

*Changes to legislation:* There are currently no known outstanding effects for the Representation of the People Act 2000, Cross Heading: Absent vote at particular election. (See end of Document for details)

## SCHEDULES

### SCHEDULE 4

#### 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](#))
- C1** Sch. 4: functions transferred (19.8.2003) by The Secretary of State for Constitutional Affairs Order ([S.I. 2003/1887](#)), [art. 4](#), {[Sch. 1](#)}
- C1** [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of Referendums\) \(Wales\) Regulations 2004 \(S.I. 2004/870\)](#), [reg. 8](#), [Sch. 3](#) [Table 1](#) (which S.I. was revoked (24.7.2008) by [S.I. 2008/1848](#), [reg. 1](#))
- C1** 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](#)
- C1** 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](#)
- C1** 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](#)
- C1** 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\(5\)\(b\)](#))
- C1** 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\(5\)\(b\)](#))
- C1** 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\(5\)\(b\)](#))

##### *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 [<sup>F1</sup>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

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- 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 [<sup>F2</sup>contains the applicant's signature and date of birth and] meets the prescribed requirements.
- [<sup>F3</sup>(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) [<sup>F4</sup>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.
- (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.
- [<sup>F5</sup>(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.]

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### Textual Amendments

- F1** 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](#))
- F2** 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](#))
- F3** 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](#))
- F4** 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](#)
- F5** 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

- I1** 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\(3\)-\(5\)](#))

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