



Representation of the People Act 1983

1983 CHAPTER 2

PART I

PARLIAMENTARY AND LOCAL GOVERNMENT FRANCHISE AND ITS EXERCISE

Service qualifications and declarations for registration

14 Service qualification.

- (1) A person has a service qualification for the purposes of this Act who—
- (a) is a member of the forces,
 - (b) (not being such a member) is employed in the service of the Crown in a post outside the United Kingdom of any prescribed class or description,
 - (c) is employed by the British Council in a post outside the United Kingdom,
 - (d) is the [^{F1}spouse or civil partner] of a member of the forces,
 - [^{F2}(e) is the spouse or civil partner of a person mentioned in paragraph (b) or paragraph (c) above and is residing outside the United Kingdom to be with his or her spouse or civil partner.]

and where a person leaves the United Kingdom to take up employment or residence as mentioned above or returns to the United Kingdom at the end of such employment or residence, the employment or residence shall be deemed to begin from the time of leaving or to continue until the time of returning, as the case may be.

- [^{F3}(1A) In relation to the registration of local government electors in Scotland, a person also has a service qualification for the purposes of this Act if—
- (a) the person is under the age of 18,
 - (b) a parent or guardian of the person has a service qualification under any of paragraphs (a) to (e) of subsection (1), and
 - (c) the person is residing at a particular place in order to be with that parent or guardian.]

[^{F4}(2)

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Textual Amendments

- F1** Words in s. 14(1)(d) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 80\(2\)](#); S.I. 2005/3175, [art. 2](#), Sch. 1
- F2** S. 14(1)(e) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 80\(3\)](#); S.I. 2005/3175, [art. 2](#), Sch. 1
- F3** S. 14(1A) inserted (S.) (25.7.2015) by [Scottish Elections \(Reduction of Voting Age\) Act 2015 \(asp 7\)](#), [ss. 9\(2\)](#), 21
- F4** S. 14(2) repealed (1.10.2014) by [Northern Ireland \(Miscellaneous Provisions\) Act 2014 \(c. 13\)](#), [ss. 14\(1\)\(a\)\(vii\)](#), 28; S.I. 2014/2613, [art. 2\(2\)\(a\)](#)

Modifications etc. (not altering text)

- C1** Ss. 12–17 extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), [ss. 2](#), 13(6), [Sch. 1 Pt. I](#)
- C2** S. 14 applied (with modifications) (S.) (8.8.2013) by [Scottish Independence Referendum \(Franchise\) Act 2013 \(asp 13\)](#), [ss. 6](#), 13(1), [sch. 1 Pts. 1, 2](#) (with s. 13(2))

15 Service declaration.

- (1) A service declaration shall be made only—
- (a) by a person who has a service qualification, or
 - (b) subject to any prescribed conditions, by a person about to leave the United Kingdom in such circumstances as to acquire a service qualification.
- and a service declaration may be made by such a person notwithstanding the fact that by reason of his age he is not yet entitled to vote.

- [^{F5}(2) Where a person is registered in a register of electors in pursuance of a service declaration, the person is entitled to remain so registered until—
- (a) the end of the period of 12 months beginning with the date when the entry in the register first takes effect,
 - [the registration officer determines in accordance with regulations that the
 - ^{F6}(aa) person was not entitled to be registered,]
 - [the registration officer determines in accordance with regulations that the
 - ^{F7}(ab) person was registered as the result of an application under section 10ZC made by some other person or that the person's entry has been altered as the result of an application under section 10ZD made by some other person,]
 - (b) the declaration is cancelled under subsection (7) below, or
 - (c) another entry made in respect of him in any register of electors takes effect (whether or not in pursuance of a service declaration),
- whichever first occurs.

- (3) Where the entitlement of such a person to remain so registered terminates by virtue of subsection (2) above, the registration officer concerned shall remove that person's entry from the register, unless he is entitled to remain registered in pursuance of a further service declaration.]

- [^{F8}(3A) In relation to the registration of local government electors in Scotland, a service declaration made by a person by virtue of a service qualification under section 14(1A) ceases to have effect when the person attains the age of 18.

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- (3B) Without prejudice to subsection (2), a person registered in a register of local government electors in Scotland in pursuance of a service declaration referred to in subsection (3A) ceases to be entitled to remain so registered when the person attains the age of 18.
- (3C) Where a person's entitlement to remain registered ceases under subsection (3B), the registration officer must remove the person's entry from the register.]
- (5) No service declaration shall be specially made by a person for the purpose of local government elections, and any service declaration made for the purpose of parliamentary elections shall have effect also for the purpose of local government elections; but—
- (a) a service declaration may be made for the purpose of local government elections only by a person who is as a peer subject to a legal incapacity to vote at parliamentary elections [^{F9}, or by a relevant citizen of the Union]; and
 - (b) where so made, shall be marked to show that it is available for local government elections only, but shall in all other respects be the same as other service declarations.
- [^{F10}(5A) Despite anything in subsection (5), in relation to Scotland, a relevant service declaration made by a person has effect only for the purposes of the person's registration as a local government elector.
- (5B) In subsection (5A), “relevant service declaration” means—
- (a) a service declaration made by virtue of a service qualification under section 14(1A),
 - (b) any other service declaration made by a person who, on the date on which the declaration is made, is—
 - (i) under the age of 17, and
 - (ii) not entitled to be registered in the register of parliamentary electors.
- (5C) A relevant service declaration referred to in subsection (5A) must be marked to show that it is available only for the purposes of registration as a local government elector, but otherwise is to be the same as other service declarations.]
- (6) If a person—
- (a) makes a service declaration declaring to more than one address, or
 - (b) makes more than one service declaration bearing the same date and declaring to different addresses,
- the declaration or declarations shall be void.
- (7) A service declaration may at any time be cancelled by the declarant ^{F11}. . .
- [^{F12}(8) A service declaration shall be of no effect unless it is received by the registration officer concerned within the period of three months beginning with the date of the declaration.]
- [^{F13}(9) The Secretary of State may by order provide that, in relation to the persons mentioned in section 14(1)(a) and (d), subsection (2)(a) above has effect as if for the period of 12 months there were substituted such other period (not exceeding five years) as he thinks appropriate.

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- (10) The power to make an order under subsection (9) is exercisable by statutory instrument, which may contain such incidental or consequential provision as the Secretary of State thinks appropriate.
- (11) No order may be made under subsection (9) unless—
- (a) the Secretary of State first consults the Electoral Commission, and
 - (b) a draft of the instrument containing the order is laid before, and approved by a resolution of, each House of Parliament.
- (12) If the period substituted by an order under subsection (9) is longer than the period for the time being in force, the longer period has effect in relation to any person who immediately before the order was made was entitled to remain in a register by virtue of subsection (2).]

Textual Amendments

- F5** S. 15(2)(3) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) for s. 15(2)-(4) by 2000 c. 2, s. 8(a), **Sch. 1 para. 8(2)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F6** S. 15(2)(aa) inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by **Electoral Administration Act 2006** (c. 22), **ss. 12(7), 77**; S.I. 2006/3412, **art. 3, Sch. 1 para. 14(a)** (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**
- F7** S. 15(2)(ab) inserted (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by **Electoral Registration and Administration Act 2013** (c. 6), s. 27(1), **Sch. 4 para. 15** (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(1)
- F8** S. 15(3A)-(3C) inserted (S.) (25.7.2015) by **Scottish Elections (Reduction of Voting Age) Act 2015** (asp 7), **ss. 9(3)(a), 21**
- F9** Words in s. 15(5)(a) inserted (6.8.1995) by S.I. 1995/1948, **regs. 1(2), 5(2), Sch. 2 paras. 4(b), 6**
- F10** S. 15(5A)-(5C) inserted (S.) (25.7.2015) by **Scottish Elections (Reduction of Voting Age) Act 2015** (asp 7), **ss. 9(3)(b), 21**
- F11** Words in s. 15(7) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, **ss. 8(a), 15(2), Sch. 1 para. 8(3), Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F12** S. 15(8) inserted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 8(4)**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F13** S. 15(9)-(12) inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by **Electoral Administration Act 2006** (c. 22), **ss. 13(1), 77**; S.I. 2006/3412, **art. 3, Sch. 1 para. 14(b)** (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**

Modifications etc. (not altering text)

- C3** Ss. 12–17 extended (N.I.) (with modifications) by **Elected Authorities (Northern Ireland) Act 1989** (c. 3, SIF 42), **ss. 2, 13(6), Sch. 1 Pt. I**
- C4** Ss. 15–17 applied (with modifications) (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3), 2(2), 13(3)**
- C5** S. 15 applied (with modifications) (S.) (8.8.2013) by **Scottish Independence Referendum (Franchise) Act 2013** (asp 13), **ss. 6, 13(1), sch. 1 Pts. 1, 2** (with s. 13(2))
- C6** S. 15(2)(a) modified (E.W.S.) (1.1.2007) by **The Service Voters' Registration Period Order 2006** (S.I. 2006/3406), **art. 2**
- C7** S. 15(2)(a) modified (N.I.) (1.7.2008) by **The Service Voters' Registration Period (Northern Ireland) Order 2008** (S.I. 2008/1726), **art. 2**
- C8** S. 15(2)(a) modified (19.3.2010) by **The Service Voters Registration Period Order 2010** (S.I. 2010/882), **arts. 1(2), 2**

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16 Contents of service declaration.

[^{F14}(1)] A service declaration shall state—

- (a) the date of the declaration.
- (b) ^{F15} . . . that on that date the declarant is, or but for the circumstances entitling him to make the declaration would have been, residing in the United Kingdom,
- ^{F16}(c)
- (d) the address where the declarant is or, as the case may be, ^{F17} . . . would have been residing in the United Kingdom or, if he cannot give any such address, an address at which he has resided in the United Kingdom,
- (e) that on the date of the declaration the declarant is a Commonwealth citizen or a citizen of the Republic of Ireland [^{F18}or a relevant citizen of the Union],
- (f) whether the declarant had on the date of the declaration attained the age of 18 years, and, if he had not, the date of his birth, and
- (g) such particulars (if any) as may be prescribed of the declarant’s identity and service qualifications,

and (except where the declarant is a member of the forces or the [^{F19}spouse or civil partner] of such a member) shall be attested in the prescribed manner.

[^{F20}(2)] In relation to the registration of local government electors in Scotland, a service declaration made by a person claiming to have a service qualification under section 14(1A) does not require to be attested.]

Textual Amendments

- F14** S. 16 renumbered as s. 16(1) (S.) (25.7.2015) by [Scottish Elections \(Reduction of Voting Age\) Act 2015 \(asp 7\), ss. 9\(4\)\(a\), 21](#)
- F15** Words in s. 16(b) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(2), [Sch. 1 para. 9\(a\), Sch. 7 Pt. I](#); S.I. 2001/116, [art. 2\(1\)\(2\)](#) (with [art. 2\(4\)](#))
- F16** S. 16(c) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(2), [Sch. 1 para. 9\(b\), Sch. 7 Pt. I](#); S.I. 2001/116, [art. 2\(1\)\(2\)](#) (with [art. 2\(4\)](#))
- F17** Words in s. 16(d) repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(2), [Sch. 1 para. 9\(c\), Sch. 7 Pt. I](#); S.I. 2001/116, [art. 2\(1\)\(2\)](#) (with [art. 2\(4\)](#))
- F18** Words in s. 16(e) inserted (6.8.1995) by S.I. 1995/1948, regs. 1(2), 5(2), [Sch. 2 paras. 3\(b\), 6](#)
- F19** Words in s. 16 substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), ss. 261\(1\), 263, Sch. 27 para. 81](#); S.I. 2005/3175, [art. 2, Sch. 1](#)
- F20** S. 16(2) inserted (S.) (25.7.2015) by [Scottish Elections \(Reduction of Voting Age\) Act 2015 \(asp 7\), ss. 9\(4\)\(b\), 21](#)

Modifications etc. (not altering text)

- C9** Ss. 12–17 extended (N.I) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3\), ss. 2, 13\(6\), Sch. 1 Pt. I](#)
- C10** Ss. 15–17 applied (with modifications) (17.2.1994) by S.I. 1994/342, [regs. 1\(2\)\(3\), 2\(2\), 13\(3\)](#)
- C11** S. 16 applied (with modifications) (S.) (8.8.2013) by [Scottish Independence Referendum \(Franchise\) Act 2013 \(asp 13\), ss. 6, 13\(1\), sch. 1 Pts. 1, 2](#) (with s. 13(2))
- C12** S. 16 modified by [Scottish Independence Referendum \(Franchise\) Act 2013 \(asp 13\), s. 7A\(5\)](#) (as inserted (S.) (18.12.2013) by [Scottish Independence Referendum Act 2013 \(asp 14\), ss. 3\(3\), 36](#))

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17 Effect of service declaration.

[^{F21}(1) Where a person's service declaration is in force when he applies for registration, he shall be regarded for the purposes of section 4 above as—

(a) resident on the date of the declaration at the address specified in it in accordance with section 16(d) above;

^{F22}(b) and

(c) until the contrary is proved, as being a Commonwealth citizen or a citizen of the Republic of Ireland or a relevant citizen of the Union of the age appearing from the declaration and as not being subject to any legal incapacity except as so appearing.]

(2) Where a service declaration appearing to be properly made out and (where required) attested is transmitted to the registration officer in the proper manner, the declarant shall, until the contrary is proved, be treated for the purposes of registration as having had from the date of the declaration or such later date, if any, as appears from it, and as continuing to have, a service qualification.

[^{F23}(3) In relation to the registration of local government electors in Scotland, subsection (2) is subject to section 15(3A).]

Textual Amendments

F21 S. 17(1) substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 10**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))

F22 S. 17(1)(b) repealed (1.10.2014) by Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13), **ss. 14(1)(a)(viii)**, 28; S.I. 2014/2613, art. 2(2)(a)

F23 S. 17(3) inserted (S.) (25.7.2015) by Scottish Elections (Reduction of Voting Age) Act 2015 (asp 7), **ss. 9(5)**, 21

Modifications etc. (not altering text)

C13 Ss. 12–17 extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), **ss. 2, 13(6)**, **Sch. 1 Pt. I**

C14 Ss. 15–17 applied (with modifications) (17.2.1994) by S.I. 1994/342, **regs. 1(2)(3)**, 2(2), 13(3)

C15 S. 17 applied (with modifications) (S.) (8.8.2013) by Scottish Independence Referendum (Franchise) Act 2013 (asp 13), **ss. 6, 13(1)**, **sch. 1 Pts. 1, 2** (with s. 13(2))

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