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DRAFT STATUTORY INSTRUMENTS

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**2016 No.**

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

PART 5

ISSUE AND RECEIPT OF POSTAL SIGNING SHEETS

CHAPTER 2

Issue of Postal Signing Sheets

**Lost postal signing sheets: England and Wales and Scotland**

**96.**—(1) Where a postal signer claims either to have lost or not to have received—

- (a) the postal signing sheet,
- (b) the postal petition statement, or
- (c) one or more of the envelopes supplied for their return,

by the fourth day before the last day of the signing period, the postal signer may apply (whether or not in person) to the petition officer for a replacement signing sheet.

(2) Such an application must include evidence of the postal signer's identity.

(3) Where a postal signer exercises the entitlement conferred by paragraph (1), they must return the documents (if any) referred to in paragraph (1)(a) to (c) which the postal signer has received and which have not been lost.

(4) Any postal signing sheet or postal petition statement returned in accordance with paragraph (3) must be cancelled immediately and the petition officer must take any administrative steps which that officer considers appropriate for the purpose of preventing an elector signing the petition more than once.

(5) The petition officer, as soon as practicable after cancelling those documents, must make them up in a separate packet and must seal the packet; and if on any subsequent occasion further such documents are cancelled, the sealed packet must be opened and the additional cancelled documents included in it and the packet must be again made up and sealed.

(6) Subject to paragraph (7), the petition officer must issue another postal signing sheet where the application is received by the petition officer at least five hours before the end of the signing period and the petition officer—

- (a) is satisfied as to the postal signer's identity; and
- (b) has no reason to doubt that the postal signer has either lost or has not received the original postal signing statement or postal petition statement or one or more of the envelopes provided for their return.

(7) Where the application is received by the petition officer after 5pm on the day before the last day of the signing period, the officer may only issue another postal signing sheet if the postal signer applies in person.

(8) The petition officer must enter in a list kept for the purpose of recording lost postal signing sheets (“the list of lost postal signing sheets”)—

- (a) the name and number of the elector as stated in the register (or the electoral number alone in the case of an elector who has an anonymous entry);
- (b) the number of any postal signing sheet issued under this regulation; and
- (c) where the postal signer whose signing sheet is lost is a proxy, their name and address (or, in the case of a proxy who has an anonymous entry or is the proxy for a person with an anonymous entry, the proxy’s electoral number alone or a statement that the proxy is not registered as in the register of parliamentary electors (as the case may be)).

(9) The following provisions apply to the issue of a replacement postal signing sheet under paragraph (6)—

- (a) regulation 87 (except paragraph (2)) (procedure on issue of postal signing sheets);
- (b) regulations 91 (envelopes) and regulation 92 (sealing up of corresponding number lists and security of special lists); and
- (c) subject to paragraph (10), regulation 93 (delivery of postal signing sheets).

(10) Where a postal signer applies in person—

- (a) by 5pm on the day before the last day of the signing period, the petition officer may hand a replacement postal signing sheet to the postal signer, or
- (b) after 5pm on the day before the last day of the signing period, the petition officer may only hand a replacement postal signing sheet to the postal signer,

instead of delivering it in accordance with regulation 93.