



Representation of the People Act 1983

1983 CHAPTER 2

PART II

THE ELECTION CAMPAIGN

Bribery, treating and undue influence

113 Bribery.

- (1) A person shall be guilty of a corrupt practice if he is guilty of bribery.
- (2) A person shall be guilty of bribery if he, directly or indirectly, by himself or by any other person on his behalf—
 - (a) gives any money or procures any office to or for any voter or to or for any other person on behalf of any voter or to or for any other person in order to induce any voter to vote or refrain from voting, or
 - (b) corruptly does any such act as mentioned above on account of any voter having voted or refrained from voting, or
 - (c) makes any such gift or procurement as mentioned above to or for any person in order to induce that person to procure, or endeavour to procure, the return of any person at an election or the vote of any voter,

or if upon or in consequence of any such gift or procurement as mentioned above he procures or engages, promises or endeavours to procure the return of any person at an election or the vote of any voter.

For the purposes of this subsection—

- (i) references to giving money include references to giving, lending, agreeing to give or lend, offering, promising, or promising to procure or endeavour to procure any money or valuable consideration; and
- (ii) references to procuring any office include references to giving, procuring, agreeing to give or procure, offering, promising, or promising to procure or to endeavour to procure any office, place or employment^{F1} and

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- (iii) references to procuring the return of any person at an election include, in the case of an election of the London members of the London Assembly at an ordinary election, references to procuring the return of candidates on a list of candidates submitted by a registered political party for the purposes of that election]
- (3) A person shall be guilty of bribery if he advances or pays or causes to be paid any money to or for the use of any other person with the intent that that money or any part of it shall be expended in bribery at any election or knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election.
- (4) The foregoing provisions of this section shall not extend or be construed to extend to any money paid or agreed to be paid or on account of any legal expenses incurred in good faith at or concerning an election.
- (5) A voter shall be guilty of bribery if before or during an election he directly or indirectly by himself or by any other person on his behalf receives, agrees, or contracts for any money, gift, loan or valuable consideration, office, place or employment for himself or for any other person for voting or agreeing to vote or for refraining or agreeing to refrain from voting.
- (6) A person shall be guilty of bribery if after an election he directly or indirectly by himself or by any other person on his behalf receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting.
- (7) In this section the expression “voter” includes any person who has or claims to have a right to vote.

Textual Amendments

- F1** S. 113(2)(iii) and word “and” immediately preceding inserted (14.12.1999) by 1999 c. 29, s. 17, **Sch. 3 para. 30(2)**; S.I. 1999/3376, **art. 2**

Modifications etc. (not altering text)

- C1** Ss. 111–117 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C2** Ss. 111–117 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C3** S. 113 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
S. 113 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C4** Ss. 113–115 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 1
Ss. 113–115 applied (W.) (24.3.2004) by **The Local Authorities (Conduct of Referendums) (Wales) Regulations 2004 (S.I. 2004/870)**, **reg. 8**, {Sch. 3 Table 2} (which S.I. was revoked (24.7.2008) by S.I. 2008/1848)
- C5** S. 113 applied (with modifications) (2.4.2001) by S.I. 2001/1298, **reg. 8**, **Sch. 3** Table 2
- C6** S. 113 applied (23.7.2004) by **The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962)**, art. 6(2), **Sch. 2 Pt. 2**
- C7** S. 113 applied (E.) (28.7.2007) by **The Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089)**, **regs. 8, 11, 13**, {Sch. 4 Table 1}
- C8** S. 113 applied (with modifications) (W.) (24.7.2008) by **The Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 (S.I. 2008/1848)**, **reg. 8**, {Sch. 4 para. 1 Table 1}
- C9** S. 113 applied (with modifications) (1.8.2001) by S.I. 2001/2599, art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)

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C10 S. 113 applied (with modifications) (E.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), reg. 1, **Sch. 4 para. 1**

114 Treating.

- (1) A person shall be guilty of a corrupt practice if he is guilty of treating.
- (2) A person shall be guilty of treating if he corruptly, by himself or by any other person, either before, during or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any meat, drink, entertainment or provision to or for any person—
 - (a) for the purpose of corruptly influencing that person or any other person to vote or refrain from voting; or
 - (b) on account of that person or any other person having voted or refrained from voting, or being about to vote or refrain from voting.
- (3) Every elector or his proxy who corruptly accepts or takes any such meat, drink, entertainment or provision shall also be guilty of treating.

Modifications etc. (not altering text)

- C4** Ss. 113–115 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 1
Ss. 113–115 applied (W.) (24.3.2004) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2004 \(S.I. 2004/870\)](#), **reg. 8**, {Sch. 3 Table 2} (which S.I. was revoked (24.7.2008) by S.I. 2008/1848)
- C11** Ss. 111–117 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C12** Ss. 111–117 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C13** S. 114 applied (with modifications) (2.4.2001) by S.I. 2001/1298, **reg. 8**, **Sch. 3** Table 2
- C14** S. 114 applied (with modifications) (1.8.2001) by S.I. 2001/2599, art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)
- C15** S. 114 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
S. 114 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C16** S. 114 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 1
S. 114 applied (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), art. 6(2), **Sch. 2 Pt. 2**
- C17** S. 114 applied (E.) (28.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), **regs. 8, 11, 13**, {Sch. 4 Table 1}
- C18** S. 114 applied (with modifications) (W.) (24.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), **reg. 8**, {Sch. 4 para. 1 Table 1}
- C19** S. 114 applied (with modifications) (E.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), reg. 1, **Sch. 4 para. 1**

115 Undue influence.

- (1) A person shall be guilty of a corrupt practice if he is guilty of undue influence.
- (2) A person shall be guilty of undue influence—
 - (a) if he, directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person in order

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to induce or compel that person to vote or refrain from voting, or on account of that person having voted or refrained from voting; or

- (b) if, by abduction, duress or any fraudulent device or contrivance, he impedes or prevents [^{F2}, or intends to impede or prevent,] the free exercise of the franchise of an elector or proxy for an elector, or so compels, induces or prevails upon [^{F3}, or intends so to compel, induce or prevail upon,] an elector or proxy for an elector either to vote or to refrain from voting.

Textual Amendments

- F2** Words in s. 115(2)(b) inserted (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 39(1)(a)(2), 77** (with s. 39(2)); S.I. 2006/1972, **art. 3**, Sch. 1 para. 6 (subject to transitional provisions in art. 4, Sch. 2)
- F3** Words in s. 115(2)(b) inserted (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 39(1)(b)(2), 77** (with s. 39(2)); S.I. 2006/1972, **art. 3**, Sch. 1 para. 6 (subject to transitional provisions in art. 4, Sch. 2)

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- C4** Ss. 113-115 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 1
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- C20** Ss. 111–117 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C21** Ss. 111–117 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C22** S. 115 applied (with modifications) (2.4.2001) by S.I. 2001/1298, reg. 8, **Sch. 3** Table 2
- C23** S. 115 applied (with modifications) (1.8.2001) by S.I. 2001/2599, art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)
- C24** S. 115 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
S. 115 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C25** S. 115 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 1
S. 115 applied (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), art. 6(2), **Sch. 2 Pt. 2**
- C26** S. 115 modified (S.) (29.1.2007) Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 14, 63**; S.S.I. 2007/26, **art. 2(1)(c)**
- C27** S. 115 applied (E.) (28.7.2007) by The Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089), **regs. 8, 11, 13**, {Sch. 4 Table 1}
- C28** S. 115 applied (with modifications) (W.) (24.7.2008) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 (S.I. 2008/1848), **reg. 8**, {Sch. 4 para. 1 Table 1}
- C29** S. 115 applied (with modifications) (E.) (9.2.2012) by The Local Authorities (Conduct of Referendums)(England) Regulations 2012 (S.I. 2012/323), reg. 1, **Sch. 4 para. 1**

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