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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 2

Applications for Absent Signing

**Additional requirements for applications for a proxy signature for an indefinite period on grounds of blindness or other disability: Northern Ireland**

**65.**—(1) An application to sign the petition by proxy for an indefinite period under regulation 52(1) in pursuance of the grounds under paragraph (4)(c) of that regulation must specify the disability by reason of which it is made.

(2) Such an application must be attested and signed by a person who is registered in the register of parliamentary electors and who is—

- (a) a registered medical practitioner;
  - (b) a registered nurse;
  - (c) a social worker registered under the principal part of the register maintained by the Northern Ireland Social Care Council under section 3 of the Health and Personal Services Act (Northern Ireland) 2001<sup>(1)</sup>;
  - (d) a Christian Science practitioner;
  - (e) the person registered under the Registered Homes (Northern Ireland) Order 1992<sup>(2)</sup> as carrying on a residential care home within the meaning of article 3 of that Order or a nursing home within the meaning of article 16 of that Order, where the applicant states that he or she is resident in such a home;
  - (f) the person in charge of residential accommodation provided under article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(3)</sup>, where the applicant states that he or she is resident in such accommodation; or
  - (g) the manager or other person in charge of premises forming one of a group of premises provided for persons of pensionable age or persons with a disability for which there is a resident manager or other person in charge, where the applicant states that he resides in such premises.
- (3) The person attesting the application (“A”) must state—
- (a) A’s name and address and the qualification by virtue of which A attests the application;
  - (b) that A is registered in the register of parliamentary electors;

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<sup>(1)</sup> 2001 c. 3.

<sup>(2)</sup> 1992 No. 3204 (N.I. 20).

<sup>(3)</sup> 1972 No. 1265 (N.I. 14).

- (c) that, to the best of A's knowledge and belief, the applicant has the disability specified in the application and that the applicant cannot reasonably be expected to go in person to their allotted signing place or to sign the petition unaided there by reason of that disability; and
  - (d) that, to the best of A's knowledge and belief, the disability specified in the application is likely to continue either indefinitely or for a period specified by A.
- (4) Paragraphs (2) and (3) do not apply where—
- (a) the application is based on the applicant's blindness and the applicant is registered as a blind person by a Health and Social Care Trust which is specified in the application; or
  - (b) the application states that the applicant is in receipt of—
    - (i) the higher rate of attendance allowance (payable under section 65 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(4)),
    - (ii) the highest rate of the care component or the higher rate of the mobility component (or both) of the disability living allowance (payable under section 72 and section 73 of that Act), or
    - (iii) armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011,because of the disability specified in the application.
- (5) The fact that an applicant is registered with a Health and Social Care Trust as a blind person, as mentioned in paragraph (4)(a), is to be deemed sufficient evidence that the applicant is eligible to sign the petition by proxy as set out in regulation 52(4)(c).

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(4) 1992 c. 7.