

1969 No. 630 (C.15)

REPRESENTATION OF THE PEOPLE**The Representation of the People Act 1969
(Commencement) Order 1969**

<i>Made</i>	- - -	<i>29th April 1969</i>
<i>Laid before Parliament</i>		<i>9th May 1969</i>
<i>Coming into Operation</i>		<i>12th May 1969</i>

In exercise of the powers conferred on me by section 27(3) of the Representation of the People Act 1969^(a), I hereby make the following Order :—

1. This Order may be cited as the Representation of the People Act 1969 (Commencement) Order 1969 and shall come into operation on 12th May 1969.

2. The provisions of the Representation of the People Act 1969 specified in the Schedules to this Order shall come into force, in so far as they are not brought into operation by virtue of section 27(1) of that Act, on the dates mentioned in the headings of those Schedules, but the provisions mentioned in any one of the said Schedules shall not have effect in relation to any election notice of which has been published before the date mentioned in the heading of that Schedule.

James Callaghan,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
29th April 1969.

SCHEDULE I

PROVISIONS COMING INTO FORCE ON 12TH MAY 1969

Provisions of the Act	Subject matter of provisions
Section 7(1) and (3)	Preparation of register.
Section 19	Expenses of returning officers, etc. at or in connection with local government elections.
Section 20	Refunds to local authorities of additional superannuation contributions for returning officers.
Section 21	Summary prosecutions of offences at local elections.
Section 22	References, in connection with election petitions, to offices of profit under the Crown.
Section 23(4)	Consequential provision as to ward elections in the City of London.
Section 24(1) and (4)	Consequential and supplementary amendments, and repeal.
Section 25	Expenses.
Section 26	Construction with Representation of the People Act 1949(a), and printing of that Act with insertions.
Section 27	Commencement.
Section 28	Citation.
Schedule 2, paragraphs 2(2), 12 and 38.	Consequential and supplementary amendments of Representation of the People Act 1949.
Schedule 3, Part I	Repeals (spent or unnecessary enactments).
So much of Part II of Schedule 3 as is set out in the Appendix hereto.	Repeals (consequential repeals).
Schedule 4	Insertions authorised in Representation of the People Act 1949 in revised edition of Statutes.

APPENDIX TO SCHEDULE 1

REPEALS TAKING EFFECT ON 12TH MAY 1969

Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act 1949.	<p>Section 38.</p> <p>Section 46(4) proviso.</p> <p>Section 115(2) from the words "or holds" onwards.</p> <p>In section 159(5) the words "by the Director of Public Prosecutions or his assistant", and the words from "For the purposes" onwards.</p> <p>In section 165(3) the words "thirty-eight".</p> <p>In Schedule 4, paragraph 5(2) from the beginning of paragraph (a) to the words "duty, and" in paragraph (b).</p>

SCHEDULE 2

PROVISIONS COMING INTO FORCE ON 1ST AUGUST 1969

Provisions of the Act	Subject matter of provisions
Section 8(1) to (3)	Limit on election expenses.
Section 9	Broadcasting during elections.
Section 10	Bands of music, torches, flags and banners.
Schedule 2, paragraphs 16 and 20.	Consequential and supplementary amendments of Representation of the People Act 1949.
So much of Part II of Schedule 3 as is set out in the Appendix hereto.	Repeals (consequential repeals).

APPENDIX TO SCHEDULE 2

REPEALS TAKING EFFECT ON 1ST AUGUST 1969

Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 68	The Representation of the People Act 1949.	In section 65(2) in paragraph (a) the words "polling agents", and in paragraph (i) of the proviso the words "polling agent". Section 97.

SCHEDULE 3

PROVISIONS COMING INTO FORCE ON 16TH FEBRUARY 1970

Provisions of the Act	Subject matter of provisions
Section 4	Disfranchisement of offenders in prison, etc.
Section 5	Extension for married persons of right to vote by proxy or by post.
Section 6	Other amendments as to proxy and postal voting.
Section 7(2)	Correction of registers of electors.
Section 8(4) to (6)	Declaration and publication of election expenses.
Section 11	Election agents and polling agents.
Section 12	Description of candidate in nomination paper and on ballot paper.
Section 13	Death of candidate.
Section 14	Miscellaneous amendments of elections rules.
Section 15	Property qualification in local government.
Section 16	Date of qualification of candidate at local government election.
Section 17	Filling of regular and casual vacancies at uncontested ordinary election.
Section 18(2) to (5)	Timing of elections, and of steps at elections.
Section 23(3)	Consequential provision as to ward elections in the City of London.

SCHEDULE 3—continued

Provisions of the Act	Subject matter of provisions
Section 24(2), (3) and (5).	Consequential and supplementary amendments, and repeal.
Schedule 1, Part I and Part II, paragraphs 1, 2, 3 and 5 to 13.	Miscellaneous amendments of parliamentary and local elections rules.
Schedule 2, paragraphs 5, 7, 8, 9, 13(2), 14, 15, 18, 19, 22, 23(2), 24, 25, 26, 27, 29, 30, 31, 32, 34, 35 and 39.	Consequential and supplementary amendments of Representation of the People Act 1949.
So much of Part II of Schedule 3 as is set out in the Appendix hereto.	Repeals.

APPENDIX TO SCHEDULE 3

REPEALS TAKING EFFECT ON 16TH FEBRUARY 1970

Chapter	Short Title	Extent of Repeal
23 & 24 Geo. 5. c. 51.	The Local Government Act 1933.	Section 57(b). Section 67(5)(b).
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act 1949.	In section 12, in subsection (2) the word "either" and the words from "or" at the end of paragraph (a) onwards, and subsection (5). In section 23, in subsection (2) from the word "unless" onwards, in subsection (3) the words "and not otherwise", and subsection (5). In section 25, in subsection (4) the words "for a service voter" and the words "for an elector", and in subsection (6) the words "In relation to service voters and their proxies".

APPENDIX TO SCHEDULE 3—continued

Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 68 (contd.)	The Representation of the People Act 1949.	<p>Section 57(2).</p> <p>In section 70, in subsection (1) and in subsection (2), the words "before a justice of the peace".</p> <p>In Schedule 2, in the parliamentary elections rules, in rule 1 the note at the end of the time-table; rule 7(4); rule 24; and rule 55(2).</p> <p>In Schedule 2, in the local elections rules, in rule 7(1) proviso the words "in the case of an election to fill a casual vacancy"; rule 19(2)(e); and rule 20.</p> <p>In Schedule 3, in rule 7, the words "paragraph 7 of rule 5, or"; rule 18; and rule 46(2).</p>

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force on various dates the provisions of the Representation of the People Act 1969 set out in the Schedules to the Order. The only provisions of the Act not brought into force are section 18(1) (ordinary day of election at certain local government elections) and Schedule 1, Part II, paragraph 4 (official mark).