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## SCHEDULES.

### SECOND SCHEDULE

Section 9.

#### PROXIES

##### *Appointment of proxies*

1 A proxy shall be appointed by means of a proxy paper issued by the registration officer to the person appointed as proxy, on an application made by the voter in accordance with electoral registration regulations.

2 Where an application is made by a voter for the issue of a proxy paper, it shall be the duty of the registration officer, on being satisfied that the voter is entitled to appoint a proxy, to issue a proxy paper to the person appointed as proxy, unless the registration officer is satisfied that that person is not willing to be appointed or cannot lawfully be appointed by virtue of the following provisions of this Schedule.

3 A proxy paper—  
(a) shall cease to be in force if a new proxy paper is issued by the registration officer on a further application by the voter ; and  
(b) subject to the following provisions of this Schedule, may be cancelled by the voter by giving notice in that behalf to the registration officer in the prescribed form and containing the prescribed particulars :

Provided that this paragraph shall not apply to a proxy paper issued on an application made by virtue of sub-paragraph (a) of paragraph 1 of the First Schedule to this Act.

4 Subject to the last foregoing paragraph, a proxy paper shall remain in force—  
(a) in the case of a paper issued on an application made by virtue of sub-paragraph (a) of paragraph 1 of the First Schedule to this Act, until the conclusion of abandonment of the election at which the voter is entitled to vote by proxy ;  
(b) in the case of a paper issued on an application made by virtue of sub-paragraph (b) of the said paragraph 1, until the expiration of the period as respects which the application is made ; and  
(c) in the case of a paper issued on the application of a service voter, so long as that voter remains entitled to appoint a proxy by virtue of the same service declaration,

5 An application for the issue of a proxy paper or notice cancelling a proxy paper shall not take effect as respects any election unless received by the registration officer before the initiation thereof :

Provided that this paragraph shall not apply to an application for the issue of a proxy paper made by virtue of sub-paragraph (a) of paragraph 1 of the First Schedule to this Act.

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- 6 Any application made by a service voter for the issue of a proxy paper, or notice given by a service voter cancelling a proxy paper, shall be transmitted to the registration officer concerned in such manner as may be prescribed by national registration regulations, and those regulations may provide for the inclusion in the central index of service voters of such particulars as may be prescribed by those regulations with respect to the appointment of proxies and the cancellation of any such appointment.
- 7 A person shall not be appointed a proxy unless he is a British subject of full age and not subject to any legal incapacity.
- 8 A voter shall not appoint more than one person as proxy to vote on his behalf in the same constituency, and in any case not more than two persons.
- 9 A registration officer shall keep such record (hereafter in this Schedule referred to as the "record of proxies") as may be prescribed of the persons who have appointed proxies under Part I of this Act and of the persons appointed as proxies, and the said record shall be open to inspection during business hours at such place in the constituency as may be appointed by the registration officer.
- 10 A registration officer shall, on the application of any person, allow that person to take extracts from, or, in such cases as may be prescribed and on payment of the prescribed fee, supply to that person copies of the record of proxies.
- 11 Stamp duty shall not be chargeable on any proxy paper issued under this Schedule.

*Voting of proxies*

- 12 A person shall not vote as proxy unless he is a British subject of full age and not subject to any legal incapacity.
- 13 A person shall not vote as proxy at an election in any constituency on behalf of more than two voters of whom that person is neither the husband, wife, parent, grandparent, brother or sister.
- 14 The Ballot Act, 1872, and any other Act regulating the holding of parliamentary elections, including any provision imposing penalties in connection with those elections, shall apply to persons voting as proxies under this Act, and to proxy papers issued under this Act and any official mark thereon, as they apply, by virtue of paragraph 9 of the Third Schedule to the principal Act, to persons voting as proxies under that Act and to proxy papers issued under that Act and any official mark thereon.
- 15 If—
- (a) any person votes or attempts to vote as proxy at an election in any constituency on behalf of more than two voters of whom that person is neither the husband, wife, parent, grandparent, brother or sister ;
  - (b) any person votes or attempts to vote as proxy at an election on behalf of another person when he knows, or has reasonable grounds for supposing that the proxy paper appointing him has been cancelled, or that that other person is dead, or that that other person is no longer entitled to vote at that election or to vote by proxy at that election ; or
  - (c) any person, not being a British subject, or not being of full age, or being subject to any legal incapacity, votes or attempts to vote as proxy on behalf of another person ; or

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- (d) any person, being a person entered in the absent voters list for a constituency and entitled to vote by proxy in that constituency, himself votes or attempts to vote at any parliamentary election in that constituency otherwise than by means of the proxy paper while the proxy paper is in force ;

he shall be guilty of an illegal practice within the meaning of the Corrupt and Illegal Practices Prevention Act, 1883, and the expression " illegal practice " shall be construed accordingly :

Provided that the court before whom a person is convicted under this provision may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by section ten of the said Act.

- 16 A ballot paper shall not be delivered to a person who claims to vote in person as proxy for the purpose of so voting unless he produces the proxy paper to the presiding officer at the polling station or satisfies that officer that he is the person entered in the record of proxies as having been appointed proxy by the person for whom he claims to vote.
- 17 Such questions may be asked of any person who claims to vote as proxy in person (in addition to those already authorised to be asked) as may be prescribed.
- 18 (1) A person may vote by post at an election as proxy for a service voter in the same way as an absent voter voting in his own right, if that person is entitled to vote by post as an absent voter in his own right at that election, and is also entered on the record of proxies as having been appointed proxy by the service voter :
- Provided that a person shall not be entitled to vote by post under this paragraph unless he has made an application to the registration officer in that behalf in accordance with electoral registration regulations, and the registration officer is satisfied from the application of his identity with the person so appointed.
- (2) Where under this paragraph a person is entitled to vote by post at an election as proxy for a service voter, he shall not be entitled to vote otherwise than by post at the election as proxy for that voter.