

---

## STATUTORY INSTRUMENTS

---

# 2023 No. 1147

## The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023

### PART 4

#### Other amendments

#### **The Recall of MPs Act 2015 (Recall Petition) Regulations 2016**

- 19.**—(1) The Recall of MPs Act 2015 (Recall Petition) Regulations 2016 are amended as follows.
- (2) In regulation 2 (application), in paragraph (2), after sub-paragraph (ja) insert—
- “(jb) regulation 72A (verification of information provided in an application for absent signing);
  - (jc) regulation 72B (power to request additional evidence in relation to absent signing applications where registration officer considers it necessary);
  - (jd) regulation 72C (processing of information provided in connection with absent signing applications);
  - (je) regulation 73A (notification postal signing entitlement is to end);”.
- (3) In regulation 3 (interpretation), in paragraph (1)—
- (a) after the definition of “declaration of identity” insert—

““digital service” means the Individual Electoral Registration Digital Service, which is the digital service provided by the Secretary of State for the purpose (amongst other purposes) of processing online applications for absent signing at a particular petition in England, Wales or Scotland and for verifying information in accordance with regulation 72A;”;
  - (b) for the definition of “overseas elector’s declaration” substitute—

““overseas elector’s declaration” means a declaration made under section 2 of the 1985 Act (registration of British citizens overseas)(1);”.
- (4) In regulation 25 (questions to be put to persons signing the petition)—
- (a) in the table following paragraph (1)—
    - (i) in entry 2, in the column headed “Questions”, for question (c) substitute—

“(c) “Have you already signed this petition as a proxy, whether here or elsewhere in this constituency, on behalf of four or more persons entitled to sign?”

---

(1) Section 2 was substituted by paragraph 3 of Schedule 2 to the Representation of the People Act 2000 (c. 2). It is prospectively substituted by section 14(1) of the Election Act 2022 (c. 37) from a date and time to be appointed.

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (d) If the person answers question (c) in the negative: “Have you already signed this petition as a proxy, whether here or elsewhere in this constituency, on behalf of two or more persons entitled to sign?”
  - (e) If the person answers question (d) in the affirmative: “Were two or more of the persons on whose behalf you have signed this petition registered in a register of electors otherwise than in pursuance of an overseas elector’s declaration or a service declaration?”
  - (f) If the person answers question (e) in the affirmative: “Is the person (or are the persons) for whom you are signing today registered in a register of electors otherwise than in pursuance of an overseas elector’s declaration or a service declaration?”
  - (g) At a petition held in Northern Ireland: “What is your date of birth?””;
- (ii) in entry 3, in the column headed “Questions”, for question (c) substitute—
- “(c) “Have you already signed this petition as a proxy, whether here or elsewhere in this constituency, on behalf of four or more persons entitled to sign?”
  - (d) If the person answers question (c) in the negative: “Have you already signed this petition as a proxy, whether here or elsewhere in this constituency, on behalf of two or more persons entitled to sign?”
  - (e) If the person answers question (d) in the affirmative: “Were two or more of the persons on whose behalf you have signed this petition registered in a register of electors otherwise than in pursuance of an overseas elector’s declaration or a service declaration?”
  - (f) If the person answers question (e) in the affirmative: “Is the person (or are the persons) for whom you are signing today registered in a register of electors otherwise than in pursuance of an overseas elector’s declaration or a service declaration?””;
- (iii) omit entry 4;
- (b) in paragraph (2), for “3(a) to (c)” substitute “3(a) and (b)”.
- (5) In regulation 50 (entitlement to sign by post or proxy), in paragraph (4)—
- (a) for “for a definite period and that period” substitute “and the period for which the resulting entitlement to vote by post”;
  - (b) omit “definite” in the second place it occurs.
- (6) In regulation 51 (absent signing at any petition for a definite or indefinite period: England, Wales and Scotland)—
- (a) in paragraph (1), omit “(whether for an indefinite period or for a particular period specified in that person’s application)”;
  - (b) after paragraph (1) insert—
    - “(1A) Any grant of an application under paragraph (1) is to be for—
      - (a) the period ending with the third 31st January following the date on which the application is granted, or
      - (b) any shorter period specified in the application.
    - (1B) But where the person is registered in the register of parliamentary electors in pursuance of an overseas elector’s declaration, paragraph (1A) does not apply and instead any grant of an application is to be for—

- (a) the period ending with the date on which, in accordance with section 2(2)(a) of the 1985 Act, the person's entitlement to remain registered in that register ends, or
    - (b) any shorter period specified in the application.”;
  - (c) for paragraph (4)(a) substitute—
    - “(a) where the applications were to sign the petition—
      - (i) by post, the period for which that application was granted;
      - (ii) by proxy, whether that was for an indefinite or a particular period (specifying that period);”;
  - (d) in paragraph (7), omit “(whether for an indefinite period or for a particular period specified in his application)”;
  - (e) after paragraph (7) insert—
    - “(7A) The following apply to an application under paragraph (7) as they apply to an application under paragraph (1)—
      - (a) where the applicant is registered in the register of parliamentary electors in pursuance of an overseas elector's declaration, paragraph (1B);
      - (b) otherwise, paragraph (1A).”;
  - (f) in paragraph (9), omit “definite” in both places it occurs.
- (7) In regulation 57 (proxies at petitions)—
- (a) in paragraph (3), before sub-paragraph (a) insert—
    - “(za) is not registered in a register of parliamentary electors,”;
  - (b) for paragraph (5) substitute—
    - “(5) A person—
      - (a) is not entitled to sign a petition as proxy on behalf of more than two persons who do not fall within paragraph (5A), but
      - (b) subject to sub-paragraph (a), is entitled to sign such a petition on behalf of up to four persons.
    - (5A) A person falls within this paragraph if the person is registered in the register in pursuance of an overseas elector's declaration or as a service voter.”.
- (8) In regulation 58 (signing the petition as a proxy)—
- (a) after paragraph (6) insert—
    - “(6A) Any grant of an application under paragraph (5) to sign by post as proxy at recall petitions in England, Wales or Scotland is to be for—
      - (a) the period ending with the third 31st January following the date on which the application is granted, or
      - (b) any shorter period specified in the application.”;
  - (b) in paragraph (7), for sub-paragraph (a) substitute—
    - “(a) the period for which the applicant may sign recall petitions by post as proxy; and”.
- (9) In regulation 60 (general requirements for applications for absent signing)—
- (a) in paragraph (1), after sub-paragraph (a) insert—
    - “(aa) the applicant's national insurance number or, if they are not able to provide that information, the reason why they are not able to do so;”;

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

- (b) after paragraph (6) insert—
- “(6A) Where, by virtue of arrangements made by the Secretary of State, an application under Chapter 1 of this Part for absent signing at a particular petition in England, Wales or Scotland may be made through the digital service—
- (a) the Secretary of State may complete the application in part using information provided by the applicant as part of an application, or partially completed application, under section 10ZC or 10ZD of the 1983 Act for registration in, or alteration of, a register of electors made through or completed using the digital service;
  - (b) where the application is required to contain a signature, the application must contain a compliant photograph or electronic scan of the applicant’s signature;
  - (c) the Secretary of State must—
    - (i) request that the applicant provide their most recent previous name (if they have one), and
    - (ii) provide an explanation of the purpose for which the information will be used.
- (6B) In sub-paragraph (6A)(b) “compliant photograph or electronic scan of the applicant’s signature” means—
- (a) the signature contained in the photograph or electronic scan complies with the requirements of paragraph (a) of sub-paragraph (3), and
  - (b) the photograph or electronic scan of the signature is sufficiently clear and unambiguous so as to comply with the requirements of sub-paragraph (3).
- (6C) Where an applicant is unable to provide a national insurance number in accordance with paragraph (1)(aa), the applicant may provide as part of the application a copy of any of the documents listed in regulation 72B(2) to (4).
- (6D) The Secretary of State must send to the appropriate registration officer—
- (a) subject to paragraph (6E), any application the Secretary of State receives via the digital service,
  - (b) the applicant’s previous name (if any provided),
  - (c) any copy documentation provided by the applicant in accordance with paragraph (6C), and
  - (d) a reference number unique to that application.
- (6E) Where an application made through the digital service in accordance with paragraph (6A) includes the applicant’s national insurance number the Secretary of State—
- (a) may send the registration officer that application without the national insurance number, and
  - (b) where the Secretary of State does so, must indicate to the registration officer that a national insurance number was included when the application was made by the applicant.”;
- (c) in paragraph (7), in sub-paragraph (b), for “(1)(f)” substitute “(1)(aa) and (f)”.
- (10) In regulation 63 (additional requirements for applications for the appointment of a proxy)—
- (a) in paragraph (1), omit “together with that person’s family relationship, if any, with the applicant.”;
  - (b) after paragraph (1) insert—

“(1A) An application for the appointment of a proxy under regulation 52 or 54 must also include the date of birth of the person that the applicant wishes to appoint as proxy.”.

(11) In regulation 68 (additional requirements for applications for a proxy signature in respect of a particular petition: England and Wales and Scotland), after paragraph (6) insert—

“(6A) Where an application under regulation 53(2) is made after 5pm on the sixth day before the last day of the signing period for the petition for which it is made because the circumstances set out in paragraph (4C)(a) of regulation 71 apply, the application must (in addition to providing any other information required by this Part) state that it is being made because of those circumstances.”.

(12) In regulation 71 (closing date for applications: England and Wales and Scotland)—

(a) in paragraph (4A), after “identification” insert “or in the circumstances set out in paragraph (4C)”;

(b) after paragraph (4B) insert—

“(4C) The circumstances are that—

(a) the applicant submitted the application because an earlier application submitted by that applicant under regulation 51(2) or 57(6) is to be disregarded for the purposes of the petition referred to in paragraph (3) because that earlier application was—

(i) submitted prior to the deadline of 5pm on the sixth day before the last day of the signing period for the petition referred to in paragraph (3),

(ii) submitted via the digital service, and

(iii) not received by the registration officer until after the deadline of 5pm on the sixth day before the last day of the signing period for the petition referred to in paragraph (3) due to a technical defect in the digital service,  
or

(b) the application referred to in paragraph (3) meets the conditions specified in paragraphs (i), (ii) and (iii) of sub-paragraph (a).”.

(13) After regulation 72 (closing date for applications: Northern Ireland) insert—

**“Verification of information provided in an application for absent signing**

**72A.**—(1) On receipt of an application made under Part 4 for absent signing at a particular petition in England, Wales or Scotland made otherwise than through the digital service, a registration officer must disclose the applicant’s name or names, address, date of birth and national insurance number (“the first stage information”) to the Secretary of State for Levelling Up, Housing and Communities in such format and through such an infrastructure system as the Secretary of State for Levelling Up, Housing and Communities may have notified to the registration officer in writing.

(2) Following receipt of the first stage information from the registration officer or, in the case of an application made through or partially completed using the digital service, from an applicant, the Secretary of State for Levelling Up, Housing and Communities may disclose the first stage information to the Secretary of State for Work and Pensions.

(3) Where the first stage information has been disclosed to the Secretary of State for Work and Pensions under paragraph (2), the Secretary of State for Work and Pensions may compare it against—

(a) the name, address, date of birth and national insurance number of individuals appearing in the following types of data kept by the Secretary of State—

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (i) data kept for the purposes of functions relating to social security (including such information kept on behalf of the Department for Social Development); and
  - (ii) data relating to working tax credit, child tax credit and child benefit (being information kept on behalf of His Majesty’s Revenue and Customs); and
- (b) any other information contained in such types of data which relates to the information disclosed under paragraph (2).
- (4) The Secretary of State for Work and Pensions may disclose the results of the comparison of the first stage information (“the second stage information”) to the Secretary of State for Levelling Up, Housing and Communities.
- (5) On receipt of the second stage information, the Secretary of State for Levelling Up, Housing and Communities may disclose that information—
- (a) to the Secretary of State for Work and Pensions, or
  - (b) to the registration officer to whom the application has been made or, in the case of an application made through the digital service, the registration officer appointed for the register to which the application relates.
- (6) Paragraph (3) applies to the second stage information where it has been disclosed to the Secretary of State for Work and Pensions under paragraph (5)(a) as it applies to the first stage information disclosed under paragraph (2).
- (7) The Secretary of State for Work and Pensions may disclose the results of the comparison of the second stage information (“the third stage information”) to the Secretary of State for Levelling Up, Housing and Communities.
- (8) On receipt of the third stage information, the Secretary of State for Levelling Up, Housing and Communities may—
- (a) compare the third stage information against the information provided in the relevant absent voting application, and
  - (b) notify the registration officer to whom the application has been made or, in the case of an application made through the digital service, the registration officer appointed for the register to which the application relates, as to whether the comparison in subparagraph (a) resulted in a match.
- (9) The registration officer must take into account any information disclosed by, or notification received from, the Secretary of State for Levelling Up, Housing and Communities in accordance with this regulation when determining the application.
- (10) This regulation does not apply in relation to an application under Part 4 for absent signing at a particular petition—
- (a) which is received by the registration officer after 5pm on the sixth day before the last day of the signing period for the petition for which it is made, and
  - (b) where regulation 71(4) or (4A) applies.
- (11) In this regulation—
- (a) “infrastructure system” has the meaning given in Schedule 3A to the Communications Act 2003;
  - (b) the reference in paragraph (1) to the applicant’s address is a reference to the address contained in the application in accordance with regulation 60(1)(b).

**Power to request additional evidence in relation to absent signing applications where registration officer considers it necessary**

**72B.**—(1) This regulation applies where, upon receipt of an application under Part 4 for absent signing at a particular petition in England, Wales or Scotland, a registration officer considers additional evidence is necessary to verify the identity of the applicant.

(2) The registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of one of the following documents—

- (a) the applicant’s passport;
- (b) the applicant’s identity card issued in the European Economic Area;
- (c) the applicant’s biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the Borders Act 2007;
- (d) the applicant’s electoral identity card issued in Northern Ireland; or
- (e) the applicant’s photocard driving licence granted in the United Kingdom or driving licence granted by a Crown Dependency, which bears a photograph of the applicant.

(3) Where an applicant is not able to give one of the documents in paragraph (2), the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of—

- (a) one of the following documents, which, except in relation to paragraph (vii), must have been issued in the United Kingdom or Crown Dependencies—
  - (i) the applicant’s birth certificate;
  - (ii) the applicant’s marriage or civil partnership certificate;
  - (iii) the applicant’s adoption certificate;
  - (iv) the applicant’s firearms certificate granted under the Firearms Act 1968;
  - (v) the record of a decision on bail made in respect of the applicant in accordance with section 5(1) of the Bail Act 1976;
  - (vi) the applicant’s driving licence, which is not in the form of a photocard; or
  - (vii) the applicant’s driving licence granted other than in the United Kingdom or Crown Dependencies, which bears a photograph of the applicant and which must be valid for at least 12 months from the date the applicant entered the United Kingdom; and
- (b) two other documents, each of which may be either from sub-paragraph (a) or from paragraph (4).

(4) Where the applicant is not able to give documents in accordance with paragraph (3), the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of four documents, each of which may be any of the following kinds of evidence and which must bear the applicant’s full name—

- (a) a financial statement, including but not limited to—
  - (i) a mortgage statement;
  - (ii) a bank or building society statement or a letter from a bank or building society confirming that the applicant has opened an account with that bank or building society;
  - (iii) a credit card statement;
  - (iv) a pension statement;
- (b) a council tax demand letter or statement;

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (c) a utility bill;
  - (d) a Form P45 or Form P60 issued to the applicant by their employer or former employer;
  - (e) a statement of benefits or entitlement to benefits, such as a statement of child benefit, within the meaning of section 141 of the Social Security Contributions and Benefits Act 1992, or a letter confirming that the applicant is entitled to housing benefit, within the meaning of section 130 of that Act.
- (5) Where the applicant is registered, or has applied to be registered, in a register of parliamentary electors in pursuance of an overseas elector’s declaration—
- (a) paragraph (3) applies as if, in sub-paragraph (a)(vii), the words from “and which must” to “Kingdom” were omitted;
  - (b) paragraph (4) applies as if after “kinds of evidence” there were inserted “, must have been issued in the United Kingdom or Crown Dependencies”.
- (6) If an applicant is unable to give the documentary evidence required under paragraphs (2) to (4), the registration officer may require that the applicant give an attestation which must—
- (a) confirm that the applicant is the person named in the application,
  - (b) be in writing and signed by a qualifying attester,
  - (c) state the qualifying attester’s full name, date of birth, occupation, residential address and (if different) the address in respect of which the qualifying attester is registered as an elector,
  - (d) state—
    - (i) where the qualifying attester is registered in pursuance of an overseas elector’s declaration, the attester’s British passport number together with its date and place of issue;
    - (ii) otherwise—
      - (aa) where the qualifying attester is registered in respect of an address in Northern Ireland and has been allocated a digital registration number in accordance with section 10B of the 1983 Act (register of electors in Northern Ireland: digital registration number), that digital registration number,
      - (bb) in all other cases, the qualifying attester’s electoral number,
  - (e) include an explanation as to the qualifying attester’s ability to confirm that the applicant is the person named in the application, including (but not limited to) the qualifying attester’s connection to the applicant and the length of time that that connection has existed,
  - (f) include—
    - (i) an indication that the qualifying attester is aware of section 13D(1) of the 1983 Act (offence of provision of false information to a registration officer), and
    - (ii) a declaration by the qualifying attester that all information provided in the attestation is true, and
  - (g) state the date on which it is made.
- (7) In paragraph (6), a “qualifying attester” is a person—
- (a) where the applicant is or is to be registered in pursuance of an overseas elector’s declaration, who is aged 18 or over,



---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (b) who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant,
  - (c) who is—
    - (i) where the applicant is or is to be registered in pursuance of an overseas elector’s declaration, registered as an elector,
    - (ii) otherwise—
      - (aa) where the applicant is or is to be registered in a local authority area in England or Wales, registered as an elector in a local authority in England or Wales,
      - (bb) where the applicant is or is to be registered in a local authority area in Scotland, registered as an elector in a local authority area in Scotland,
  - (d) except where the person is registered in pursuance of an overseas elector’s declaration, whom the registration officer is satisfied is of good standing in the community, and
  - (e) who has not already signed a relevant identity attestation for two other applicants since, whichever is the later,—
    - (i) the date on which the revised register in which the qualifying attester’s name appears was last published under section 13(1) of the 1983 Act; or
    - (ii) the date on which a notice specifying the qualifying attester’s entry in the register was issued under (as the case may be) section 13A(2), 13AB(2), 13B or 13BC of that Act (and if there has been more than one such notice, the date on which the last one was issued).
- (8) In paragraph (7)(e), a “relevant identity attestation” is an attestation provided in accordance with—
- (a) sub-paragraph (6);
  - (b) regulation 26B(6) or 56C(6) of the 2001 Regulations;
  - (c) regulation 26B(6) or 56C(6) of the Representation of the People (Scotland) Regulations 2001;
  - (d) paragraph 16C(5) of Schedule 2 to the Police and Crime Commissioner Elections Order 2012;
  - (e) regulation 7(6) of the Voter Identification Regulations 2022.
- (9) Paragraphs (2) to (6) do not apply where the applicant is registered, or has applied to be registered, in the register of electors in pursuance of the following declarations—
- (a) a service declaration on the grounds that the applicant is a Crown servant or the spouse or civil partner of a Crown servant;
  - (b) a service declaration on the grounds that the applicant is a member of the forces; or
  - (c) a service declaration on the grounds that the applicant is the spouse or civil partner of a member of the forces.
- (10) In the case of an application to which paragraph (9)(a) or (c) applies, the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of one of the following documents, which has been certified by a Crown servant or British Council employee or an officer of the forces, who is not the applicant’s spouse or civil partner—
- (a) the applicant’s passport; or
  - (b) the applicant’s identity card issued in the European Economic Area.

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

(11) In the case of an application to which paragraph (9)(b) applies, the registration officer may require that the applicant give an attestation which must—

- (a) confirm that the applicant is the person named in the application;
- (b) be in writing and signed by an officer of the forces who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant;
- (c) state the full name, address and rank of the person signing the attestation and the service (whether naval, military or air forces) in which they serve; and
- (d) state the date on which it is made.

(12) In this regulation—

“Crown Dependency” means the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man;

“Crown servant” has the meaning given by regulation 14 of the 2001 Regulations;

“member of the forces” has the same meaning as in section 59(1) of the 1983 Act;

“officer of the forces” means a member of the forces who is an officer.

(13) This paragraph does not apply in relation to an application under Part 4 for absent signing at a particular petition—

- (a) which is received by the registration officer after 5pm on the sixth day before the last day of the signing period for the petition for which it is made, and
- (b) where regulation 71(4) or (4A) applies.

### **Processing of information provided in connection with absent signing applications**

**72C.**—(1) If a person provides an original document under regulation 72B, the registration officer must make a copy of that document and return the original document to the person who provided it.

(2) In respect of an application under Part 4 for absent signing at a particular petition in England, Wales or Scotland, the registration officer must retain until the application has been determined—

- (a) the application form or, in the case of an application made through the digital service, the information contained in the application transmitted to the registration officer by the Secretary of State;
- (b) any other information or documents provided to the registration officer in connection with the application or, in the case of original documents which are returned under paragraph (1), a copy of such documents.

(3) Subject to paragraph (4), the registration officer may retain the application form, information and documents in paragraph (2) after the application has been determined but, if they do so, must delete the applicant’s national insurance number from the application form, information and documents in paragraph (2) by no later than the date which is 13 months from the date on which the registration officer determined the application for absent signing.

(4) The requirement to delete the national insurance number in paragraph (3) does not apply where the application, information and documents in paragraph (2) are required for the purpose of any civil or criminal proceedings.

(5) Information disclosed under regulation 72A must not be disclosed to any other person, except—

- (a) for the purpose of determining the application for absent signing in connection with which the information was disclosed, or

- (b) for the purpose of any civil or criminal proceedings.
- (6) A person who discloses information in breach of paragraph (5) is guilty of an offence and liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine (or both);
  - (b) on summary conviction—
    - (i) in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court, or to a fine (or both);
    - (ii) in Scotland, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum (or both).
- (7) Any information disclosed under regulation 72A must be processed in accordance with any requirements as to the processing of information that may have been imposed by the Secretary of State for Levelling Up, Housing and Communities in writing in advance of that processing, including requirements as to the transfer, storage, destruction and security of that information.
- (8) In this regulation, “copy” includes an electronic copy.”.
- (14) In regulation 73 (grant or refusal of applications)—
  - (a) for paragraph (1) substitute—

“(1) Where the registration officer grants an application to sign the petition by post, the registration officer must notify the applicant of—

    - (a) that decision,
    - (b) where the entitlement to sign by post is for a particular petition, the date on which the signing period for that petition ends, and
    - (c) where the application relates to the signing of a petition or petitions in England, Wales or Scotland and the entitlement to sign by post is for a particular period, the date on which the entitlement ends.”;
  - (b) after paragraph (8) insert—

“(9) Paragraphs (10) to (12) apply where—

    - (a) regulation 61 applies to an application to sign by post, or would have applied if paragraph (3) of that regulation were ignored, or
    - (b) regulation 62 applies to such an application, or would have applied if paragraph (3) of that regulation were ignored.
  - (10) A notification under paragraph (1) or (4) to one of the following types of applicants must also include a statement that a signing sheet will be sent to the signing sheet delivery address—
    - (a) an applicant registered in pursuance of an overseas elector’s declaration;
    - (b) an applicant registered in pursuance of a service declaration;
    - (c) an applicant registered in pursuance of a declaration of local connection (within the meaning of section 7B of the 1983 Act);
    - (d) an applicant who is a merchant seaman (within the meaning of section 6 of the 1983 Act);
    - (e) an applicant who has an anonymous entry.
  - (11) Where sub-paragraphs (a) to (e) of paragraph (10) do not apply to the applicant, the registration officer must, in addition to notifying the applicant in accordance with paragraphs (1), (3), (4) or (7), notify the applicant in writing that—

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

- (a) the application has been granted, refused or disregarded, and
  - (b) where the application has been granted, that a signing sheet will be sent to the signing sheet delivery address.
- (12) A notification under paragraph (11) must be delivered to—
- (a) where paragraph (9)(b) applies and the notification is to be delivered to—
    - (i) a person shown as voting by post in the record kept under paragraph 7(6) of Schedule 4 or section 9(6) of the 1985 Act<sup>(2)</sup>, or
    - (ii) a person shown as signing by post in the record kept under regulation 58(7),  
the address shown in that record;
  - (b) otherwise—
    - (i) the address stated in the application in accordance with regulation 60(1)(b), or
    - (ii) the proxy’s address stated in the application in accordance with regulation 60(1)(c).
- (13) In paragraphs (10) and (11), the “signing sheet delivery address” means—
- (a) where paragraph (9)(a) applies, the address stated in the application in accordance with regulation 60(1)(d);
  - (b) where paragraph (9)(b) applies, the different address described in regulation 62(2).”.
- (15) After regulation 73 insert—

**“Notification postal signing entitlement is to end**

**73A.**—(1) This regulation applies in respect of a person who remains entitled to sign petitions held in England, Wales or Scotland by virtue of a postal signing entitlement which was granted for the maximum period (“the relevant person”).

(2) The registration officer must, before the end of the maximum period, send to the relevant person—

- (a) a notice informing the person of the date on which the person’s entitlement to sign by post is to end, and
- (b) information about how to make a fresh application to sign by post (as a person on the person’s own behalf or, as the case may be, as proxy).

(3) In this regulation—

“maximum period” means the period described in regulation 51(1A)(a) or (1B)(a) or 58(6A)(a);

“postal signing entitlement” means an entitlement to sign by post at recall petitions resulting from the grant of an application under regulation 51(1) or (7) or 58(5).”.

(16) In regulation 119 (other signing offences)—

(a) after paragraph (1) insert—

“(1A) A person (“P”) is guilty of an offence if P applies for the appointment of a proxy to sign a petition for P—

---

(2) Section 9 was repealed, in relation to England, Wales and Scotland, by section 12(2) of the Representation of the People Act 2000 (c. 2). Subsection (6) was amended by paragraph 17(5) of Schedule 6 to the Representation of the People Act 2000.

- (a) where P knows that the person to be appointed is already appointed as proxy to sign that petition for four or more other persons;
  - (b) where—
    - (i) P is or will be registered in the register otherwise than in pursuance of an overseas electors declaration or as a service voter; and
    - (ii) P knows that the person to be appointed is already appointed as proxy to sign that petition, or petitions, for two or more other persons none of whom is registered in the register in pursuance of an overseas elector’s declaration or as a service voter;
  - (c) where P knows that the person to be appointed is already appointed as proxy to sign a petition or petitions for four or more other persons;
  - (d) where—
    - (i) P is or will be registered in the register otherwise than in pursuance of an overseas electors declaration or as a service voter; and
    - (ii) P knows that the person to be appointed is already appointed to sign a petition or petitions, for two or more other persons none of whom is registered in the register in pursuance of an overseas elector’s declaration or as a service voter.”;
- (b) for paragraph (4) substitute—
- “(4) A person (“P”) is guilty of an offence if P signs a petition as proxy—
- (a) for more than four persons, or
  - (b) for more than two persons where P knows that more than two of those persons are registered in the register otherwise than in pursuance of an overseas elector’s declaration or as a service voter.”.

(17) In regulation 143 (electronic signatures and related certificates), for paragraph (4) substitute—

“(4) This regulation does not apply—

    - (a) in relation to an application made under Part 4 for absent signing at a particular petition in England, Wales or Scotland, for which the general requirements are set out in regulation 60, or
    - (b) to the provision of signatures under regulation 27 (signing procedure: England and Wales and Scotland) or regulation 28 (signing procedure: Northern Ireland) which must be given by hand.”.

(18) In Schedule 2 (forms)—

      - (a) in Part 1 (United Kingdom), for Form D (official petition notice for an elector who may sign the petition in person), Form F (official petition notice for a proxy who may sign the petition in person) and Form J (proxy paper) substitute the corresponding forms in Part 1 of Schedule 10;
      - (b) in Part 3 (Northern Ireland), for Form D (official petition notice for an elector who may sign the petition in person), Form F (official petition notice for a proxy who may sign the petition in person) and Form J (proxy paper) substitute the corresponding forms in Part 2 of Schedule 10.

---

**Commencement Information**

**II** Reg. 19(1)-(3)(7)(a)(8)-(15)(16)(a)(17) in force at 31.10.2023, see [reg. 1\(2\)](#)

---

**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

---

- I2** Reg. 19(18) in force at 31.1.2024 for specified purposes, see [reg. 1\(3\)\(f\)](#)
- I3** Reg. 19(4)(7)(b)(16)(b) in force at 31.1.2024, see [reg. 1\(3\)\(f\)](#)

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- reg. 19(4)reg. 19(7)(b)reg. 19(16)(b) coming into force by [S.I. 2023/1147 reg. 1\(3\)\(f\)](#)
- reg. 19(18) coming into force by [S.I. 2023/1147 reg. 1\(3\)\(f\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 4(3)(4) inserted by [S.I. 2024/99 reg. 2\(2\)](#)
- Sch. 2 para. 9(4)(5) inserted by [S.I. 2024/99 reg. 2\(3\)](#)
- Sch. 2 para. 13(4)(5) inserted by [S.I. 2024/99 reg. 2\(4\)](#)
- Sch. 2 para. 17(4)(5) inserted by [S.I. 2024/99 reg. 2\(5\)](#)
- Sch. 2 para. 30(6)(7) inserted by [S.I. 2024/99 reg. 2\(6\)](#)
- Sch. 2 para. 37(3A)(3B) inserted by [S.I. 2024/99 reg. 2\(7\)\(b\)](#)
- Sch. 2 para. 37(6)-(8) inserted by [S.I. 2024/99 reg. 2\(7\)\(d\)](#)
- Sch. 2 para. 42(4)(5) inserted by [S.I. 2024/99 reg. 2\(8\)](#)
- reg. 17(3)(b)reg. 17(5)(a)reg. 17(5)(b)(i)(aa)(ii)reg. 17(5)(b)(iii)(c)(6)-(8) coming into force by [S.I. 2023/1147 reg. 1\(3\)\(d\)](#)
- reg. 17(5)(ca) inserted by [S.I. 2023/1406 reg. 19\(2\)\(b\)](#)
- reg. 18(1)-(4)reg. 18(5)(a)(ii)reg. 18(5)(a)(iii)(b)(c)(6)-(8) coming into force by [S.I. 2023/1147 reg. 1\(3\)\(e\)](#)