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DRAFT STATUTORY INSTRUMENTS

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**2016 No.**

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

PART 4

ABSENT SIGNERS

CHAPTER 1

Entitlement to Absent Signing

**Interpretation**

**49.** In this Part—

- (a) “Schedule 4” means Schedule 4 to the 2000 Act (absent voting in Great Britain);
- (b) one person is “related” to another if he or she is the spouse or civil partner, parent, grandparent, brother, sister, child or grandchild of the other.

**Entitlement to sign by post or proxy**

**50.**—(1) A person is entitled to sign a petition by post if that person—

- (a) is entitled to sign the petition by virtue of section 10 of the Act (entitlement to sign a recall petition); and
- (b) before the cut-off day<sup>(1)</sup>, has been granted an application under paragraph 3(1) of Schedule 4 (absent vote at elections for definite or indefinite period) to vote by post at parliamentary elections and is included in the postal voters list under paragraph 5(2) of that Schedule (absent voters list).

(2) Subject to paragraph (5), a person is entitled to sign a petition by proxy if that person—

- (a) is entitled to sign the petition by virtue of section 10 of the Act; and
- (b) before the cut-off day, has been granted an application under paragraph 3(2) of Schedule 4 to vote by proxy at parliamentary elections and is included in the list of proxies under paragraph 5(3) of that Schedule.

(3) A person is also entitled to sign a petition by post or, as the case may be, by proxy if that person—

- (a) is entitled to sign the petition by virtue of section 10 of the Act; and
- (b) before the cut-off day, has been granted an application under section 6(1) of the 1985 Act (absent vote at elections for an indefinite period) to vote by post or to vote by proxy for an indefinite period and is shown in the record referred to in subsection (3) of that section of those whose applications have been granted under subsection (1) of that section.

(4) Where a person has been granted an application under paragraph 3(1) of Schedule 4 to vote by post for a definite period and that period expires during the signing period of a particular petition, that

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<sup>(1)</sup> The cut-off day is defined in section 10(4)(a) of the Act as the third working day before the beginning of the signing period.

definite period is deemed to continue until the end of the signing period for the purposes of enabling that person to sign the petition by post, unless that person applies to have their name removed from the postal voters list made under paragraph 5(2) of that Schedule before 5pm on the eleventh day before the last day of the signing period of that petition.

(5) Where a person has been granted an application under paragraph 3(2) of Schedule 4 to vote by proxy for a definite period and that period expires during the signing period for a particular petition, that entitlement to vote by proxy comes to an end on the expiry of that definite period.

### **Absent signing at any petition for a definite or an indefinite period: England and Wales and Scotland**

**51.**—(1) Where a person applies to the registration officer to sign any petition by post (whether for an indefinite period or for a particular period specified in that person’s application), the registration officer must grant the application if—

- (a) the officer is satisfied that the applicant is or will be entitled to sign a petition by virtue of section 10 of the Act;
- (b) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to that person under regulation 16 (allotment of petition signing places); and
- (c) the application contains the applicant’s signature and date of birth and meets the requirements of Chapter 2 of this Part.

(2) Where a person applies to the registration officer to sign any petition by proxy (whether for an indefinite period or for a particular period specified in their application), the registration officer must grant the application if—

- (a) the officer is satisfied that the applicant is eligible to sign the petition by proxy (in accordance with paragraph (3));
- (b) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to that person under regulation 16;
- (c) the officer is satisfied that the applicant is or will be entitled to sign the petition by virtue of section 10 of the Act; and
- (d) the application contains the applicant’s signature and date of birth and meets the requirements of Chapter 2 of this Part.

(3) For the purposes of this regulation a person is eligible to sign the petition by proxy if that person—

- (a) is or will be registered in the register of parliamentary electors as a service voter;
- (b) has an anonymous entry in the register of parliamentary electors;
- (c) cannot reasonably be expected—
  - (i) to go in person to the petition signing place allotted or likely to be allotted to that person under regulation 16 (allotment of petition signing place), or
  - (ii) to sign the petition unaided there,  
by reason of blindness or other disability;
- (d) cannot reasonably be expected to go in person to that petition signing place by reason of the general nature of that person’s occupation, service or employment or that of their spouse or civil partner, or by reason of their attendance on a course provided by an educational institution or that of their spouse or civil partner;
- (e) cannot go in person from their qualifying address to that petition signing place without making a journey by air or sea; or

- (f) is or will be registered in the register of parliamentary electors in pursuance of an overseas electors declaration.
- (4) The registration officer must keep a record of those whose applications under this regulation have been granted showing—
- (a) whether the applications were to sign the petition by post or proxy for an indefinite or a particular period (specifying that period),
  - (b) in the case of those who may sign the petition by post, the addresses provided by them in their applications as the addresses to which their signing sheets are to be sent, and
  - (c) in the case of those who may sign the petition by proxy, the names and addresses of those appointed as their proxies.
- (5) The registration officer must remove a person from the record—
- (a) if that person applies to the registration officer to be removed;
  - (b) in the case of a person who is eligible to sign the petition by proxy by virtue of having an anonymous entry, if that person ceases to have an anonymous entry;
  - (c) in the case of any person in the register of parliamentary electors, if that person ceases to be so registered or registered at the same qualifying address;
  - (d) in the case of any person shown in the record as being eligible to sign the petition by proxy, if the registration officer gives notice that he or she has reason to believe there has been a material change of circumstances;
  - (e) in the case of a person who applied to sign the petition by post for a particular period, once that period has expired or, where paragraph (9) applies, at the end of the signing period;
  - (f) in the case of a person who applied to sign the petition by proxy for a particular period, once that period has expired.
- (6) A person shown in the record under kept under paragraph (4) as being entitled to sign the petition by post may subsequently alter their choice by applying to the registration officer to sign the petition by proxy instead (whether for an indefinite period or for a particular period specified in his application); and, if the registration officer would be required to grant that application if it were one made under paragraph (2), the registration officer must amend the record accordingly.
- (7) A person shown in the record as being entitled to sign the petition by proxy may subsequently alter his choice by applying to the registration officer to sign the petition by post instead (whether for an indefinite period or for a particular period specified in his application); and, if the application meets the requirements of Chapter 2 of this Part, the registration officer must amend the record accordingly.
- (8) The registration officer may dispense with the requirement under paragraph (1)(c) or (2)(d) for the applicant to provide a signature if he or she is satisfied that the applicant is unable—
- (a) to provide a signature because of any disability the applicant has,
  - (b) to provide a signature because the applicant is unable to read or write, or
  - (c) to sign in a consistent and distinctive way because of any such disability or inability.
- (9) Where a person has been granted an application under paragraph (1) to sign the petition by post for a definite period and that period expires during the signing period for a particular petition, that definite period is deemed to continue until the end of the signing period for the purposes of enabling that person to sign the petition by post, unless that person applies to have their name removed from the record kept under paragraph (4).

### **Absent signing at any petition for an indefinite period: Northern Ireland**

**52.**—(1) Where a person applies to the registration officer to sign any petition by post or by proxy, for an indefinite period, the registration officer must grant the application (subject to paragraph (8)), if—

- (a) the officer is satisfied that the applicant is entitled to sign a petition by virtue of section 10 of the Act;
  - (b) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to that person under regulation 16;
  - (c) the application states the applicant’s date of birth and the registration officer is satisfied that the date stated corresponds with the date supplied as the date of the applicant’s birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act;
  - (d) the application is signed and (unless section 10(4B), 10A(1B) or 13A(2B) of the 1983 Act applies) the registration officer is satisfied that the signature on the application corresponds with the signature supplied as the applicant’s signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of the 1983 Act;
  - (e) the application either states the applicant’s national insurance number or states that the applicant does not have one, and the registration officer is satisfied as mentioned in paragraph (2) below;
  - (f) the application meets the requirements of Chapter 2 of this Part; and
  - (g) in the case of an application to sign the petition by proxy, the officer is satisfied that the applicant is eligible (in accordance with paragraph (4)) to sign the petition by proxy for an indefinite period.
- (2) For the purposes of paragraph (1)(e), the registration officer must be satisfied—
- (a) if the application states a national insurance number, that the requirements of paragraph (3) below are met; or
  - (b) if the application states that the applicant does not have a national insurance number, that no such number was supplied as the applicant’s national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the 1983 Act.
- (3) The requirements of this paragraph are met if—
- (a) the number stated as mentioned in paragraph (2)(a) is the same as the one supplied as the applicant’s national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the 1983 Act; or
  - (b) no national insurance number was supplied under any of those provisions, but the registration officer is not aware of any reason to doubt the authenticity of the application.
- (4) For the purposes of this regulation, a person is eligible to sign a petition by proxy for an indefinite period if that person—
- (a) is or will be registered as a service voter;
  - (b) has an anonymous entry in the register of electors for a parliamentary election;
  - (c) cannot reasonably be expected—
    - (i) to go in person to the signing place allotted or likely to be allotted to them under regulation 16 (allotment of petition signing places), or
    - (ii) to sign the petition unaided there,
 by reason of blindness or other disability;
  - (d) cannot reasonably be expected to go in person to that petition signing place by reason of the general nature of their occupation, service or employment or that of their spouse

- or civil partner or by reason of their attendance on a course provided by an educational institution or that of their spouse or civil partner;
- (e) cannot go in person from their qualifying address to that petition signing place without making a journey by air or sea; or
  - (f) is or will be registered in the register of parliamentary electors in pursuance of an overseas electors declaration.
- (5) The registration officer must keep a record of those whose applications under this regulation have been granted showing—
- (a) in the case of those who may sign a petition by post, the addresses provided by them in their applications as the addresses to which their signing sheets are to be sent, and
  - (b) in the case of those who may sign a petition by proxy, the names and addresses of those appointed as their proxies.
- (6) The registration officer must remove a person from the record kept under paragraph (5)—
- (a) if that person applies to the registration officer to be removed;
  - (b) in the case of a person who is eligible to sign the petition by proxy by virtue of having an anonymous entry, if that person ceases to have an anonymous entry;
  - (c) in the case of any person registered in the register of parliamentary electors, if that person ceases to be registered or registered at the same qualifying address; or
  - (d) if the registration officer gives notice that he or she has reason to believe there has been a material change of circumstances.
- (7) A person shown in the record kept under paragraph (5) as being eligible to sign a petition by post or by proxy (as the case may be) may subsequently alter their choice (subject to paragraph (8)) on an application to the registration officer that meets the requirements of Chapter 2 of this Part and the registration officer must amend the record accordingly.
- (8) A person applying to sign a petition by post must provide an address in the United Kingdom as the address to which that person's signing sheet is to be sent.

### **Absent signing at a particular petition: England and Wales and Scotland**

- 53.**—(1) Where a person applies to the registration officer to sign a particular petition by post, the officer must grant the application if—
- (a) the officer is satisfied that the applicant is or will be entitled to sign the petition in accordance with section 10 of the Act (entitlement to sign a recall petition);
  - (b) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to them under regulation 16; and
  - (c) the application contains the applicant's signature and date of birth and meets the requirements of Chapter 2 of this Part.
- (2) Where a person applies to the registration officer to sign a particular petition by proxy, the officer must grant the application if—
- (a) the officer is satisfied that the applicant's circumstances during the signing period will be, or are likely to be, such that the applicant cannot reasonably be expected to sign in person at the petition signing place allotted or likely to be, allotted to that person under regulation 16 (allotment of petition signing places);
  - (b) the officer is satisfied that the applicant is or will be entitled to sign the petition in accordance with section 10 of the Act;
  - (c) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to them under regulation 16; and

- (d) the application contains the applicant's signature and date of birth and meets the requirements of Chapter 2 of this Part.
- (3) Where a person who has an anonymous entry in the register, applies to the registration officer to sign a particular petition by proxy, the registration officer must grant the application if—
- (a) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to them under regulation 16; and
  - (b) it meets the requirements of Chapter 2 of this Part.
- (4) Nothing in paragraphs (1) to (3) applies to a person who is included in the record kept under regulation 51(4) (absent signing at any petition for a definite or indefinite period: England and Wales and Scotland) or in the record kept under paragraph 3(4) or 7(6) of Schedule 4, but if such a person is shown in any of those records as being entitled to sign the petition by post or voting by post (as the case may be) the person may, in respect of a particular petition, apply to the registration officer—
- (a) for that person's signing sheet to be sent to a different address from that shown in the record, or
  - (b) to sign the petition by proxy.
- (5) The registration officer must grant an application under paragraph (4) if—
- (a) it meets the requirements of Chapter 2 of this Part, and
  - (b) in the case of an application to sign the petition by proxy, the officer is satisfied that the applicant's circumstances during the signing period will or are likely to be such that the applicant cannot reasonably be expected to sign the petition in person at the petition signing place allotted or likely to be allotted to that person in accordance with regulation 16 (allotment of petition signing places).
- (6) The registration officer may dispense with the requirement under paragraph (1)(c) or (2)(d) for the applicant to provide a signature if the officer is satisfied that the applicant is unable—
- (a) to provide a signature because of any disability the applicant has;
  - (b) to provide a signature because the applicant is unable to read or write; or
  - (c) to sign in a consistent and distinctive way because of any such disability or inability.

#### **Absent signing at a particular petition: Northern Ireland**

- 54.**—(1) Where a person applies to the registration officer to sign a particular petition by post, or to sign that petition by proxy, the registration officer must grant the application (subject to paragraph (4)) if—
- (a) in the case of a proxy application, the officer is satisfied that the applicant's circumstances during the signing period will be or are likely to be such that the person cannot reasonably be expected to sign the petition in person at the petition signing place allotted or likely to be allotted to that person under regulation 16 (allotment of petition signing place);
  - (b) the officer is satisfied that the applicant is or will be entitled to sign the petition in accordance with section 10 of the Act;
  - (c) the application states the applicant's date of birth and the registration officer is satisfied that the date stated corresponds with the date supplied as the date of the applicant's birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act;
  - (d) the application is signed and (unless section 10(4B), 10A(1B) or 13A(2B) of the 1983 Act applies) the registration officer is satisfied that the signature on the application corresponds with the signature supplied as the applicant's signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of the 1983 Act;

- (e) the application either states the applicant's national insurance number or states that he or she does not have one, and the registration officer is satisfied as mentioned in paragraph (2);
  - (f) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to that person under regulation 16; and
  - (g) the application meets the requirements of Chapter 2 of this Part.
- (2) For the purposes of paragraph (1)(e), the registration officer must be satisfied—
- (a) if the application states a national insurance number, that the requirements of paragraph (3) are met; or
  - (b) if the application states that the applicant does not have a national insurance number, that no such number was supplied as that person's national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the 1983 Act.
- (3) The requirements of this paragraph are met if—
- (a) the number stated as mentioned in paragraph (2)(a) is the same as the one supplied as the applicant's national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the 1983 Act; or
  - (b) no national insurance number was supplied under any of those provisions, but the registration officer is not aware of any reason to doubt the authenticity of the application.
- (4) Paragraph (1) does not apply to a person who is included in the record kept under regulation 52(5) (absent signing at any petition for indefinite period: Northern Ireland) or kept in the record kept under section 6(3) of the 1985 Act (absent vote at elections for indefinite period), but such a person may, in respect of a particular petition, apply to the registration officer—
- (a) for that person's signing sheet to be sent to a different address in the United Kingdom, or
  - (b) to sign the petition by proxy,
- if that person is shown in the record so kept as signing the petition by post or proxy, or voting by post of proxy (as the case may be).
- (5) The registration officer must grant an application under paragraph (4) if it meets the requirements of Chapter 2 of this Part.

#### **Absent signers lists: England and Wales and Scotland**

- 55.**—(1) The registration officer must, in respect of each petition, keep the two lists mentioned in paragraphs (2) and (3).
- (2) The first of those lists ("the postal signers list") is a list of—
- (a) those persons who are for the time being shown in the postal voters list under paragraph 5(2) of Schedule 4, together with the addresses as shown in that list as the addresses to which their postal ballot sheets are to be sent;
  - (b) those persons who are for the time being shown in the record kept under regulation 51(4) as signing the petition by post (excluding those so shown whose applications under regulation 53(4) to sign the petition by proxy have been granted), together with the addresses provided by them in their applications under regulation 51 or regulation 53(4)
    - (a) (as the case may be) as the addresses to which their signing sheets are to be sent;
  - (c) those persons whose applications have been granted under regulation 53(1) to sign a particular petition by post, together with the addresses provided by them in their application under that regulation.
- (3) The second of those lists ("the list of proxies") is a list of—

- (a) those persons who are for the time being shown in the list of proxies under paragraph 5(3) of Schedule 4,
- (b) those persons who are for the time being shown in the record kept under regulation 51(4) as being eligible to sign the petition by proxy,
- (c) those persons whose applications have been granted under regulation 53(2) or (5) to sign that petition by proxy,

together with (in each case) the names and the addresses of those appointed as their proxies.

(4) In the case of a person who has an anonymous entry in the register, the postal signers list or list of proxies (as the case may be) must contain only—

- (a) the person's electoral number, and
- (b) the period for which the anonymous entry has effect.

(5) The registration officer must, immediately on completion of list referred to in paragraphs (2) and (3), supply to the petition officer so much of those lists as relate to the constituency to which the petition relates.

#### **Absent signers list: Northern Ireland**

**56.**—(1) The registration officer must, in respect of each petition, keep the two lists mentioned in paragraphs (2) and (3).

(2) The first of those lists (“the postal signers list”) is a list of—

- (a) those persons who are for the time being shown in the record kept under regulation 52(5) as being entitled to sign the petition by post (excluding those so shown whose applications under regulation 54(4) to sign the petition by proxy have been granted) together with the addresses provided by them in their application under regulation 52, or regulation 54(4) (a) (as the case may be) as the address to which their signing sheet is to be sent;
- (b) those persons whose applications under regulation 54(1) to sign the petition by post have been granted, together with the addresses provided by them in their applications as the addresses to which their signing sheets are to be sent; and
- (c) those persons who are for the time being shown in the record kept under section 6(3) of the 1985 Act as voting by post at parliamentary elections (excluding those so shown whose applications under regulation 54(4) to sign the petition by proxy at the election have been granted), together with the addresses provided by them in their applications under that section or regulation 54(4)(a) (as the case may be) as the addresses to which their signing sheet sheets are to be sent.

(3) The second of those lists (“the list of proxies”) is a list of—

- (a) those persons whose applications under regulation 52 (absent signing at any petition for an indefinite period) to sign the petition by proxy have been granted,
- (b) those persons whose applications under regulation 54 (absent signing at a particular petition) to sign the petition by proxy have been granted,
- (c) those persons who are for the time being shown in the record kept under section 6(3) of the 1985 Act (absent vote at elections for an indefinite period) as voting by proxy at parliamentary elections,

together with (in each case) the names and addresses of those appointed as their proxies.

(4) In the case of a person who has an anonymous entry in the register of electors, the postal signers list or list of proxies (as the case may be) must contain only—

- (a) the person's electoral number, and



- (b) the period for which the anonymous entry has effect.

### Proxies at petitions

57.—(1) Subject to the following provisions of this regulation, any person is capable of being appointed proxy to sign a petition for another (the person appointing the proxy is referred to in this regulation and regulation 58 as “the appointer”).

(2) The appointer cannot have more than one person at a time appointed as proxy to sign a petition for him or her.

(3) A person is not capable of being appointed to sign a petition as proxy if the person—

- (a) is subject to any legal incapacity (age apart) to sign a petition as an elector, and
- (b) is neither a Commonwealth citizen or a citizen of the Republic of Ireland.

(4) A person is not capable of signing a petition as proxy unless before the end of the signing period for that petition the person has attained the age of 18; but such a person may sign the petition during the signing period notwithstanding that they may have not attained the age of 18 on the day they sign the petition.

(5) A person is not entitled to sign any one petition as proxy on behalf of more than two persons to whom that person is not related.

(6) Where the appointer applies to the registration officer for the appointment of a proxy to sign the petition for him or her (whether for an indefinite period or for a particular period specified in his application), the registration officer must make the appointment if the application meets the requirements of Chapter 2 of this Part and the registration officer is satisfied that the appointer—

- (a) is or will be entitled to sign the petition by virtue of section 10 of the Act;
- (b) is or will be shown in the record kept under regulation 51(4) above as being eligible to sign the petition by proxy or (as the case may be) in the record kept under paragraph 3(4) of Schedule 4 as entitled to vote by proxy and the proxy is capable of being, and willing to be, appointed to sign the petition as proxy; and
- (c) has not signed the petition at the petition signing place allotted to them under regulation 16.

(7) Where the appointer applies to the registration officer for the appointment of a proxy to sign the petition for him or her at a particular petition the registration officer must make the appointment if the application meets the requirements set out in Chapter 2 of this Part and the registration officer is satisfied that the appointer—

- (a) is or will be entitled to sign the petition by virtue of section 10 of the Act;
- (b) is or will be eligible to sign the petition by proxy by virtue of an application under regulation 53(2) and (3) and that the proxy is capable of being, and willing to be, appointed to sign the petition as proxy; and
- (c) has not signed the petition at the petition signing place allotted to the appointer under regulation 16 (allotment of petition signing place).

(8) The appointment of a proxy under this regulation must be made by means of a proxy paper issued by the registration officer in the form set out in Form J in Schedule 2.

(9) The appointment may be cancelled by the appointer by giving notice to the registration officer.

(10) The appointment also ceases to be in force—

- (a) on the issue of a proxy paper appointing a different person to sign the petition for the appointer;
- (b) where the appointment was for a definite period, once that period expires, unless the proxy is entitled to sign the petition by post in which case that period is deemed to continue until the end of the signing period for the purposes of signing the petition.

- (11) Subject to paragraphs (9) and (10), the appointment remains in force—
- (a) in the case of an appointment for a particular petition, for that petition;
  - (b) in any other case, while the appointer is shown in the record kept under regulation 51(4) as being entitled to sign the petition by proxy or (as the case may be) in the record kept under paragraph 3(4) of Schedule 4 as entitled to vote by proxy.
- (12) In respect of petitions in Northern Ireland, the application of this regulation is modified as follows—
- (a) for references to “regulation 51(4)” substitute “regulation 52(5)”;
  - (b) for references to “regulation 53(2)” substitute “regulation 54(1)”;
  - (c) for references to “paragraph 3(4) of Schedule 4” substitute “section 6(3) of the 1985 Act”.

### Signing the petition as a proxy

**58.**—(1) A person entitled to sign the petition as proxy for another may do so in person at the petition signing place allotted to the appointer under regulation 16 (allotment of petition signing place) unless the person is entitled to sign the petition by post as proxy for the appointer, in which case the person may sign the petition by post.

(2) But in the case of a person entitled to sign the petition as proxy for an appointer included in the register of electors in Northern Ireland who has an anonymous entry—

- (a) paragraph (1) does not apply, and
- (b) the person may only sign the petition by post (where entitled as a proxy to sign the petition by post).

(3) Where a person is entitled to sign the petition by post as proxy for the appointer, that appointer may not apply for a signing sheet for the purpose of signing the petition in person.

(4) For the purposes of this Part, a person entitled to sign the petition as proxy is entitled to sign the petition by post if that person is included—

- (a) in the proxy postal signers list;
- (b) in the record (record of proxy postal voting) kept under paragraph 7(6) of Schedule 4; or
- (c) in the record (record of proxy postal voting) kept under section 9(6) of the 1985 Act.

(5) Where a person applies to the registration officer to sign the petition by post as proxy, the registration officer must grant the application if the conditions set out in paragraph (6) are satisfied.

(6) Those conditions are—

- (a) that the registration officer is satisfied that the appointer is or will be entitled to sign the petition by virtue of section 10 of the Act;
- (b) that there is in force an appointment of the applicant as the appointer’s proxy to sign the petition on behalf of the appointer;
- (c) the officer is satisfied that the proxy has not signed the petition at the petition signing place allotted to the appointer under regulation 16; and
- (d) that the application contains the applicant’s signature and date of birth and meets the requirements of Chapter 2 of this Part.

(7) The registration officer must keep a record of those whose applications under paragraph (5) have been granted showing—

- (a) whether their applications were to sign the petition by post as proxy for an indefinite or particular period (specifying that period); and

- (b) the addresses provided by them in their applications as the addresses to which their signing sheets are to be sent.
- (8) Where, in the case of a particular petition, a person included in the record kept under paragraph (7) applies to the registration officer for their signing sheet to be sent to a different address to the one shown in the record, the registration officer must grant the application if it meets the requirements of Chapter 2 of this Part.
- (9) The registration officer must, in respect of each petition, keep a special list (“the proxy postal signers list”) of those who are for the time being included in the record kept under paragraph (7), together with the addresses provided by them in their application under paragraph (5) or paragraph (8) (as the case may be) as the addresses to which their signing sheets are to be sent.
- (10) In the case of a person who has an anonymous entry in the register, the proxy postal signers list must contain only—
- (a) the person’s electoral number; and
  - (b) the period for which the anonymous entry has effect.
- (11) The registration officer must remove a person from the record kept under paragraph (7)—
- (a) if that person applies to the registration officer to be removed;
  - (b) if the appointer ceases to be entitled to sign the petition as mentioned in paragraph (6)(a);
  - (c) if the appointment of the person concerned as the appointer’s proxy ceases to be in force (whether or not that person is re-appointed); or
  - (d) in the case of a person who applied to sign the petition by post as proxy for a particular period, once that period has expired, unless paragraph (16) applies.
- (12) The registration officer must on the completion of the proxy postal signers list, supply to the petition officer so much of that list as relates to the constituency to which the petition relates.
- (13) Paragraph (3) does not prevent a person, at the petition signing place to which the person is allotted, signing a tendered signing sheet in the circumstances prescribed in regulation 30 (tendered signing sheets) if the person would otherwise be able to do so.
- (14) The registration officer may dispense with the requirement under paragraph (6)(d) for the applicant to provide a signature if the officer is satisfied that the applicant is unable—
- (a) to provide a signature because of any disability the applicant has;
  - (b) to provide a signature because the applicant is unable to read or write; or
  - (c) to sign in a consistent and distinctive way because of any such disability or inability.
- (15) For petitions held in Northern Ireland, the following modifications are made to this regulation—
- (a) in paragraph (6), a person applying to sign the petition by post as proxy must provide an address in the United Kingdom as an address to which their signing sheet is to be sent;
  - (b) paragraphs (7)(a), (12) and (14) do not apply.
- (16) For the purposes of paragraph (11)(d), and without prejudice to paragraph (11)(a) to (c), where a person has been granted an application under paragraph (5) to sign the petition by post as proxy for a definite period, and that period expires during the signing period for a particular petition, that definite period is deemed to continue until the end of the signing period for the purposes of enabling the proxy to sign the petition by post.

### **The personal identifiers record: England and Wales and Scotland**

**59.**—(1) The registration officer must maintain a record (“the personal identifiers record”), apart from the other records and lists which the officer is required to keep under this Part, of the signatures

and dates of birth provided by persons whose applications under regulation 51 (absent signing at any petition for a definite or an indefinite period), regulation 53 (absent signing at a particular petition) or regulation 58 (signing the petition as a proxy) were granted, until the expiry of twelve months from—

- (a) the date on which a person is removed from the record kept pursuant to regulation 51(4) or 58(7); or
  - (b) the date of the last day of the signing period of the petition for which the person's application for absent signing of the petition was granted under regulation 53(1) or (2).
- (2) The personal identifiers record must contain the following information in respect of each person on the postal signers list, the list of proxies or proxy postal signers list—
- (a) their name;
  - (b) their date of birth; and
  - (c) their signature, or a record of the waiver by the registration officer of the requirement for a signature.
- (3) The registration officer may disclose information held in the personal identifiers records to—
- (a) any person attending proceedings on receipt of postal signing sheets, who is entitled to do so by virtue of any of sections 6A to 6D of PPERA 2000 (attendance of the Electoral Commission etc), but only to the extent required to permit them to observe proceedings;
  - (b) any other registration officer if the officer thinks that to do so will assist the other registration officer in the performance of his or her duties;
  - (c) any person exercising functions in relation to the preparation or conduct of legal proceedings in relation to a petition.