) Paragraph (7) of regulation 72 was inserted by S.I.2002/1871.

- (a) an envelope contains the postal voting statement of an elector with an anonymous entry, and
- (b) paragraph (4) does not apply,

the returning officer shall set aside that envelope and its contents for personal identifier verification in accordance with regulation 85A.

(6) In carrying out the procedures in this regulation and regulations 85 to 88, the returning officer—

- (a) shall keep the ballot papers face downwards and shall take proper precautions for preventing any person from 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.

(7) Where an envelope opened in accordance with paragraph (1B) contains a postal voting statement, the returning officer shall place a mark in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned.

(8) A mark made under paragraph (7) shall be distinguishable from and shall not obscure the mark made under regulation 72(3).

(9) As soon as practicable after the last covering envelope has been opened, the returning officer shall make up into a packet the copy of the marked postal voters list and proxy postal voters list that have been marked in accordance with paragraph (7) and shall seal such a packet.”

### **Confirmation of receipt of postal voting statement**

52. After regulation 84 insert—

#### **“Confirming receipt of postal voting statements**

**84A.**—(1) An elector or a proxy voter who is shown in the postal voters list or proxy postal voters list may make a request, at any time between the first issue of postal ballots under regulation 71 and the close of the poll, that the returning officer confirm—

- (a) whether a mark is shown in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned, and
- (b) whether the number of the ballot paper issued to the elector or his proxy has been recorded on either of the lists of provisionally rejected votes kept by the returning officer under paragraphs (2) and (3) of regulation 87.

(2) A request under paragraph (1) shall—

- (a) be made by any method specified, and
- (b) include any evidence of the voter’s identity requested,

by the returning officer.

(3) Where a request is received in accordance with paragraph (2) the returning officer shall satisfy himself that the request has been made by the elector or their proxy and where he is so satisfied provide confirmation of the matters under paragraph (1).”

### **Amendments to requirements for the forwarding of ballot papers**

53.—(1) Regulation 91 is amended as follows.

(2) In paragraph (1) for the words “The returning officer” to “the elections rules” substitute “The returning officer shall forward to the relevant registration officer determined in accordance with rule 55(1A) of the elections rules at the same time as he forwards the documents mentioned in rule 55 of the elections rules—”.

(3) In paragraph (1)(a) after “78(2C)” insert “, 84(9)”**(2)**.

(4) Omit paragraph (2).