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STATUTORY INSTRUMENTS

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**1983 No. 605**

**REPRESENTATION OF THE PEOPLE**

**The Parliamentary Writs Order 1983**

*Laid before Parliament in draft*

*Made - - - - 20th April 1983*

*Coming into Operation 20th April 1983*

At the Court at Windsor Castle, the 20th day of April 1983

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before Parliament for forty days (computed in accordance with section 7(1) of the Statutory Instruments Act 1946) and neither House of Parliament has resolved that the instrument be not submitted to Her Majesty:

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by rule 3 of the parliamentary elections rules in Schedule 1 to the Representation of the People Act 1983(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Parliamentary Writs Order 1983 and shall come into operation forthwith.

(2) This Order shall not extend to Northern Ireland.

**Interpretation**

2. In this Order—

“appropriate official” means the official referred to in Article 10(1) below;

“elections rules” means the parliamentary elections rules set out in Schedule 1 to the Representation of the People Act 1983;

“parliamentary writs list” means the list prepared and kept in accordance with Article 6 below;

“writ” means the writ for a parliamentary election.

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(1) rule 3(5) is extended by rule 4(3).

### **Form of notices to Clerk of the Crown**

3.—(1) A notice given under sub-paragraph (a) of rule 4(1) of the elections rules (by which the returning officer for a constituency in England and Wales requests that the writ shall be conveyed to the acting returning officer) shall be in the form set out in paragraph 1 of the Schedule to this Order (or a form to the like effect).

(2) A notice revoking the notice prescribed by paragraph (1) above shall be in the form set out in paragraph 2 of the Schedule to this Order (or a form to the like effect).

### **Duty to notify acting returning officer**

4. A returning officer shall forthwith copy any notice he has given under sub-paragraph (a) of rule 4(1) of the elections rules to the appropriate acting returning officer in order that the acting returning officer may comply with Article 5(2) below.

### **Duty to provide address to the Post Office**

5.—(1) Every returning officer for a constituency shall—

- (a) if requested by the Post Office so to do, or
- (b) on the revocation of any notice given under sub-paragraph (a) of rule 4(1) of the elections rules

provide to the Post Office an address at which the writ may be conveyed to him and, on any change of that address, he shall as soon as possible provide to the Post Office a new address for that purpose.

(2) Every acting returning officer for a constituency in England and Wales to whom the writ is to be delivered by virtue of a notice given under sub-paragraph (a) of rule 4(1) of the elections rules shall—

- (a) on being informed that such a notice has been given, or
- (b) if requested by the Post Office so to do,

provide to the Post Office an address at which the writ may be conveyed to him and, on any change of that address, he shall as soon as possible provide to the Post Office a new address for that purpose.

### **Parliamentary writs list**

6. The Post Office shall prepare and keep up to date a list (in this Order referred to as the “parliamentary writs list”) setting out—

- (a) by the title of his office, each returning officer in respect of whom a notice under sub-paragraph (a) of rule 4(1) of the elections rules is not in force, together with, as the address of the office of that officer, the address provided under Article 5(1) above, and
- (b) by the title of his office, each acting returning officer in respect of whom a notice under sub-paragraph (a) of rule 4(1) of the elections rules is in force, together with, as the address of the office of the officer, the address provided under Article 5(2) above.

### **Appointment of postal officials**

7.—(1) The Post Office shall, in respect of each returning officer or acting returning officer set out in the parliamentary writs list, appoint a postal official as the person responsible for securing the delivery of any writ required under rules 3 and 4 of the elections rules to be conveyed to that officer.

(2) The designation and address of the officer appointed under paragraph (1) above shall be entered in the parliamentary writs list together with a reference to the officer to whom he is required to secure the delivery of any writ.

### **Copy of the list or alterations to it**

8. The Post Office shall, as soon as practicable after—
- (a) a new parliamentary writs list has been prepared, or
  - (b) alterations have been made to a parliamentary writs list,

send a copy of the list or, as the case may be, the alterations to the Clerk of the Crown.

### **Writs to be conveyed by post**

9. Writs for parliamentary elections shall be conveyed by sending them through the post in accordance with Articles 10 and 11 below.

### **Conveyance of writ to appropriate official**

10.—(1) As soon as may be after the issue of the writ for a parliamentary election in a constituency, the Clerk of the Crown shall cause a package containing the writ and other items mentioned in paragraph (2) below to be sent by registered post to the postal official appearing from the parliamentary writs list to be charged with the duty of securing the delivery of the writ (in this Order referred to as the “appropriate official”).

- (2) The package referred to in paragraph (1) above shall contain, in addition to the writ—
- (a) instructions from the Post Office to the appropriate official as to the delivery of the writ; and
  - (b) a form of receipt for the writ to be signed by the person to whom it is delivered.

### **Conveyance of writ by appropriate official**

11.—(1) The appropriate official shall forthwith on receipt of the package referred to in Article 10 above convey the writ, or cause it to be conveyed, to the returning officer or, as the case may be, acting returning officer to whom it is addressed: but delivery of the writ to a person found in and for the time being in charge of the place which is recorded in the parliamentary writs list as being the office of the returning officer or, as the case may be, acting returning officer, shall be as good as delivery to that officer.

(2) The person to whom the writ is delivered in accordance with paragraph (1) above shall sign the receipt referred to in Article 10(2)(b) above and shall hand it to the appropriate official or person acting on his behalf.

(3) The appropriate official shall as soon as practicable send the receipt which has been signed in accordance with paragraph (2) above to the Clerk of the Crown by registered post.

### **Revocation and savings**

12.—(1) Subject to the savings in paragraph (2) below, the Parliamentary Writs Order 1944 is hereby revoked.

(2) Without prejudice to the Interpretation Act 1978, the parliamentary writs list which was prepared under the Order revoked by paragraph (1) above shall continue to have effect as if made under this Order, as shall any notice which was given under that Order and remains in force on the coming into operation of this Order.

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*N.E. Leigh*  
Clerk of the Privy Council

## SCHEDULE

Article 3

### FORMS

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### EXPLANATORY NOTE

This Order replaces the Parliamentary Writs Order 1944, which would otherwise have effect as if made under the parliamentary elections rules in Schedule 1 to the Representation of the People Act 1983 (“the elections rules”). Under this Order (which does not extend to Northern Ireland) the manner in which writs for parliamentary elections are to be conveyed in Great Britain will continue to be by post (Article 9).

The following changes of substance are made. A returning officer who has given the Clerk of the Crown in Chancery notice under rule 4(1) of the elections rules that writs of election are to be conveyed to the acting returning officer is required by Article 4 to give a copy of that notice to the acting returning officer. The latter officer is required by Article 5(2) to give notice of an address at which the writ is to be delivered to him, which address is recorded under Article 6. Article 11(1) provides that delivery of the writ to a person found in and for the time being in charge of the place recorded in the parliamentary writs list as being the office of the returning officer or, as the case may be, acting returning officer shall be as good as delivery to that officer.