

Changes to legislation: Representation of the People Act 1983 is up to date with all changes known to be in force on or before 10 September 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

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.) (*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15\(1\)\(2\)](#) (as applied (with modifications) (28.4.1999) by [S.I. 1999/1214](#), reg. 8, **Sch. 3**) (which S.I. was revoked (23.3.2004) by [S.I. 2004/293](#), **reg. 126**)
- C4** [Sch. 1](#) modified (E.W.) by [S.I. 1986/1081](#), **regs. 2, 97, 98, 100** (which S.I. was revoked (23.3.2004) by [S.I. 2004/294](#), **reg. 3**)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](#) 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 III

CONTESTED ELECTIONS

THE POLL

Admission to polling station

- 32 ^{F3}(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;

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- (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.
- [^{F4}(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 [^{F5}or community support volunteer] under section 38 of the Police Reform Act 2002 (police powers for employees [^{F6}or volunteers]).]

Textual Amendments

- F3** 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
- F4** 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)
- F5** 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)
- F6** 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)

- C8** Sch. 1 rules 32–34 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C9** 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
- C10** 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
- C11** 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))
- C12** 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)

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C13 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)

- C14** Sch. 1 rules 32–34 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C15** 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**
- C16** 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**
- C17** 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**)

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)

- C18** Sch. 1 rules 32–34 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C19** 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**
- C20** 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**
- C21** 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**)

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Questions to be put to voters

[^{F7}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:

<i>Person applying for ballot paper</i>	<i>Questions</i>
1 A person applying as an elector.	<p>[^{F8}(za) At an election held in England and Wales or Scotland, “What is your name?”</p> <p>(zb) At an election held in England and Wales or Scotland, “What is your address?”]</p> <p>(a) “Are you the person registered in the register of parliamentary electors for this election as follows (<i>read out the whole entry from the register</i>)” R</p> <p>(b) “Have you already voted, here or elsewhere, at this election, otherwise than as proxy for some other person” R</p> <p>(c) At an election held in Northern Ireland, “What is your date of birth”</p>
2 A person applying as proxy.	<p>[^{F8}(za) At an election held in England and Wales or Scotland, “What is your name?”</p> <p>(zb) At an election held in England and Wales or Scotland, “What is your address?”]</p> <p>(a) “Are you the person whose name appears as A.B. in the list of proxies for this election</p> <p>(b) “Have you already voted here or elsewhere at this election, as proxy on behalf of C.D.” R</p> <p>as entitled to vote as proxy on behalf of C.D.” R</p> <p>(c) “Are you the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild of C.D.” R</p>
3 A person applying as proxy for an elector with an anonymous entry (instead of the questions at entry 2 above).	<p>[^{F8}(za) At an election held in England and Wales or Scotland, “What is your name?”</p> <p>(zb) At an election held in England and Wales or Scotland, “What is your address?”]</p> <p>(a) “Are you the person entitled to vote as proxy on behalf of the elector whose number on the register of electors is</p>

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(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.

[^{F8}(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.

[^{F8}(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 as proxy”

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

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- (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).

[^{F9}(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).]

[^{F10}(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

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(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.]

[^{F11}(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 [^{F12}(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)].

[^{F13}(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—

- (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

- F7** 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**
- F8** 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))
- F9** 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**
- F10** 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))
- F11** 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))
- F12** 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))

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- F13** 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)

- C22** Sch. 1 rule 35 applied (with modifications) (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C23** 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**
- C24** 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**
- C25** 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**)
- C26** 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

- [^{F14}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

- F14** 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)

- C27** Sch. 1 rule 36 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C28** Sch. 1 rule 36 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C29** 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**
- C30** 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**
- C31** 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**)

[^{F15}[^{F16}Voting procedure and voter identification requirements: Northern Ireland]]^{F16}Voting procedure and voter identification requirements: Great Britain]]

Textual Amendments

- F15** 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))

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F16 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\(1\)](#))

[^{F17}37 (1) [^{F18}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—

- ^{F19}(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.

[^{F20}(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.

(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.

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(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—

- (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

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passes issued under the Northern Ireland Concessionary Fares Scheme	<ul style="list-style-type: none"> a Disabled Person's Welsh Concessionary Travel Card 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
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(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—

- (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.

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- (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 ^{F21}...
- (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—
- ^{F22}(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.
- [^{F23}(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) [^{F24}Subject to paragraph (1A) below, the] presiding officer, on the application of a voter—
- (a) who is incapacitated by blindness or other [^{F25}disability] from voting in manner directed by these rules, or
- (b) who declares orally that he is unable to read,
- 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.
- [^{F26}(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;

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(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.

[^{F27}(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).]

[^{F28}(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

- F24** Words substituted (N.I.) by [Elections \(Northern Ireland\) Act 1985 \(c. 2, SIF 42\)](#), [s. 2\(3\)\(b\)](#)
- F25** 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](#)
- F26** [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\(1\)](#))
- F27** [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)
- F28** [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)

- C34** [Sch. 1 rule 38](#) applied (with modifications) (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, [Sch. 1 Pt. I](#)
- C35** [Sch. 1 rule 38](#) applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)–(8), [Sch. 1 Pt. I](#)
- C36** [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](#)
- C37** [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](#))
- C38** [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\(1\)](#)))

[^{F29} Voting by persons with disabilities]

Textual Amendments

- F29** [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\(1\)](#)

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[^{F30}39 (1) If a voter makes an application to the presiding officer to be allowed, on the ground of—

- (a) blindness or other [^{F31}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 [^{F32}other disability], or by his inability to read, as to be unable to vote without assistance.

(2) [^{F33}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) [^{F34}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.

[^{F35}(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.]

(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, ^{F36}...

(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 ^{F37}(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).]

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[In the case of a person in respect of whom a notice has been issued under ^{F38}(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—

- (a) shall be in the form in the Appendix; and
- (b) 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

- F30** 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)
- F31** 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
- F32** 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
- F33** 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)
- F34** 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)
- F35** 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))
- F36** 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)
- F37** 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)
- F38** 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

Modifications etc. (not altering text)

- C39** 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 ^{F39}entitled to vote by post as proxy,

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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.

[^{F40}(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.]

[^{F41}(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.]

[^{F42}(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.]

[^{F43}(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,

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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 [^{F44}, at an election held in Northern Ireland]

- [^{F45}(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”) [^{F46}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.

[^{F47}(4A) This rule applies to an elector who has an anonymous entry subject to the following modifications—

- (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).]

[^{F48}(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;

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- (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.]

[^{F49}(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)”.]

[^{F50}(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.]

[^{F51}(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

- F39** Words repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), ss. 11, 28, Sch. 2 para. 7, **Sch. 5**
- F40** [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**
- F41** [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**
- F42** [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**
- F43** [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))
- F44** 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))
- F45** 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**
- F46** 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**
- F47** [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)
- F48** [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)

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- F49** 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**
- F50** Sch. 1 rule 40(5)(6) inserted (N.I.) by Elections (Northern Ireland) Act 1985 (c. 2, SIF 42), **s. 1(6)**
- F51** 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)

- C40** Sch. 1 rule 40 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C41** Sch. 1 rule 40 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C42** 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**
- C43** 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**)

^{F52}Tendered postal ballot papers: anonymous entries in Northern Ireland

Textual Amendments

- F52** 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
 - (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.

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- (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)”.]

[^{F53}Refusal to deliver ballot paper: Great Britain

Textual Amendments

F53 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.
 - (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\(1\)](#).

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- (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.]

[^{F54}Refusal to deliver ballot paper: Northern Ireland]

Textual Amendments

F54 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\(1\)](#))

[^{F55}40A(1) 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 [^{F56}and to rule 37(1DB)], shall be final and shall not be questioned in any proceeding whatsoever.]

Textual Amendments

F55 [Sch. 1 rule 40A](#) inserted (N.I.) by [Elections \(Northern Ireland\) Act 1985 \(c. 2, SIF 42\)](#), s. 2(4)

F56 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)

C44 [Sch. 1 rule 40A](#) applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, [Sch. 1 Pt. I](#)

Changes to legislation: Representation of the People Act 1983 is up to date with all changes known to be in force on or before 10 September 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

- C45** 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)

*^{F57}Collection and disclosure of information
 relating to applications made under rules 37 to 40*

Textual Amendments

- F57** 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”.
- (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).

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- (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)

C46 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 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)

C47 Sch. 1 rules 41, 42 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

C48 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

C49 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

C50 Sch. 1 rule 41 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, Sch. 3 para. 13 Table 2

Changes to legislation: Representation of the People Act 1983 is up to date with all changes known to be in force on or before 10 September 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

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)

^{F58} Correction of errors on day of poll

Textual Amendments

F58 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.]

^{F59} Correction of errors on day of poll: Northern Ireland

Textual Amendments

F59 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)

C51 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—
- the hours of polling on the day to which it is adjourned shall be the same as for the original day; and
 - references in this Act to the close of the poll shall be construed accordingly.

Modifications etc. (not altering text)

C52 Sch. 1 rules 41, 42 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I

C53 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

C54 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

C55 Sch. 1 rule 42 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 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 [^{F60}(including any marked copy notices issued under section 13B(3B) or (3D) of this Act)] and of the list of proxies,
 - [^{F61}(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”);]
 - [^{F62}(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) ^{F63} . . . the certificates as to employment on duty on the day of the poll,
 - (f) the tendered votes list, the list of [^{F64}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 [^{F65}“disability”] and “unable to read”, [^{F66}the list maintained under rule 41A,] and the declarations made by the companions of [^{F64}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 [^{F67}completed corresponding number lists or] the certificates as to employment on duty on the day of the poll.
- (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.
- [^{F68}(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.]

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Textual Amendments

- F60** 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](#))
- F61** [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](#))
- F62** [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\(1\)](#))
- F63** 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](#)
- F64** Words in [rule 43\(1\)\(f\)](#) substituted (16.2.2001) by 2000 c. 2, s. [13\(1\)\(4\)](#); S.I. 2001/116, [art. 2\(1\)](#)
- F65** 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](#)
- F66** 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](#))
- F67** 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](#)
- F68** [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)

- C56** [Sch. 1 rules 43, 44](#) applied with modifications (N.I.) by S.I. 1986/2250, [regs. 2, 3, 5](#), [Sch. 1 Pt. I](#)
- C57** [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](#)
- C58** [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](#)
- C59** [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](#))
- C60** [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\(2\)](#))

Changes to legislation:

Representation of the People Act 1983 is up to date with all changes known to be in force on or before 10 September 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.

[View outstanding changes](#)

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)(iia) 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\(12\)](#)