

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

Representation of the People Act 1985 (c. 50)

- 12 The Representation of the People Act 1985 is amended as follows (but paragraphs 13 to 17 have effect in relation to Northern Ireland only).
- 13 (1) Section 5 (manner of voting) is amended as follows.
- (2) In subsection (1), omit “or local government”.
- (3) In subsection (5), omit “or, as the case may be, electoral area”.
- (4) After subsection (5) insert—
- “(5A) Nothing in the preceding provisions of this section applies to—
- (a) a person to whom section 7 of the principal 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, or
- (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).”
- (5) In subsection (6), omit “or local government” (wherever occurring).
- (6) For subsection (7) substitute—
- “(7) In this section and sections 6 to 9 of this Act “appropriate rules” means the parliamentary elections rules.”
- 14 (1) Section 6 (absent vote at elections for an indefinite period) is amended as follows.
- (2) In subsection (1)—
- (a) omit “, at local government elections or at both”; and
- (b) in paragraph (a), for “elections to which the application relates” substitute “parliamentary elections”.
- (3) In subsection (2), omit—
- (a) “or local government”, and
- (b) paragraph (aa),
- and, in paragraph (c), after “his spouse,” insert “or by reason of his attendance on a course provided by an educational institution or that of his spouse,”.
- (4) Omit subsection (2A).

Status: This is the original version (as it was originally enacted).

- (5) In subsection (3), omit paragraph (a).
- (6) In subsection (4), after “in pursuance of” insert “a declaration of local connection or”.
- 15 (1) Section 7 (absent vote at a particular election and absent voters list) is amended as follows.
- (2) In subsection (1), omit—
- (a) “or local government”; and
 - (b) in paragraph (b), “or, as the case may be, local government”.
- (3) For subsection (2) substitute—
- “(2) Subsection (1) above does not apply to a person who is included in the record kept under section 6 of this Act, but such a person may, in respect of a particular parliamentary election, apply to the registration officer—
- (a) for his ballot paper to be sent to a different address in the United Kingdom, or
 - (b) to vote by proxy,
- if he is shown in the record so kept as voting by post at parliamentary elections.”
- (4) In subsection (4)—
- (a) omit “or local government”; and
 - (b) in each of paragraphs (a) and (b), for “elections of the kind in question” substitute “parliamentary elections”.
- 16 (1) Section 8 (proxies at elections) is amended as follows.
- (2) In subsection (1), omit “or local government”.
- (3) Omit subsection (3A).
- (4) In subsection (4), omit “or local government”.
- (5) In subsection (5), omit “, or at the same local government election in any electoral area”.
- (6) In subsection (6)—
- (a) omit “, at local government elections or at both”; and
 - (b) in paragraph (a), for “electors for elections in respect of which the application is made” substitute “parliamentary electors”.
- (7) In subsection (7), omit—
- (a) “or local government”; and
 - (b) in paragraph (a) “or, as the case may be, local government”.
- (8) For subsection (9) substitute—
- “(9) The appointment may be cancelled by the elector by giving notice to the registration officer, and shall also cease to be in force on the issue of a proxy paper appointing a different person to vote for him at any parliamentary election or elections (whether in the same constituency or elsewhere).”
- 17 (1) Section 9 (voting as proxy) is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In each of subsections (1) and (3), omit “or local government”.
 - (3) In subsection (4), omit—
 - (a) “, at local government elections or at both”; and
 - (b) in paragraph (a), “, or electoral area,”;and in paragraph (b) for “the same area” substitute “the same ward”.
 - (4) Omit subsection (5).
 - (5) In subsection (6), omit paragraph (a) (including the final “and”).
 - (6) In subsection (7), omit “or, as the case may be, electoral area”.
 - (7) In subsection (8), omit “in respect of elections of the kind in question”.
 - (8) In subsection (9), omit—
 - (a) “or local government”; and
 - (b) in paragraph (a), “in respect of elections of the kind in question”.
 - (9) In subsection (10)—
 - (a) in paragraph (a), omit “, local government electors or both (as the case may be)”; and
 - (b) in paragraph (b), for “elections of the kind in question” substitute “parliamentary elections”.
 - (10) In subsection (11), in paragraph (b), omit “, or electoral area,”.
- 18 In section 27(2) (application of provisions of 1983 Act)—
- (a) for “sections 5, 6 and 7(1)” substitute “sections 5 to 7A”; and
 - (b) for “sections 1 and 2” substitute “section 4”.