

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

F1F2

SCHEDULE 1

Section 23.

Textual Amendments	
F1	Sch. 1 modified (S.) by The Representation of the People (Scotland) Regulations 1986 (S.I. 1986/1111) , regs. 2, 95, 96, 98(1) (as amended by S.I. 1986/1111, reg.98 (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382) , regs. 1(3) , 36 (with reg. 1(6)(7)))
F2	Sch. 1 modified (E.W.) (23.3.2004) by The Representation of People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294), reg. 8, Sch. 2 (as amended (22.5.2014) by S.I. 2014/920, regs. 1(1), 2(7), 3-6; (7.5.2015) by S.I. 2015/654, regs. 1(1) and (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382) , regs. 1(3) , 37 (with reg. 1(6)(7)))
Modifications etc. (not altering text)	
C1	Parliamentary election rules modified (N.I.) (<i>prosp.</i>) by Representation of the People Act 1985 (c. 50, SIF 42) , s. 10, Sch. 1 paras. 8–23
C2	Paras. 3–7 of Pt. II of Sch. 1 to Representation of the People Act 1985 (c. 50, SIF 42) have effect (N.I.) (<i>prosp.</i>) by virtue of s. 10 of, and Sch. 1 para. 2 to, that Act as additional rules in Sch. 1 to this Act
C3	Sch. 1 applied with modifications (S.) by S.I. 1986/2213 , Rules 2, 5 Sch. 1 applied (with modifications) (E.W.S.) (28.4.1999) by 1985 c. 50 , s. 15(1)(2) (as applied (with modifications) (28.4.1999) by S.I. 1999/1214 , reg. 8 , Sch. 3) (which S.I. was revoked (23.3.2004) by S.I. 2004/293 , reg. 126)
C4	Sch. 1 modified (E.W.) by S.I. 1986/1081 , regs. 2, 97, 98, 100 (which S.I. was revoked (23.3.2004) by S.I. 2004/294 , reg. 3)
C5	Sch. 1 extended (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220 , art. 6(1)–(4)
C6	Sch. 1 modified (E.W.) (23.3.2004) by The Representation of People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294) , reg. 8, Sch. 2 (as amended (22.5.2014) by S.I. 2014/920 , regs. 1(1), 2(7), 3-6; (7.5.2015) by S.I. 2015/654 , regs. 1(1) , 2)
C7	Sch. 1 modified (N.I.) (10.4.2001) by Elections Act 2001 (c. 7) , s. 4, Sch. (as amended (16.12.2010) by S.I. 2010/2977 , arts. 2(2) , 6 ; and (15.9.2014) by S.I. 2014/1116 , arts. 1(1) , 9)

PART I

PROVISIONS AS TO TIME

Timetable

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The proceedings at the election shall be conducted in accordance with the following Table.

Timetable

<i>Proceeding</i>	<i>Time</i>
Issue of Writ	In the case of a general election, as soon

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as practicable after
the [^{F3}dissolution of
Parliament
^{F4}

...].

In the case of a by-
election, as soon as
practicable after the issue
of the warrant for the
writ.

[^{F5}Publication of notice of
election.

In the case of a general
election, not later than 4
in the afternoon on the
second day after that on
which the writ is received
(and for these purposes
the writ is to be taken
to have been received
on the day after the date
of the dissolution of
Parliament).

In the case of a by-
election, not later than 4
in the afternoon on the
second day after that on
which the writ is received
(and for these purposes
the writ is to be taken to
have been received on the
day after the date of the
warrant for the writ).]

Delivery of nomination
papers.

In the case of a general
election, between the
hours of 10 in the
morning and 4 in the
afternoon on any day after
the date of publication
of the notice of election,
but not later than the
sixth day after the date
of the [^{F6}dissolution of
Parliament
^{F7}

[^{F8}(and for these purposes
the writ is to be taken to
have been received on the
day after the date of the
warrant for the writ)]

...].

In the case of a by-
election, the same as
in the case of a general
election, except that the
last day shall be a day
fixed by the returning
officer and shall be not
earlier than the third
day after the date of
publication of the notice
of election nor later than
the seventh day after
that on which the writ is
received.

SCHEDULE 1

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Delivery of notices of withdrawals of candidature.	Within the time for the delivery of nomination papers at the election.
The making of objections to nomination papers.	<p>In the case of a general election or a by-election, during the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following; but—</p> <p>(a) no objection may be made in the afternoon of that last day except to a nomination paper delivered within 24 hours of the last time for its delivery, and in the case of a nomination paper so delivered no objection may be so made to the sufficiency or nature of the particulars of the candidate unless made at or immediately after the time of the delivery of the nomination paper; and</p> <p>(b) the foregoing provisions do not apply to objections made in pursuance of rule 15(2).</p>
Publication of statement of persons nominated.	<p>In the case of a general election or a by-election,</p> <p>[^{F9}(a) if no objections to nomination papers are made, at the close of the time for doing so, or</p> <p>(b) if any such objections are made, not before they are disposed of but not later than 24 hours after the last time for delivery of nomination papers.]</p>
Polling	In the case of a general election, between the

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hours of 7 in the morning
and 10 at night on the
[^{F10}19th day after the
last day for delivery of
nomination papers].

In the case of a by-
election, between the
hours of 7 in the morning
and 10 at night on the
day fixed by the returning
officer, which shall not be
earlier than the [^{F11}17th]
nor later than the [^{F12}19th]
day after the last day for
delivery of nomination
papers.

Textual Amendments

- F3** Words in Sch. 1 rule 1 substituted (15.9.2011) by [Fixed-term Parliaments Act 2011](#) (c. 14), s. 7(2), **Sch. para. 10(2)** (with ss. 1-3, 6)
- F4** Words in Sch. 1 rule 1 omitted (24.3.2022) by virtue of [Dissolution and Calling of Parliament Act 2022](#) (c. 11), s. 6(3), **Sch. para. 8(2)(a)**
- F5** Words in Sch. 1 rule 1 substituted (24.3.2022) by [Dissolution and Calling of Parliament Act 2022](#) (c. 11), s. 6(3), **Sch. para. 8(2)(b)**
- F6** Words in Sch. 1 rule 1 substituted (15.9.2011) by [Fixed-term Parliaments Act 2011](#) (c. 14), s. 7(2), **Sch. para. 10(3)** (with ss. 1-3, 6)
- F7** Words in Sch. 1 rule 1 omitted (24.3.2022) by virtue of [Dissolution and Calling of Parliament Act 2022](#) (c. 11), s. 6(3), **Sch. para. 8(2)(c)(i)**
- F8** Words in Sch. 1 rule 1 inserted (24.3.2022) by [Dissolution and Calling of Parliament Act 2022](#) (c. 11), s. 6(3), **Sch. para. 8(2)(c)(ii)**
- F9** Words in Sch. 1 rule 1 substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), **ss. 19(2), 77**; [S.I. 2006/3412](#), **art. 3**, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); [S.I. 2008/1316](#), **arts 2, 4**
- F10** Words in Sch. 1 rule 1 substituted (24.3.2022) by [Dissolution and Calling of Parliament Act 2022](#) (c. 11), s. 6(3), **Sch. para. 8(2)(d)**
- F11** Word in Sch. 1 rule 1 substituted (6.4.2014) by [Electoral Registration and Administration Act 2013](#) (c. 6), **ss. 14(3)(a), 27(1)**; [S.I. 2014/414](#), **art. 3(a)** (with art. 4)
- F12** Word in Sch. 1 rule 1 substituted (6.4.2014) by [Electoral Registration and Administration Act 2013](#) (c. 6), **ss. 14(3)(b), 27(1)**; [S.I. 2014/414](#), **art. 3(a)** (with art. 4)

Modifications etc. (not altering text)

- C8** Sch. 1 rule 1 applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
- C9** Sch. 1 rule 1 applied with modifications (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C10** Sch. 1 rule 1 amended (E.W.) (1.4.2004) by [European Parliamentary and Local Elections \(Pilots\) Act 2004](#) (c. 2), s. 8, **Sch. para. 1**
- C11** Sch. 1 rule 1 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001](#) ([S.I. 2001/2599](#)), art. 3, Sch. 1 (as amended (20.3.2003) by [Northern Ireland Assembly Elections Act 2003](#) (c. 3), s. 1(6); substituted (10.2.2009) by [S.I. 2009/256](#), art. 1(2), 3, Sch. 1; and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011](#) (c. 1), s. 19(1), **Sch. 8 para. 4**)

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Computation of time

- 2 (1) In computing any period of time for the purposes of the Timetable—
- (a) a Saturday or Sunday,
 - ^{F13}(b) Christmas Eve, Christmas Day, ^{F14}. . . Good Friday or a bank holiday]
 - (c) a day appointed for public thanksgiving or mourning,
- shall be disregarded^{F15}... ^{F16}, and any such day is not to be treated as a day for the purpose of any proceedings in the Timetable up to the completion of the poll, nor is the returning officer obliged to proceed with the counting of the votes on such a day.]

^{F17}(1A)

^{F18}(1B)

- (2) In this rule “bank holiday” means—

- (a) in relation to a general election, a day which is a bank holiday under the ^{M1}Banking and Financial Dealings Act 1971 in any part of the United Kingdom,
 - (b) in relation to a by-election, a day which is a bank holiday under that Act in that part of the United Kingdom in which the constituency is situated,
- but at a general election sub-paragraph (b) and not sub-paragraph (a) of this paragraph applies in relation to any proceedings—

- (i) commenced afresh by reason of a candidate’s death; ^{F19}...

^{F19}(ii)

- ^{F20}(2A) In relation to a general election, this rule does not apply to a day which is a bank holiday or a day appointed for public thanksgiving or mourning if ^{F21}the day was not fixed or appointed as such before the dissolution of Parliament.]

But, in relation to any proceedings commenced afresh by reason of a candidate’s death, this paragraph is to be ignored.]

^{F22}(3)

Textual Amendments

- F13** Sch. 1 rule 2(1)(b) substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 19(5)(a)
- F14** Words in Sch. 1 rule 2(1)(b) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 52; S.I. 2006/3412, art. 3, Sch. 1 para. 14(w) (bb)(ii)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F15** Words in Sch. 1 rule 2(1) omitted (15.9.2011) by virtue of Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), Sch. para. 11(2) (with s. 6)
- F16** Words in Sch. 1 rule 2(1) inserted (24.3.2022) by Dissolution and Calling of Parliament Act 2022 (c. 11), s. 6(3), Sch. para. 8(3)(a)
- F17** Sch. 1 rule 2(1A) omitted (24.3.2022) by virtue of Dissolution and Calling of Parliament Act 2022 (c. 11), s. 6(3), Sch. para. 8(3)(b)
- F18** Sch. 1 rule 2(1B) omitted (24.3.2022) by virtue of Dissolution and Calling of Parliament Act 2022 (c. 11), s. 6(3), Sch. para. 8(3)(b)
- F19** Sch. 1 rule 2(2)(ii) and preceding word omitted (15.9.2011) by virtue of Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), Sch. para. 11(4) (with s. 6)
- F20** Sch. 1 rule 2(2A) inserted (15.9.2011) by Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), Sch. para. 11(5) (with s. 6)

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F21 Words in [Sch. 1 rule 2\(2A\)](#) substituted for [Sch. 1 rule 2\(2A\)\(a\)\(b\)](#) (24.3.2022) by [Dissolution and Calling of Parliament Act 2022](#) (c. 11), s. 6(3), [Sch. para. 8\(3\)\(c\)](#)

F22 [Sch. 1 rule 2\(3\)](#) repealed by [Representation of the People Act 1985](#) (c. 50, SIF 42), [ss. 19\(5\)\(b\)](#), [Sch. 5](#)

Modifications etc. (not altering text)

C12 [Sch. 1 rule 2](#) applied (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, [Sch. 1 Pt. I](#)

C13 [Sch. 1 rule 2](#) applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), [Sch. 1 Pt. I](#)

C14 [Sch. 1 rule 2](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), art. 3(1)(5)–(8), [Sch. 1](#)
[Sch. 1 rule 2](#) 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](#))

Marginal Citations

M1 1971 c. 80.

PART II

STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

ISSUE OF WRIT AND NOTICE OF ELECTION

Issue of writ

- 3 (1) Writs for parliamentary elections shall continue to be sealed and issued in accordance with the existing practice of the office of the Clerk of the Crown.
- (2) Each writ shall be in the form in the Appendix and shall be directed to the returning officer by the title of his office as returning officer (and not by his name) and conveyed to him.
- (3) Her Majesty may by Order in Council—
 - (a) specify the manner in which writs are to be conveyed whether by post, by an officer appointed by the Lord Chancellor or, as regards Northern Ireland, the Secretary of State, or otherwise, and make different provision for different classes of writs; and
 - (b) provide for the giving of receipts for writs by persons to whom they are delivered or who may receive them in the course of their conveyance.
- (4) Delivery of the writ to a person for the time being authorised by law to act as deputy for the officer who by virtue of his office is returning officer shall be as good as delivery to the returning officer.
- (5) An Order in Council under this rule—
 - (a) may require a returning officer to provide an address to which writs are to be conveyed and any change of that address; and
 - (b) may provide for recording those addresses; and
 - (c) may provide that the delivery of a writ to a person found in and for the time being in charge of a place so recorded as the office of a returning officer shall be as good as delivery to that returning officer.

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- (6) The person to whom the writ is delivered shall endorse the date of receipt on the writ in the form shown in the Appendix.
- (7) A draft of an Order in Council under this rule shall be laid before Parliament, and any such Order may provide for any incidental or supplemental matter.

Conveyance of writ to acting returning officer

- 4 (1) For an election in a constituency in England and Wales the writ shall (notwithstanding anything in rule 3 above) be conveyed to the acting returning officer if the returning officer—
- (a) has so requested by notice in the form prescribed by an Order in Council under rule 3 and received by the Clerk of the Crown one month or more before the issue of the writ; and
 - (b) has not revoked it by a further notice in the form so prescribed and received within such time as is mentioned above.
- (2) A notice under this rule has effect in relation to all constituencies—
- (a) of which the person giving it is returning officer at the time of giving it; or
 - (b) of which he or a successor in office becomes returning officer by virtue of that office.
- (3) Where by virtue of this rule writs are conveyed to the acting returning officer paragraph (5) of rule 3 applies in relation to him as it applies in relation to a returning officer.

Notice of election

- 5 (1) The returning officer shall publish notice of the election ^{F23} . . . , stating—
- (a) the place and times at which nomination papers are to be delivered, and
 - (b) the date of the poll in the event of a contest,
- and the notice shall state that forms of nomination paper may be obtained at that place and those times.
- [^{F24}(1A) The notice of election must also state the arrangements which apply for the payment of the deposit required by rule 9 below to be made by means of the electronic transfer of funds.]
- (2) The notice of election shall state the date by which [^{F25}(except in such circumstances as may be prescribed)]—
- (a) applications to [^{F26}vote by post or by proxy], and
 - (b) other applications and notices about postal or proxy voting,
- must reach the registration officer in order that they may be effective for the election.

^{F27}(3)

Textual Amendments

F23 Words repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, Sch. 4 para. 74(a), Sch. 5

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- F24** Sch. 1 rule 5(1A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), ss. 19(3), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4
- F25** Words in Sch. 1 rule 5(2) inserted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 15(1), [Sch. 6 para. 10\(1\)\(2\)](#); S.I. 2001/116, art. 2(1)(2) (with art. 2(4))
- F26** Words substituted by [Representation of the People Act 1985](#) (c. 50, SIF 42), s. 11, [Sch. 2 para. 4](#)
- F27** Sch. 1 rule 5(3) repealed by [Representation of the People Act 1985](#) (c. 50, SIF 42), ss. 24, 28, [Sch. 4 para. 74\(b\)](#), Sch. 5

Modifications etc. (not altering text)

- C15** Sch. 1 rule 5 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), [Sch. 1 Pt. 1](#)
Sch. 1 rule 5 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](#))
- C16** Sch. 1 rule 5 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, [Sch. 1 Pt. I](#)

NOMINATION

Nomination of candidates

- 6 (1) Each candidate shall be nominated by a separate nomination paper, in the form in the Appendix delivered—
- by the candidate himself, or
 - by his proposer or seconder,
- to the returning officer at the place fixed for the purpose, but the paper may be so delivered on the candidate's behalf by his election agent if the agent's name and address have been previously given to the returning officer as required by section 67 of this Act or are so given at the time the paper is delivered.
- (2) The nomination paper shall state the candidate's—
- full names, ^{F28}and]
 - ^{F29}
 - if desired, description,
- and the surname shall be placed first in the list of his names.
- ^{F30}(2A) If a candidate commonly uses—
- a surname which is different from any other surname he has, or
 - a forename which is different from any other forename he has,
- the nomination paper may state the commonly used surname or forename in addition to the other name.]
- ^{F31}(3) The description, if any, must consist of either—
- a description ^{F32} . . . which is authorised as mentioned in rule 6A(1) ^{F33}or (1B)] below; or
 - the word “Independent” or, where the candidate is the Speaker of the House of Commons seeking re-election, the words “The Speaker seeking re-election”.]
- ^{F34}(4) The nomination paper must be accompanied by a form (in this Schedule referred to as the “home address form”) which states the candidate's—

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- (a) full names, and
- (b) home address in full.

Provision in paragraph (1) above about delivery of the nomination paper applies also to the home address form.

- (5) The home address form—
 - (a) may contain a statement made and signed by the candidate that he requires the home address not to be made public; and
 - (b) if it does so, must state the constituency within which that address is situated (or, if that address is outside the United Kingdom, the country within which it is situated).]

Textual Amendments

- F28** Word in Sch. 1 rule 6(2)(a) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), **Sch. 6 para. 8(2)**; S.I. 2009/2395, **art. 2** (with art. 3)
- F29** Sch. 1 rule 6(2)(b) repealed (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(2)(a), 39, 43(1), **Sch. 7**; S.I. 2009/2395, **art. 2** (with art. 3)
- F30** Sch. 1 rule 6(2A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 21(2)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(h) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2**, 4
- F31** Sch. 1 rule 6(3) substituted (16.2.2001) by 2000 c. 41, **s. 38(1)(2)** (with s. 156(6)); S.I. 2001/222, **art. 2**, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)
- F32** Words in Sch. 1 rule 6(3)(a) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 19(4)(a), 74(2), 77, **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(f) (aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2**, 4
- F33** Words in Sch. 1 rule 6(3)(a) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 19(4)(b)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2**, 4
- F34** Sch. 1 rule 6(4)(5) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 24(2)(b)**, 43(1); S.I. 2009/2395, **art. 2** (with art. 3)

Modifications etc. (not altering text)

- C17** Sch. 1 rule 6 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(5)-(8)**, **Sch. 1**
Sch. 1 rule 6 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**)
- C18** Sch. 1 rules 6, 7, 8 applied (with modifications) (E.W.S.) by S.I. 1986/2209, **regs. 2**, 3, 5(1)(6)(8), **Sch. 1 Pt. I**
- C19** Sch. 1 rules 6, 7, 8 applied with modifications (N.I.) by S.I. 1986/2250, **regs. 2**, 3, 5, **Sch. 1 Pt. I**

[^{F35} *Nomination papers: name of registered political party*]

Textual Amendments

- F35** Sch. 1 rule 6A: cross-heading inserted (24.3.1999) by 1998 c. 48, s. 13, **Sch. 2 para. 2**; S.I. 1999/393, **art. 2**

[^{F36}6A(1) A nomination paper may not include a description of a candidate which is likely to lead [^{F37}electors] to associate the candidate with a registered political party unless

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[^{F38}the party is a qualifying party in relation to the constituency and] the description is authorised by a certificate—

- (a) issued by or on behalf of the registered nominating officer of the party, and
- (b) received by the returning officer at some time during the period for delivery of nomination papers set out in the Table in rule 1.

[In paragraph (1) above an authorised description may be either—

- ^{F39}(1A) (a) the name of the party registered under section 28 of the Political Parties, Elections and Referendums Act 2000, or
- (b) a description of the party registered under section 28A of that Act.

(1B) A nomination paper may not include a description of a candidate which is likely to lead electors to associate the candidate with two or more registered political parties unless the parties are each qualifying parties in relation to the constituency and the description is a registered description authorised by a certificate—

- (a) issued by or on behalf of the registered nominating officer of each of the parties, and
- (b) received by the returning officer at some time during the period for delivery of nomination papers set out in the Table in rule 1.

(1C) For the purposes of paragraph (1B), a description is a registered description if it is a description registered for use by the parties under section 28B of the Political Parties, Elections and Referendums Act 2000.]

(2) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (1) [^{F40}or (1B)] on behalf of a registered political party's nominating officer.

[For the purposes of the application of this rule in relation to an election—

- ^{F41}(3) (a) “registered political party” means a party which was registered under Part II of the Political Parties, Elections and Referendums Act 2000 [^{F42}on the day (“the relevant day”) which is two days before the last day for the delivery of nomination papers at the election;]
- (b) a registered political party is a qualifying party in relation to a constituency if—
- (i) the constituency is in England, Scotland or Wales and the party was [^{F43}on the relevant day] registered in respect of that part of Great Britain in the Great Britain register maintained under that Part of that Act, or
 - (ii) the constituency is in Northern Ireland and the party was [^{F44}on the relevant day] registered in the Northern Ireland register maintained under that Part of that Act.]

[For the purposes of paragraph (3)(a) any day falling within rule 2(1) [^{F46}(subject to ^{F45}(4) rule 2(2A))] shall be disregarded.]]

Textual Amendments

F36 Sch. 1 rule 6A inserted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 2; S.I. 1999/393, art. 2

F37 Word in Sch. 1 rule 6A(1) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, Sch. 1 para. 129(2); S.I. 2006/3412, art. 3, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

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- F38** Words in Sch. 1 rule 6A(1) inserted (16.2.2001) by 2000 c. 41, s. 38(1)(3)(a) (with s. 156(6)); S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)
- F39** Sch. 1 rule 6A(1A)-(1C) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 49(3), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 6 (subject to transitional provisions in art. 6, Sch. 2)
- F40** Words in Sch. 1 rule 6A(2) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, Sch. 1 para. 129(3); S.I. 2006/3412, art. 3, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F41** Sch. 1 rule 6A(3) substituted (16.2.2001) by 2000 c. 41, s. 38(1)(3)(b) (with s. 156(6)); S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)
- F42** Words in Sch. 1 rule 6A(3)(a) substituted (11.9.2006) by Electoral Administration Act 2006 (c. 22), ss. 52(2)(a), 77; S.I. 2006/1972, art. 3(2), Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F43** Words in Sch. 1 rule 6A(3)(b) substituted (11.9.2006) by Electoral Administration Act 2006 (c. 22), ss. 52(2)(b), 77; S.I. 2006/1972, art. 3(2), Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F44** Words in Sch. 1 rule 6A(3)(b) substituted (11.9.2006) by Electoral Administration Act 2006 (c. 22), ss. 52(2)(b), 77; S.I. 2006/1972, art. 3(2), Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F45** Sch. 1 rule 6A(4) inserted (11.9.2006) by Electoral Administration Act 2006 (c. 22), ss. 52(3), 77; S.I. 2006/1972, art. 3(2), Sch. 1 para. 12 (subject to transitional provisions in art. 4, Sch. 2)
- F46** Words in Sch. 1 rule 6A(4) inserted (15.9.2011) by Fixed-term Parliaments Act 2011 (c. 14), s. 7(2), Sch. para. 12 (with s. 6)

Modifications etc. (not altering text)

- C20** Sch. 1 rule 6A 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)

Subscription of nomination paper

- 7 (1) The nomination paper shall be subscribed by two electors as proposer and seconder, and by eight other electors as assenting to the nomination.
- (2) Where a nomination paper bears the signatures of more than the required number of persons as proposing, seconding or assenting to the nomination of a candidate, the signature or signatures (up to the required number) appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.
- (3) The nomination paper shall give the electoral number of each person subscribing it.
- (4) The returning officer—
- shall supply any elector with a form of nomination paper at the place and during the time for delivery of nomination papers, and
 - shall at any elector's request prepare a nomination paper for signature, but it is not necessary for a nomination to be on a form supplied by the returning officer.
- (5) A person shall not subscribe more than one nomination paper at the same election and, if he does, his signature shall be inoperative on any paper other than the one first delivered, but he shall not be prevented from subscribing a nomination paper by reason only of his having subscribed that of a candidate who has died or withdrawn before delivery of the first mentioned paper.
- [^{F47}(6) In this rule “elector”—
- means a person who is registered in the register of parliamentary electors for the constituency on the last day for publication of notice of the election; and

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- (b) includes a person then shown in that register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.]

[^{F48}(7) But, in this rule, “elector” does not include a person who has an anonymous entry in the register.]

Textual Amendments

F47 Sch. 1 rule 7(6) substituted (16.2.2001) by 2000 c. 2, s. 8(a), **Sch. 1 para. 23(2)**; S.I. 2001/116, **art. 2(1)**

F48 Sch. 1 rule 7(7) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, **Sch. 1 para. 14(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)

Modifications etc. (not altering text)

C21 Sch. 1 rules 6, 7, 8 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C22 Sch. 1 rules 6, 7, 8 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**

Sch. 1 rule 7 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**)

Consent to nomination

- 8 (1) A person shall not be validly nominated unless his consent to nomination—
- (a) is given in writing on or within one month before the day fixed as the last day for the delivery of nomination papers,
 - (b) is attested by one witness, and
 - (c) is delivered at the place and within the time for the delivery of nomination papers,
- subject to paragraph (2) below.
- (2) If the returning officer is satisfied that owing to the absence of a person from the United Kingdom it has not been reasonably practicable for his consent in writing to be given as mentioned above, a telegram (or any similar means of communication) consenting to his nomination and purporting to have been sent by him shall be deemed for the purposes of this rule to be consent in writing given by him on the day on which it purports to have been sent, and attestation of his consent shall not be required.
- (3) A candidate's consent given under this rule—
- (a) shall state the day, month and year of his birth; and
 - (b) shall state—
 - (i) that he is aware of the provisions of the ^{M2}House of Commons Disqualification Act 1975; and
 - (ii) that to the best of his knowledge and belief he is not disqualified for membership of the House of Commons.
- [^{F49}(c) shall state that he is not a candidate at an election for any other constituency the poll for which is to be held on the same day as that for the election to which the consent relates,]

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Textual Amendments

- F49** Sch. 1 rule 8(3)(c) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), [ss. 22, 77](#); [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 14\(i\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); [S.I. 2008/1316](#), [arts. 2, 4](#)

Modifications etc. (not altering text)

- C23** Sch. 1 rules 6, 7, 8 applied with modifications (N.I.) by [S.I. 1986/2250](#), [regs. 2, 3, 5](#), [Sch. 1 Pt. I](#)
- C24** Sch. 1 rules 6, 7, 8 applied with modifications (E.W.S.) by [S.I. 1986/2209](#), [regs. 2, 3, 5\(1\)\(6\)-\(8\)](#), [Sch. 1 Pt. I](#)
- Sch. 1 rule 8 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](#))
- C25** Sch. 1 rule 8 modified (17.2.1994) by [S.I. 1994/342](#), [regs. 1\(2\)\(3\), 5\(4\), 6\(4\)](#)

Marginal Citations

- M2** 1975 c. 24.

Deposit

- 9 (1) A person shall not be validly nominated unless the sum of [^{F50}£500] is deposited by him or on his behalf with the returning officer at the place and during the time for delivery of nomination papers.
- (2) The deposit may be made either—
- by the deposit of any legal tender, or
 - by means of a banker's draft, or
 - with the returning officer's consent, in any other manner [^{F51}(including by means of a debit or credit card or the electronic transfer of funds)] .
- but the returning officer may refuse to accept a deposit sought to be made by means of a banker's draft if he does not know that the drawer carries on business as a banker in the United Kingdom.
- [^{F52}(3) Where the deposit is made on behalf of the candidate, the person making the deposit shall at the time he makes it give his name and address to the returning officer (unless they have previously been given to him under section 67 of this Act or [^{F53}rule 6(4)] above).]

Textual Amendments

- F50** "£500" substituted for "£150" by [Representation of the People Act 1985](#) (c. 50, SIF 42), [s. 13\(a\)](#)
- F51** Words in [Sch. 1 rule 9\(2\)\(c\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), [ss. 19\(5\), 77](#); [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 14\(f\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); [S.I. 2008/1316](#), [arts 2, 4](#)
- F52** [Sch. 1 rule 9\(3\)](#) added by [Representation of the People Act 1985](#) (c. 50, SIF 42), [s. 24](#), [Sch. 4 para. 75](#)
- F53** Words in [Sch. 1 rule 9\(3\)](#) substituted (4.9.2009) by [Political Parties and Elections Act 2009](#) (c. 12), [ss. 39, 43\(1\)](#), [Sch. 6 para. 8\(3\)](#); [S.I. 2009/2395](#), [art. 2](#) (with [art. 3](#))

Modifications etc. (not altering text)

- C26** Sch. 1 rule 9 applied with modifications (N.I.) by [S.I. 1986/2250](#), [regs. 2, 3, 5](#), [Sch. 1 Pt. I](#)
- C27** Sch. 1 rule 9 applied with modifications (E.W.S.) by [S.I. 1986/2209](#), [regs. 2, 3, 5\(1\)\(6\)-\(8\)](#), [Sch. 1 Pt. I](#)

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Sch. 1 rule 9 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)

Place for delivery of nomination papers

- 10 (1) The returning officer shall fix the place at which nomination papers are to be delivered to him, and shall attend there during the time for their delivery and for the making of objections to them.
- (2) Except in Scotland, the place shall be in—
- the constituency; or
 - the registration area which includes the constituency; or
 - unless the constituency is a borough constituency, in a [^{F54}local government area][^{F55}or Welsh county or county borough] adjoining the constituency or registration area.
- For the purposes of paragraph (b) above “registration area” means—
- in England and Wales, the area of two or more constituencies which have the same registration officer;
 - in Northern Ireland, the county borough of Belfast and each county.
- (3) In Scotland the place shall be in—
- the constituency; or
 - the [^{F54}local government area] or (if more than one) any of the [^{F54}local government areas] in which the constituency is situated; or
 - any district adjoining the [^{F54}local government area] or [^{F54}local government areas] (as the case may be) in which the constituency is situated.

Textual Amendments

F54 Words in s. 1 rule 10 substituted (1.4.1996) by S.I. 1996/739, art. 7(1), Sch. 1 Pt. I para. 5(5)(a)

F55 Words in Sch. 1 rule 10(2)(c) inserted (1.4.1996) by 1994 c. 19, s. 66(6), Sch. 16 para. 68(17) (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, Sch. 2

Modifications etc. (not altering text)

C28 Sch. 1 rule 10 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

C29 Sch. 1 rule 10 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), Sch. 1 Pt. I
Sch. 1 rule 10 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)

Right to attend nomination

- 11 (1) Except for the purpose of delivering a nomination paper or of assisting the returning officer, and subject to paragraph (4) below, no person is entitled to attend the proceedings during the time for delivery of nomination papers or for making objections to them unless he is—
- a person standing nominated as a candidate, or
 - the election agent, proposer or seconder of such a person, [^{F56} or
 - a person who is entitled to attend by virtue of section 6A or 6B of the Political Parties, Elections and Referendums Act 2000,]

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but where a candidate acts as his own election agent he may name one other person who shall be entitled to attend in place of his election agent.

(2) Where a person stands nominated by more than one nomination paper, only the persons subscribing as proposer and seconder—

- (a) to such one of those papers as he may select, or
- (b) in default of such a selection, to that one of those papers which is first delivered,

shall be entitled to attend as his proposer and seconder.

(3) The right to attend conferred by this rule includes the right—

- (a) to inspect, and
- (b) to object to the validity of,

any nomination paper [^{F57}and associated home address form] .

[^{F58}(3A) Paragraph (3) does not apply to a person mentioned in paragraph (1)(c).]

(4) [^{F59}One other person chosen by the candidate] is entitled to be present at the delivery of the candidate's nomination, and may afterwards, so long as the candidate stands nominated, attend the proceedings referred to in paragraph (1) above, but without any such right as is conferred by paragraph (3) above.

[^{F60}(5) The returning officer shall not permit a home address form to be inspected otherwise than in accordance with this rule, or for some other purpose authorised by law.]

Textual Amendments

F56 Sch. 1 rule 11(1)(c) and word inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 83(2)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**

F57 Words in Sch. 1 rule 11(3) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 24(3)(a)**, 43(1); S.I. 2009/2395, **art. 2** (with art. 3)

F58 Sch. 1 rule 11(3A) inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 83(3)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**

F59 Words in Sch. 1 rule 11(4) substituted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 83(4)**; S.I. 2006/3412, **art. 5**; S.I. 2008/1316, **arts. 2, 4**

F60 Sch. 1 rule 11(5) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 24(3)(b)**, 43(1); S.I. 2009/2395, **art. 2** (with art. 3)

Modifications etc. (not altering text)

C30 Sch. 1 rule 11 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C31 Sch. 1 rule 11 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
Sch. 1 rule 11 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**)

Decisions as to validity of nomination papers

12 (1) Where a nomination paper and the candidate's consent to it [^{F61}and the home address form] are delivered and a deposit is made in accordance with these rules, the candidate shall be deemed to stand nominated unless and until—

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- (a) the returning officer decides that the nomination paper is invalid; or
 - ^{F62}(aa) the returning officer decides that the home address form does not comply with rule 6(4); or
 - (b) proof is given to the returning officer's satisfaction of the candidate's death; or
 - (c) the candidate withdraws.
- (2) The returning officer is entitled to hold a nomination paper invalid only on one of the following grounds—
 - (a) that the particulars of the candidate or the persons subscribing the paper are not as required by law;
 - (b) that the paper is not subscribed as so required; and
 - (c) that the candidate is disqualified by the Representation of the ^{M3}People Act 1981.
- (3) ^{F63}Subject to paragraph (3A),] the returning officer shall give his decision on any objection to a nomination paper
 - ^{F64}(a) as soon as practicable after it is made, and
 - (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1.]
- ^{F65}(3A) If in the returning officer's opinion a nomination paper breaks rule 6A(1) [^{F66}or (1B)], he shall give a decision to that effect
 - ^{F67}(a) as soon as practicable after delivery of the nomination paper, and
 - (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1.]]
- (4) [^{F68}Where the returning officer] decides that a nomination paper is invalid, he shall endorse and sign on the paper the fact and the reasons for his decision.
- (5) The returning officer's decision that a nomination paper is valid shall be final and shall not be questioned in any proceeding whatsoever.
- (6) Subject to paragraph (5) above nothing in this rule prevents the validity of a nomination being questioned on an election petition.

Textual Amendments

- F61** Words in Sch. 1 rule 12(1) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(4)(a), 43(1); S.I. 2009/2395, art. 2 (with art. 3)
- F62** Sch. 1 rule 12(1)(aa) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(4)(b), 43(1); S.I. 2009/2395, art. 2 (with art. 3)
- F63** Words in Sch. 1 rule 12(3) inserted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 3(2); S.I. 1999/393, art. 2
- F64** Words in Sch. 1 rule 12(3) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 19(6), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F65** Sch. 1 rule 12(3A) inserted (24.3.1999) by 1998 c. 48, s. 13, Sch. 2 para. 3(3); S.I. 1999/393, art. 2
- F66** Words in Sch. 1 rule 12(3A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, Sch. 1 para. 130; S.I. 2006/3412, art. 3, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

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F67 Words in [Sch. 1 rule 12\(3A\)](#) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 19\(7\)](#), 77; [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 14\(f\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); [S.I. 2008/1316](#), [arts. 2](#), 4

F68 Words in [Sch. 1 rule 12\(4\)](#) substituted (24.3.1999) by [1998 c. 48](#), s. 13, [Sch. 2 para. 3\(4\)](#); [S.I. 1999/393](#), [art. 2](#)

Modifications etc. (not altering text)

C32 [Sch. 1 rule 12](#) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, [Sch. 1 Pt. I](#)

C33 [Sch. 1 rule 12](#) applied with modifications (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)-(8), [Sch. 1 Pt. I](#)
[Sch. 1 rule 12](#) 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](#))

C34 [Sch. 1 rule 12](#) modified (17.2.1994) by [S.I. 1994/342](#), [regs. 1\(2\)\(3\)](#), 5(5), 6(5)

C35 [Sch. 1 rule 12](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 3\(1\)\(5\)-\(8\)](#), [Sch. 1](#)

Marginal Citations

M3 [1981 c. 34](#).

Withdrawal of candidates

- 13 (1) A candidate may withdraw his candidature by notice of withdrawal—
- signed by him and attested by one witness, and
 - delivered to the returning officer at the place for delivery of nomination papers.
- (2) Where a candidate is outside the United Kingdom, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect as a notice of withdrawal signed by the candidate; but where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph shall be effective if, and only if—
- it and the accompanying declaration are signed by all the proposers except any who is, and is stated in that declaration to be, outside the United Kingdom; or
 - it is accompanied, in addition to that declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

Modifications etc. (not altering text)

C36 [Sch. 1 rule 13](#) applied (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, [Sch. 1 Pt. I](#)

C37 [Sch. 1 rule 13](#) applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)-(8), [Sch. 1 Pt. I](#)

C38 [Sch. 1 rule 13](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 3\(1\)\(5\)-\(8\)](#), [Sch. 1](#)
[Sch. 1 rule 13](#) 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](#))

Publication of statement of persons nominated

- 14 (1) The returning officer shall prepare and publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.

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- (2) The statement shall show the names, addresses and descriptions of the persons nominated as given in their nomination papers [^{F69}and home address forms] , together with the names of the persons subscribing those papers.
- [^{F70}(2A) If a person's nomination paper gives a commonly used surname or forename in addition to another name, the statement shall show the person's commonly used surname or forename (as the case may be) instead of any other name.
- (2B) Paragraph (2A) above does not apply if the returning officer thinks—
- (a) that the use of the person's commonly used name may be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.
- (2C) If paragraph (2B) above applies, the returning officer must give notice in writing to the candidate of his reasons for refusing to allow the use of a commonly used name.]
- (3) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames, and, if there are two or more of them with the same surname, of their other names.
- [^{F71}(3A) In relation to a nominated person in whose case the home address form (or, if the person is nominated by more than one nomination paper, any of the home address forms) contains—
- (a) the statement mentioned in rule 6(5)(a), and
 - (b) the information mentioned in rule 6(5)(b),
- the reference in paragraph (2) to the person's address shall be read as a reference to the information mentioned in rule 6(5)(b).]
- (4) In the case of a person nominated by more than one nomination paper, the returning officer shall take the particulars required by the foregoing provisions of this rule from such one of the papers as the candidate (or the returning officer in default of the candidate) may select, but if the election is contested a candidate standing nominated may require the returning officer to include in the statement the names of the persons subscribing a second and third nomination.
- [^{F72}(4A) Where—
- (a) two or more of the names shown on the statement are the same or so similar as to be likely to cause confusion,
 - (b) paragraph (3A) applies in relation to each of the persons in question, and
 - (c) the information mentioned in rule 6(5)(b) is the same for each of them,
- the returning officer may cause any of their particulars to be shown on the statement with such amendments or additions as the officer thinks appropriate in order to reduce the likelihood of confusion.
- (4B) Where it is practicable to do so before the publication of the statement, the returning officer shall consult any person whose particulars are to be amended or added to under paragraph (4A).
- (4C) The returning officer must give notice in writing to any person whose particulars are amended or added to under paragraph (4A).
- (4D) Anything done by a returning officer in pursuance of paragraph (4A) must not be questioned in any proceedings other than proceedings on an election petition.

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(4E) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of paragraph (4A).]

[^{F73}(5) The returning officer shall send to the Electoral Commission—

- (a) a copy of the statement; and
- (b) in the case of each candidate standing nominated in respect of whom a certificate has been received by the returning officer in accordance with rule 6A [^{F74}(1) or (1B)] above, a copy of that certificate as well.]

Textual Amendments

- F69** Words in Sch. 1 rule 14(2) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), Sch. 6 para. 8(4); S.I. 2009/2395, art. 2 (with art. 3)
- F70** Sch. 1 rule 14(2A)-(2C) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 21(3), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(h) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F71** Sch. 1 rule 14(3A) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(5), 43(1); S.I. 2009/2395, art. 2 (with art. 3)
- F72** Sch. 1 rule 14(4A)-(4E) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 24(6), 43(1); S.I. 2009/2395, art. 2 (with art. 3)
- F73** Sch. 1 rule 14(5) inserted (16.2.2001) by 2000 c. 41, s. 158(1), Sch. 21 para. 6(9) (with s. 156(6)); S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)
- F74** Words in Sch. 1 rule 14(5) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, Sch. 1 para. 131; S.I. 2006/3412, art. 3, Sch. 1 para. 14(aa)(bb)(vi) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

Modifications etc. (not altering text)

- C39** Sch. 1 rules 14, 15 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C40** Sch. 1 rules 14, 15 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I
- C41** Sch. 1 rule 14 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), Sch. 1
Sch. 1 rule 14 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)

[^{F75}Correction of minor errors

Textual Amendments

- F75** Sch. 1 rule 14A inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 19(8), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(f) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

14A (1) A returning officer may, if he thinks fit, at any time before the publication under rule 14 above of the statement of persons nominated, correct minor errors in a nomination paper.

(2) Errors which may be corrected include—

- (a) errors as to a person's electoral number;
- (b) obvious errors of spelling in relation to the details of a candidate.

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- (3) Anything done by a returning officer in pursuance of this rule must not be questioned in any proceedings other than proceedings on an election petition.
- (4) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of this rule.]

Modifications etc. (not altering text)

C42 Sch. 1 rule 14A applied (with modifications) 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)

Disqualification by Representation of the People Act 1981

- 15 (1) If it appears to the returning officer that any of the persons nominated might be disqualified by the Representation of the ^{M4}People Act 1981 he shall, as soon as practicable after the expiry of the time allowed for the delivery of nomination papers, prepare and publish a draft of the statement required under rule 14 above.
- (2) The draft shall be headed “Draft statement of persons nominated” and shall omit the names of the persons subscribing the papers but shall contain a notice stating that any person who wishes to object to the nomination of any candidate on the ground that he is disqualified for nomination under the Representation of the People Act 1981 may do so between the hours of 10 in the morning and 4 in the afternoon on the day and at the place specified in the notice; and the day so specified shall be the day next after the last day for the delivery of nomination papers.

Modifications etc. (not altering text)

C43 Sch. 1 rules 14, 15 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

C44 Sch. 1 rules 14, 15 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), Sch. 1 Pt. I

Sch. 1 rule 15 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)

Marginal Citations

M4 1981 c. 34.

Adjournment of nomination proceedings in case of riot

- 16 (1) Where the proceedings for or in connection with nomination are on any day interrupted or obstructed by riot or open violence—
 - (a) the proceedings shall be abandoned for that day, and
 - (b) if that day is the last day for the delivery of nomination papers, the proceedings shall be continued on the next day as if that were the last day of such delivery,
 and that day shall be treated for the purposes of these rules as being the last day for such delivery (subject to any further application of this rule in the event of interruption or obstruction on that day).
- (2) Where proceedings are abandoned by virtue of this rule nothing—

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- (a) may be done after they are continued if the time for doing it had passed at the time of the abandonment;
- (b) done before the abandonment shall be invalidated by reason of the abandonment.

Modifications etc. (not altering text)

C45 Sch. 1 rule 16 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C46 Sch. 1 rule 16 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

Sch. 1 rule 16 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**)

Method of election

- 17 (1) If the statement of persons nominated shows more than one person standing nominated, a poll shall be taken in accordance with Part III of these rules.
- (2) If the statement of persons nominated shows only one person standing nominated, that person shall be declared to be elected in accordance with Part IV of these rules.

Modifications etc. (not altering text)

C47 Sch. 1 rule 17 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C48 Sch. 1 rule 17 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C49 Sch. 1 rule 17 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 17 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**)

PART III

CONTESTED ELECTIONS

GENERAL PROVISIONS

Poll to be taken by ballot

- 18 The votes at the poll shall be given by ballot, the result shall be ascertained by counting the votes given to each candidate and the candidate to whom the majority of votes have been given shall be declared to have been elected.

Modifications etc. (not altering text)

C50 Sch. 1 rule 18 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C51 Sch. 1 rule 18 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C52 Sch. 1 rule 18 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 18 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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The ballot papers

- 19 (1) The ballot of every voter shall consist of a ballot paper, and the persons shown in the statement of persons nominated as standing nominated, and no others, shall be entitled to have their names inserted in the ballot paper.
- (2) Every ballot paper shall be in the form in the Appendix, and shall be printed in accordance with the directions in that Appendix, and—
- (a) shall contain the names and other particulars of the candidates as shown in the statement of persons nominated;
 - (b) shall be capable of being folded up;
 - (c) shall have a number [^{F76}and other unique identifying mark] printed on the back;
 - (d) ^{F77}
- [^{F78}(2A) If a candidate who is the subject of a party's authorisation under rule 6A(1) so requests, the ballot paper shall contain, against the candidate's particulars, the party's registered emblem (or, as the case may be, one of the party's registered emblems).
- [If a candidate who is the subject of an authorisation by two or more parties under rule ^{F79}(2AA) 6A(1B) so requests, the ballot paper shall contain, against the candidate's particulars, the registered emblem (or, as the case may be, one of the registered emblems) of one of those parties.]
- (2B) [^{F80}A request under paragraph (2A) or (2AA)] must—
- (a) be made in writing to the returning officer, and
 - (b) be received by him during the period for delivery of nomination papers set out in the Table in rule 1.]
- (3) The order of the names in the ballot paper shall be the same as in the statement of persons nominated.
- [^{F81}(4) The Secretary of State may in regulations—
- (a) prescribe a different form of ballot paper from that in the Appendix;
 - (b) amend or replace the directions as to printing the ballot paper in the Appendix;
 - (c) in consequence of anything done for the purposes of paragraph (a) or (b), amend or replace the Form of directions for the guidance of the voters in voting in the Appendix.]

Textual Amendments

- F76** Words in [Sch. 1 rule 19\(2\)\(c\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, [Sch. 1 para. 87](#); S.I. 2006/3412, [art. 3](#), Sch. 1 para. 14(w) (bb)(iii) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); S.I. 2008/1316, [arts. 2, 4](#)
- F77** [Sch. 1 rule 19\(2\)\(d\)](#) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 30(2)(a), 74(2), 77, [Sch. 2](#); S.I. 2006/3412, [art. 3](#), Sch. 1 para. 14(n)(aa)(cc)(v) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); S.I. 2008/1316, [arts. 2, 4](#)
- F78** [Sch. 1 rule 19\(2A\)\(2B\)](#) inserted (24.3.1999) by 1998 c. 48, s. 13, [Sch. 2 para. 4](#); S.I. 1999/393, [art. 2](#)
- F79** [Sch. 1 rule 19\(2AA\)](#) inserted (6.4.2014) by [Electoral Registration and Administration Act 2013 \(c. 6\)](#), ss. 20(2), 27(1); S.I. 2014/414, [art. 3\(d\)](#) (with [art. 4](#))
- F80** Words in [Sch. 1 rule 19\(2B\)](#) substituted (6.4.2014) by [Electoral Registration and Administration Act 2013 \(c. 6\)](#), ss. 20(3), 27(1); S.I. 2014/414, [art. 3\(d\)](#) (with [art. 4](#))

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F81 Sch. 1 rule 19(4) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), **ss. 30(2)(b), 77**; [S.I. 2006/3412](#), **art. 3**, Sch. 1 para. 14(n) (subject to transitional provisions in art. 6, Sch. 2); [S.I. 2008/1316](#), **arts. 2, 4**

Modifications etc. (not altering text)

C53 Sch. 1 rule 19 applied (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**

C54 Sch. 1 rule 19 applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C55 Sch. 1 rule 19 applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 19 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**)

f^{F82}Corresponding number list

Textual Amendments

F82 Sch. 1 rule 19A inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), **ss. 31(2), 77**; [S.I. 2006/3412](#), **art. 3**, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); [S.I. 2008/1316](#), **arts. 2, 3**

19A (1) The returning officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be issued by him in pursuance of rule 24(1) or provided by him in pursuance of rule 29(1).

(2) The list shall be in such form as the Secretary of State in regulations prescribes.]

Modifications etc. (not altering text)

C56 Sch. 1 rule 19A applied (with modifications) by [The Northern Ireland Assembly \(Elections\) Order 2001](#) ([S.I. 2001/2599](#)), art. 3, Sch. 1 (as substituted (10.2.2009) by [S.I. 2009/256](#), arts. 1(2), 3, Sch. 1; and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011](#) (c. 1), s. 19(1), **Sch. 8 para. 7**)

f^{F83}Date of birth lists for polling stations in Northern Ireland

Textual Amendments

F83 Sch. 1 rule 19B and cross-heading inserted (27.8.2022 for specified purposes) by [Elections Act 2022](#) (c. 37), s. 67(1), **Sch. 1 para. 11**; [S.I. 2022/916](#), reg. 2(d)(vii)

19B (1) The Chief Electoral Officer for Northern Ireland must prepare the following lists for each polling station—

- (a) a list setting out, in relation to each elector allotted to the polling station, the elector's date of birth as supplied pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b);
- (b) a list setting out, in relation to each person appointed to vote as proxy for an elector allotted to the polling station, the person's date of birth as supplied pursuant to a relevant provision.

(2) For the purposes of paragraph (1)(b), “relevant provision” means—

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- (a) where the person is or will be registered in a register of parliamentary electors in Northern Ireland, section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b), and
 - (b) where the person is or will be registered in a register of parliamentary electors in Great Britain and does not also fall within sub-paragraph (a), section 8(7A) of the Representation of the People Act 1985.
- (3) A list prepared under paragraph (1) must include sufficient information for the purposes of enabling the presiding officer or a clerk at the polling station to make a decision under rule 37(1B)(a)(ii) (decision whether specified document raises doubt as to voter's apparent age).
- (4) A person to whom paragraph (5) applies must not, otherwise than in accordance with these rules (including regulations under paragraph (6))—
 - (a) permit a list prepared under paragraph (1) for a polling station to be inspected;
 - (b) supply to any person a copy of a list prepared under paragraph (1) for a polling station or information contained in such a list;
 - (c) make use of information contained in a list prepared under paragraph (1).
- (5) This paragraph applies to—
 - (a) the Chief Electoral Officer for Northern Ireland;
 - (b) a person to whom functions are delegated by the Chief Electoral Officer;
 - (c) the presiding officer of the polling station;
 - (d) a clerk or other officer appointed to work at the polling station.
- (6) Regulations may make provision—
 - (a) enabling the inspection of a list prepared under paragraph (1) by prescribed persons;
 - (b) authorising or requiring prescribed persons to supply a copy of a list prepared under paragraph (1) to such persons as may be prescribed;
 - (c) for the payment of a fee in respect of the inspection of a list or the supply of a copy of a list.
- (7) Regulations under paragraph (6)(a) or (b) may impose conditions in relation to—
 - (a) the inspection of a list;
 - (b) the supply of a copy of a list;
 - (c) the purposes for which information contained in a list that is inspected or supplied in pursuance of the regulations may be used.
- (8) The conditions that may be imposed by virtue of paragraph (7)(b) include conditions relating to the extent to which a person to whom a copy of a list has been supplied may—
 - (a) supply the copy to any other person,
 - (b) disclose to any other person information contained in the copy, or
 - (c) use any such information for a purpose other than that for which the copy was supplied to the person.
- (9) Regulations under paragraph (6) may also impose, in respect of persons to whom a copy of a list has been supplied or information has been disclosed by virtue of paragraph (8), conditions corresponding to those mentioned in paragraph (8).]

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The official mark

- 20 [F84(1) Every ballot paper must contain an appropriate security marking (the official mark).]
- (2) The official mark shall be kept secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same constituency.
- [F85(3) The returning officer may use a different official mark for different purposes at the same election.]

Textual Amendments

- F84** Sch. 1 rule 20(1) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, **Sch. 1 para. 88(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in **art. 6**, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F85** Sch. 1 rule 20(3) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, **Sch. 1 para. 88(3)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in **art. 6**, Sch. 2); S.I. 2008/1316, **arts. 2, 4**

Modifications etc. (not altering text)

- C57** Sch. 1 rules 20, 21 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C58** Sch. 1 rules 20, 21 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C59** Sch. 1 rule 20 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(5)–(8)**, **Sch. 1**
Sch. 1 rule 20 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, **art. 6**, **Sch. 2**
- C60** Sch. 1 rule 20 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 20 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**)

Prohibition of disclosure of vote

- 21 No person who has voted at the election shall, in any legal proceeding to question the election or return, be required to state for whom he voted.

Modifications etc. (not altering text)

- C61** Sch. 1 rules 20, 21 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C62** Sch. 1 rules 20, 21 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C63** Sch. 1 rule 21 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(5)–(8)**, **Sch. 1**
Sch. 1 rule 21 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**)

Use of schools and public rooms

- 22 (1) The returning officer may use, free of charge, for the purpose of taking the poll—
- (a) a room in a school to which this rule applies;
 - (b) a room the expense of maintaining which is payable out of any rate.
- This rule applies—
- (i) in England and Wales, to a school maintained or assisted by a [F86]local authority[F87] . . . or a school in respect of which grants are made out of moneys

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- provided by Parliament to the person or body of persons responsible for the management of the school;
- (ii) in Scotland, to a school other than an independent school within the meaning of the ^{M5}Education (Scotland) Act 1980;
 - (iii) in Northern Ireland, to a school in receipt of a grant out of moneys appropriated by Measure of the Northern Ireland Assembly.
- (2) The returning officer shall make good any damage done to, and defray any expense incurred by the persons having control over, any such room as mentioned above by reason of its being used for the purpose of taking the poll.
- [^{F88}(3) The use of a room in an unoccupied house for that purpose does not render a person liable to be rated or to pay any rate for the house.]
- (4) In Northern Ireland this rule does not apply to any school adjoining or adjacent to any church or other place of worship nor to any school connected with a nunnery or other religious establishment.

Textual Amendments

- F86** Words in Sch. 1 para. 22(1) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010](#) (S.I. 2010/1158), art. 1, **Sch. 2 para. 33(2)**
- F87** Words in [Sch. 1 rule 22\(1\)\(i\)](#) repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F88** [Sch. 1 rule 22\(3\)](#) repealed (E.W.S.) by [Local Government Finance Act 1988](#) (c. 41, SIF 81:1, 103:2), s. 149, **Sch. 13 Pt. I**

Modifications etc. (not altering text)

- C64** [Sch. 1 rule 22](#) applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C65** [Sch. 1 rule 22](#) applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C66** [Sch. 1 rule 22](#) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
[Sch. 1 rule 22](#) applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C67** [Sch. 1 rule 22](#) 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**)
- C68** [Sch. 1 rule 22\(1\)\(2\)](#) applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
- C69** [Sch. 1 rule 22\(3\)](#) modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011](#) (c. 1), s. 19(1), **Sch. 1 para. 19(2)**
- C70** [Sch. 1 rule 22\(3\)](#) applied (with modifications) (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016](#) (S.I. 2016/219), **Sch. 1 para. 49**

Marginal Citations

- M5** 1980 c. 44.

ACTION TO BE TAKEN BEFORE THE POLL

Notice of poll

- 23 (1) The returning officer shall in the statement of persons nominated include a notice of the poll, stating the day on which and hours during which the poll will be taken.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (2) The returning officer shall also give public notice (which may be combined with the statement of persons nominated) of—
- (a) the situation of each polling station;
 - (b) the description of voters entitled to vote there; ^{F89}
 - ^{F90}(c)
- [^{F91}and he shall as soon as practicable after giving such a notice give a copy of it to each of the election agents]
- ^{F92}(3)

Textual Amendments

- F89** Word repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, **Sch. 4 para. 77(a)**, Sch. 5
- F90** Sch. 1 rule 23(2)(c) repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, **Sch. 4 para. 77(a)**, Sch. 5
- F91** Words inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 77(a)**
- F92** Sch. 1 rule 23(3) repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, **Sch. 4 para. 77(b)**, Sch. 5

Modifications etc. (not altering text)

- C71** Sch. 1 rule 23 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C72** Sch. 1 rule 23 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C73** Sch. 1 rule 23 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 23 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C74** Sch. 1 rule 23 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**)
- C75** Sch. 1 rule 23(1) applied (with modifications) (31.7.1997) by S.I. 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2

Postal ballot papers

- [^{F93}24 (1) The returning officer shall, in accordance with regulations, issue to those entitled to vote by post—
- (a) a ballot paper;
 - (b) at an election held in England and Wales or Scotland, a postal voting statement in the prescribed form;
 - (c) at an election held in Northern Ireland, a declaration of identity in the prescribed form;
- together with such envelopes for their return as may be prescribed.
- (2) The returning officer must also issue to those entitled to vote by post such information as he thinks appropriate about how to obtain—
- (a) translations into languages other than English of any directions to or guidance for voters sent with the ballot paper;
 - (b) a translation into Braille of such directions or guidance;
 - (c) graphical representations of such directions or guidance;
 - (d) the directions or guidance in any other form (including any audible form).

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) The prescribed form shall include provision for the form to be signed and for stating the date of birth of the elector or proxy (as the case may be).
- (4) In the case of a ballot paper issued to a person resident in the United Kingdom, the returning officer must ensure that the return of the ballot paper and postal voting statement or declaration of identity is free of charge to the voter.
- (5) In any other case, regulations may provide that the returning officer must so ensure.]

Textual Amendments

F93 Sch. 1 rule 24 substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), ss. 37, 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(r) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3

Modifications etc. (not altering text)

C76 Sch. 1 rule 24 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001](#) (S.I. 2001/2599), art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, Sch. 1; and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011](#) (c. 1), s. 19(1), Sch. 8 paras. 10, 11)

Provision of polling stations

- 25 (1) The returning officer shall provide a sufficient number of polling stations and, subject to the following provisions of this rule, shall allot the electors to the polling stations in such manner as he thinks most convenient.
- (2) One or more polling stations may be provided in the same room.
- (3) the polling station allotted to electors from any polling district shall be in the polling place for that district.
- (4) In a constituency in Scotland comprising the whole or any part of more [^{F94}local government areas] than one, there shall be at least one polling station in each of those [^{F94}local government areas].
- (5) the returning officer shall provide each polling station with such number of compartments as may be necessary in which the voters can mark their votes screened from observation.
- [^{F95}(6) The returning officer must ensure that each polling station contains an area in which voters can produce proof of identity in private.]

Textual Amendments

F94 Words in Sch. 1 rule 25(4) substituted (1.4.1996) by S.I. 1996/739, art. 7(1), Sch. 1 Pt. I para. 5(5)(b)

F95 Sch. 1 rule 25(6) inserted (16.1.2023) by [Elections Act 2022](#) (c. 37), s. 67(1), Sch. 1 para. 12; S.I. 2022/1401, reg. 2(d)(vi)

Modifications etc. (not altering text)

C77 Sch. 1 rule 25 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

C78 Sch. 1 rule 25 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I

C79 Sch. 1 rule 25 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), Sch. 1

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- Sch. 1 rule 25 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, Sch. 2
- C80** Sch. 1 rule 25 applied (with modifications) (31.7.1997) by S.I. 1997 c. 61, s. 3, Sch. 3 para. 13 Table 2
- Sch. 1 rule 25 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)

Appointment of presiding officers and clerks

- 26 (1) The returning officer shall appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the election, but he shall not appoint any person who has been employed by or on behalf of a candidate in or about the election.
- (2) The returning officer may, if he thinks fit, preside at a polling station and the provisions of these rules relating to a presiding officer shall apply to a returning officer so presiding with the necessary modifications as to things to be done by the returning officer to the presiding officer or by the presiding officer to the returning officer.
- (3) A presiding officer may do, by the clerks appointed to assist him, any act (including the asking of questions) which he is required or authorised by these rules to do at a polling station [F96]except—
- order the arrest of any person or the exclusion or removal of any person from the polling station,
 - refuse to deliver a ballot paper under rule 35(3) or the relevant paragraph of rule 37, or
 - resolve doubts over identity as mentioned in the relevant paragraph of rule 37.]
- [F97](4) In paragraph (3), “the relevant paragraph of rule 37” means—
- in sub-paragraph (b)—
 - paragraph (1E) of rule 37 as it extends to England and Wales and to Scotland (including that paragraph as applied by rule 38, 39 or 40);
 - paragraph (1C) of rule 37 as it extends to Northern Ireland (including that paragraph as applied by rule 38, 39 or 40);
 - in sub-paragraph (c)—
 - paragraph (1F) of rule 37 as it extends to England and Wales and to Scotland (including that paragraph as applied by rule 38, 39 or 40);
 - paragraph (1DA) of rule 37 as it extends to Northern Ireland (including that paragraph as applied by rule 38, 39 or 40).]

Textual Amendments

- F96** Words in Sch. 1 rule 26(3) substituted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 13(2); S.I. 2022/1401, reg. 2(d)(vi) (with reg. 3(1))
- F97** Sch. 1 rule 26(4) inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 13(3); S.I. 2022/1401, reg. 2(d)(vi) (with reg. 3(1))

Modifications etc. (not altering text)

- C81** Sch. 1 rule 26 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C82** Sch. 1 rule 26 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), Sch. 1 Pt. I
- C83** Sch. 1 rule 26 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)-(8), Sch. 1

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- C84** Sch. 1 rule 26 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
 Sch. 1 rule 26 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
 Sch. 1 rule 26 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**)

Special lists

F98 27

Textual Amendments

- F98** Sch. 1 rule 27 repealed S.I. 1986/1080, arts. 3, 4(2)(c), Sch. by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, **Sch. 5**

Issue of official poll cards

28 ^{F99}(1) The returning officer shall as soon as practicable after the publication of notice of the election send to electors and their proxies an official poll card.

(1A) An official poll card shall not be sent to a person registered, or to be registered, in pursuance of an overseas elector's declaration.]

(2) An elector's official poll card shall be sent or delivered to his qualifying address,
^{F100}

^{F101}(2A) A proxy's official poll card shall be sent or delivered to the address which—
 (a) is shown as the proxy's address in the list of proxies; or
 (b) in the case of a proxy for an elector with an anonymous entry in a register maintained by the Chief Electoral Officer for Northern Ireland, would be so shown but for section 7(4A) of the Representation of the People Act 1985.]

(3) The official poll card shall be in the prescribed form and shall set out—
 (a) the name of the constituency;
 (b) the elector's name, qualifying address and number on the register;
 (c) the date and hours of the poll and the situation of the elector's polling station.

^{F102}(d) such other information as is prescribed;
 (e) such other information as the returning officer thinks appropriate,
 and different information may be provided in pursuance of sub-paragraph (d) and (e) to different electors or descriptions of elector.]

^{F103}(3ZA) In the case of a form prescribed under paragraph (3) that relates to—
 (a) elections in England and Wales or Scotland, and
 (b) an official poll card to be sent to an elector or proxy voting in person at a polling station,

the form must include details of the documents the voter needs to bring to the polling station, namely—

(i) in the case of an elector (other than an elector with an anonymous entry) or a proxy, any of the forms of identification for the time being referred to in rule 37(1H);

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- (ii) in the case of an elector with an anonymous entry, the elector's official poll card and an anonymous elector's document showing the same electoral number as the electoral number shown on the official poll card.]

[^{F104}(3A) In the case of an elector with an anonymous entry, instead of containing the matter mentioned in paragraph (3)(b) above the polling card shall contain such matter as is prescribed.]

(4) Paragraph (6) of rule 7 above applies for the interpretation of this rule.

Textual Amendments

- F99** Sch. 1 rule 28(1)(1A) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) for Sch. 1 rule 28(1) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 70(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**
- F100** Words in Sch. 1 rule 28(2) omitted (15.9.2014) by virtue of The Anonymous Registration (Northern Ireland) (No. 2) Order 2014 (S.I. 2014/1880), arts. 1(1), **2(2)(a)**
- F101** Sch. 1 rule 28(2A) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) (No. 2) Order 2014 (S.I. 2014/1880), arts. 1(1), **2(2)(b)**
- F102** Sch. 1 rule 28(3)(d)(e) and words inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 70(3)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**
- F103** Sch. 1 rule 28(3ZA) inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 14**; S.I. 2022/1401, reg. 2(d)(vi) (with reg. 3(1))
- F104** Sch. 1 rule 28(3A) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10(2), 77, **Sch. 1 para. 14(3)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)

Modifications etc. (not altering text)

- C85** Sch. 1 rule 28 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C86** Sch. 1 rule 28 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C87** Sch. 1 rule 28 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 28 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
Sch. 1 rule 28 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**)
- C88** Sch. 1 rule 28(1)–(3) applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2

Equipment of polling stations

- 29 (1) The returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as in the returning officer's opinion may be necessary.
- (2) Every ballot box shall be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked.
- (3) The returning officer shall provide each polling station with—
- materials to enable voters to mark the ballot papers;
 - ^{F105}
 - copies of the register of electors or such part of it as contains the [^{F106}entries relating to] the electors allotted to the station;
 - the parts of any special lists prepared for the election corresponding to the register of electors or the part of it provided under subparagraph (c) above.

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- [^{F107}(e) a list consisting of that part of the list prepared under rule 19A which contains the numbers (but not the other unique identifying marks) corresponding to those on the ballot papers provided to the presiding officer of the polling station.]
- [^{F108}(3ZA) In the case of an election held in England and Wales or Scotland, the returning officer must also provide each polling station with a prescribed form (referred to in these rules as “the ballot paper refusal list”) on which entries are to be made as mentioned in rule 40ZB (refusal to deliver ballot paper: Great Britain).]
- [^{F109}(3A) The returning officer shall also provide each polling station with—
- (a) at least one large version of the ballot paper which shall be displayed inside the polling station for the assistance of voters who are partially-sighted; and
 - [^{F110}(b) such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote independently in the manner directed by rule 37 (including in relation to voting secretly).]
- [^{F111}(3B) In this rule, “relevant persons” means persons who find it difficult or impossible to vote in the manner directed by rule 37 because of—
- (a) blindness or partial sight, or
 - (b) another disability.]
- (4) A notice in the form in the Appendix, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.
- [^{F112}(4A) In the case of an election held in England and Wales or Scotland, a large notice must be displayed inside each polling station containing—
- (a) details of the documents the voter needs to produce when applying for a ballot paper, namely—
 - (i) in the case of an elector (other than an elector with an anonymous entry) or a proxy, any of the forms of identification for the time being referred to in rule 37(1H);
 - (ii) in the case of an elector with an anonymous entry, the elector’s official poll card and an anonymous elector’s document showing the same electoral number as the electoral number shown on the official poll card, and
 - (b) a statement that further proof of identity may be required to resolve any discrepancy between the name of the holder of a specified form of identification and the name of the elector or proxy that the voter claims to be.]
- (5) In every compartment of every polling station there shall be exhibited [^{F113}the notice “Vote for one candidate only. Put no other mark on the ballot paper, or your vote may not be counted.”]
- [^{F114}(6) The reference in paragraph (3)(c) to the copies of the registers of electors includes a reference to copies of any notices issued under section 13B(3B) or (3D) of this Act in respect of alterations to the register.]
- [^{F115}(7) The reference in paragraph (3)(c) to the copies of the register of electors includes a reference to copies of any notices issued under section 13BA(9) in respect of alterations to the register.]

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- [^{F116}(8) The Electoral Commission must give guidance to returning officers in relation to the duty imposed by paragraph (3A)(b).
- (9) Before giving guidance under paragraph (8), the Commission must consult such persons, including bodies representing the interests of relevant persons, as they consider appropriate.
- (10) In performing the duty imposed by paragraph (3A)(b), a returning officer must have regard to guidance given under paragraph (8).]

Extent Information

- E1** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

- F105** Sch. 1 rule 29(3)(b) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77, Sch. 1 para. 89, Sch. 2; S.I. 2006/3412, art. 3, Sch. 1 para. 14(w)(aa) (bb)(iii)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4
- F106** Words in Sch. 1 rule 29(3)(c) substituted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10(2), 77, Sch. 1 para. 14(4); S.I. 2006/3412, art. 3, Sch. 1 para. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)
- F107** Sch. 1 rule 29(3)(e) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(3), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F108** Sch. 1 rule 29(3A) inserted (27.8.2022 for specified purposes, 16.1.2023 in so far as not already in force) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 15(3); S.I. 2022/916, reg. 2(d)(viii); S.I. 2022/1401, reg. 2(d)(vii) (with reg. 3(1))
- F109** Sch. 1 rule 29(3A) inserted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 13(1)(2); S.I. 2001/116, art. 2(1)(2) (with art. 2(4))
- F110** Sch. 1 rule 29(3A)(b) substituted (24.11.2022 for specified purposes, 29.12.2022 in so far as not already in force) by Elections Act 2022 (c. 37), ss. 9(2)(a), 67(1); S.I. 2022/1226, reg. 2(a); S.I. 2022/1270, reg. 2(a) (with reg. 3)
- F111** Sch. 1 rule 29(3B) inserted (24.11.2022 for specified purposes, 29.12.2022 in so far as not already in force) by Elections Act 2022 (c. 37), ss. 9(2)(b), 67(1); S.I. 2022/1226, reg. 2(a); S.I. 2022/1270, reg. 2(a) (with reg. 3)
- F112** Sch. 1 rule 29(4A) inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 15(4); S.I. 2022/1401, reg. 2(d)(vii) (with reg. 3(1))
- F113** Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, Sch. 4 para. 79
- F114** Sch. 1 rule 29(6) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10(2), 77, Sch. 1 para. 34; S.I. 2006/3412, art. 3, Sch. 1 paras. 1, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F115** Sch. 1 rule 29(7) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, Sch. 4 para. 6(2); S.I. 2008/1318, art. 2
- F116** Sch. 1 rule 29(8)–(10) inserted (24.11.2022 for specified purposes, 29.12.2022 in so far as not already in force) by Elections Act 2022 (c. 37), ss. 9(2)(c), 67(1); S.I. 2022/1226, reg. 2(a); S.I. 2022/1270, reg. 2(a) (with reg. 3)

Modifications etc. (not altering text)

- C89** Sch. 1 rule 29 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I
- C90** Sch. 1 rule 29 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C91** Sch. 1 rule 29 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, Sch. 3 para. 13 Table 2

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- Sch. 1 rule 29 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**)
- C92** Sch. 1 rule 29 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)-(8), **Sch. 1**
Sch. 1 rule 29 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C93** Sch. 1 rule 29(5) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(6)(d)(7)**
- C94** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2006/3304, Sch. 2 rule 26(5ZA) (as inserted by The Assistance with Voting for Persons with Disabilities (Principal Area, Parish and Greater London Authority Elections) (Amendments) Rules 2022 (S.I. 2022/1284), rules 1(1), **3(2)(a)(i)(bb)** (with rule 1(2)))
- C95** Sch. 1 rule 29 applied (with modifications) (1.8.2001) by The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599), art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**; and modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(1), **Sch. 8 para. 18**)
- C96** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2006/3304, Sch. 3 rule 26(6ZA) (as inserted by The Assistance with Voting for Persons with Disabilities (Principal Area, Parish and Greater London Authority Elections) (Amendments) Rules 2022 (S.I. 2022/1284), rules 1(1), **3(3)(a)(i)(bb)** (with rule 1(2)))
- C97** Sch. 1 rule 29(10) applied (29.12.2022) by S.I. 2006/3305, Sch. 2 rule 26(5A) (as inserted by The Assistance with Voting for Persons with Disabilities (Principal Area, Parish and Greater London Authority Elections) (Amendments) Rules 2022 (S.I. 2022/1284), rules 1(1), **4(2)(a)(i)(bb)** (with rule 1(2)))
- C98** Sch. 1 rule 29(10) applied (29.12.2022) by S.I. 2006/3305, Sch. 3 rule 26(6A) (as inserted by The Assistance with Voting for Persons with Disabilities (Principal Area, Parish and Greater London Authority Elections) (Amendments) Rules 2022 (S.I. 2022/1284), rules 1(1), **4(3)(a)(i)(bb)** (with rule 1(2)))
- C99** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2007/1024, Sch. 1 rule 28(5A) (as inserted by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **6(3)(a)(ii)** (with reg. 1(4)(5)))
- C100** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2007/1024, Sch. 3 rule 28(6A) (as inserted by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **6(6)(a)(ii)** (with reg. 1(4)(5)))
- C101** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2012/323, Sch. 3 rule 17(5A) (as inserted by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **8(2)(a)(ii)** (with reg. 1(4)))
- C102** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2012/323, Sch. 5 rule 17(6A) (as inserted by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **8(3)(a)(ii)** (with reg. 1(4)))
- C103** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2012/444, Sch. 3 rule 17(5A) (as inserted by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **9(2)(a)(ii)** (with reg. 1(4)))
- C104** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2012/444, Sch. 5 rule 17(6A) (as inserted by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **9(3)(a)(ii)** (with reg. 1(4)))
- C105** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2012/1917, Sch. 3 rule 29(5A) (as inserted by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **10(3)(a)(ii)** (with reg. 1(4)))
- C106** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2012/2031, Sch. 3 rule 18(5A) (as inserted by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **11(2)(a)(ii)** (with reg. 1(4)))
- C107** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2012/2031, Sch. 5 rule 18(6A) (as inserted by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **11(3)(a)(ii)** (with reg. 1(4)))

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- C108** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2012/2031, Sch. 7 rule 46(5A) (as inserted by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022](#) (S.I. 2022/1309), regs. 1(3), **11(4)(a)(ii)** (with reg. 1(4)))
- C109** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2016/295, reg. 19(4A) (as inserted by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022](#) (S.I. 2022/1309), regs. 1(3), **12(1)(b)** (with reg. 1(4)))
- C110** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2017/67, Sch. 1 rule 28(5A) (as inserted by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022](#) (S.I. 2022/1309), regs. 1(3), **13(2)(a)(i)(bb)** (with reg. 1(4)))
- C111** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 2017/67, Sch. 3 rule. 28(6A) (as inserted by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022](#) (S.I. 2022/1309), regs. 1(3), **13(3)(a)(i)(bb)** (with reg. 1(4)))
- C112** Sch. 1 rule 29(10) applied (with modifications) (29.12.2022) by S.I. 1987/1, Sch. 1 rule 11(3A) (as inserted by [The Assistance with Voting for Persons with Disabilities \(Principal Area, Parish and Greater London Authority Elections\) \(Amendments\) Rules 2022](#) (S.I. 2022/1284), rules 1(1), **2(3)(b)** (with rule 1(2)(3)))

Appointment of polling and counting agents

- 30 (1) Each candidate may, before the commencement of the poll, appoint—
- polling agents to attend at polling stations for the purpose of detecting personation; and
 - counting agents to attend at the counting of the votes.
- (2) The returning officer may limit the number of counting agents, so however that—
- the number shall be the same in the case of each candidate; and
 - the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.
- (3) Notice in writing of the appointment, stating the names and addresses of the persons appointed, shall be given by the candidate to the returning officer and shall be so given not later than the [^{F117}5th] day (computed like any period of time in the Timetable) before the day of the poll.
- (4) If an agent dies, or becomes incapable of acting, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.
- (5) ^{F118}. . . Any appointment authorised by this rule may be made and the notice of appointment given to the returning officer by the candidate's election agent, instead of by the candidate.
- (6) In the following provisions of these rules references to polling and counting agents shall be taken as references to agents—
- whose appointments have been duly made and notified; and
 - where the number of agents is restricted, who are within the permitted number.
- (7) Any notice required to be given to a counting agent by the returning officer may be delivered at or sent by post to the address stated in the notice of appointment.

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- (8) A candidate may himself do any act or thing which any polling or counting agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.
- (9) A candidate's election agent may do or assist in doing anything which a polling or counting agent of his is authorised to do; and anything required or authorised by these rules to be done in the presence of the polling or counting agents may be done in the presence of a candidate's election agent instead of his polling agent or counting agents.
- (10) Where by these rules any act or thing is required or authorised to be done in the presence of the polling or counting agents, the non-attendance of any agents or agent at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Textual Amendments

- F117** Word in Sch. 1 rule 30(3) substituted (6.4.2014) by [Electoral Registration and Administration Act 2013](#) (c. 6), **ss. 14(4)**, 27(1); S.I. 2014/414, art. 3(a) (with art. 4)
- F118** Words in Sch. 1 rule 30(5) repealed (16.2.2001) by 2000 c. 41, s. 158(2), **Sch. 22** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)

Modifications etc. (not altering text)

- C113** Sch. 1 rule 30 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C114** Sch. 1 rule 30 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C115** Sch. 1 rule 30 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 30 applied (with modifications) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C116** Sch. 1 rule 30 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**)
- C117** Sch. 1 rule 30(2)(9) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(6)(d)** (7)

[^{F119} Notification of requirement of secrecy]

Textual Amendments

- F119** Sch. 1 rule 31 substituted by [Representation of the People Act 1985](#) (c. 50, SIF 42), s. 24, **Sch. 4 para. 80**

- [^{F120}31 [The returning officer shall make such arrangements as he thinks fit to ensure that—
[^{F121}(1)] (a) every person attending at a polling station (otherwise than for the purpose of voting or assisting a blind voter to vote or as a constable on duty there) has been given a copy in writing of the provisions of subsections (1), (3) and (6) of section 66 of this Act; and
(b) every person attending at the counting of the votes (other than any constable on duty at the counting) has been given a copy in writing of the provisions of subsections (2) and (6) of that section.]
- [^{F122}(2) In the application of this rule to an election in England or Wales, a reference to a constable includes a person designated as a community support officer [^{F123}or community support volunteer] under section 38 of the Police Reform Act 2002 (police powers for employees [^{F124}or volunteers]).]

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Textual Amendments

- F120** Sch. 1 rule 31 substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 80**
- F121** Sch. 1 rule 31 renumbered as Sch. 1 rule 31(1) (6.4.2014) by Electoral Registration and Administration Act 2013 (c. 6), **ss. 21(1)**, 27(1); S.I. 2014/414, art. 3(e) (with art. 4)
- F122** Sch. 1 rule 31(2) inserted (6.4.2014) by Electoral Registration and Administration Act 2013 (c. 6), **ss. 21(1)**, 27(1); S.I. 2014/414, art. 3(e) (with art. 4)
- F123** Words in Sch. 1 para. 31(2) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 12 para. 6(2)(a)**; S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)
- F124** Words in Sch. 1 para. 31(2) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 12 para. 6(2)(b)**; S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

Modifications etc. (not altering text)

- C118** Sch. 1 rule 31 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C119** Sch. 1 rule 31 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C120** Sch. 1 rule 31 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
- Sch. 1 para. 31 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C121** Sch. 1 rule 31 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
- Sch. 1 rule 31 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**)

[^{F125}Return of postal ballot papers

Textual Amendments

- F125** Sch. 1 rule 31A inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 45(2)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(u) (subject to transitional provisions in art. 6, Sch. 2)S. 61(6A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 38(3)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(s) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts 2, 4**

31A (1) Where—

- (a) a postal vote has been returned in respect of a person who is entered on the postal voters list, or
 - (b) a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list,
- the returning officer must mark the list in the prescribed manner.

[Paragraph (1) shall not apply in relation to a vote on a tendered postal ballot paper
^{F126}(1A) (see rule 40ZA).]

- (2) For the purposes of paragraph (1) above, regulations may prescribe the circumstances in which a postal vote or a proxy postal vote (as the case may be) is or is not to be treated as having been returned.
- (3) Rule 45(1B) and (2) below does not apply for the purpose of determining whether, for the purposes of this rule, a postal vote or a proxy postal vote is returned.]

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Textual Amendments

F126 Sch. 1 rule 31A(1A) inserted (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **3(6)**

Modifications etc. (not altering text)

C122 Sch. 1 rule 31A(1)(3) 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**)

THE POLL

Admission to polling station

- 32^[F127](1) The presiding officer shall exclude all persons from the polling station except—
- (a) voters;
 - (b) persons under the age of 18 who accompany voters to the polling station;
 - (c) the candidates and their election agents;
 - (d) the polling agents appointed to attend at the polling station;
 - (e) the clerks appointed to attend at the polling station;
 - (f) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000;
 - (g) the constables on duty; and
 - (h) the companions of voters with disabilities.
- (1A) The presiding officer shall regulate the total number of voters and persons under the age of 18 who accompany them to be admitted to the polling station at the same time.]
- (2) Not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same candidate.
- (3) A constable or person employed by a returning officer shall not be admitted to vote in person elsewhere than at his own polling station under the relevant provision of this Act, except on production and surrender of a certificate as to his employment, which shall be in the prescribed form and signed by the prescribed officer of police or by the returning officer, as the case may be.
- (4) Any certificate surrendered under this rule shall forthwith be cancelled.
- ^[F128](5) In the application of this rule to an election in England or Wales, a reference to a constable includes a person designated as a community support officer ^[F129]or community support volunteer] under section 38 of the Police Reform Act 2002 (police powers for employees ^[F130]or volunteers[).]

Textual Amendments

F127 Sch. 1 rule 32(1)(1A) substituted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) for Sch. 1 rule 32(1) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, **Sch. 1 para. 84**; [S.I. 2006/3412](#), art. 5; [S.I. 2008/1316](#), arts. 2, 4

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F128 Sch. 1 rule 32(5) inserted (6.4.2014) by Electoral Registration and Administration Act 2013 (c. 6), ss. 21(2), 27(1); S.I. 2014/414, art. 3(e) (with art. 4)

F129 Words in Sch. 1 para. 32(5) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 12 para. 6(3)(a); S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

F130 Words in Sch. 1 para. 32(5) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 12 para. 6(3)(b); S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

Modifications etc. (not altering text)

C123 Sch. 1 rules 32–34 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

C124 Sch. 1 rules 32–34 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I

C125 Sch. 1 rule 32 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), Sch. 1 Sch. 1 rule 32 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, Sch. 2

C126 Sch. 1 rule 32 applied (with modifications) (1.8.2001) by The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599), art. 3, Sch. 1 (as amended (13.11.2003) by S.I. 2003/2989, art. 2(2); substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, Sch. 1; and modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(1), Sch. 8 para. 19(2))

C127 Sch. 1 rule 32(2) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(6)(d)(7)

C128 Sch. 1 rule 32(1)(3)(4) applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, Sch. 3 para. 13 Table 2

Keeping of order in station

- 33 (1) It is the presiding officer's duty to keep order at his polling station.
- (2) If a person misconducts himself in a polling station, or fails to obey the presiding officer's lawful orders, he may immediately, by the presiding officer's order, be removed from the polling station—
- by a constable in or near that station, or
 - by any other person authorised in writing by the returning officer to remove him,
- and the person so removed shall not, without the presiding officer's permission, again enter the polling station during the day.
- (3) Any person so removed may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.
- (4) The powers conferred by this rule shall not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Modifications etc. (not altering text)

C129 Sch. 1 rules 32–34 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

C130 Sch. 1 rules 32–34 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I

C131 Sch. 1 rule 33 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), Sch. 1 Sch. 1 rule 33 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, Sch. 2

C132 Sch. 1 rule 33 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, Sch. 3 para. 13 Table 2 Sch. 1 rule 33 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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Sealing of ballot boxes

- 34 Immediately before the commencement of the poll, the presiding officer shall show the ballot box empty to such persons, if any, as are present in the polling station, so that they may see that it is empty, and shall then lock it up and place his seal on it in such a manner as to prevent its being opened without breaking the seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

Modifications etc. (not altering text)

- C133** Sch. 1 rules 32–34 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
C134 Sch. 1 rules 32–34 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
C135 Sch. 1 rule 34 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
 Sch. 1 rule 34 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
C136 Sch. 1 rule 34 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
 Sch. 1 rule 34 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**)

Questions to be put to voters

[^{F131}35(1) At the time of the application (but not afterwards), the questions specified in the second column of the following table—

- (a) may be put by the presiding officer to a person who is mentioned in the first column, and
- (b) shall be put if the letter “R” appears after the question and the candidate or his election or polling agent requires the question to be put:

Person applying for ballot paper

1 A person applying as an elector.

Questions

[^{F132}(za) At an election held in England and Wales or Scotland, “What is your name?”
 (zb) At an election held in England and Wales or Scotland, “What is your address?”]
 (a) “Are you the person registered in the register of parliamentary electors for this election as follows (*read out the whole entry from the register*)” R
 (b) “Have you already voted, here or elsewhere, at this election, otherwise than as proxy for some other person” R
 (c) At an election held in Northern Ireland, “What is your date of birth”

2 A person applying as proxy.

[^{F132}(za) At an election held in England and Wales or Scotland, “What is your name?”
 (zb) At an election held in England and Wales or Scotland, “What is your address?”]

SCHEDULE 1

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- 3 A person applying as proxy for an elector with an anonymous entry (instead of the questions at entry 2 above).
- (a) “Are you the person whose name appears as A.B. in the list of proxies for this election
- (b) “Have you already voted here or elsewhere at this election, as proxy on behalf of C.D.” R
- as entitled to vote as proxy on behalf of C.D.” R
- (c) “Are you the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild of C.D.” R
- [^{F132}(za) At an election held in England and Wales or Scotland, “What is your name?”
- (zb) At an election held in England and Wales or Scotland, “What is your address?”]
- (a) “Are you the person entitled to vote as proxy on behalf of the elector whose number on the register of electors is (*read out the number from the register*)” R
- (b) “Have you already voted here or elsewhere as proxy on behalf of the elector whose number on the register of electors is (*read out the number from the register*)” R
- (c) “Are you the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild of the person whose number on the register of electors is (*read out the number from the register*)” R
- 4 Person applying as proxy if the question at entry 2(c) or 3(c) is not answered in the affirmative.
- “Have you at this election already voted in this constituency on behalf of two persons of whom you are not the spouse, civil partner, parent, grand-parent, brother/sister, child or grandchild?” [R]
- 5 A person applying as an elector in relation to whom there is an entry in the postal voters list.
- [^{F132}(za) At an election held in England and Wales or Scotland, “What is your name?”
- (zb) At an election held in England and Wales or Scotland, “What is your address?”]
- (a) “Did you apply to vote by post”
- (b) “Why have you not voted by post”
- 6 A person applying as proxy who is named in the proxy postal voters list.
- [^{F132}(za) At an election held in England and Wales or Scotland, “What is your name?”

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(zb) At an election held in England and Wales or Scotland, “What is your address?”]

(a) “Did you apply to vote by post as proxy”

(b) “Why have you not voted by post as proxy”

(2) In the case of an elector in respect of whom a notice has been issued under section 13B(3B) or (3D) of this Act, the references in the questions at entries 1(a) and 3(a), (b) and (c) to reading from the register must be taken as references to reading from the notice issued under section 13B(3B) or (3D).

[^{F133}(2A) In the case of an elector in respect of whom a notice has been issued under section 13BA(9), the reference in the question at entry 1(a) to reading from the register must be taken as a reference to reading from the notice issued under section 13BA(9).]

[^{F134}(2B) In the case of an election held in England and Wales or Scotland, where a clerk—

- (a) gives a person the required information (see paragraph (5)),
- (b) puts a question specified in paragraph (1) to the person, and
- (c) decides that the person has failed to answer the question satisfactorily,

the clerk must refer the matter to the presiding officer, who must put the question to the person again.]

[^{F135}(3) Where the presiding officer—

- (a) gives a person the required information,
- (b) puts a question specified in paragraph (1) to the person (whether or not, in the case of an election held in England and Wales or Scotland, following a referral under paragraph (2B)), and
- (c) decides that the person has failed to answer the question satisfactorily,

the officer must refuse to deliver a ballot paper to the person.

In the case of an election held in England and Wales or Scotland, see rule 40ZB (procedure where ballot paper is refused under this paragraph).

(3A) For the purposes of this rule, a person answers the question “What is your name?” or “What is your address?” satisfactorily if—

- (a) where one of those questions is put, the answer matches a name or address (as the case may be) in the register of parliamentary electors;
- (b) where both those questions are put, the answers match a name and address in that register that relate to the same person.

(3B) In the case of an elector in respect of whom a notice has been issued under section 13B(3B) or (3D), the references to the register in paragraph (3A) above are to be read as references to the notice issued under section 13B(3B) or (3D).]

(4) Except as authorised by this rule, no inquiry shall be permitted as to the right of any person to vote [^{F136}(and for the purposes of this paragraph, an inquiry relating to the production of identification by a voter is not to be regarded as an inquiry as to the right of the person to vote)].

[^{F137}(5) For the purposes of this rule, a person to whom any question is to be put is given “the required information” if the person is first informed that—

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- (a) a ballot paper will be refused if the person fails to answer each question satisfactorily, and
- (b) giving false information may be an offence.]]

Textual Amendments

- F131** Sch. 1 rule 35 substituted (1.1.2007 for E.W.S., 1.7.2008 for N.I. for certain purposes) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 74**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F132** Words in Sch. 1 rule 35 table inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 16(2)**; S.I. 2022/1401, reg. 2(d)(viii) (with reg. 3(1))
- F133** Sch. 1 rule 35(2A) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 6(3)**; S.I. 2008/1318, **art. 2**
- F134** Sch. 1 rule 35(2B) inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 16(3)**; S.I. 2022/1401, reg. 2(d)(viii) (with reg. 3(1))
- F135** Sch. 1 rule 35(3)-(3B) substituted for Sch. 1 rule 35(3) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 16(4)**; S.I. 2022/1401, reg. 2(d)(viii) (with reg. 3(1))
- F136** Words in Sch. 1 rule 35(4) inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 16(5)**; S.I. 2022/1401, reg. 2(d)(viii) (with reg. 3(1))
- F137** Sch. 1 rule 35(5) inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 16(6)**; S.I. 2022/1401, reg. 2(d)(viii) (with reg. 3(1))

Modifications etc. (not altering text)

- C137** Sch. 1 rule 35 applied (with modifications) (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C138** Sch. 1 rule 35 applied (with modifications) (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
- C139** Sch. 1 rule 35 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)-(8), **Sch. 1**
Sch. 1 rule 35 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C140** Sch. 1 rule 35 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 35 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**)
- C141** Sch. 1 rule 35 applied (with modifications) (1.8.2001) by The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599), art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**; and modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(1), **Sch. 8 para. 20(1)**)

Challenge of voter

- [^{F138}36 A person shall not be prevented from voting by reason only that—
- (a) a candidate or his election or polling agent declares that he has reasonable cause to believe that the person has committed an offence of personation, or
 - (b) the person is arrested on the grounds that he is suspected of committing or of being about to commit such an offence.]

Textual Amendments

- F138** Sch. 1 rule 36 substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 132**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(aa)(bb)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**

Modifications etc. (not altering text)

- C142** Sch. 1 rule 36 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

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- C143** Sch. 1 rule 36 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C144** Sch. 1 rule 36 was prospectively repealed (E.W.) by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119(2), **Sch. 7 Pt. I** but before that repeal was brought into force, the relevant repealing provision was itself repealed (16.7.1985) by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, **Sch. 5**
- C145** Sch. 1 rule 36 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 36 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C146** Sch. 1 rule 36 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 36 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**)

[^{F139}[^{F140}Voting procedure and voter identification requirements: Northern Ireland][^{F140}Voting procedure and voter identification requirements: Great Britain]]

Textual Amendments

- F139** Sch. 1 rule 37 cross-heading substituted (N.I.) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 17(2)**; S.I. 2022/1401, reg. 2(d)(ix)(bb) (with reg. 3(1))
- F140** Words in Sch. 1 rule 37 cross-heading substituted (E.W.S.) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 18(2)**; S.I. 2022/1401, reg. 2(d)(x) (with reg. 3(1))

[^{F141}37(1) [^{F142}Subject to rule 35(3) and to paragraphs (1A) to (1P), a] ballot paper shall be delivered to a voter who applies for one, and immediately before delivery—

- ^{F143}(a)
- (b) the number of the elector shall be marked on the list mentioned in rule 29(3) (e) beside the number of the ballot paper to be issued to him;
- (c) a mark shall be placed in the register of electors against the number of the elector to note that a ballot paper has been received but without showing the particular ballot paper which has been received;
- (d) the voter shall sign the list mentioned in rule 29(3)(e) beside the number of the elector marked on the list in accordance with sub-paragraph (b) above; and
- (e) in the case of a person applying for a ballot paper as proxy, a mark shall also be placed against his name in the list of proxies.

[^{F144}(1A) A ballot paper must not be delivered to a voter unless the voter produces a specified document to the presiding officer or a clerk.

(1B) The presiding officer or clerk must arrange for the voter to produce any document in a private area of the polling station if the voter so requests, and, in such a case, must ensure that no other persons witness the production except as permitted by the voter.

(1C) Paragraph (1D) applies in relation to a voter where—

- (a) the voter produces a specified document to a clerk and the clerk decides that the document raises a reasonable doubt as to whether the voter is the elector or proxy that the voter claims to be, or
- (b) the voter produces a document to a clerk that the clerk reasonably suspects to be a forged document (see paragraph (1P)).

(1D) Where this paragraph applies, the clerk must refer the matter and produce the document to the presiding officer, who must proceed as if the voter had produced the document to the presiding officer in the first place.

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- (1E) The presiding officer must refuse to deliver a ballot paper to a voter where—
- (a) the voter produces a specified document to the officer and the officer decides that the document raises a reasonable doubt as to whether the voter is the elector or proxy that the voter claims to be, or
 - (b) the voter produces a document to the officer that the officer reasonably suspects to be a forged document.

See rule 40ZB (procedure where ballot paper is refused under this paragraph).

- (1F) But there is an exception from paragraph (1E) for cases within sub-paragraph (a) of that paragraph where—

- (a) a discrepancy between the name of the holder of a specified document and the name of the elector or proxy that the voter claims to be is resolved to the presiding officer's satisfaction at the time of the application by the voter producing further proof of identity, and
- (b) the presiding officer has no other reason (arising from any document produced by the voter) to doubt that the voter is the elector or proxy that the voter claims to be.

- (1G) The refusal to deliver a ballot paper to a voter under paragraph (1E) does not prevent the voter making a further application under paragraph (1), and paragraphs (1A) to (1F) apply on any further application.

- (1H) In this rule a “specified document”, except in the case of a voter with an anonymous entry in the register of electors (as to which see paragraph (1K)), means any of the following documents (in whatever form issued to the holder) that contain a photograph of the holder—

- (a) a United Kingdom passport (see paragraph (1I));
- (b) a passport issued by an EEA state or a Commonwealth country;
- (c) a licence to drive a motor vehicle granted under—
 - (i) Part 3 of the Road Traffic Act 1988, or
 - (ii) the Road Traffic (Northern Ireland) Order 1981 (SI 1981/154 (N.I. 1));
- (d) a driving licence issued by any of the Channel Islands, the Isle of Man or an EEA state;
- (e) a biometric immigration document issued in accordance with regulations under section 5 of the UK Borders Act 2007;
- (f) an identity card bearing the Proof of Age Standards Scheme hologram (a PASS card);
- (g) a Ministry of Defence Form 90 (Defence Identity Card);
- (h) a relevant concessionary travel pass (see paragraph (1J));
- (i) a badge of a form prescribed under section 21 of the Chronically Sick and Disabled Persons Act 1970 or section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 (blue badge scheme);
- (j) an electoral identity document issued under section 13BD (electoral identity document: Great Britain);
- (k) an electoral identity card issued under section 13C (electoral identity card: Northern Ireland);
- (l) a national identity card issued by an EEA state.

- (1I) In paragraph (1H)(a) “United Kingdom passport” means a passport issued by—

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- (a) the Government of the United Kingdom,
- (b) the Lieutenant-Governor of any of the Channel Islands or the Isle of Man, or
- (c) the Government of any British overseas territory.

(1J) In paragraph (1H)(h), “relevant concessionary travel pass” means a concessionary travel pass listed in the second column of the following table—

passes funded by the Government of the United Kingdom	an Older Person’s Bus Pass a Disabled Person’s Bus Pass an Oyster 60+ card a Freedom Pass
passes funded by the Scottish Government	the National Entitlement Card
passes funded by the Welsh Government	a 60 and Over Welsh Concessionary Travel Card a Disabled Person’s Welsh Concessionary Travel Card
passes issued under the Northern Ireland Concessionary Fares Scheme	a Senior SmartPass a Registered Blind SmartPass or Blind Person’s SmartPass a War Disablement SmartPass or War Disabled SmartPass a 60+ SmartPass a Half Fare SmartPass

(1K) In this rule a “specified document”, in the case of a voter who has an anonymous entry in the register of electors, means an anonymous elector’s document issued to the voter under section 13BE which—

- (a) was issued by an appropriate registration officer, and
- (b) contains the voter’s electoral number.

(1L) For the purposes of paragraph (1K)—

“appropriate registration officer” means—

- (a) the registration officer for the constituency in which the election is being held, or
 - (b) where the election is being held in a constituency for which there is more than one registration officer, any of those officers;
- a voter’s “electoral number” is the number—
- (a) allocated to the voter as stated in the copy of the register of electors, or
 - (b) where an entry relating to the voter is added to the register in pursuance of a notice issued under section 13B(3B) or (3D), as stated in the copy of that notice.

(1M) A reference in this rule to a document that is a specified document is a reference to the document regardless of any expiry date relating to it (subject to paragraph (1N)).

(1N) Paragraph (1M) does not apply to a document which—

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- (a) is referred to in paragraph (1H)(j) or (1K), and
- (b) in accordance with regulations made by virtue of section 13BD or 13BE (as the case may be), is issued for use only at a particular poll or at particular polls being held on the same day.

(1P) In this rule a “forged document” means a false document made to resemble a specified document.

(1Q) Regulations may make provisions varying paragraph (1H), (1I) or (1J) by—

- (a) adding a reference to a document to any of those paragraphs,
- (b) removing a reference to a document from any of those paragraphs (other than the document referred to in paragraph (1H)(j)), or
- (c) varying any description of document referred to in any of those paragraphs.

(1R) The power to make provision by virtue of paragraph (1Q)(b) is exercisable only on, and in accordance with, a recommendation of the Electoral Commission.

(1S) No person other than the presiding officer or a clerk may inspect a document produced as proof of a voter’s identity, except as permitted by the voter.

(1T) References in this rule to producing a document are to producing it for inspection.]

(2) In the case of an elector who has an anonymous entry, he must show the presiding officer his official poll card ^{F145}...

(3) In the case of an elector who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D), paragraph (1) above is modified as follows—

- ^{F146}(a)
- (b) in sub-paragraph (c), for “in the register of electors” substitute “on the copy of the notice issued under section 13B(3B) or (3D) of this Act”.

(4) Paragraph (1)(d) above does not apply to a voter to whom rule 38 or 39 applies.

(5) The voter, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station and there secretly mark his paper and fold it up so as to conceal his vote, and shall then show to the presiding officer the back of the paper, so as to disclose the number and other unique identifying mark, and put the ballot paper so folded up into the ballot box in the presiding officer’s presence.

(6) The voter shall vote without undue delay, and shall leave the polling station as soon as he has put his ballot paper into the ballot box.

[^{F147}(7) A voter who at the close of the poll is in the polling station, or in a queue outside the polling station, for the purpose of voting shall (despite the close of the poll) be entitled to apply for a ballot paper under paragraph (1); and these rules apply in relation to such a voter accordingly.]]

Votes marked by presiding officer

38 (1) [^{F148}Subject to paragraph (1A) below, the] presiding officer, on the application of a voter—

- (a) who is incapacitated by blindness or other [^{F149}disability] from voting in manner directed by these rules, or
- (b) who declares orally that he is unable to read,

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shall, in the presence of the polling agents, cause the voter's vote to be marked on a ballot paper in manner directed by the voter, and the ballot paper to be placed in the ballot box.

[^{F150}(1A) The relevant paragraphs of rule 37 apply in the case of a voter who applies under paragraph (1) above as they apply in the case of a voter who applies under rule 37(1), but as if—

- (a) references to delivering a ballot paper to a voter were to causing a voter's vote to be marked on a ballot paper, and
- (b) in rule 37(1G) as it extends to England and Wales and to Scotland, and in rule 37(1DB) as it extends to Northern Ireland, the reference to paragraph (1) of rule 37 were to paragraph (1) of this rule.

(1B) In paragraph (1A), “the relevant paragraphs of rule 37” means—

- (a) paragraphs (1A) to (1T) of rule 37 as it extends to England and Wales and to Scotland;
- (b) paragraphs (1A) to (1G) of rule 37 as it extends to Northern Ireland.]

(2) The name and number on the register of electors of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list (in these rules called “the list of votes marked by the presiding officer”).

In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.

[^{F151}(3) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of this Act, paragraph (2) above applies as if for “on the register of electors of every voter” there were substituted relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D).]

[^{F152}(4) In the case of a person in respect of whom a notice has been issued under section 13BA(9), paragraph (2) applies as if for “on the register of electors of every voter” there were substituted “relating to every voter in respect of whom a notice has been issued under section 13BA(9)”.]

Textual Amendments

F148 Words substituted (N.I.) by Elections (Northern Ireland) Act 1985 (c. 2, SIF 42), s. 2(3)(b)

F149 Word in Sch. 1 rule 38(1)(a) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(w) (bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

F150 Sch. 1 rules 38(1A)(1B) substituted for Sch. 1 rule 38(1A) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 19; S.I. 2022/1401, reg. 2(d)(x) (with reg. 3(1))

F151 Sch. 1 rule 38(3) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, Sch. 1 para. 35; S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)

F152 Sch. 1 rule 38(4) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, Sch. 4 para. 6(5); S.I. 2008/1318, art. 2

Modifications etc. (not altering text)

C149 Sch. 1 rule 38 applied (with modifications) (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

C150 Sch. 1 rule 38 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I

C151 Sch. 1 rule 38 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), Sch. 1 Sch. 1 rule 38 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, Sch. 2

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- C152** Sch. 1 rule 38 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 38 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**)
- C153** **Sch. 1 rule 38** applied (with modifications) (16.1.2023) by S.I. 2001/2599, Sch. 1 (as amended by Elections Act 2022 (c. 37), s. 67(1), **Sch. 6 para. 43**; S.I. 2022/1401, reg. 2(f)(xii) (with reg. 3(1)))

[^{F153} Voting by persons with disabilities]

Textual Amendments

- F153** **Sch. 1 rule 39** and preceding cross-heading substituted (16.2.2001) by 2000 c. 2, s. **13(1)(3)**; S.I. 2001/116, art. **2(1)**

[^{F154}39(1) If a voter makes an application to the presiding officer to be allowed, on the ground of—

- (a) blindness or other [^{F155}disability], or
- (b) inability to read,

to vote with the assistance of another person by whom he is accompanied (in these rules referred to as “the companion”), the presiding officer shall require the voter to declare, orally or in writing, whether he is so incapacitated by his blindness or [^{F156}other disability], or by his inability to read, as to be unable to vote without assistance.

(2) [^{F157}Subject to paragraph (2A) below, if] the presiding officer—

- (a) is satisfied that the voter is so incapacitated, and
- (b) is also satisfied by a written declaration made by the companion (in these rules referred to as “the declaration made by the companion of a voter with disabilities”) that the companion—
 - (i) [^{F158}is aged 18 or over], and
 - (ii) has not previously assisted more than one voter with disabilities to vote at the election,

the presiding officer shall grant the application, and then anything which is by these rules required to be done to or by that voter in connection with the giving of his vote may be done to, or with the assistance of, the companion.

[^{F159}(2A) The relevant paragraphs of rule 37 apply in the case of a voter who applies under paragraph (1) above as they apply in the case of a voter who applies under rule 37(1), but as if—

- (a) references to delivering a ballot paper to a voter were to granting a voter’s application, and
- (b) in rule 37(1G) as it extends to England and Wales and to Scotland, and in rule 37(1DB) as it extends to Northern Ireland, the reference to paragraph (1) of rule 37 were to paragraph (1) of this rule.

(2B) In paragraph (2A), “the relevant paragraphs of rule 37” means—

- (a) paragraphs (1A) to (1T) of rule 37 as it extends to England and Wales and to Scotland;
- (b) paragraphs (1A) to (1G) of rule 37 as it extends to Northern Ireland.]

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) For the purposes of these rules, a person is a voter with disabilities if he has made such a declaration as is mentioned in paragraph (1) above, ^{F160}...
- (4) The name and number in the register of electors of every voter whose vote is given in accordance with this rule and the name and address of the companion shall be entered on a list (in these rules referred to as “the list of voters with disabilities assisted by companions”).
- In the case of a person voting as proxy for an elector, the number to be entered together with the voter’s name shall be the elector’s number.
- [In the case of a person in respect of whom a notice has been issued under ^{F161}(4A) section 13B(3B) or (3D) of this Act, paragraph (4) above applies as if for “in the register of electors of every voter” there were substituted relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D).]
- [In the case of a person in respect of whom a notice has been issued under ^{F162}(4B) section 13BA(9), paragraph (4) applies as if for “in the register of electors of every voter” there were substituted “relating to every voter in respect of whom a notice has been issued under section 13BA(9)”.]
- (5) The declaration made by the companion—
- shall be in the form in the Appendix; and
 - shall be made before the presiding officer at the time when the voter applies to vote with the assistance of a companion and shall forthwith be given to the presiding officer who shall attest and retain it.
- (6) No fee or other payment shall be charged in respect of the declaration.]

Textual Amendments

- F154** Sch. 1 rule 39 and preceding cross-heading substituted (16.2.2001) by 2000 c. 2, s. 13(1)(3); S.I. 2001/116, art. 2(1)
- F155** Word in Sch. 1 rule 39(1)(a) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 78(a); S.I. 2006/3412, art. 3, Sch. 1 para. 14(w) (bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F156** Words in Sch. 1 rule 39(1) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 78(b); S.I. 2006/3412, art. 3, Sch. 1 para. 14(w) (bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F157** Words in Sch. 1 rule 39(2) substituted (N.I.) (1.5.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. 5(2)
- F158** Words in Sch. 1 rule 39(2)(b)(i) substituted (29.12.2022) by Elections Act 2022 (c. 37), ss. 9(3)(a), 67(1); S.I. 2022/1270, reg. 2(a) (with reg. 3)
- F159** Sch. 1 rules 39(2A)(2B) substituted for Sch. 1 rule 39(2A) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 20; S.I. 2022/1401, reg. 2(d)(x) (with reg. 3(1))
- F160** Words in Sch. 1 rule 39(3) omitted (29.12.2022) by virtue of Elections Act 2022 (c. 37), ss. 9(3)(b), 67(1); S.I. 2022/1270, reg. 2(a) (with reg. 3)
- F161** Sch. 1 rule 39(4A) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, Sch. 1 para. 36; S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F162** Sch. 1 rule 39(4B) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, Sch. 4 para. 6(6); S.I. 2008/1318, art. 2

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Modifications etc. (not altering text)

C154 Sch. 1 rule 39 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), art. 3, **Sch. 1** (as substituted (10.2.2009) by [S.I. 2009/256](#), arts. 1(2), 3, **Sch. 1**; and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(1), **Sch. 8 para. 25**)

Tendered ballot papers

- 40 (1) If a person, representing himself to be—
- (a) a particular elector named on the register and not named in the absent voters list, or
 - (b) a particular person named in the list of proxies as proxy for an elector and not ^{F163} entitled to vote by post as proxy,

applies for a ballot paper after another person has voted in person either as the elector or his proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter.

[^{F164}(1ZA) Paragraph (1ZC) applies if —

- (a) a person applies for a ballot paper representing himself to be a particular elector named on the register,
- (b) he is also named in the postal voters list, and
- (c) he claims that he did not make an application to vote by post at the election.

(1ZB) Paragraph (1ZC) also applies if—

- (a) a person applies for a ballot paper representing himself to be a particular person named as a proxy in the list of proxies,
- (b) he is also named in the proxy postal voters list, and
- (c) he claims that he did not make an application to vote by post as proxy.

(1ZC) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.]

[^{F165}(1ZD) Paragraph (1ZE) applies if before the close of the poll but after the last time at which a person may apply for a replacement postal ballot paper, a person represents himself to be—

- (a) a particular elector named on the register and who is also named in the postal voters list, or
- (b) a particular person named as a proxy in the list of proxies and who is also named in the proxy postal voters list,

and claims that he has lost or has not received his postal ballot paper.

(1ZE) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.]

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[^{F166}(1ZF)] A person to whom a ballot paper is not delivered under paragraph (3) of rule 35 following his unsatisfactory answer to the question at entry 1(c) in the table in paragraph (1) of that rule shall, if he satisfactorily answers any other questions permitted by law to be asked at the poll, nevertheless be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter.]

[^{F167}(1A)] The relevant paragraphs of rule 37 apply in the case of a person who seeks to mark a tendered ballot paper under this rule as they apply in the case of a voter who applies for a ballot paper under rule 37(1), subject to the modification set out in paragraph (1AA).

(1AA) The modification is that—

- (a) in rule 37(1G) as it extends to England and Wales and to Scotland, and
- (b) in rule 37(1DB) as it extends to Northern Ireland,

the reference to making a further application under paragraph (1) of rule 37 were to seeking a further time to mark a tendered ballot paper under the paragraph of this rule under which a previous such attempt was made.

(1AB) In paragraph (1A), “the relevant paragraphs of rule 37” means—

- (a) paragraphs (1A) to (1T) of rule 37 as it extends to England and Wales and to Scotland;
- (b) paragraphs (1A) to (1G) of rule 37 as it extends to Northern Ireland.]

(1B) Paragraph (1C) below applies where [^{F168}, at an election held in Northern Ireland]

- [^{F169}(a) under paragraph (3) of rule 35 a ballot paper is not delivered to a person following his unsatisfactory answer to the question in paragraph (1A) of that rule; or
- (b)] a presiding officer refuses to deliver a ballot paper to a person under paragraph (1C) of rule 37 (including that paragraph as applied by rule 38 or 39 of this rule).

(1C) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, nevertheless be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter.

(2) A tendered ballot paper shall—

- (a) be of a colour differing from the other ballot papers;
- (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of electors, and set aside in a separate packet.

(3) The name of the voter and his number on the register of electors shall be entered on a list (in these rules referred to as the “tendered votes list”) [^{F170} and the voter must sign the list opposite the entry relating to him].

(4) In the case of a person voting as proxy for an elector, the number to be endorsed or entered together with the voter’s name shall be the number of that elector.

[^{F171}(4A)] This rule applies to an elector who has an anonymous entry subject to the following modifications—

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- (a) in paragraphs (2)(b) and (3) the references to the name of the voter must be ignored;
- (b) otherwise, a reference to a person named on a register or list must be construed as a reference to a person whose number appears on the register or list (as the case may be).]

[^{F172}(4B) This rule applies in the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) as if—

- (a) in paragraphs (1)(a), (1ZA)(a) and (1ZD)(a) for “named on the register” there were substituted in respect of whom a notice under section 13B(3B) or (3D) of this Act has been issued;
- (b) in paragraph (2)(b) for “his number in the register of electors” there were substituted the number relating to him on a notice issued under section 13B(3B) or (3D) of this Act;
- (c) in paragraph (3) for “his number on the register of electors” there were substituted the number relating to him on a notice issued under section 13B(3B) or (3D) of this Act.]

[^{F173}(4C) This rule applies in the case of a person in respect of whom a notice has been issued under section 13BA(9) as if—

- (a) in paragraphs (1)(a), (1ZA)(a) and (1ZD)(a) for “named on the register” there were substituted “in respect of whom a notice under section 13BA(9) has been issued”;
- (b) in paragraph (2)(b) for “his number in the register of electors” there were substituted “the number relating to him on a notice issued under section 13BA(9)”;
- (c) in paragraph (3) for “his number on the register of electors” there were substituted “the number relating to him on a notice issued under section 13BA(9)”.]

[^{F174}(5) A person who marks a tendered ballot paper under paragraph (1C) above shall sign the paper, unless it was marked after an application was refused under rule 38 or 39.

(6) A paper which is required to be signed under paragraph (5) above and is not so signed shall be void.]

[^{F175}(7) This rule does not apply in relation to an elector who has an anonymous entry in a register maintained by the Chief Electoral Officer for Northern Ireland.]

Textual Amendments

F163 Words repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 11, 28, Sch. 2 para. 7, **Sch. 5**

F164 [Sch. 1 rule 40\(1ZA\)-\(1ZC\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. **38(1)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(s) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2, 4**

F165 [Sch. 1 rule 40\(1ZD\)\(1ZE\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. **38(2)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(s) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2, 4**

F166 [Sch. 1 rule 40\(1ZF\)](#) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, **Sch. 1 para. 81(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2, 4**

F167 [Sch. 1 rule 40\(1A\)-\(1AB\)](#) substituted for [Sch. 1 rule 40\(1A\)](#) (16.1.2023) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), **Sch. 1 para. 21(2)**; S.I. 2022/1401, reg. 2(d)(x) (with reg. 3(1))

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- F168** Words in Sch. 1 rule 40(1B) inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 21(3)**; S.I. 2022/1401, reg. 2(d)(x) (with reg. 3(1))
- F169** Words in Sch. 1 rule 40(1B) inserted (N.I.) (1.12.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. 2(4); S.I. 2002/1648, art. 4
- F170** Words in Sch. 1 rule 40(3) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 81(3)**; S.I. 2006/3412, art. 3, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F171** Sch. 1 rule 40(4A) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10(2), 77, **Sch. 1 para. 14(5)**; S.I. 2006/3412, art. 3, Sch. 1 para. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)
- F172** Sch. 1 rule 40(4B) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, **Sch. 1 para. 37**; S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F173** Sch. 1 rule 40(4C) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 6(7)**; S.I. 2008/1318, art. 2
- F174** Sch. 1 rule 40(5)(6) inserted (N.I.) by Elections (Northern Ireland) Act 1985 (c. 2, SIF 42), s. 1(6)
- F175** Sch. 1 rule 40(7) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 3(7)

Modifications etc. (not altering text)

- C155** Sch. 1 rule 40 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C156** Sch. 1 rule 40 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C157** Sch. 1 rule 40 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 40 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C158** Sch. 1 rule 40 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 40 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**)

f^{F176} Tendered postal ballot papers: anonymous entries in Northern Ireland

Textual Amendments

- F176** Sch. 1 rule 40ZA inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 3(8)

40ZA.(1) This rule applies to a person (“P”) who—

- (a) is an elector with an anonymous entry in a register maintained by the Chief Electoral Officer for Northern Ireland; or
 - (b) is entitled to vote by post as proxy for such an elector,
- and who claims to have lost, or not received, a postal ballot paper.

(2) P may apply to the Chief Electoral Officer for a replacement postal ballot paper (in these rules referred to as a “tendered postal ballot paper”).

(3) The application—

- (a) may be made by post or in person,
- (b) must be accompanied by a specified document within the meaning of rule 37 (as it extends to Northern Ireland), and
- (c) must be delivered to the Chief Electoral Officer—
 - (i) where the application is made by post, before 4 p.m. on the fourth day before the day of the poll, and

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- (ii) where the application is made in person, before 4 p.m. on the day before the day of the poll.
- (4) If the Chief Electoral Officer—
 - (a) is satisfied as to P’s identity, and
 - (b) has no reason to doubt that P has lost, or not received, a postal ballot paper, the Chief Electoral Officer must issue a tendered postal ballot paper to P in the prescribed manner.
- (5) A tendered postal ballot paper must be of a different colour from the other ballot papers.
- (6) P, if issued with a tendered postal ballot paper, may mark it, sign it, and send it to the Chief Electoral Officer, in the same manner as a postal ballot paper.
- (7) A tendered postal ballot paper which has not been signed, or which does not meet the conditions in rule 45(2) and (2A), is void.
- (8) On receipt of a tendered postal ballot paper, the Chief Electoral Officer must deal with it in the prescribed manner.
- (9) The Chief Electoral Officer must—
 - (a) endorse each tendered postal ballot paper with the entry in the register of the elector in question, and
 - (b) set it aside in a separate packet of tendered postal ballot papers.
- (10) The Chief Electoral Officer must add the entry in the register of the elector in question to a list (in these rules referred to as the “tendered postal votes list”).
- (11) The Chief Electoral Officer must seal the packet of tendered postal ballot papers.
- (12) This rule applies in the case of a person in respect of whom a notice has been issued under section 13BA(9) (alteration of registers in Northern Ireland: pending elections) as if—
 - (a) in paragraph (1) for “in a register maintained” there were substituted “in respect of whom a notice under section 13BA(9) has been issued”; and
 - (b) in paragraphs (9)(a) and (10), for “entry in the register of the elector in question” there were substituted “entry relating to the elector in question on a notice issued under section 13BA(9)”.]

F¹⁷⁷ Refusal to deliver ballot paper: Great Britain

Textual Amendments

F177 Sch. 1 rule 40ZB and cross-heading inserted (E.W.S.) (16.1.2023) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 1 para. 22](#); S.I. 2022/1401, [reg. 2\(d\)\(x\)](#) (with [reg. 3\(1\)](#))

- 40ZB (1) This rule applies in relation to an election held in England and Wales or Scotland.
- (2) Where a presiding officer refuses to deliver a ballot paper to a voter who applied for one as an elector, the officer or a clerk must enter on the ballot paper refusal list—
 - (a) the voter’s electoral number, and
 - (b) against that number, the reason for the refusal.

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- (3) Where a presiding officer refuses to deliver a ballot paper to a voter who applied for one as a proxy, the officer or a clerk must enter on the ballot paper refusal list—
 - (a) the name and address of the voter, and
 - (b) against those details, the reason for the refusal.
- (4) Paragraphs (5) and (6) apply where—
 - (a) a presiding officer refuses to deliver a ballot paper to a voter under rule 37(1E), and
 - (b) the voter makes a further application under rule 37(1).
- (5) If a ballot paper is delivered to the voter following a further application, the presiding officer or a clerk must note that fact on the ballot paper refusal list.
- (6) If the presiding officer again refuses to deliver a ballot paper to the voter, the presiding officer or a clerk must note that fact on the ballot paper refusal list.
- (7) Entries required by this rule to be made on the ballot paper refusal list must be made as soon as practicable after delivery of a ballot paper to a voter is refused (or, in the case mentioned in paragraph (5), as soon as practicable after the delivery of a ballot paper to a voter).
- (8) For the purposes of paragraph (2)(a), a person’s “electoral number” is the number—
 - (a) allocated to the person as stated in the copy of the register of electors, or
 - (b) where an entry relating to the person is added to the register in pursuance of a notice issued under section 13B(3B) or (3D), as stated in the copy of that notice.
- (9) Subject to rule 37(1G) and paragraph (10), a refusal to deliver a ballot paper to a voter is final and may not be questioned in any proceeding whatsoever.
- (10) A refusal to deliver a ballot paper to a voter is subject to review on an election petition.
- (11) In this rule—
 - (a) except in paragraph (4)(a), any reference to the refusal to deliver a ballot paper (however expressed) is to the refusal to do so under rule 35(3) or 37(1E), and
 - (b) any reference to paragraph (1E) or (1G) of rule 37 includes a reference to that paragraph as applied by rule 38, 39 or 40.]

[^{F178}Refusal to deliver ballot paper: Northern Ireland]

Textual Amendments

F178 Words in [Sch. 1 rule 40A](#) heading substituted (16.1.2023) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 1 para. 23\(a\)](#); S.I. 2022/1401, [reg. 2\(d\)\(x\)](#) (with [reg. 3\(1\)](#))

[^{F179}40A] This rule applies where a presiding officer refuses to deliver a ballot paper under paragraph (1C) of rule 37 (including that paragraph as applied by rule 38, 39 or 40).

- (2) The refusal shall be subject to review on an election petition but, subject to that [^{F180}and to rule 37(1DB)], shall be final and shall not be questioned in any proceeding whatsoever.]

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Textual Amendments

F179 Sch. 1 rule 40A inserted (N.I.) by Elections (Northern Ireland) Act 1985 (c. 2, SIF 42), s. 2(4)

F180 Words in Sch. 1 rule 40A(2) inserted (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 23(b); S.I. 2022/1401, reg. 2(d)(x) (with reg. 3(1))

Modifications etc. (not altering text)

C159 Sch. 1 rule 40A applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. 1

C160 Sch. 1 rule 40A applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)-(8), Sch. 1

Sch. 1 rule 40A applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, Sch. 2

Sch. 1 rule 40A 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)

^{F181}Collection and disclosure of information relating to applications made under rules 37 to 40

Textual Amendments

F181 Sch. 1 rule 40B and cross-heading inserted (27.8.2022 for specified purposes, 16.1.2023 in so far as not already in force) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 24; S.I. 2022/916, reg. 2(d)(x); S.I. 2022/1401, reg. 2(d)(xi)

- 40B (1) This rule applies in relation to an election held in England and Wales or Scotland if—
- (a) regulations provide that this rule applies in relation to the election, or
 - (b) the election is within a description of elections in relation to which regulations provide that this rule applies.
- (2) A presiding officer must—
- (a) collect prescribed information relating to applications made under rules 37(1), 38(1), 39(1) and 40(1), and
 - (b) provide the prescribed information to the returning officer as soon as practicable after the close of the poll.
- (3) Where the prescribed information relates to an election held in England and Wales—
- (a) the returning officer must forward the information to the relevant registration officer, and
 - (b) the relevant registration officer must, as soon as reasonably practicable after receiving the information, deal with it as required by paragraph (5).
- (4) Where the prescribed information relates to an election held in Scotland, the returning officer must deal with it as required by paragraph (5).
- (5) The relevant registration officer or (as the case may be) the returning officer must—
- (a) anonymise the prescribed information by removing from it all names and electoral numbers of the people to whom the information relates, and
 - (b) collate the information in the prescribed manner.

The information as anonymised and collated in accordance with this paragraph is referred to in the rest of this rule as “the paragraph (5) information”.

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- (6) The relevant registration officer or (as the case may be) the returning officer must provide the paragraph (5) information—
 - (a) to the Secretary of State, as soon as reasonably practicable after taking the steps required by paragraph (5), and
 - (b) where they request the information, to the Electoral Commission.
- (7) The relevant registration officer or (as the case may be) the returning officer must not disclose the paragraph (5) information otherwise than in accordance with paragraph (6).
- (8) The relevant registration officer or (as the case may be) the returning officer must retain the information anonymised in accordance with paragraph (5)(a) for at least 10 years.
- (9) For the purposes of paragraph (5)(a), a person’s “electoral number” is the number—
 - (a) allocated to the person as stated in the copy of the register of electors, or
 - (b) where an entry relating to the person is added to the register in pursuance of a notice issued under section 13B(3B) or (3D), as stated in the copy of that notice.
- (10) Except as provided by paragraph (11), a disclosure of information under this rule does not breach—
 - (a) any obligation of confidence owed by the presiding officer, the returning officer or a registration officer, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (11) Nothing in this rule authorises the making of a disclosure that contravenes the data protection legislation (but in determining whether a disclosure would do so, the duties imposed by paragraphs (2) and (3) are to be taken into account).
- (12) In this rule—
 - (a) “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3(9) of that Act);
 - (b) references to the relevant registration officer are to—
 - (i) the registration officer of the local authority in whose area the constituency is situated, or
 - (ii) if the constituency comprises any part of the area of more than one local authority, the registration officer of the local authority in whose area the greater or greatest (as the case may be) number of electors is registered.]

Modifications etc. (not altering text)

C161 Sch. 1 rule 40B applied (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), 33 (with reg. 1(6)(7))

Spoilt ballot papers

- 41 A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to his satisfaction the fact of the inadvertence, obtain another

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ballot paper in the place of the ballot paper so delivered (in these rules referred to as “a spoilt ballot paper”), and the spoilt ballot paper shall be immediately cancelled.

Modifications etc. (not altering text)

- C162** Sch. 1 rules 41, 42 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C163** Sch. 1 rules 41, 42 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C164** Sch. 1 rule 41 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 41 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C165** Sch. 1 rule 41 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 41 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**)

^{F182} Correction of errors on day of poll

Textual Amendments

- F182** Sch. 1 rule 41A inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, **Sch. 1 para. 38**; S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)

- 41A The presiding officer shall keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of this Act which takes effect on the day of the poll.]

^{F183} Correction of errors on day of poll: Northern Ireland

Textual Amendments

- F183** Sch. 1 rule 41B inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 6(8)**; S.I. 2008/1318, art. 2

- 41B The presiding officer shall keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13BA(9) which takes effect on the day of the poll.]

Modifications etc. (not altering text)

- C166** Sch. 1 rule 41B applied (with modifications) 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**)

Adjournment of poll in case of riot

- 42 (1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer shall adjourn the proceedings till the following day and shall forthwith give notice to the returning officer.
- (2) Where the poll is adjourned at any polling station—

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- (a) the hours of polling on the day to which it is adjourned shall be the same as for the original day; and
- (b) references in this Act to the close of the poll shall be construed accordingly.

Modifications etc. (not altering text)

C167 Sch. 1 rules 41, 42 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C168 Sch. 1 rules 41, 42 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C169 Sch. 1 rule 42 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 42 applied (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**

C170 Sch. 1 rule 42 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Sch. 1 rule 42 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**)

Procedure on close of poll

- 43 (1) As soon as practicable after the close of the poll, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—
- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened, but with the key attached,
 - (b) the unused and spoilt ballot papers placed together,
 - (c) the tendered ballot papers,
 - (d) the marked copies of the register of electors [^{F184}(including any marked copy notices issued under section 13B(3B) or (3D) of this Act)] and of the list of proxies,
 - [^{F185}(da) the lists prepared under rule 19A, including the parts which were completed in accordance with rule 37(1)(b) and (d) (together referred to in these rules as “the completed corresponding number lists”);]
 - [^{F186}(db) in the case of an election held in England and Wales or Scotland, the ballot paper refusal list completed in accordance with rule 40ZB,
 - (dc) in the case of an election held in Northern Ireland, the lists provided to the polling station under rule 29(3)(f),]
 - (e) ^{F187} . . . the certificates as to employment on duty on the day of the poll,
 - (f) the tendered votes list, the list of [^{F188}voters with disabilities] assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads [^{F189}“disability”] and “unable to read”, [^{F190}the list maintained under rule 41A,] and the declarations made by the companions of [^{F188}voters with disabilities],
- and shall deliver the packets or cause them to be delivered to the returning officer to be taken charge of by him; but if the packets are not delivered by the presiding officer personally to the returning officer, the arrangements for their delivery shall require the returning officer’s approval.
- (2) The marked copies of the register of electors and of the list of proxies shall be in one packet but shall not be in the same packet as the [^{F191}completed corresponding number lists or] the certificates as to employment on duty on the day of the poll.

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- (3) The packets shall be accompanied by a statement (in these rules referred to as “the ballot paper account”) made by the presiding officer showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.

[^{F192}(4) This rule applies in relation to Northern Ireland as if—

- (a) the reference in paragraph (1)(d) to the marked copies of the register of electors included any marked copy notices issued under section 13BA(9), and
- (b) paragraph (1)(f) referred to the list maintained under rule 41B.]

Textual Amendments

- F184** Words in [Sch. 1 rule 43\(1\)\(d\)](#) inserted (E.W.S.) (1.1.2007) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 11(6), 77, [Sch. 1 para. 39\(a\)](#); S.I. 2006/3412, [art. 3](#), [Sch. 1 paras. 2, 12\(b\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#))
- F185** [Sch. 1 rule 43\(1\)\(da\)](#) inserted (1.1.2007 for E.W.S. for certain purposes and otherwise prosp.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. [31\(4\)\(a\)](#), 77; S.I. 2006/3412, [art. 3](#), [Sch. 1 para. 14\(p\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#))
- F186** [Sch. 1 rules 43\(1\)\(db\), \(dc\)](#) inserted (16.1.2023 for specified purposes) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 1 para. 25](#); S.I. 2022/1401, [reg. 2\(d\)\(xii\)](#) (with [reg. 3\(1\)](#))
- F187** Words in [Sch. 1 rule 43\(1\)\(e\)](#) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. [31\(4\)\(b\)](#), 74(2), 77, [Sch. 2](#); S.I. 2006/3412, [art. 3](#), [Sch. 1 para. 14\(p\)](#) (aa)(cc)(v) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); S.I. 2008/1316, [arts. 2, 4](#)
- F188** Words in [rule 43\(1\)\(f\)](#) substituted (16.2.2001) by 2000 c. 2, s. [13\(1\)\(4\)](#); S.I. 2001/116, [art. 2\(1\)](#)
- F189** Word in [Sch. 1 rule 43\(1\)\(f\)](#) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, [Sch. 1 para. 79](#); S.I. 2006/3412, [art. 3](#), [Sch. 1 para. 14\(w\)](#) (bb)(iii) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); S.I. 2008/1316, [arts. 2, 4](#)
- F190** Words in [Sch. 1 rule 43\(1\)\(f\)](#) inserted (E.W.S.) (1.1.2007) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 11(6), 77, [Sch. 1 para. 39\(b\)](#); S.I. 2006/3412, [art. 3](#), [Sch. 1 paras. 2, 12\(b\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#))
- F191** Words in [Sch. 1 rule 43\(2\)](#) substituted (1.1.2007 for E.W.S. for certain purposes and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. [31\(4\)\(c\)](#), 77; S.I. 2006/3412, [art. 3](#), [Sch. 1 para. 14\(p\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); S.I. 2008/1316, [arts. 2, 4](#)
- F192** [Sch. 1 rule 43\(4\)](#) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 30(1), 31, [Sch. 4 para. 6\(9\)](#); S.I. 2008/1318, [art. 2](#)

Modifications etc. (not altering text)

- C171** [Sch. 1 rules 43, 44](#) applied with modifications (N.I.) by S.I. 1986/2250, [regs. 2, 3, 5](#), [Sch. 1 Pt. I](#)
- C172** [Sch. 1 rules 43, 44](#) applied with modifications (E.W.S.) by S.I. 1986/2209, [regs. 2, 3, 5\(1\)\(6\)–\(8\)](#), [Sch. 1 Pt. I](#)
- C173** [Sch. 1 rule 43](#) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, [art. 3\(1\)\(b\)\(5\)–\(8\)](#), [Sch. 1](#)
[Sch. 1 rule 43](#) applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, [art. 6](#), [Sch. 2](#)
- C174** [Sch. 1 rule 43](#) applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, [Sch. 3 para. 13](#) Table 2
[Sch. 1 rule 43](#) 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](#))
- C175** [Sch. 1 rule 43](#) applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), [art. 3](#), [Sch. 1](#) (as substituted (10.2.2009) by S.I. 2009/256, [arts. 1\(2\), 3](#), [Sch. 1](#); and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(1), [Sch. 8 para. 29\(2\)](#))

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COUNTING OF VOTES

Attendance at counting of votes

- 44 (1) The returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll, and shall give to the counting agents notice in writing of the time and place at which he will begin to count the votes.
- (2) No person other than—
- (a) the returning officer and his clerks,
 - (b) the candidates and [^{F193}one other person chosen by each of them],
 - (c) the election agents,
 - (d) the counting agents,
 - [^{F194}(e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000.]
- may be present at the counting of the votes, unless permitted by the returning officer to attend.
- (3) A person not entitled to attend at the counting of the votes shall not be permitted to do so by the returning officer unless he—
- (a) is satisfied that the efficient counting of the votes will not be impeded; and
 - (b) has either consulted the election agents or thought it impracticable to do so.
- (4) The returning officer shall give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection with them.
- (5) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.
- [^{F195}(6) In making arrangements under this rule, the returning officer shall have regard to the duty imposed on him by rule 45(3A) below.]

Textual Amendments

F193 Words in [Sch. 1 rule 44\(2\)\(b\)](#) substituted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, [Sch. 1 para. 85\(2\)](#); [S.I. 2006/3412](#), [art. 5](#); [S.I. 2008/1316](#), [arts. 2, 4](#)

F194 [Sch. 1 rule 44\(2\)\(e\)](#) inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, [Sch. 1 para. 85\(3\)](#); [S.I. 2006/3412](#), [art. 5](#); [S.I. 2008/1316](#), [arts. 2, 4](#)

F195 [Sch. 1 rule 44\(6\)](#) inserted (8.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), [ss. 48\(2\)](#), 52

Modifications etc. (not altering text)

C176 [Sch. 1 rules 43, 44](#) applied with modifications (N.I.) by [S.I. 1986/2250](#), [regs. 2, 3, 5](#), [Sch. 1 Pt. I](#)

C177 [Sch. 1 rules 43, 44](#) applied with modifications (E.W.S.) by [S.I. 1986/2209](#), [regs. 2, 3, 5\(1\)\(6\)–\(8\)](#), [Sch. 1 Pt. I](#)

C178 [Sch. 1 rule 44](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 3\(1\)\(5\)–\(8\)](#), [Sch. 1](#)

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- Sch. 1 rule 44 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C179** Sch. 1 rule 44 applied (with modifications) (1.8.2001) by **The Northern Ireland Assembly (Elections) Order 2001** (S.I. 2001/2599), art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**; and modified (16.2.2011) by **Parliamentary Voting System and Constituencies Act 2011** (c. 1), s. 19(1), **Sch. 8 para. 35**)
- C180** Sch. 1 rule 44(5) applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(6)(d)(7)

The count

- 45^[F196](1) The returning officer shall—
- (a) in the presence of the counting agents open each ballot box and count and record the number of ballot papers in it;
 - (b) in the presence of the election agents verify each ballot paper account; and
 - (c) count such of the postal ballot papers as have been duly returned and record the number counted.
- (1A) The returning officer shall not count the votes given on any ballot papers until—
- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box, and
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.]
- ^[F197](1B) A postal ballot paper shall not, in England, Wales or Scotland, be taken to be duly returned unless—
- (a) it is returned in the prescribed manner and reaches the returning officer or a polling station in the constituency before the close of the poll, ^{F198} . . .
 - (b) ^[F199]the postal voting statement], duly signed ^{F200} . . . is also returned in the prescribed manner and reaches him or such a polling station before that time.]
 - ^[F201](c) the postal voting statement also states the date of birth of the elector or proxy (as the case may be), and
 - (d) in a case where steps for verifying the date of birth and signature of an elector or proxy have been prescribed, the returning officer (having taken such steps) verifies the date of birth and signature of the elector or proxy (as the case may be).]
- ^[F202](1C) A postal ballot paper or postal voting statement that reaches the returning officer or a polling station on or after the close of the poll is treated for the purposes of paragraph (1B) as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it.]
- (2) A postal ballot paper shall not ^[F203], in Northern Ireland,] be deemed to be duly returned unless
- ^[F204](a) it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated^[F205], and
 - (b) in the case of an elector, that declaration of identity states the date of birth of the elector and the returning officer is satisfied that the date stated corresponds with the date supplied as the date of the elector's birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of this Act.]

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[^{F206}(2A) In the case of an elector, unless section 10(4B), 10A(1B) or 13A(2B) of this Act [^{F207}or section 6(1ZA) or 7(1ZA) of the Representation of the People Act 1985] applies, the declaration of identity referred to in paragraph (2) shall be taken not to be duly signed unless the returning officer is satisfied that the signature on the declaration corresponds with the signature supplied as the elector's signature pursuant to [^{F208}section 6(1)(bb) or (bba)(i) or 7(1)(bb) or (bba)(i) of the Representation of the People Act 1985].]

(3) The returning officer shall not count any tendered ballot paper [^{F209}or any tendered postal ballot paper].

[^{F210}(3A) The returning officer shall take reasonable steps to begin counting the votes given on the ballot papers as soon as practicable within the period of four hours starting with the close of the poll.]

(4) The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers [^{F211}or other unique identifying marks] printed on the back of the papers.

(5) The returning officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and the unused and spoilt ballot papers in his possession and the tendered votes list [^{F212}and tendered postal votes list] (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list [^{F212}and tendered postal votes list]) and shall draw up a statement as to the result of the verification, which any election agent may copy.

(6) The returning officer shall so far as practicable proceed continuously with counting the votes, allowing only time for refreshment, except that he may, in so far as he and the agents agree, exclude the hours between 7 in the evening and 9 on the following morning.

For the purposes of this exception the agreement of a candidate or his election agent shall be as effective as the agreement of his counting agents.

(7) During the time so excluded the returning officer shall—

- (a) place the ballot papers and other documents relating to the election under his own seal and the seals of such of the counting agents as desire to affix their seals; and
- (b) otherwise take proper precautions for the security of the papers and documents.

[^{F213}(8) The Electoral Commission shall issue guidance to returning officers on the duty imposed by paragraph (3A) above.]

Textual Amendments

F196 Sch. 1 rule 45(1)(1A) substituted for rule 45(1) by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, Sch. 4 para. 82

F197 Sch. 1 rule 45(1B) inserted (16.2.2001) by 2000 c. 2, s. 15(1)(4), Sch. 6 para. 10(1)(4)(a); S.I. 2001/116, art. 2(1) (with art. 2(4))

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- F198** Word in Sch. 1 rule 45(1B) omitted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by virtue of Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77, **Sch. 1 para. 73(3)(a)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F199** Words in Sch. 1 rule 45(1B)(b) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 73(2)(a)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F200** Words in Sch. 1 rule 45(1B)(b) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77, Sch. 1 para. 73(2)(b), **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F201** Sch. 1 rule 45(1B)(c)(d) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 73(3)(b)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F202** Sch. 1 rule 45(1C) inserted (22.5.2014) by The Electoral Registration and Administration Act 2013 (Commencement No.4 and Consequential Provision) Order 2014 (S.I. 2014/336), arts. 1(2)(b), **3**
- F203** Words in Sch. 1 rule 45(2) inserted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 10(1)(4)(b)**; S.I. 2001/116, **art. 2(1)** (with art. 2(4))
- F204** Words in Sch. 1 rule 45(2) renumbered (N.I.) (1.12.2002) as Sch. 1 rule 45(2)(a) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. **3(4)(c)(i)**; S.I. 2002/1648, {art. 4(1)} (with saving in art. 4(2))
- F205** Sch. 1 rule 45(2)(b) and preceding word inserted (N.I.) (1.12.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. **3(4)(c)(i)**; S.I. 2002/1648, **art. 4(1)** (with saving in art. 4(2))
- F206** Sch. 1 rule 45(2A) inserted (N.I.) (1.12.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. **3(4)(c)(ii)**; S.I. 2002/1648, **art. 4(1)** (with saving in art. 4(2))
- F207** Words in Sch. 1 rule 45(2A) inserted (31.5.2018) by The Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2018 (S.I. 2018/699), regs. 1(2), **2(7)(a)**
- F208** Words in Sch. 1 rule 45(2A) substituted (31.5.2018) by The Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2018 (S.I. 2018/699), regs. 1(2), **2(7)(b)**
- F209** Words in Sch. 1 rule 45(3) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), **3(9)(i)**
- F210** Sch. 1 rule 45(3A) inserted (8.4.2010) by Constitutional Reform and Governance Act 2010 (c. 25), ss. **48(3)(a)**, 52
- F211** Words in Sch. 1 rule 45(4) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 91**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(w)(bb)(iii) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F212** Words in Sch. 1 rule 45(5) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), **3(9)(ii)**
- F213** Sch. 1 rule 45(8) inserted (8.4.2010) by Constitutional Reform and Governance Act 2010 (c. 25), ss. **48(3)(b)**, 52

Modifications etc. (not altering text)

- C181** Sch. 1 rule 45 applied (with modifications) (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
 Sch. 1 rule 45 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)-(8), **Sch. 1**
 Sch. 1 rule 45 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
 Sch. 1 rule 45 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2

Recount

- 46 (1) A candidate or his election agent may, if present when the counting or any recount of the votes is completed, require the returning officer to have the votes recounted

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or again recounted but the returning officer may refuse to do so if in his opinion the request is unreasonable.

- (2) No step shall be taken on the completion of the counting or any recount of votes until the candidates and election agents present at its completion have been given a reasonable opportunity to exercise the right conferred by this rule.

Modifications etc. (not altering text)

C182 Sch. 1 rules 46–49 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C183 Sch. 1 rule 46 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**

Rejected ballot papers

- 47 (1) Any ballot paper—
- (a) which does not bear the official mark, or
 - (b) on which votes are given for more than one candidate, or
 - (c) on which anything is written or marked by which the voter can be identified except the printed number on the back, or
 - (d) which is unmarked or void for uncertainty,
- shall, subject to the provisions of the next following paragraph, be void and not counted.
- (2) A ballot paper on which the vote is marked—
- (a) elsewhere than in the proper place, or
 - (b) otherwise than by means of a cross, or
 - (c) by more than one mark,
- shall not for such reason be deemed to be void if an intention that the vote shall be for one or other of the candidates clearly appears, and the way the paper is marked does not itself identify the voter and it is not shown that he can be identified by it.
- (3) The returning officer shall endorse the word “rejected” on any ballot paper which under this rule is not to be counted, and shall add to the endorsement the words “rejection objected to” if an objection is made by a counting agent to his decision.
- (4) The returning officer shall draw up a statement showing the number of ballot papers rejected under the several heads of—
- (a) want of official mark;
 - (b) voting for more than one candidate;
 - (c) writing or mark by which voter could be identified;
 - (d) unmarked or void for uncertainty.

Modifications etc. (not altering text)

C184 Sch. 1 rules 46–49 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C185 Sch. 1 rule 47 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**

Sch. 1 rule 47 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(6)(d)(7)**

Sch. 1 rule 47 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**

C186 Sch. 1 rule 47 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2

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Decisions on ballot papers

- 48 The decision of the returning officer on any question arising in respect of a ballot paper shall be final, but shall be subject to review on an election petition.

Modifications etc. (not altering text)

C187 Sch. 1 rules 46–49 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C188 Sch. 1 rule 48 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**
Sch. 1 rule 48 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 1**

Equality of votes

- 49 Where, after the counting of the votes (including any recount) is completed, an equality of votes is found to exist between any candidates and the addition of a vote would entitle any of those candidates to be declared elected, the returning officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

Modifications etc. (not altering text)

C189 Sch. 1 rules 46–49 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C190 Sch. 1 rule 49 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**

PART IV

FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

Declaration of result

- 50 (1) In a contested election, when the result of the poll has been ascertained, the returning officer shall forthwith—
- (a) declare to be elected the candidate to whom the majority of votes has been given;
 - (b) return his name to the Clerk of the Crown; and
 - (c) give public notice of his name and of the total number of votes given for each candidate together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.
- (2) In an uncontested election, the statement of persons nominated, in addition to showing the person standing nominated, shall also declare that person elected, and the returning officer shall forthwith return his name to the Clerk of the Crown.

Modifications etc. (not altering text)

C191 Sch. 1 rule 50 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**

C192 Sch. 1 rule 50 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**

C193 Sch. 1 para. 50 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
Sch. 1 rule 50 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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Return to the writ

- 51 (1) The returning officer shall return the name of the member elected by endorsing on the writ a certificate in the form in the Appendix.
- (2) Any rule of law or enactment as to the effect of, or manner of dealing with, the return of a member to serve in Parliament applies to the certificate.
- (3) The returning officer may, on receiving a receipt, deliver the writ with the certificate endorsed on it to [^{F214}an official designated for that purpose by a universal postal service provider who is providing a universal postal service (within the meaning of [^{F215}Part 3 of the Postal Services Act 2011]) for the area in which the election is being held or to his deputy, provided that the official or deputy is at that time within the area concerned.].
- (4) [^{F216}The designated official] or his deputy shall send the writ so endorsed by the first post, free of charge, under cover to the Clerk of the Crown with the words “Election Writ and Return” endorsed on it.
- (5) Any reference in the foregoing provisions of this Part of these rules to the Clerk of the Crown shall be taken, in relation to an election for a constituency in Northern Ireland, as a reference to the Clerk of the Crown for Northern Ireland, but any writ returned to the Clerk of the Crown for Northern Ireland shall be transmitted by him to the Clerk of the Crown in England and the return shall be certified to the House of Commons in the same manner as returns for elections for constituencies in Great Britain.
- (6) A copy of each writ returned to the Clerk of the Crown for Northern Ireland and of the certificate endorsed on it shall be attested by the Secretary of State, shall be kept in the office of the Clerk of the Crown for Northern Ireland and may be given in evidence if the originals are lost.

Textual Amendments

F214 Words in [Sch. 1 rule 51\(3\)](#) substituted (26.3.2001) by [S.I. 2001/1149, art. 3\(1\), Sch. 1 para. 57\(5\)\(a\)](#)

F215 Words in [Sch. 1 rule 51\(3\)](#) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\), Sch. 12 para. 121; S.I. 2011/2329, art. 3](#)

F216 Words in [Sch. 1 rule 51\(4\)](#) substituted (26.3.2001) by [S.I. 2001/1149, art. 3\(1\), Sch. 1 para 57\(5\)\(b\)](#)

Record of returns at Crown Office

- 52 (1) The Clerk of the Crown shall from the certificate on each writ returned to him enter the name of the member returned in a book to be kept by him at the Crown Office.
- (2) The Clerk of the Crown shall also enter in the book any alteration or amendment made by him in the certificate endorsed on any writ.
- (3) The book shall be open to public inspection at reasonable times and any person may, on payment of a reasonable fee, take copies from the book.

Return or forfeiture of candidate's deposit

- 53 (1) The deposit made under rule 9 of these rules shall either be returned to the person making it or his personal representatives or be forfeited to Her Majesty.

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- (2) Except in the cases mentioned below in this rule, the deposit shall be returned [^{F217}not later than the next day after that on which] the result of the election is declared.

[^{F218}(2A) For the purposes of paragraph (2) above—

- (a) a day shall be disregarded if it would be disregarded under rule 2 above in computing any period of time for the purposes of the timetable for an election of the kind in question; and
- (b) the deposit shall be treated as being returned on a day if a cheque for the amount of the deposit is posted on that day.]

- (3) If the candidate is not shown as standing nominated in the statement of persons nominated, or if the poll is countermanded or abandoned by reason of his death, the deposit shall be returned as soon as practicable after the publication of the statement or after his death, as the case may be.
- (4) Subject to paragraph (3) above the deposit shall be forfeited if a poll is taken and, after the counting of the votes by the returning officer (including any recount) is completed, the candidate is found not to have polled more than [^{F219}one twentieth] of the total number of votes polled by all the candidates.
- (5) Notwithstanding anything in paragraphs (2) to (4) above, if at a general election a candidate is shown as standing nominated in more than one constituency in the statements of persons nominated, not more than one of the deposits shall be returned and, if necessary, the Treasury shall direct which it is to be.

Textual Amendments

F217 Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 83(a)**

F218 **Sch. 1 rule 53(2A)** inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 83(b)**

F219 Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 13(b)

Modifications etc. (not altering text)

C194 **Sch. 1 rule 53** applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
Sch. 1 rule 53 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**)

C195 **Sch. 1 rule 53** applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**

[^{F220}Counting of votes: statement by returning officer

Textual Amendments

F220 **Sch. 1 rule 53ZA** inserted (8.4.2010) by Constitutional Reform and Governance Act 2010 (c. 25), **ss. 48(4), 52**

- 53ZA (1) In a contested election, if the counting of the votes given on the ballot papers did not begin within the period specified in rule 45(3A) above, the returning officer shall before the expiry of the period of 30 days starting with the day on which the poll closed—

- (a) prepare and publish a statement giving the information specified in paragraph (2) below, and

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- (b) deliver it to the Electoral Commission.
- (2) The statement must—
 - (a) specify the time at which the counting of the votes given on the ballot papers began,
 - (b) describe the steps taken under rule 45(3A) above, and
 - (c) explain why the counting of the votes given on the ballot papers did not start within the period specified in rule 45(3A) above.
- (3) Where a statement is delivered to the Electoral Commission under paragraph (1) (b) above, the Commission shall specify in any election report they produce that a statement has been delivered to them under that paragraph in respect of the constituency to which the statement relates.
- (4) In paragraph (3) above “election report” means a report under section 5(1) or (2A) of the Political Parties, Elections and Referendums Act 2000 in relation to the parliamentary election in question.]

PART V

DISPOSAL OF DOCUMENTS

[^{F221}Destruction of home address forms

Textual Amendments

F221 Sch. 1 rule 53A and preceding cross-heading inserted (4.9.2009) before Sch. 1 rule 54 by Political Parties and Elections Act 2009 (c. 12), ss. 24(7), 43(1); S.I. 2009/2395, art. 2 (with art. 3)

- 53A The returning officer shall destroy each candidate's home address form—
- (a) on the next working day following the 21st day after the officer has returned the name of the member elected; or
 - (b) if an election petition questioning the election or return is presented before that day, on the next working day following the conclusion of proceedings on the petition or on appeal from such proceedings.]

Sealing up of ballot papers

- 54 (1) On the completion of the counting at a contested election the returning officer shall seal up in separate packets the counted and rejected ballot papers.
- [^{F222}(2) The returning officer shall not open the sealed packets of—
- (a) tendered ballot papers,
 - [^{F223}(aa) tendered postal ballot papers,]
 - (b) the completed corresponding number lists,
 - [^{F224}(ba) in the case of an election held in England and Wales or Scotland, the completed ballot paper refusal list,]
 - (c) certificates as to employment on duty on the day of the poll, or
 - (d) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of this Act) and lists of proxies.]

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- [^{F225}(3) This rule applies in relation to Northern Ireland as if the reference in paragraph (2) (d) to section 13B(3B) or (3D) were a reference to section 13BA(9).]

Textual Amendments

- F222** Sch. 1 rule 54(2) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 31\(5\)](#), 77; [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 14\(o\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); [S.I. 2008/1316](#), [arts. 2](#), 4
- F223** Sch. 1 rule 54(2)(aa) inserted (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), [arts. 1\(1\)](#), [3\(10\)](#)
- F224** Sch. 1 rule 54(2)(ba) inserted (E.W.S.) (16.1.2023) by [Elections Act 2022 \(c. 37\)](#), [s. 67\(1\)](#), [Sch. 1 para. 27](#); [S.I. 2022/1401](#), [reg. 2\(d\)\(xiii\)](#) (with [reg. 3\(1\)](#))
- F225** Sch. 1 rule 54(3) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), [ss. 30\(1\)](#), 31, [Sch. 4 para. 6\(10\)](#); [S.I. 2008/1318](#), [art. 2](#)

Modifications etc. (not altering text)

- C196** Sch. 1 rules 54–57, 60 applied with modifications (N.I.) by [S.I. 1986/2250](#), [regs. 2](#), 3, 5, [Sch. 1 Pt. I](#)
- C197** Sch. 1 rules 54–57, 60 applied with modifications (E.W.S.) by [S.I. 1986/2209](#), [regs. 2](#), 3, 5(1)(6)–(8), [Sch. 1 Pt. I](#)
- C198** Sch. 1 rule 54 applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 3\(1\)\(b\)\(5\)–\(8\)](#), [Sch. 1](#)
Sch. 1 rule 54 applied (with modifications) (N.I.) (25.4.1998) by [S.I. 1998/1126](#), [art. 6](#), [Sch. 2](#)
- C199** Sch. 1 rule 54 applied (with modifications) (31.7.1997) by [1997 c. 61](#), [s. 3](#), [Sch. 3 para. 13](#) Table 2
Sch. 1 rule 54 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](#))

Delivery of documents to [^{F226}registration officer]

Textual Amendments

- F226** Sch. 1 rule 55: words in heading substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 41\(2\)](#), 77; [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 14\(t\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); [S.I. 2008/1316](#), [arts. 2](#), 3

- 55 (1) The returning officer shall then forward to the [^{F227}relevant registration officer] the following documents—
- (a) the packets of ballot papers in his possession,
 - (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts,
 - (c) the tendered votes lists, [^{F228}the tendered postal votes lists,] the lists of [^{F229}voters with disabilities] assisted by companions, the lists of votes marked by the presiding officer and the related statements, [^{F230}the lists maintained under rule 41A,] and the declarations made by the companions of [^{F229}voters with disabilities],
 - [^{F231}(ca) the packets of the completed corresponding number lists,]
 - [^{F232}(cb) in the case of an election held in England and Wales or Scotland, the packet containing the completed ballot paper refusal list,]
 - (d) the packets of ^{F233} . . . certificates as to employment on duty on the day of the poll,

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- (e) the packets containing marked copies of registers [^{F234}(including any marked copy notices issued under section 13B(3B) or (3D) of this Act)] and [^{F235}of the postal voters list, of lists of proxies and of the proxy postal voters list] ,
- [^{F236}(f) such other documents relating to elections as are prescribed,]
- endorsing on each packet a description of its contents, the date of the election to which they relate and the name of the constituency for which the election was held.
- [^{F237}(1A) In this rule and in rules 56 and 57 references to the relevant registration officer are to—
- (a) the registration officer of the local authority in whose area the constituency is situated, or
 - (b) if the constituency comprises any part of the area of more than one local authority, the registration officer of the local authority in whose area the greater or greatest (as the case may be) number of electors is registered.
- [Paragraph (1)(e) does not apply to an election for a constituency in Northern Ireland,
- ^{F238}(1B) but the returning officer shall endorse on each packet containing—
- (a) marked copies of the registers,
 - (b) the postal voters list,
 - (c) the proxy postal voters list, and
 - (d) lists of proxies,
- a description of its contents, the date of the election to which it relates and the name of the constituency for which the election was held.]]
- (2) ^{F239}
- (3) ^{F239}
- (4) ^{F239}
- [^{F240}(5) This rule applies in relation to Northern Ireland as if—
- (a) paragraph (1)(c) included a reference to the lists maintained under rule 41B, and
 - (b) the reference in paragraph (1B)(a) to marked copies of the registers included any marked copy notices issued under section 13BA(9).]

Textual Amendments

- F227** Words in Sch. 1 rule 55(1) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(3)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F228** Words in Sch. 1 rule 55(1)(c) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 3(11)
- F229** Words in rule 55(1)(c) substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4); S.I. 2001/116, art. 2(1)
- F230** Words in Sch. 1 rule 55(1)(c) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, Sch. 1 para. 40(a); S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F231** Sch. 1 rule 55(1)(ca) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(6)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4

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- F232** Sch. 1 rule 55(1)(cb) inserted (E.W.S.) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 28**; S.I. 2022/1401, reg. 2(d)(xiii) (with reg. 3(1))
- F233** Words in Sch. 1 rule 55(1)(d) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(6)(b), 77, **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(o)(aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts 2, 4**
- F234** Words in Sch. 1 rule 55(1)(e) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, **Sch. 1 para. 40(b)**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F235** Words in Sch. 1 rule 55(1)(e) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 45(3)(a), 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(u) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts 2, 4**
- F236** Sch. 1 rule 55(1)(f) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 45(3)(b), 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(u) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts 2, 4**
- F237** Sch. 1 rule 55(1A) inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(3)(b), 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**
- F238** Sch. 1 rule 55(1B) inserted (N.I.) (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, **Sch. 1 para. 95(2)**; S.I. 2008/1316, **arts 2, 5**
- F239** Sch. 1 rule 55(2)-(4) repealed (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(3)(c), 74(2), 77, **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(t)(aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**
- F240** Sch. 1 rule 55(5) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 6(11)**; S.I. 2008/1318, **art. 2**

Modifications etc. (not altering text)

- C200** Sch. 1 rules 54–57, 60 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C201** Sch. 1 rules 54–57, 60 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C202** Sch. 1 rule 55 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
 Sch. 1 rule 55 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
 Sch. 1 rule 55(1)(1B)(5) 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**)

Orders for production of documents

56 (1) An order—

- (a) for the inspection or production of any rejected ballot papers in the custody of the [^{F241}relevant registration officer], or
- (b) for the opening of a sealed packet of [^{F242}the completed corresponding number lists or of] certificates as to employment on duty on the day of the poll or the inspection of any counted ballot papers in his custody,

may be made—

- (i) by the House of Commons; or
- (ii) if satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of an election petition, by the High Court or [^{F243}the county court].

[^{F244}(1A) An order—

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(a) for the opening of the sealed packet containing a completed ballot paper refusal list, or

(b) for the inspection or production of that list,

may be made by the High Court or the county court if satisfied by evidence on oath that the order is required for the purpose of an election petition relating to an election in England and Wales or Scotland.]

(2) An order for the opening of a sealed packet of [F245the completed corresponding number lists or of] certificates or for the inspection of any counted ballot papers in the [F246relevant registration officer's] custody may be made by an election court.

(3) An order under this rule may be made subject to such conditions as to—

(a) persons,

(b) time,

(c) place and mode of inspection,

(d) production or opening,

as the House of Commons or court making the order may think expedient; but in making and carrying into effect an order for the opening of a packet of [F247the completed corresponding number lists or of] certificates or for the inspection of counted ballot papers, care shall be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved—

(i) that his vote was given; and

(ii) that the vote has been declared by a competent court to be invalid.

(4) An appeal lies to the High Court from any order of [F248the county court] under this rule.

(5) Any power given under this rule—

(a) to the High Court or, except in Northern Ireland, to [F249the county court], may be exercised by any judge of the court otherwise than in open court; and

(b) in Northern Ireland to a county court, may be exercised in such manner as may be provided by rules of court.

(6) Where an order is made for the production by the [F241relevant registration officer] of any document in his possession relating to any specified election—

(a) the production by him or his agent of the document ordered in such manner as may be directed by that order shall be conclusive evidence that the document relates to the specified election; and

(b) any endorsement on any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what they are stated to be by the endorsement.

[F250(7) The production from proper custody of—

(a) a ballot paper purporting to have been used at any election, and

(b) a completed corresponding number list with a number marked in writing beside the number of the ballot paper,

shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person whose entry in the register of electors (or on a notice issued under section 13B(3B) or (3D) of this Act) at the time of the election contained the same number as the number written as mentioned in sub-paragraph (b).]

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- (8) Save as by this rule provided, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the [^{F241}relevant registration officer] or to open any sealed packets of [^{F251}the completed corresponding number lists or of certificates.

Textual Amendments

- F241** Words in [Sch. 1 rule 56\(1\)\(6\)\(8\)](#) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 41\(4\)\(a\), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(t\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#)); [S.I. 2008/1316, arts. 2, 3](#)
- F242** Words in [Sch. 1 rule 56\(1\)\(b\)](#) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 31\(7\)\(a\), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(o\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#)); [S.I. 2008/1316, arts. 2, 4](#)
- F243** Words in [Sch. 1 rule 56\(1\)](#) substituted (22.4.2014) (with a view to the inserted references to the county court including (as in other places in this Act) a county court in Northern Ireland) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 52; S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F244** [Sch. 1 rule 56\(1A\)](#) inserted (E.W.S.) (16.1.2023) by [Elections Act 2022 \(c. 37\), s. 67\(1\), Sch. 1 para. 29; S.I. 2022/1401, reg. 2\(d\)\(xiii\)](#) (with [reg. 3\(1\)](#))
- F245** Words in [Sch. 1 rule 56\(2\)](#) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 31\(7\)\(b\), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(o\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#)); [S.I. 2008/1316, arts. 2, 4](#)
- F246** Words in [Sch. 1 rule 56\(2\)](#) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 41\(4\)\(b\), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(t\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#)); [S.I. 2008/1316, arts. 2, 3](#)
- F247** Words in [Sch. 1 rule 56\(3\)](#) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 31\(7\)\(c\), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(o\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#)); [S.I. 2008/1316, arts. 2, 4](#)
- F248** Words in [Sch. 1 rule 56\(4\)](#) substituted (22.4.2014) (with a view to the inserted references to the county court including (as in other places in this Act) a county court in Northern Ireland) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 52; S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F249** Words in [Sch. 1 rule 56\(5\)\(a\)](#) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 52; S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F250** [Sch. 1 rule 56\(7\)](#) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 31\(7\)\(d\), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(o\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#)); [S.I. 2008/1316, arts. 2, 4](#)
- F251** Words in [Sch. 1 rule 56\(8\)](#) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 31\(7\)\(e\), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14\(o\)](#) (subject to transitional provisions in [art. 6, Sch. 2](#)); [S.I. 2008/1316, arts. 2, 4](#)

Modifications etc. (not altering text)

- C203** [Sch. 1 rules 54–57, 60](#) applied with modifications (N.I.) by [S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I](#)
- C204** [Sch. 1 rules 54–57, 60](#) applied with modifications (E.W.S.) by [S.I. 1986/2209, regs. 2, 3, 5\(1\)\(6\)–\(8\), Sch. 1 Pt. I](#)
- C205** [Sch. 1 rule 56](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220, art. 3\(1\)\(5\)–\(8\), Sch. 1](#)
[Sch. 1 rule 56](#) 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](#))
- C206** [Sch. 1 rule 56](#) applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\), art. 3, Sch. 1](#) (as substituted (10.2.2009) by [S.I. 2009/256, arts. 1\(2\), 3,](#)

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Sch. 1; and modified (16.2.2011) by **Parliamentary Voting System and Constituencies Act 2011 (c. 1)**, s. 19(1), **Sch. 8 paras. 38(3), 50(7)(b))**

C207 Sch. 1 rule 56 applied (with modifications) by The Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497), reg. 91A(3) (as inserted (6.4.2014) by **S.I. 2013/3206**, regs. 1(3)(c), **38**)

[^{F252}Inspection of ballot paper refusal list: Great Britain

Textual Amendments

F252 **Sch. 1 rule 56A** and cross-heading inserted (27.8.2022) by **Elections Act 2022 (c. 37)**, s. 67(1), **Sch. 1 para. 30**; **S.I. 2022/916**, reg. 2(d)(xi)

- 56A (1) Regulations may make provision about the circumstances in which a registration officer may open the sealed packet containing a completed ballot paper refusal list and inspect the list.
- (2) Regulations may impose conditions in relation to the opening of a sealed packet or the inspection of a list by virtue of paragraph (1).
- (3) Regulations may make provision about the disclosure by a registration officer of information contained in the ballot paper refusal list.]

Retention and public inspection of documents

- 57 (1) The [^{F253}relevant registration officer] shall retain for a year all documents relating to an election forwarded to him in pursuance of these rules by a returning officer, and then, unless otherwise directed by order of the House of Commons [^{F254}, the High Court, the Crown Court or a magistrates' court] , shall cause them to be destroyed.
- [^{F255}(2) The documents mentioned in paragraphs (1) and (1A) except—
- (a) ballot papers,
 - (b) the completed corresponding number lists,
 - [^{F256}(ba) in the case of an election held in England and Wales or Scotland, the completed ballot paper refusal list,]
 - (c) certificates as to employment on duty on the day of the poll,
- shall be open to public inspection.]
- [^{F257}(3) The relevant registration officer or the Chief Electoral Officer for Northern Ireland (as the case may be) must, on request, supply to any person copies of or extracts from such description of the documents open to public inspection as is prescribed by regulations.]
- [^{F258}(4) Each of the following must, on request, be supplied with a copy of the marked copies of the register, the postal voters list, the list of proxies and the proxy postal voters list—
- (a) a registered party within the meaning of Part 2 of the Political Parties, Elections and Referendums Act 2000;
 - (b) a person who was a candidate at the election in relation to the constituency for which he was a candidate.
- (5) Regulations may impose conditions in relation to—
- (a) the inspection of any document in pursuance of paragraph (2);

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- (b) the supply of any document or part of a document in pursuance of paragraph (3);
 - (c) the supply of any document or part of a document in pursuance of paragraph (4).
- (6) Regulations may also make provision—
- (a) as to the form in which any such document or part is supplied;
 - (b) for the payment of a fee in respect of the supply of a document or part.
- (7) Conditions which may be imposed for the purposes of paragraph (5)(a) or (b) include conditions as to—
- (a) whether a person may take any copy of a document he is permitted to inspect;
 - (b) the manner in which any such copy is to be taken;
 - (c) the purposes for which information contained in any document or part of a document which is inspected or supplied in pursuance of paragraph (2) or (3) may be used.
- (8) Conditions which may be imposed for the purposes of paragraph (5)(b) or (c) include conditions as to the extent to which a person to whom a document or part of a document has been supplied may—
- (a) supply that document or part to any other person;
 - (b) disclose to any other person any information contained in the document or part;
 - (c) use any such information for a purpose other than that for which the document or part was supplied to him.
- (9) Regulations may also impose conditions corresponding to those mentioned in paragraph (8) in respect of persons who have obtained a document or part of a document mentioned in paragraph (4)—
- (a) which was supplied to another person in pursuance of paragraph (4), or
 - (b) otherwise than in accordance with regulations under this section.]

Disposal of documents in Scotland

[^{F259}58(1) This rule modifies rules 55 to 57 in relation to elections in Scotland.

- (2) In relation to such elections—
- (a) the documents mentioned in rule 55(1)—
 - (i) are not to be forwarded by the returning officer as required by that rule,
 - (ii) instead, are to remain in the returning officer's custody (and be endorsed by the officer as required by that rule);
 - (b) the references in rules 56 and 57 to the relevant registration officer are to be read as references to the returning officer (and rule 55(1A) is to be disregarded);
- [^{F260}(ba) the references in rule 56A to a registration officer are to be read as references to the returning officer;]
- (c) the reference in rule 57(1) to the documents to be retained is to be read as a reference to the documents remaining in the returning officer's custody under sub-paragraph (a)(ii).]

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Textual Amendments

- F259** Sch. 1 rule 58 substituted (26.3.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), **ss. 25(b)**, 43(1); S.I. 2010/969, **art. 2(a)** (with **art. 3**)
- F260** [Sch. 1 rule 58\(2\)\(ba\)](#) inserted (27.8.2022 for specified purposes, 16.1.2023 in so far as not already in force) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), **Sch. 1 para. 32**; S.I. 2022/916, **reg. 2(d)(xi)**; S.I. 2022/1401, **reg. 2(d)(xiii)** (with **reg. 3(1)**)

Disposal of documents in Northern Ireland

- [^{F261}59 In the application of rules 55 to 57 to elections for a constituency in Northern Ireland, the references to the relevant registration officer shall be taken to be references to the Clerk of the Crown for Northern Ireland.]

Textual Amendments

- F261** [Sch. 1 rule 59](#) substituted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 41(7)**, 77; S.I. 2008/1316, **arts. 2, 5**

PART VI

DEATH OF CANDIDATE

[^{F262}Independent candidate

Textual Amendments

- F262** [Sch. 1 rules 60-65](#) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) for Sch. 1 rule 60 by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 24, 77**; S.I. 2006/3412, **art. 3**, [Sch. 1 para. 14\(k\)](#) (subject to transitional provisions in **art. 6**, [Sch. 2](#)); S.I. 2008/1316, **arts. 2, 4**

- 60 (1) This rule applies if at a contested election proof is given to the returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named in the ballot papers as an independent candidate has died.
- (2) Subject to this rule and rules 61 and 62, these rules apply to the election as if the candidate had not died.
- (3) The following provisions of these rules do not apply in relation to the deceased candidate—
- rule 32(1)(c) and (d) (admission to polling station);
 - rule 44(2)(b) to (d) (attendance at count);
 - rule 53(4) (forfeiture of deposit).
- (4) If only two persons are shown as standing nominated in the statement of persons nominated the returning officer must—
- if polling has not begun, countermand the notice of poll;
 - if polling has begun, direct that the poll is abandoned;
 - subject to rule 65, treat the election as an uncontested election.

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- (5) For the purposes of this rule a person is named or to be named on the ballot papers as an independent candidate if the description (if any) on his nomination paper is not authorised as mentioned in rule 6A(1) or (1B).

Modifications etc. (not altering text)

C211 Sch. 1 rule 60 applied (with modifications) 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)

Deceased independent candidate wins

- 61 (1) This rule applies if at an election mentioned in rule 60(1) the majority of votes is given to the deceased candidate.
- (2) Rule 50(1) (declaration of result) does not apply but the returning officer must—
- declare that the majority of votes has been given to the deceased candidate,
 - declare that no member is returned, and
 - give public notice of the total number of votes given for each candidate together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.
- (3) Rule 53 (return or forfeiture of candidate's deposit) does not apply in relation to the remaining candidates.
- (4) The returning officer must not return the writ and the proceedings with reference to the election must be commenced afresh subject to the following provisions of this rule.
- (5) The writ for the election must be taken to have been received on the first working day after the end of the period of seven days starting on the day of the election mentioned in rule 60(1).
- (6) No fresh nomination is necessary in the case of a person shown in the statement of persons nominated as standing nominated, and no other nomination may be made.
- (7) The last day on which a notice of withdrawal of candidature by a person who stands nominated by virtue of paragraph (6) may be delivered is the seventh working day after the day on which the writ is taken to be received.
- (8) Rule 9 (deposit) does not apply.
- (9) The poll must be held on a day in the period which starts [^{F263}21] working days after the day on which the writ is taken to have been received and ends [^{F264}27] working days after that day.
- (10) For the purposes of this rule a working day is a day which is not a day specified in rule 2(1)(a) to (c).

Textual Amendments

F263 Word in Sch. 1 rule 61(9) substituted (6.4.2014) by Electoral Registration and Administration Act 2013 (c. 6), ss. 14(5)(a), 27(1); S.I. 2014/414, art. 3(a) (with art. 4)

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F264 Word in [Sch. 1 rule 61\(9\)](#) substituted (6.4.2014) by [Electoral Registration and Administration Act 2013](#) (c. 6), [ss. 14\(5\)\(b\)](#), 27(1); [S.I. 2014/414](#), art. 3(a) (with art. 4)

Modifications etc. (not altering text)

C212 [Sch. 1 rule 61](#) applied (with modifications) 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](#))

Deceased independent candidate with equality of votes

- 62 In an election mentioned in rule 60(1), if—
- (a) rule 49 applies (equality of votes), and
 - (b) any of the candidates to whom that rule applies is a deceased candidate,
- the deceased candidate must be ignored.

Modifications etc. (not altering text)

C213 [Sch. 1 rule 62](#) applied (with modifications) 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](#))

Party candidate

- 63 (1) This rule applies if—
- (a) at a contested election proof is given to the returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named as a candidate in the ballot paper has died, and
 - (b) that person is standing in the name of a registered political party.
- (2) The returning officer must—
- (a) countermand notice of the poll, or
 - (b) if polling has begun, direct that the poll be abandoned.
- (3) The proceedings with reference to the election must be commenced afresh subject to the following provisions of this rule.
- (4) The writ for the election must be taken to have been received on the first working day after the end of the period of seven days starting on the day the proof is given to the returning officer.
- (5) No fresh nomination is necessary in the case of a person shown in the statement of persons nominated as standing nominated.
- (6) No other nomination may be made except for a person standing in the name of the same registered political party in whose name the deceased candidate was standing.
- (7) The last day on which a nomination mentioned in paragraph (6) may be delivered is the seventh working day after the day on which the writ is taken to be received.
- (8) The last day on which a notice of withdrawal of candidature by a person who stands nominated by virtue of paragraph (5) or in pursuance of paragraph (6) may be delivered is the seventh working day after the day on which the writ is taken to be received.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (9) The poll must be held on a day in the period which starts [^{F265}21] working days after the day on which the writ is taken to have been received and ends [^{F266}27] working days after that day.
- (10) For the purposes of this rule—
- (a) a person stands in the name of a registered political party if his nomination paper contains a description which is authorised as mentioned in rule 6A(1) or (1B);
 - (b) a registered political party is a party which is registered under Part 2 of the Political Parties, Elections and Referendums Act 2000;
 - (c) a working day is a day which is not a day specified in rule 2(1)(a) to (c).

Textual Amendments

F265 Word in *Sch. 1 rule 63(9)* substituted (6.4.2014) by *Electoral Registration and Administration Act 2013* (c. 6), **ss. 14(5)(a)**, 27(1); *S.I. 2014/414*, art. 3(a) (with art. 4)

F266 Word in *Sch. 1 rule 63(9)* substituted (6.4.2014) by *Electoral Registration and Administration Act 2013* (c. 6), **ss. 14(5)(b)**, 27(1); *S.I. 2014/414*, art. 3(a) (with art. 4)

Modifications etc. (not altering text)

C214 *Sch. 1 rule 63* applied (with modifications) 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**)

Speaker of the House of Commons seeking re-election

- 64 (1) This rule applies if at a contested election—
- (a) one of the candidates is the Speaker of the House of Commons seeking re-election, and
 - (b) proof is given to the returning officer's satisfaction before the result of the election is declared that that candidate has died.
- (2) The returning officer must—
- (a) countermand notice of the poll, or
 - (b) if polling has begun, direct that the poll be abandoned.
- (3) The proceedings with reference to the election must be commenced afresh subject to the following provisions of this rule.
- (4) The writ for the election must be taken to have been received on the first working day after the end of the period of seven days starting on the day the proof is given to the returning officer.
- (5) The last day on which—
- (a) nominations, or
 - (b) notice of withdrawal of candidature,
- may be delivered is the seventh working day after the day on which the writ is taken to be received.
- (6) The poll must be held on a day in the period which starts [^{F267}21] working days after the day on which the writ is taken to have been received and ends [^{F268}27] working days after that day.

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- (7) For the purposes of this rule a working day is a day which is not a day specified in rule 2(1)(a) to (c).

Textual Amendments

- F267** Word in [Sch. 1 rule 64\(6\)](#) substituted (6.4.2014) by [Electoral Registration and Administration Act 2013](#) (c. 6), [ss. 14\(5\)\(a\)](#), 27(1); S.I. 2014/414, art. 3(a) (with art. 4)
- F268** Word in [Sch. 1 rule 64\(6\)](#) substituted (6.4.2014) by [Electoral Registration and Administration Act 2013](#) (c. 6), [ss. 14\(5\)\(b\)](#), 27(1); S.I. 2014/414, art. 3(a) (with art. 4)

Abandoned poll

- 65 (1) This rule applies to—
- (a) a poll which is abandoned in pursuance of rule 60(4)(b) as if it were a poll at a contested election;
 - (b) a poll which is abandoned in pursuance of rule 63(2)(b) or 64(2)(b).
- (2) The presiding officer at a polling station must take the like steps (so far as not already taken) for the delivery to the returning officer of ballot boxes and of ballot papers and other documents as he is required to take on the close of the poll.
- (3) The returning officer must dispose of ballot papers and other documents in his possession as is he required to do on the completion of the counting of the votes.
- (4) It is not necessary for a ballot paper account to be prepared or verified.
- (5) No step or further step is to be taken for the counting of the ballot papers or of the votes.
- (6) The returning officer must seal up all the ballot papers (whether the votes on them have been counted or not) and it is not necessary to seal up counted and rejected ballot papers in separate packets.
- (7) The provisions of these rules as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election apply subject to paragraphs (8) and (9).
- (8) Ballot papers on which the votes were neither counted nor rejected must be treated as counted ballot papers.
- (9) No order is to be made for—
- (a) the production or inspection of any ballot papers, or
 - (b) the opening of a sealed packet of the completed corresponding number lists or of certificates as to employment on the day of the poll,
- unless the order is made by a court with reference to a prosecution.]

Modifications etc. (not altering text)

- C215** Sch. 1 rule 65 applied (with modifications) by [The Northern Ireland Assembly \(Elections\) Order 2001](#) (S.I. 2001/2599), art. 3, [Sch. 1](#) (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, [Sch. 1](#); and modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011](#) (c. 1), s. 19(1), [Sch. 8 para. 40](#))

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

APPENDIX OF FORMS

Modifications etc. (not altering text)

- C216** Appendix of Forms applied (with modifications) (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. 1**
Appendix of Forms applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)-(8), **Sch. 1**
Appendix of Forms applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 3(1)(b)(6)(d) (7)**
- C217** Appendix of Forms applied (with modifications) (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. 1**
- C218** Appendix of Forms applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2
Appendix of Forms 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**)

Note.—The forms contained in this Appendix may be adapted so far as circumstances require.

Form of writ

*Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith to the Returning Officer for the Constituency Greeting

†Whereas ^{F269}...[^{F270} Parliament has dissolved] We Command you that due notice being first given you do cause election to be made according to law of a Member to serve in Parliament for the said Constituency [^{F271}[†]]

And that you do cause the name of such Member when so elected, whether he be present or absent, to be certified to Us in Our Chancery without delay

Witness Ourselves at Westminster the day of in the year of Our Reign, and in the year of Our Lord 19 .

*The name of the sovereign may be altered when necessary.

†This preamble to be omitted except in case of a general election.

[^{F271}†Except in a general election insert here (as applicable): “as a result of a successful recall petition under the Recall of MPs Act 2015 ” or “in the place of [A.B.], deceased” or otherwise, stating the cause of vacancy.]

Textual Amendments

- F269** Words in **Sch. 1** Appendix of Forms omitted (24.3.2022) by virtue of **Dissolution and Calling of Parliament Act 2022** (c. 11), s. 6(3), **Sch. para. 8(4)**
- F270** Words in **Sch. 1** Appendix of Forms substituted (15.9.2011) by **Fixed-term Parliaments Act 2011** (c. 14), s. 7(2), **Sch. para. 13** (with s. 6)
- F271** Words in **Sch. 1** Appendix of Forms substituted (4.3.2016) by **Recall of MPs Act 2015** (c. 25), s. 24(3), **Sch. 6 para. 1(2)**; S.I. 2016/290, reg. 2

Label or direction of writ

To the Returning Officer for the Constituency.

A writ of a new election of a Member for the said Constituency.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Endorsement

Received the within Writ on the day of , 19 .

(Signed)

Returning Officer (or as the case may be.)

Certificate endorsed on writ

I hereby certify, that the Member elected for the Constituency in pursuance of the within written Writ is of in the County of

(Signed)

Returning Officer (or as the case may be.)

[^{F272}Note: in relation to any constituency in Wales, “county” in this form refers to a preserved county (as defined by section 64 of the Local Government (Wales) Act 1994).]

Textual Amendments

F272 [Sch. 1](#) Appendix of Forms, Form of certificate to be endorsed on writ: words inserted (1.4.1996) by 1994 c. 19, s. 1(3), [Sch. 2 para. 12\(2\)](#) (with ss. 54(4)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); S.I. 1995/3198, art. 3, [Sch. 1](#)

^{F273}Form of notice of election

Textual Amendments

F273 [Sch. 1](#) Appendix of Forms: Form of notice of election repealed by [Representation of the People Act 1985](#) (c. 50, SIF 42), s. 28, [Sch. 5](#)

Form of nomination paper

ELECTION OF A MEMBER to serve in Parliament for the Constituency.

We the undersigned, being electors for the said Constituency, do hereby nominate the undermentioned person as a candidate at the said election.

^{F274} ^[F275] Candidate's surname	Other names in full	Commonly used surname (if any)	Commonly used forenames (if any)	Description (if any)
SULLIVAN	Arthur Seymour	GILBERT	W. S.	Independent]

SCHEDULE 1

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Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F274 [Sch. 1](#) Appendix of Forms, Form of nomination paper: in first Table following the words "candidate at the said election", the final column (home address) is repealed (4.9.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 39, 43(1), [Sch. 6 para. 8\(6\)\(a\)](#), [Sch. 7](#); S.I. 2009/2395, [art. 2](#) (with [art. 3](#))

F275 [Sch. 1](#) Appendix of Forms, Form of nomination paper: Table substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. [21\(4\)](#), 77; S.I. 2006/3412, [art. 3](#), [Sch. 1 para. 14\(h\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); S.I. 2008/1316, [arts. 2](#), 4

Signatures

Electoral Number (See Note 3)

Distinctive letter

Number

Proposer

Seconder

We, the undersigned, being electors for the said Constituency, do hereby assent to the foregoing nomination.

1

2

3

4

5

6

7

8

NOTE

- 1 The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination contained in the parliamentary elections rules in Schedule 1 to the Representation of the ^{M6}People Act 1983.

Marginal Citations

M6 [1983 c. 2](#).

- 2 Where a candidate is commonly known by some title he may be described by his title as if it were his surname.

- [^{F276}2A Where a candidate commonly uses a name which is different from any other name he has, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F276 Sch. 1 Appendix of Forms, Form of nomination paper, Note: paras. 2A, 2B inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 21(5)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(h) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2, 4**

- 2B But the ballot paper will show the other name if the returning officer thinks—
- (a) that the use of the commonly used name may be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.]

Textual Amendments

F276 Sch. 1 Appendix of Forms, Form of nomination paper, Note: paras. 2A, 2B inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 21(5)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(h) (subject to transitional provisions in [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2, 4**

F2773

Textual Amendments

F277 Sch. 1 Appendix of Forms, Form of nomination paper: Note 3 repealed (16.2.2001) by [2000 c. 2](#), **ss. 8(a)**, 15(2), Sch. 1 para. 23(3)(a), **Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)** (with [art. 2\(4\)](#))

- 4 An elector may not subscribe more than one nomination paper for the same election.
- 5 A person whose name is entered in the register ^{F278} . . . may not subscribe a nomination paper if the entry gives as the date on which he will become of voting age a date later than the day fixed for the poll.

Textual Amendments

F278 Sch. 1 Appendix of Forms, Form of nomination paper: words in Note 5 omitted (16.2.2001) by virtue of [2000 c. 2](#), s. 8(a), **Sch. 1 para. 23(3)(b)** and the words "electors lists" repealed (16.2.2001) by [2000 c. 2](#), s. 15(2), **Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)** (with [art. 2\(4\)](#))

Form of Ballot Paper






F279 Form of Front of Ballot Paper

Textual Amendments

F279 Sch. 1 Form of Front of Ballot Paper substituted (10.3.2015) by [The Representation of the People \(Ballot Paper\) Regulations 2015 \(S.I. 2015/656\)](#), regs. 1(1), 2, **Sch. 1** (with [reg. 1\(2\)](#))

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Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

APPENDIX		
VOTE FOR ONE CANDIDATE ONLY		
1	BASWRA Parash Baswra 20 Kincaid Road, Small Heath, Birmingham B10 9UG Liberal Democrat	
2	CRANLEY Alana Cranley 4 Kennil Road, Edgbare, Middx. HA8 5JJ Green Party	
3	EDGBASTON Richard Edgbaston 6 Tagwood Lane, Small Heath, Birmingham B10 0BH The Stop the By-Pass Candidate	
4	GUNNIL-WALKER Roger Gunnil-Walker 33 Horsensdown Lane, Sheldon, Birmingham B25 3GD The Labour Party Candidate	
5	SMITH Carmenwe Anwarwa Smith 21 Terminal Grove, Selly Oak, Birmingham B32 5JP Independent	
6	SMITH Kerri James Smith The Links, 3 Kingdown Road, Birmingham B44 4JN The Conservative Party Candidate	

F280Form of Back of Ballot Paper

Textual Amendments	
F280	Sch. 1 Form of Back of Ballot Paper substituted (10.3.2015) by The Representation of the People (Ballot Paper) Regulations 2015 (S.I. 2015/656) , regs. 1(1), 3, Sch. 1 (with reg. 1(2))

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Number

[Other unique identifying mark]

United Kingdom Parliamentary election in the constituency of [insert name of constituency]

on..... 20....

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

^{F281} Directions as to printing the ballot paper

Textual Amendments

F281 Sch. 1 Directions as to printing the ballot paper substituted (10.3.2015) by [The Representation of the People \(Ballot Paper\) Regulations 2015 \(S.I. 2015/656\)](#), regs. 1(1), 4, [Sch. 2](#) (with reg. 1(2))

1. Nothing is to be printed on the ballot paper except in accordance with these directions.
2. So far as is practicable, the arrangements set out in paragraphs 3 to 13 must be observed in the printing of the ballot paper.
3. No word may be printed on the face except:
 - (a) the heading “Election of the Member of Parliament for the constituency”;
 - (b) within that heading, the name of the constituency;
 - (c) the direction “Vote for only one candidate by putting a cross [X] in the box next to your choice”;
 - (d) the particulars of the candidates; and
 - (e) words forming part of the emblems mentioned at paragraph 10 below.
4. A box must be printed around:
 - (a) the heading and name referred to in paragraph 3(a) and (b); and
 - (b) the direction referred to in paragraph 3(c);
 and the direction referred to in paragraph 3(c) must be separated from the heading and name referred to in paragraph 3(a) and (b) by a horizontal rule extending across the box.
5. No rule may be printed on the face except:
 - (a) as part of the box referred to in paragraph 4;
 - (b) the horizontal rule referred to in that paragraph;
 - (c) a horizontal rule above the particulars of the first candidate;
 - (d) horizontal rules separating the particulars of the candidates from one another;
 - (e) a horizontal rule below the particulars of the last candidate;
 - (f) as part of the boxes on the right-hand side of the ballot paper where the vote is to be marked.
6. The horizontal rules referred to in paragraph 5(c), (d) and (e) must be equally spaced and the space between each of them must be a minimum of 2.5 centimetres.
7. The boxes referred to in paragraph 5(f) must not touch any horizontal rule and each one must be equidistant between the horizontal rule above it and the horizontal rule below it.
8. Each of the horizontal rules referred to in paragraph 5(c) and (d) must extend from a point level with the text on the left-hand side of the page to a point directly above the centre of the box below that rule.
9. The horizontal rule referred to in paragraph 5(e) must:
 - (a) extend from a point level with the text on the left-hand side of the page to a point directly below the right-hand edge of the box above that rule; and
 - (b) be thicker than the other horizontal rules.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

10. Where a registered emblem is to be printed against a candidate's particulars:
 - (a) it must be printed adjacent to and to the right of the candidate's particulars; and
 - (b) its size as printed must not exceed 2 centimetres square.
11. All the words on the front of the ballot paper must appear in the same large type except that:
 - (a) the heading and name referred to in paragraph 3(a) and (b) must appear in very large and bold type;
 - (b) in the direction referred to in paragraph 3(c), the words "only one candidate" must appear in very large and bold type;
 - (c) the remainder of that direction must appear in very large type;
 - (d) the names of the candidates and the descriptions, if any, must appear in bold type.
12. The surname of each candidate must appear in capitals and the candidates' other names must be in lower case with initial capitals.
13. The number and other unique identifying mark must be printed close to each other on the back of the ballot paper.]

[^{F282}Form of directions for the guidance of the voters in voting

GUIDANCE FOR VOTERS

Textual Amendments

F282 [Sch. 1](#) Appendix of Forms: Form of directions for the guidance of the voters in voting substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77, [Sch. 1 para. 93\(3\)](#); S.I. 2006/3412, [art. 3](#), [Sch. 1 para. 14\(w\)\(bb\)\(iii\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); S.I. 2008/1316, [arts. 2, 4](#)

- [^{F283}1 You must satisfy the presiding officer about your identity by showing an approved form of ID.]

Textual Amendments

F283 [Sch. 1](#): Appendix of Forms para. 1 inserted (16.1.2023) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 1 para. 33\(2\)](#); S.I. 2022/1401, [reg. 2\(d\)\(xiv\)](#) (with [reg. 3\(1\)](#))

- [^{F284}2.] When you are given a ballot paper go to one of the compartments. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate you are voting for.

Textual Amendments

F284 [Sch. 1](#): Appendix of Forms para. 1 renumbered as para. 2 (16.1.2023) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 1 para. 33\(3\)](#); S.I. 2022/1401, [reg. 2\(d\)\(xiv\)](#) (with [reg. 3\(1\)](#))

- [^{F285}3] Vote for one candidate only. Put no other mark on the ballot paper, or your vote may not be counted. Do not let anyone see your vote.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F285 Sch. 1: Appendix of Forms para. 2 renumbered as para. 3 (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 33(3); S.I. 2022/1401, reg. 2(d)(xiv) (with reg. 3(1))

[^{F286}4.] Fold the ballot paper in two. Show the back of the ballot paper to the presiding officer so as to disclose the number and other unique identifying mark. Put the ballot paper in the ballot box and leave the polling station.

Textual Amendments

F286 Sch. 1: Appendix of Forms para. 3 renumbered as para. 4 (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 33(3); S.I. 2022/1401, reg. 2(d)(xiv) (with reg. 3(1))

[^{F287}5.] If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.]

Textual Amendments

F287 Sch. 1: Appendix of Forms para. 4 renumbered as para. 5 (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 33(3); S.I. 2022/1401, reg. 2(d)(xiv) (with reg. 3(1))

Form of declaration to be made by the companion of a [^{F288}voter with disabilities]

Textual Amendments

F288 Sch. 1 Appendix of Forms: words in Form of declaration to be made by the companion of a blind voter substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4)(a); S.I. 2001/116, art. 2(1)

^{F289} ...

I, A. B., of , having been requested to assist C. D., (*in the case of a [^{F290}voter with disabilities] voting as proxy add voting as proxy for M. N.*) whose number on the register is to record his vote at the election now being held in this constituency, hereby declare that [^{F291}I am aged 18 or over] and that I have not previously assisted any [^{F292}voter with disabilities] [except E. F., of] to vote at the said election.

(Signed) A. B.,

day of 19 .

I, the undersigned, being the presiding officer for the polling station for the Constituency, hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed) G. H.,

day of 19 .

minutes past o'clock [a.m.] [p.m.]

^{F293}NOTE 1. If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he will be guilty of an offence.

Changes to legislation: Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F294} 2. A voter with disabilities is a voter who has made a declaration under the parliamentary elections rules that he is so incapacitated by his blindness or other incapacity, or by his inability to read, as to be unable to vote without assistance.]

Textual Amendments

- F290** Appendix of forms: words in “form of declaration to be made by the companion of a blind person” substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4)(a); S.I. 2001/116, art. 2(1)
- F291** Words in Sch. 1 Appendix of forms substituted (29.12.2022) by Elections Act 2022 (c. 37), ss. 9(4)(a), 67(1); S.I. 2022/1270, reg. 2(a) (with reg. 3)
- F292** Appendix of forms: words in “form of declaration to be made by the companion of a blind person” substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4)(a); S.I. 2001/116, art. 2(1)
- F293** Sch. 1 Appendix of Forms, Form of declaration to be made by the companion of a blind voter: Note renumbered as Note 1(16.2.2001) by 2000 c. 2, s. 13(5)(b); S.I. 2001/116, art. 2(1)
- F294** Sch. 1 Appendix of Forms, Form of declaration to be made by the companion of a blind voter: Note 2 inserted (16.2.2001) by 2000 c. 2, s. 13(5)(b); S.I. 2001/116, art. 2(1)

Textual Amendments

- F289** Words in Sch. 1 Appendix of forms omitted (29.12.2022) by virtue of Elections Act 2022 (c. 37), ss. 9(4)(b), 67(1); S.I. 2022/1270, reg. 2(a) (with reg. 3)
- F290** Appendix of forms: words in “form of declaration to be made by the companion of a blind person” substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4)(a); S.I. 2001/116, art. 2(1)
- F291** Words in Sch. 1 Appendix of forms substituted (29.12.2022) by Elections Act 2022 (c. 37), ss. 9(4)(a), 67(1); S.I. 2022/1270, reg. 2(a) (with reg. 3)
- F292** Appendix of forms: words in “form of declaration to be made by the companion of a blind person” substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4)(a); S.I. 2001/116, art. 2(1)
- F293** Sch. 1 Appendix of Forms, Form of declaration to be made by the companion of a blind voter: Note renumbered as Note 1(16.2.2001) by 2000 c. 2, s. 13(5)(b); S.I. 2001/116, art. 2(1)
- F294** Sch. 1 Appendix of Forms, Form of declaration to be made by the companion of a blind voter: Note 2 inserted (16.2.2001) by 2000 c. 2, s. 13(5)(b); S.I. 2001/116, art. 2(1)

Changes to legislation:

Representation of the People Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Sch. 1 modified by [1985 c. 50 Sch. 1 para. 2-7](#)
- Sch. 1 modified by [1985 c. 50 Sch. 1 para. 8-23](#)
- Sch. 1 Appendix of Forms Note 2A substituted by [2022 c. 37 s. 10\(4\)](#)
- Sch. 1 Appendix words substituted by [2011 c. 1 Sch. 10 para. 12\(2\)](#)[Sch. 12 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 10, Sch. 12 Pt. 1 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b)(c))
- Sch. 1 Appendix of Forms words substituted by [2022 c. 37 s. 11\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act Representation of the People Acts amended by [1985 c. 50 Sch. 1 para. 24](#)
- Act applied by [2022 c. 37 Sch. 11 para. 1\(3\)](#)
- Act applied by [2022 c. 37 Sch. 11 para. 4\(3\)](#)
- Act power to amend conferred by [2009 c. 12 s. 34\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 30-34 repealed (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. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(2A) inserted by [2021 asc 1 s. 18\(2\)](#)
- s. 9E(1A) inserted by [2021 asc 1 s. 18\(4\)](#)
- s. 9ZA inserted by [2021 asc 1 s. 18\(3\)](#)
- s. 10(4C)(4D) inserted by [2009 c. 12 s. 33\(3\)\(e\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 30-34 repealed (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. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 10A(1C)(1D) inserted by [2009 c. 12 s. 33\(5\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 30-34 repealed (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. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 10ZE(2A) inserted by [2021 asc 1 s. 18\(5\)\(a\)](#)
- s. 10ZE(4A) inserted by [2021 asc 1 s. 18\(5\)\(c\)](#)
- s. 10ZE(5A)-(5C) inserted by [2021 asc 1 s. 18\(5\)\(d\)](#)
- s. 13A(1)(zc) inserted by [2021 asc 1 s. 18\(6\)](#)
- s. 13A(2C)(2D) inserted by [2009 c. 12 s. 33\(6\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 30-34 repealed (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. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 16(1)(e) words substituted by [2022 c. 37 Sch. 8 para. 1\(5\)](#)
- s. 16(1)(e) words substituted by [2022 c. 37 Sch. 8 para. 1\(6\)](#)
- s. 49(5)(b)(iiia) inserted by [2022 c. 37 Sch. 8 para. 1\(8\)\(a\)](#)
- s. 56(1)(azaa) inserted by [2021 asc 1 s. 18\(9\)](#)
- s. 61(1A) inserted by [2022 c. 37 Sch. 4 para. 2\(2\)](#)

- s. 61(3B) inserted by [2022 c. 37 Sch. 4 para. 2\(3\)](#)
- s. 62C inserted by [2023 c. 12 s. 1](#)
- s. 63(3)(ba) inserted by [2006 c. 22 s. 7](#) (This amendment not applied to [legislation.gov.uk](#). S. 7 repealed (2.4.2013) without ever being in force by 2013 c. 6, s. 23; S.I. 2013/702, art. 3(e))
- s. 66(3A)-(3F) inserted by [2022 c. 37 s. 7\(2\)](#)
- s. 66(4A)(4B) inserted by [2022 c. 37 s. 7\(3\)](#)
- s. 66(6A) inserted by [2022 c. 37 s. 7\(5\)](#)
- s. 81(4A)(4B) inserted by [2006 asp 14 s. 19\(2\)](#)
- s. 112A applied (with modifications) by S.I. 2001/2599, Sch. 1 (as amended) by [2022 c. 37 Sch. 6 para. 37](#)
- s. 112A inserted by [2022 c. 37 s. 4\(2\)](#)
- s. 113(7)(b)(c) inserted by [2011 c. 1 Sch. 10 para. 15\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 114(4) inserted by [2011 c. 1 Sch. 10 para. 16](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 114A applied (with modifications) by S.I. 2001/2599, Sch. 1 (as amended) by [2022 c. 37 Sch. 6 para. 38](#)
- s. 114A inserted by [2022 c. 37 s. 8\(1\)](#)
- s. 115(3) inserted by [2011 c. 1 Sch. 10 para. 17](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 139(6A) inserted by [2011 c. 1 Sch. 10 para. 19\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 160(4B)(4C) inserted by [2022 c. 37 Sch. 5 para. 4\(2\)\(a\)](#)
- s. 165(3A) inserted by [2011 c. 1 Sch. 10 para. 20](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 168(1A) inserted by [2023 c. 32 Sch. 1 para. 2\(3\)](#)
- s. 173(2A) inserted by [2022 c. 37 Sch. 5 para. 4\(3\)\(a\)](#)
- s. 173(7A) inserted by [2022 c. 37 Sch. 5 para. 4\(3\)\(d\)](#)
- s. 173(9A) inserted by [2022 c. 37 Sch. 5 para. 4\(3\)\(f\)](#)
- s. 176(1A) inserted by [2023 c. 32 Sch. 1 para. 2\(4\)](#)
- s. 201(2B) inserted by [2009 c. 12 s. 33\(9\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 30-34 repealed (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. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 203A applied (with modifications) by S.I. 2001/2599, Sch. 1 table (as amended) by [2022 c. 37 Sch. 8 para. 11\(3\)](#)
- s. 203A203B applied by 1989 c. 3, Sch. 1 Pt. 1 (as amended) by [2022 c. 37 Sch. 8 para. 9\(4\)](#)
- s. 203A203B inserted by [2022 c. 37 Sch. 8 para. 1\(11\)](#)
- s. 203B applied (with modifications) by S.I. 2001/2599, Sch. 1 table (as amended) by [2022 c. 37 Sch. 8 para. 11\(3\)](#)
- Sch. 1 rule 19B applied (with modifications) by S.I. 2001/2599, Sch. 1 (as amended) by [2022 c. 37 Sch. 6 para. 39](#)
- Sch. 1 rule 37 applied (with modifications) by S.I. 2001/2599, Sch. 1 (as amended) by [2022 c. 37 Sch. 6 para. 42](#)
- Sch. 1 rule 53B applied (with modifications) by S.I. 2001/2599, Sch. 1 (as amended) by [2022 c. 37 Sch. 6 para. 44](#)
- Sch. 1 rule 37A inserted by [2011 c. 1 s. 9\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 9 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(a))

- Sch. 1 rule 45A45B inserted by [2011 c. 1 s. 9\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 9 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(a))
- Sch. 1 rule 46(3) inserted by [2011 c. 1 Sch. 10 para. 5\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(3A)(3B) inserted by [2011 c. 1 Sch. 10 para. 6\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 32(1)(ba) inserted by [2022 c. 37 s. 5\(3\)](#)
- Sch. 1 rule 45(1B)(e) inserted by [2022 c. 37 s. 5\(4\)\(a\)\(iii\)](#)
- Sch. 1 rule 45(2)(c) inserted by [2022 c. 37 s. 5\(4\)\(b\)\(iii\)](#)
- Sch. 1 rule 31(1A) inserted by [2022 c. 37 s. 7\(6\)\(b\)](#)
- Sch. 1 rule 6(6) inserted by [2022 c. 37 s. 11\(2\)\(b\)](#)
- Sch. 1 rule 29(3)(f) inserted by [2022 c. 37 Sch. 1 para. 15\(2\)](#)
- Sch. 1 rule 53B and cross-heading inserted by [2022 c. 37 Sch. 1 para. 26](#)
- Sch. 1 rule 35(1)(c) inserted by [2022 c. 37 Sch. 4 para. 4\(2\)\(c\)](#)
- Sch. 1 rule 40(1B)(a) repealed by [2006 c. 22 Sch. 2](#)
- Sch. 1 rule 18 substituted by [2011 c. 1 Sch. 10 para. 2](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(4)(d) substituted by [2011 c. 1 Sch. 10 para. 6\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(2)(c) substituted by [2011 c. 1 Sch. 10 para. 10\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 62 substituted by [2011 c. 1 Sch. 10 para. 11\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 45(2)(a) substituted by [2022 c. 37 s. 5\(4\)\(b\)\(i\)](#)
- Sch. 1 rule 6(2A) substituted by [2022 c. 37 s. 10\(2\)](#)
- Sch. 1 rule 47(1)(aa)(b) substituted for Sch. 1 rule 47(1)(b) by [2011 c. 1 Sch. 10 para. 6\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(2)-(2E) substituted for Sch. 1 rule 47(2) by [2011 c. 1 Sch. 10 para. 6\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(4)(aa)(b) substituted for Sch. 1 rule 47(4)(b) by [2011 c. 1 Sch. 10 para. 6\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 49A substituted for Sch. 1 rule 49 by [2011 c. 1 Sch. 10 para. 7](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 50(1)(a)(aa)(ab)(b)(c) substituted for Sch. 1 rule 50(1)(a)-(c) by [2011 c. 1 Sch. 10 para. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(2)(a)(aa) substituted for Sch. 1 rule 61(2)(a) by [2011 c. 1 Sch. 10 para. 10\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 46(1)(1A) substituted for rule 46(1) by [2011 c. 1 Sch. 10 para. 5\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 45(1B)(d) word inserted by [2022 c. 37 s. 5\(4\)\(a\)\(ii\)](#)
- Sch. 1 rule 45(2)(b) word inserted by [2022 c. 37 s. 5\(4\)\(b\)\(ii\)](#)
- Sch. 1 rule 35(1)(b) word inserted by [2022 c. 37 Sch. 4 para. 4\(2\)\(b\)](#)
- Sch. 1 rule 45(1B)(c) word omitted by [2022 c. 37 s. 5\(4\)\(a\)\(i\)](#)
- Sch. 1 rule 35(1)(a) word omitted by [2022 c. 37 Sch. 4 para. 4\(2\)\(a\)](#)

- Sch. 1 rule 46(2) words inserted by [2011 c. 1 Sch. 10 para. 5\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47 heading words inserted by [2011 c. 1 Sch. 10 para. 6\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 12(2)(c) words inserted by [2022 c. 37 Sch. 10 para. 4](#)
- Sch. 1 rule 35(1) table words omitted by [2022 c. 37 Sch. 4 para. 4\(6\)](#)
- Sch. 1 rule 29(5) words substituted by [2011 c. 1 Sch. 10 para. 3](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 44(5) words substituted by [2011 c. 1 Sch. 10 para. 4](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(1) words substituted by [2011 c. 1 Sch. 10 para. 6\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(1)(d) words substituted by [2011 c. 1 Sch. 10 para. 6\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 53(4) words substituted by [2011 c. 1 Sch. 10 para. 9](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(1) words substituted by [2011 c. 1 Sch. 10 para. 10\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 31(1)(a) words substituted by [2022 c. 37 s. 7\(6\)\(a\)](#)
- Sch. 1 rule 14(2A) words substituted by [2022 c. 37 s. 10\(3\)\(a\)](#)
- Sch. 1 rule 14(2A) words substituted by [2022 c. 37 s. 10\(3\)\(b\)](#)
- Sch. 1 rule 6(5)(b) words substituted by [2022 c. 37 s. 11\(2\)\(a\)](#)
- Sch. 1 rule 35(1) table words substituted by [2022 c. 37 Sch. 4 para. 4\(4\)](#)
- Sch. 1 rule 35(1) table words substituted by [2022 c. 37 Sch. 4 para. 4\(5\)](#)
- Sch. 1 rule 35(2) words substituted by [2022 c. 37 Sch. 4 para. 4\(7\)](#)
- Sch. 2 para. 1(4ZA)-(4ZC) inserted by [2009 c. 12 s. 33\(10\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (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. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- Sch. 2 para. 1(6A) inserted by [2009 c. 12 s. 33\(10\)\(e\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (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. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- Sch. 2 para. 5C inserted by [2022 c. 37 Sch. 4 para. 5](#)
- Sch. 6A applied (with modifications) by S.I. 2001/2599, Sch. 1 table (as inserted) by [2022 c. 37 Sch. 8 para. 11\(4\)](#)
- Sch. 6A applied by 1989 c. 3, Sch. 1 Pt. 1 (as amended) by [2022 c. 37 Sch. 8 para. 9\(4\)](#)
- Sch. 6A inserted by [2022 c. 37 Sch. 8 para. 1\(12\)](#)