Representation of the People Act 2000

2000 CHAPTER 2

PART II

CONDUCT OF ELECTIONS

Persons with disabilities

13   Assistance with voting for persons with disabilities

(1) Schedule 1 to the 1983 Act (the parliamentary elections rules) is amended as follows.

(2) In rule 29 (equipment of polling stations), after paragraph (3) there shall be inserted—

"(3A) The returning officer shall also provide each polling station with—

(a)   at least one large version of the ballot paper which shall be displayed inside the polling station for the assistance of voters who are partially-sighted; and

(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))."

(3) For rule 39 there shall be substituted—

"Voting by persons with disabilities

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

(a)   blindness or other physical incapacity, 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

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blindness or other incapacity, or by his inability to read, as to be unable to vote without assistance.

(2) 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) is a qualified person within the meaning of this rule, 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.

(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, and a person shall be qualified to assist a voter with disabilities to vote if that person—

    (a)   is a person who is entitled to vote as an elector at the election; or

    (b)   is the father, mother, brother, sister, husband, wife, son or daughter of the voter and has attained the age of 18 years.

(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.

(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."

(4) In rules 32(1)(e), 43(1)(f) and 55(1)(c), for "blind voters" (wherever occurring) there shall be substituted "voters with disabilities".

(5) In the Appendix of Forms, in the form of declaration to be made by the companion of a blind voter—

    (a)   for "blind person" or "blind voter" (wherever occurring) there shall be substituted "voter with disabilities"; and

    (b)   after the note at the end of the form (which shall become note 1), there shall be inserted—

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