

SCHEDULE 1

ENABLING POWERS

These Regulations are made under the following powers:

- (a) sections 10A(7) and (9)(1), 13A(6), 36(3C)(2), 53(3) and 201(1) and (3)(4) of, rule 24(5) of Schedule 1 and Schedule 2(6) to, the Representation of the People Act 1983 (“the 1983 Act”);
- (b) sections 3(5), (6) and (7)(7) and 15(5) of the Representation of the People Act 1985 (“the 1985 Act”);
- (c) having regard to the definition of “prescribed” in section 202(1) of the 1983 Act, sections 4(4)(8), 9(2)(9), 10A(1), (3), (6) and (7), 13(3), 13A(2), 13B(3), 14(1), 16, 56(1) and (5), 75(3) and 89(1) of, rules 24, 28(3), 29(3A)(10), 32(3) and 45(1B)(11) in Schedule 1 to, and paragraph 8(1) of Schedule 4 to, that Act;
- (d) having regard to the definition of “prescribed” in section 202(1) of the 1983 Act and section 27(2) of the 1985 Act, section 2(3) of the 1985 Act(12);
- (e) having regard to the definition of “prescribed” in section 202(1) of the 1983 Act and paragraph 1(2) of Schedule 4 to the Representation of the People Act 2000, the following provisions in that Schedule, namely, paragraphs 3(1)(b) and (2)(c), 4(1)(b), (2)(c) and (4)(a), 6(7) and (8) and 7(5)(c) and (7);
- (f) having regard to the designation(13) of the Secretary of State for the purposes of section 2(2) of the European Communities Act 1972(14) in relation to measures relating to the rights of citizens of the Union to vote at European Parliamentary elections and local government elections in England and Wales, that section 2(2); and
- (g) paragraph 2(4)(b) of Schedule 1 to the European Parliamentary Elections Act 1978(15).

SCHEDULE 2

Regulation 2

REVOCATIONS

<i>1</i> <i>Regulations revoked</i>	<i>2</i> <i>References</i>	<i>3</i> <i>Extent of revocation</i>
The Representation of the People Regulations 1986	S.I. 1986/1081	The whole Regulations except regulations 1, 4 and 97 to 100

- (1) Sections 10A and 13A were substituted by Schedule 1 to the 2000 Act.
- (2) Section 36(3C) was substituted by section 17 of the 1985 Act.
- (3) Section 53 was amended by Schedule 4 to the 1985 Act and Schedule 1 to the 2000 Act.
- (4) Section 201(1) was amended by S.I. 1991/1728 and section 201(3) was inserted by Schedule 1 to the 2000 Act.
- (5) Rule 24 was substituted by Schedule 6 to the 2000 Act.
- (6) Schedule 2 was amended by Schedules 2 and 4 to the 1985 Act; Schedules 1 and 6 to the 2000 Act; Schedule 16 to the Local Government (Wales) Act 1994 (c. 19); and section 5 of the Representation of the People Act 1989 (c. 28). Schedule 2 has also been amended by section 9 of the 2000 Act but the amendments are not yet in force.
- (7) Section 3 was substituted by Schedule 2 to the 2000 Act.
- (8) Section 4 was substituted by section 1(2) of the 2000 Act.
- (9) Sections 9, 10A, 13, 13A and 13B were substituted by Schedule 1 to the 2000 Act.
- (10) Rule 29(3A) was inserted by section 13(2) of the 2000 Act.
- (11) Rule 45(1B) was inserted by Schedule 6 to the 2000 Act.
- (12) Section 2 was substituted by Schedule 2 to the 2000 Act.
- (13) The European Communities (Designation) (No. 3) Order 1993 (S.I. 1993/2661).
- (14) 1972 c. 68.
- (15) 1978 c. 10.

<i>1</i> <i>Regulations revoked</i>	<i>2</i> <i>References</i>	<i>3</i> <i>Extent of revocation</i>
The Representation of the People (Amendment) Regulations 1990	S.I. 1990/520	The whole Regulations except regulations 29 to 31
The Representation of the People (Amendment) Regulations 1991	S.I. 1991/1198	The whole Regulations
The Representation of the People (Amendment) Regulations 1992	S.I. 1992/722	The whole Regulations
The European Parliamentary Elections (Changes to the Franchise and Qualification of Representatives) Regulations 1994	S.I. 1994/342	Part I of the Schedule
The Local Government Elections (Changes to the Franchise and Qualification of Members) Regulations 1995	S.I. 1995/1948	Paragraphs 12 to 16 of Schedule 2
The Representation of the People (Amendment) Regulations 1997	S.I. 1997/880	The whole Regulations

SCHEDULE 3

FORMS ARRANGEMENT OF FORMS

Form A:	Elector's official poll card
Form B:	Proxy's official poll card
Form C:	Return of expenses required by section 75 of the 1983 Act
Form D:	Declaration as to expenses required by section 75 of the 1983 Act
Form E:	Proxy paper
Form F:	Certificate of employment
Form G:	Declaration of identity (for use at parliamentary elections)
Form H:	Declaration of identity (for use when postal ballots are combined)

Form J:	Declaration of identity (for use when a parliamentary poll is combined with another poll but the postal ballots are not combined)
Form K:	Statement as to postal ballot papers

Regulation 9(2)

Form A: ELECTOR'S OFFICIAL POLL CARD

Front of card

REPRESENTATION OF THE PEOPLE ACTS

OFFICIAL POLL CARD

Constituency	Number on register
Polling Day	Name
Your polling station will be	Address
Polling hours 7 a.m. to 10 p.m.

Back of card

PARLIAMENTARY ELECTION

This card is for information only. You can vote without it, but it will save time if you take it to the polling station and show it to the clerk there.

When you go to the polling station, tell the clerk your name and address, as shown on the front of the card. The presiding officer will give you a ballot paper: see that he stamps the official mark on it before he gives it to you.

Go to one of the compartments. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate you are voting for.

Fold the ballot paper in two. Show the official mark to the presiding officer, but do not let anyone see your vote. Put the ballot paper in the ballot box and leave the polling station.

Vote for one candidate only. Put no other mark on the ballot paper, or your vote may not be counted.

If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.

If you have appointed a proxy to vote in person for you, you may nevertheless vote at this election if you do so before your proxy has voted on your behalf.

If you have been granted a postal vote, you will *not* be entitled to vote in person at this election, so please ignore this poll card.

ISSUED BY THE RETURNING OFFICER

Regulation 9(3)

Form B: PROXY'S OFFICIAL POLL CARD

Front of card

REPRESENTATION OF THE PEOPLE ACTS PROXY'S OFFICIAL POLL CARD

Proxy's name.....

Proxy's address

.....

PARLIAMENTARY ELECTION

.....Constituency

Polling day

The poll will be open from 7 a.m. to 10 p.m.

Back of card

The elector named below whose proxy you are is entitled to vote at the polling station—

.....

To vote as proxy you must go to that polling station. Tell the clerk that you wish to vote as proxy; give the name and qualifying address of the elector, as follows:

Number on register

Name (of elector)

Address

The presiding officer will give you the elector's ballot paper. The method of voting as proxy is the same as for casting your own vote.

It is an offence to vote as proxy for some other person if you know that that person is subject to a legal incapacity to vote, e.g. if that person has been convicted and is detained in a penal institution in pursuance of his sentence. It is also an offence to vote at this election for more than two persons of whom you are not the husband, wife, parent, grandparent, brother, sister, child or grandchild.

The person who appointed you as proxy may himself vote in person at this election if he is able, and wishes, to do so and if he votes before you on his behalf.

ISSUED BY THE RETURNING OFFICER

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory
Instrument: The Representation of the People (England and Wales) Regulations 2001 No. 341

Regulation 10(1)

**Form C: RETURN OF EXPENSES REQUIRED BY SECTION 75
OF THE 1983 ACT**

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE.....CONSTITUENCY/LOCAL GOVERNMENT AREA

Date of publication of notice of election

The expenses shown below were authorised in writing in accordance with the provisions of section 75 of the Representation of the People Act 1983.

They were authorised

by(name of election agent)

for the candidate(name of candidate) in the above-mentioned election.

They were incurred by(person/association/body of persons).

The agent's written authority is attached to this return.

Amount of expenses incurred: £.....

Signature Date.....

Regulation 10(1)

**Form D: DECLARATION AS TO EXPENSES REQUIRED BY SECTION 75
OF THE 1983 ACT**

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE.....CONSTITUENCY/LOCAL GOVERNMENT AREA

Date of publication of notice of election

Name of candidate.....

Name of election agent.....

I hereby declare that—

1. I am [the person] or [a director, general manager, secretary or similar officer of the association, organisation or body of persons]* named as incurring expenses in the accompanying return of expenses required by section 75 of the Representation of the People Act 1983.

2. To the best of my knowledge and belief that return is complete and correct.

3. The matter for which the expenses referred to in that return were incurred were as follows

.....
.....
.....
.....

Signature.....

Office held
(In the case of an association or body of persons)

Date

*enter as appropriate

Regulation 57(3)

Form E: PROXY PAPER

REPRESENTATION OF THE PEOPLE ACTS

Constituency

Polling district.....

Local government electoral area(s)

.....

European Parliamentary electoral region

Name of Proxy

Address

.....

.....

is hereby appointed as proxy for

(Name of elector)

*[who is qualified to be registered for

(Qualifying address)]

*[who qualifies as an overseas elector in respect of the above constituency] to vote for him/her at

*[the *[parliamentary] *[local government] *[European Parliamentary] election for the above
*[constituency] *[electoral area] *[European Parliamentary electoral region] on (date).....]

*[any *[parliamentary] *[local government] *[European Parliamentary] election for the above
*[constituency] *[electoral area] *[European Parliamentary electoral region]]

*[This proxy appointment is not valid until]

*[This proxy appointment remains valid until.....]

Signature

Electoral Registration Officer

Address

.....

.....

Date

*Delete whichever is inappropriate

YOUR RIGHT TO VOTE AS PROXY

1. This proxy paper gives you the right to vote as proxy on behalf of the elector whose name is given overleaf. However, you may not vote as proxy at the same election for more than two electors of whom you are not the husband, wife, parent, grandparent, brother, sister, child or grandchild.

2. Your appointment as proxy may be for a particular election only, or it may be for a definite or indefinite period.

If it is for a particular election, you have the right to vote as proxy only at the election specified in the proxy paper.

If it is for an indefinite period, you have in general the right to vote as proxy at any parliamentary, European Parliamentary or local government election for which the elector is qualified to vote until the electoral registration officer informs you to the contrary.

If it is for a definite period, your right to vote as proxy expires on the date stated on the form.

3. You may vote as proxy at the polling station allotted to the elector on whose behalf you are appointed. Shortly before polling day you will be sent a proxy poll card telling you where the polling station is. You do not need to take either the poll card or this proxy paper to the polling station but you may find it helpful to do so.

4. If you cannot vote in person at the polling station, you should consult the electoral registration officer about your right to vote by post.

Regulation 63(1)

Form F: CERTIFICATE OF EMPLOYMENT

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE CONSTITUENCY

I certify that (name)
who is numbered in the register of electors for the
constituency named above cannot reasonably be expected to go in person to the polling station allotted
to him or her at the election on (*date of poll*) by reason of the particular
circumstances of his or her employment on that date for a purpose connected with the election—

**Delete whichever* **(a)* as a constable
is inappropriate **(b)* by me.

Signature
*Returning officer/police officer (inspector or above).

Date

Note: The person named above is entitled to vote at any polling station of the above constituency on
production and surrender of this certificate to the presiding officer.

Regulation 66(a)

Form G: DECLARATION OF IDENTITY
(for use at parliamentary elections)

Front of form

DECLARATION OF IDENTITY
REPRESENTATION OF THE PEOPLE ACTS

Ballot Paper No

I hereby declare that I am the person to whom the ballot paper numbered as above was sent.

Voter's signature

The voter, who is personally known to me, has signed this declaration in my presence.

Witness's signature.....

Name of witness

(WRITE CLEARLY)

Address of witness.....

(WRITE CLEARLY)

.....

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

Back of form

INSTRUCTIONS TO THE VOTER

1. You must sign this declaration of identity in the presence of a person known to you. That person should then sign this declaration as a witness, adding his or her name and address. Without this the declaration will be invalid.
2. Vote for one candidate only. Put no other mark on the ballot paper or your vote may not be counted.
3. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate you are voting for. Do this secretly. If you cannot without assistance, the person assisting you must not disclose how you have voted.
4. Put the ballot paper in the small envelope marked "A" and seal it. Then put the envelope marked "A", together with the declaration of identity, in the larger envelope marked "B". Return it without delay. The ballot paper must be received by the returning officer not later than the close of the poll. Alternatively, it may be delivered to a polling station in this constituency on polling day.
5. If you receive more than one ballot paper, remember that it is illegal to vote more than once (otherwise than as proxy) at the same election.
6. At this election you cannot vote in person at a polling station, even if you receive an official poll card.
7. If you inadvertently spoil your ballot paper, you can apply to the returning officer for another one. With your application you must return, in your own envelope, the spoiled ballot paper, the declaration of identity and the envelopes marked "A" and "B". Remember that there is little time available if a fresh postal ballot paper is to be issued and counted.

Regulation 66(b)

Form H: DECLARATION OF IDENTITY

(for use when postal ballots are combined)

Front of form

REPRESENTATION OF THE PEOPLE ACTS

DECLARATION OF IDENTITY

Ballot Paper Nos.....

I hereby declare that I am the person to whom the ballot papers numbered as above were sent.

Voter's signature

The voter, who is personally known to me, has signed this declaration in my presence.

Witness's signature.....

Name of witness

(WRITE CLEARLY)

Address of witness.....

(WRITE CLEARLY)

.....

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

Back of form

INSTRUCTIONS TO THE VOTER

1. You must sign this declaration of identity in the presence of a person known to you. That person should then sign this declaration as a witness, adding his or her name and address. Without this the declaration will be invalid.

2. At the parliamentary election, vote for one candidate only. *[At the election of vote for no more than candidates.] Put no other mark on the ballot paper or your vote may not be counted.

**To be completed by the returning officer depending on the election to which regulation 66 applies.*

3. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name(s) of the candidate(s) you are voting for. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.

4. Put the ballot paper in the small envelope marked "A" and seal it. Then put the envelope marked "A", together with the declaration of identity, in the larger envelope marked "B". Return it without delay. The ballot paper must be received by the returning officer not later than the close of the poll. Alternatively, it may be delivered to a polling station in this constituency on polling day.

5. If you receive more than one ballot paper *relating to the same election*, remember that it is illegal to vote more than once (otherwise than as proxy) at the same election.

6. At these elections you cannot vote in person at a polling station, even if you receive an official poll card.

7. If you inadvertently spoil your ballot paper, you can apply to the returning officer for another one. If you do this you **MUST RETURN ALL OF THE POSTAL BALLOT PAPERS YOU HAVE RECEIVED**, together with the spoiled ballot paper. In addition, in your application for fresh postal ballot papers you **MUST RETURN**, in your own envelope, the declaration of identity and the envelopes marked "A" and "B". Remember that there is little time available if a fresh postal ballot paper is to be issued and counted.

Regulation 66(c)

Form J: DECLARATION OF IDENTITY

(for use when a parliamentary poll is combined with another poll but the postal ballots are not combined)

Front of form

REPRESENTATION OF THE PEOPLE ACTS DECLARATION OF IDENTITY

To be returned with the *[insert colour of ballot paper]* coloured ballot paper No

I hereby declare that I am the person to whom the *[insert colour of ballot paper]* coloured ballot paper numbered as above was sent.

Voter's signature

The voter, who is personally known to me, has signed this declaration in my presence.

Witness's signature

Name of witness

(WRITE CLEARLY)

Address of witness

(WRITE CLEARLY)

.....

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

Back of form

INSTRUCTIONS TO THE VOTER

1. You must sign this declaration of identity in the presence of a person known to you. *You are required to do this even if you have already signed a similar declaration of identity in respect of another election to be held on the same day.* That person should then sign this declaration as a witness, adding his or her name and address. Without this the declaration will be invalid.

2. Vote for one candidate only. Put no other mark on the ballot paper or your vote may not be counted.

3. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate you are voting for. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.

4. Different colours are used for the ballot papers for each election. Each ballot paper has its own ballot paper envelope (the smaller envelope marked "A"), declaration of identity and covering envelope (the larger envelope marked "B"). The covering envelope and declaration of identity for a particular ballot paper are those which refer to the colour of that ballot paper. It is important that you use the correct envelopes and declaration of identity, otherwise your vote may not be counted. You may find it helpful to sort the documents into separate sets, each consisting of a ballot paper, ballot paper envelope, declaration of identity and covering envelope. Then proceed as follows—

- (a) place each ballot paper in the correct smaller envelope and seal it;
- (b) put that envelope, together with the correct declaration of identity, in the correct covering envelope and seal it;
- (c) return the covering envelopes without delay. Ballot papers must be received by the returning officer not later than the close of poll. Alternatively, they may be delivered to a polling station in the constituency on polling day.

5. If you receive more than one ballot paper, remember that it is illegal to vote more than once (otherwise than as proxy) at the *same election*. You are entitled to vote at different elections which are held on the same day.

6. At this election you cannot vote in person at a polling station, even if you receive an official poll card.

7. If you inadvertently spoil your ballot paper, you can apply to the returning officer for another one. With your application you must return, in your own envelope, the spoiled ballot paper, the declaration of identity and the envelopes marked "A" and "B". Remember that there is little time available if a fresh postal ballot paper is to be issued and counted.

Regulation 91(1)(b)

Form K: STATEMENT AS TO POSTAL BALLOT PAPERS

REPRESENTATION OF THE PEOPLE ACTS

PARLIAMENTARY ELECTION

Constituency

Date of poll..... 20

A. Issue of postal ballot papers	<i>Number</i>
1. Total number of postal ballot papers issued under regulation 71	
2. Total number of postal ballot papers issued under regulation 77 (where the first ballot paper was spoilt and returned for cancellation)	
3. Total number of postal ballot papers issued (1 + 2)	

B. Receipt of postal ballot papers	<i>Number</i>
4. Number of covering envelopes received by the returning officer or at a polling station before the close of poll (excluding any undelivered or returned under regulation 77(1) with spoilt ballot papers)	
5. Number of covering envelopes received by the returning officer after the close of poll, excluding any returned as undelivered	
6. Number of postal ballot papers returned spoilt for cancellation in time for another ballot paper to be issued	
7. Number of postal ballot papers returned as spoilt too late for another ballot paper to be issued	
8. Number of covering envelopes returned as undelivered (up to the date of this statement)	
9. Number of covering envelopes not received by the returning officer by the date of this statement	
10. Total Nos. 4 to 9 (This number should be the same as that in 3 above)	

C. Count of postal ballot papers	<i>Number</i>
11. Number of covering envelopes received by the returning officer before the close of poll (excluding any undelivered or returned under regulation 77(1) with spoilt ballot papers)	
12. Number of ballot papers returned by postal voters which were included in the count of ballot papers	
13. Number of cases in which a covering envelope or its contents were marked "Rejected" (cancellations under regulation 77(5) are not rejections and should be included in items 2 and 6 above)	

Date..... Signed.....

Returning Officer

Address

SCHEDULE 4

Regulation 13

APPLICATION WITH MODIFICATIONS OF PROVISIONS OF THE 1983 AND 1985 ACTS
FOR REGISTRATION OF EUROPEAN PARLIAMENTARY OVERSEAS ELECTORS

<i>1</i> <i>Provision applied</i>	<i>2</i> <i>Modification</i>
PART I: THE 1983 ACT	
Section 4(5) (attainers)(16)	
Section 9 (register of electors)(17)	In subsection (1)(a) omit “for each constituency or part of a constituency”.
	Omit subsection (2)(b).
	Omit subsections (5) to (8).
Section 13 (publication of registers)(18)	For subsections (1) to (3) substitute: “(1) Where a register under section 3 of the 1985 Act is in force, a revised version of it shall be published when a revised version of the registers of parliamentary and local government electors is published under this section as it has effect for the purposes of such registers.”.
Section 13A (alteration of registers)	
Section 13B (alteration of register: pending elections)	For subsection (4) substitute: “(4) This section applies to elections to the European Parliament.”.
Section 50 (effect of misdescription)	For paragraphs (a), (b) and (c) substitute “in the register”.
Section 52 (discharge of registration duties)(19)	In subsections (1) and (4) after the word “Act” insert “and regulation 13 of the Representation of the People (England and Wales) Regulations 2001”.
Section 54 (payment of expenses of registration)(20)	In subsection (1) after the word “Act” in the first place where it occurs, insert “and regulation 13 of the Representation of the People (England and Wales) Regulations 2001”.
	Omit subsection (3).
Section 56 (registration appeals: England and Wales)(21)	Omit subsection (1)(b).

(16) Section 4 was substituted by section 1(2) of the 2000 Act.

(17) Section 9 was substituted by Schedule 1 to the 2000 Act.

(18) Sections 13 to 13B were substituted by Schedule 1 to the 2000 Act.

(19) Section 52 was amended by Schedule 4 to the 1985 Act and Schedule 16 to the Local Government (Wales) Act 1994.

(20) Section 54 was amended by Schedule 4 to the 1985 Act.

(21) Section 56 was amended by Schedule 4 to the 1985 Act and Schedule 1 to the 2000 Act.

<i>1</i> <i>Provision applied</i>	<i>2</i> <i>Modification</i>
Section 63 (breach of official duty)(22)	<p>In subsection (3)—</p> <p>(a) for paragraphs (a) to (d) substitute:</p> <p style="padding-left: 40px;">“(a) any registration officer,”;</p> <p style="padding-left: 40px;">and</p> <p>(b) for the words from “relating to” to the end of the subsection substitute “relating to the registration of European Parliamentary overseas electors”.</p>
PART II: THE 1985 ACT	
Section 2 (registration of British citizens overseas)(23)	<p>In paragraph (a) of subsection (1) omit “constituency or” and in paragraph (b) after “of that” insert “part of the”.</p> <p>In paragraph (c) of subsection (2) for the words from “parliamentary” to the end of that paragraph, substitute “local government electors”.</p> <p>In subsection (4) for “section 1” substitute “section 3”.</p> <p>In subsection (7) omit “constituency or”.</p> <p>In subsection (8) for “section 1(1)(a)” substitute “section 3(1)(a)”.</p>
In section 12 (offences as to declarations etc), subsections (1), (2) and (4)	In subsection (1)(a) for the word “parliamentary” substitute “European Parliamentary”.

(22) Section 63 was substituted by Schedule 4 to the 1985 Act.

(23) Section 2 was substituted by Schedule 2 to the 2000 Act.