



Electoral Administration Act 2006

2006 CHAPTER 22

PART 6

CONDUCT OF ELECTIONS ETC.

Offences related to voting

40 Offences relating to applications for postal and proxy votes

After section 62 of the 1983 Act (offences as to declarations) insert—

“62A Offences relating to applications for postal and proxy votes

- (1) A person commits an offence if he—
- (a) engages in an act specified in subsection (2) at a parliamentary or local government election, and
 - (b) intends, by doing so, to deprive another of an opportunity to vote or to make for himself or another a gain of a vote to which he or the other is not otherwise entitled or a gain of money or property.
- (2) These are the acts—
- (a) applying for a postal or proxy vote as some other person (whether that other person is living or dead or is a fictitious person);
 - (b) otherwise making a false statement in, or in connection with, an application for a postal or proxy vote;
 - (c) inducing the registration officer or returning officer to send a postal ballot paper or any communication relating to a postal or proxy vote to an address which has not been agreed to by the person entitled to the vote;
 - (d) causing a communication relating to a postal or proxy vote or containing a postal ballot paper not to be delivered to the intended recipient.

Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Section 40. (See end of Document for details)

- (3) In subsection (1)(b), property includes any description of property.
- (4) In subsection (2) a reference to a postal vote or a postal ballot paper includes a reference to a proxy postal vote or a proxy postal ballot paper (as the case may be).
- (5) A person who commits an offence under subsection (1) or who aids, abets, counsels or procures the commission of such an offence is guilty of a corrupt practice.
- (6) This section does not apply to anything done at a local government election in Scotland.”

Commencement Information

- II** S. 40 wholly in force at 11.9.2006, see s. 77(2)-(4) and S.I. 2006/1972, art. 3, Sch. 1 para. 7 (subject to transitional provisions in Sch. 2)

Changes to legislation:

There are currently no known outstanding effects for the Electoral Administration Act 2006, Section 40.