

*Status: Point in time view as at 18/12/2013.*

*Changes to legislation: Representation of the People Act 1983 is up to date with all changes known to be in force on or before 13 June 2024. 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)*

## SCHEDULES

### SCHEDULE 1

#### Modifications etc. (not altering text)

- C1 Parliamentary election rules modified (N.I.) (*prosp.*) 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.) (*prosp.*) 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(as applied (with modifications) (28.4.1999) by [S.I. 1999/1214](#), [reg. 8](#), [Sch. 3](#)) (which S.I. was revoked (23.3.2004) by [S.I. 2004/293](#), [reg. 126](#))
- C4 [Sch. 1](#) modified (E.W.) by [S.I. 1986/1081](#), [regs. 2, 97, 98, 100](#) (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), [reg. 3](#))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](#) modified (S.) by [S.I. 1986/1111](#), [regs. 2, 95, 96, 98\(1\)](#)  
[Sch. 1](#) modified (10.4.2001) by [2001 c. 7, s. 4](#), [Sch. para. 1](#)  
[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](#)
- C6 [Sch. 1](#) extended (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220](#), [art. 6\(1\)-\(4\)](#)

### PART III

#### CONTESTED ELECTIONS

##### 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.
- (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; <sup>F1</sup>
  - <sup>F2</sup>(c) .....
- [<sup>F3</sup>and he shall as soon as practicable after giving such a notice give a copy of it to each of the election agents]
- <sup>F4</sup>(3) .....

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### Textual Amendments

- F1** Word repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 24, 28, **Sch. 4 para. 77(a)**, Sch. 5
- F2** [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
- F3** Words inserted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 77(a)**
- F4** [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)

- C7** [Sch. 1 rule 23](#) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
- C8** [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**
- C9** [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**
- C10** [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**)
- C11** [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*

- [<sup>F5</sup>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).
- (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.]

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#### Textual Amendments

- F5** 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)

- C12** 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 [<sup>F6</sup>local government areas] than one, there shall be at least one polling station in each of those [<sup>F6</sup>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.

#### Textual Amendments

- F6** 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\(5\)\(b\)](#)

#### Modifications etc. (not altering text)

- C13** Sch. 1 rule 25 applied (N.I.) by [S.I. 1986/2250](#), [regs. 2, 3, 5](#), [Sch. 1 Pt. I](#)
- C14** Sch. 1 rule 25 applied (E.W.S.) by [S.I. 1986/2209](#), [regs. 2, 3, 5\(1\)\(6\)–\(8\)](#), [Sch. 1 Pt. I](#)
- C15** 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](#)  
Sch. 1 rule 25 applied (N.I.) (25.4.1998) by [S.I. 1998/1126](#), [art. 6](#), [Sch. 2](#)
- C16** 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.

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- (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 except order the arrest, exclusion or removal of any person from the polling station [<sup>F7</sup>or refuse to deliver a ballot paper under paragraph (1C) of rule 37 (including that paragraph as applied by rule 38, 39 or 40)].

#### Textual Amendments

**F7** Words inserted (N.I.) by [Elections \(Northern Ireland\) Act 1985 \(c. 2, SIF 42\)](#), **s. 2(2)**

#### Modifications etc. (not altering text)

- C17** [Sch. 1 rule 26](#) applied with modifications (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**
- C18** [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**
- C19** [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**  
[Sch. 1 rule 26](#) applied (with modifications) (N.I.) (25.4.1998) by [S.I. 1998/1126](#), art. 6, **Sch. 2**
- C20** [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

<sup>F8</sup>27 .....

#### Textual Amendments

**F8** [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 [<sup>F9</sup>(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, and a proxy's to his address as shown in the list of proxies.
- (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.
  - [<sup>F10</sup>(d) such other information as is prescribed;

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(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.]

[<sup>F11</sup>(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

- F9** 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**
- F10** 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**
- F11** 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)

- C21** Sch. 1 rule 28 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C22** Sch. 1 rule 28 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C23** 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**)
- C24** 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—
- (a) materials to enable voters to mark the ballot papers;
  - (b) <sup>F12</sup> .....
  - (c) copies of the register of electors or such part of it as contains the [<sup>F13</sup>entries relating to] the electors allotted to the station;
  - (d) 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.
- [<sup>F14</sup>(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.]

[<sup>F15</sup>(3A) The returning officer shall also provide each polling station with—

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- (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
  - (b) a device of such description as may be prescribed for enabling voters who are blind or partially-sighted to vote without any need for assistance from the presiding officer or any companion (within the meaning of rule 39(1)).]
- (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.
- (5) In every compartment of every polling station there shall be exhibited [<sup>F16</sup>the notice “Vote for one candidate only. Put no other mark on the ballot paper, or your vote may not be counted.”]
- [<sup>F17</sup>(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.]

*Appointment of polling and counting agents*

- 30 (1) Each candidate may, before the commencement of the poll, appoint—
- (a) polling agents to attend at polling stations for the purpose of detecting personation; and
  - (b) counting agents to attend at the counting of the votes.
- (2) The returning officer may limit the number of counting agents, so however that—
- (a) the number shall be the same in the case of each candidate; and
  - (b) 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 second 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) <sup>F18</sup> . . . 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—
- (a) whose appointments have been duly made and notified; and
  - (b) 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

**F18** 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)

- C27** [Sch. 1 rule 30](#) applied with modifications (N.I.) by [S.I. 1986/2250, regs. 2, 3, 5](#), [Sch. 1 Pt. I](#)
- C28** [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](#)
- C29** [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](#)
- C30** [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](#))
- C31** [Sch. 1 rule 30\(2\)\(9\)](#) applied (with modifications) (N.I.) (4.5.1996) by [S.I. 1996/1220, art. 3\(1\)\(b\)\(6\)\(d\)\(7\)](#)

*[<sup>F19</sup> Notification of requirement of secrecy]*

#### Textual Amendments

**F19** [Sch. 1 rule 31](#) substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\), s. 24](#), [Sch. 4 para. 80](#)

- <sup>F20</sup>31 The returning officer shall make such arrangements as he thinks fit to ensure that—
- (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.]

#### Textual Amendments

**F20** [Sch. 1 rule 31](#) substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\), s. 24](#), [Sch. 4 para. 80](#)

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#### Modifications etc. (not altering text)

- C32** Sch. 1 rule 31 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C33** 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**
- C34** 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**
- C35** 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**)

### *f<sup>21</sup> Return of postal ballot papers*

#### Textual Amendments

- F21** 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.

- (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.]

#### Modifications etc. (not altering text)

- C36** 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**)



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