
Changes to legislation: There are currently no known outstanding effects for the Elections Act 2022, Paragraph 18. (See end of Document for details)

SCHEDULES

SCHEDULE 1

VOTER IDENTIFICATION

- 18 (1) Rule 37 (voting procedure), as it extends to England and Wales and to Scotland, is amended as follows.
- (2) For the heading substitute “Voting procedure and voter identification requirements: Great Britain”.
- (3) In paragraph (1)—
- (a) for “A” substitute “Subject to rule 35(3) and to paragraphs (1A) to (1P), a”, and
 - (b) omit sub-paragraph (a).
- (4) After paragraph (1) insert—
- “(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).

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- (1F) But there is an exception from paragraph (1E) for cases within sub-paragraph (a) of that paragraph where—
- (a) a discrepancy between the name of the holder of a specified document and the name of the elector or proxy that the voter claims to be is resolved to the presiding officer's satisfaction at the time of the application by the voter producing further proof of identity, and
 - (b) the presiding officer has no other reason (arising from any document produced by the voter) to doubt that the voter is the elector or proxy that the voter claims to be.
- (1G) The refusal to deliver a ballot paper to a voter under paragraph (1E) does not prevent the voter making a further application under paragraph (1), and paragraphs (1A) to (1F) apply on any further application.
- (1H) In this rule a “specified document”, except in the case of a voter with an anonymous entry in the register of electors (as to which see paragraph (1K)), means any of the following documents (in whatever form issued to the holder) that contain a photograph of the holder—
- (a) a United Kingdom passport (see paragraph (1I));
 - (b) a passport issued by an EEA state or a Commonwealth country;
 - (c) a licence to drive a motor vehicle granted under—
 - (i) Part 3 of the Road Traffic Act 1988, or
 - (ii) the Road Traffic (Northern Ireland) Order 1981 (SI 1981/154 (N.I. 1));
 - (d) a driving licence issued by any of the Channel Islands, the Isle of Man or an EEA state;
 - (e) a biometric immigration document issued in accordance with regulations under section 5 of the UK Borders Act 2007;
 - (f) an identity card bearing the Proof of Age Standards Scheme hologram (a PASS card);
 - (g) a Ministry of Defence Form 90 (Defence Identity Card);
 - (h) a relevant concessionary travel pass (see paragraph (1J));
 - (i) a badge of a form prescribed under section 21 of the Chronically Sick and Disabled Persons Act 1970 or section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 (blue badge scheme);
 - (j) an electoral identity document issued under section 13BD (electoral identity document: Great Britain);
 - (k) an electoral identity card issued under section 13C (electoral identity card: Northern Ireland);
 - (l) a national identity card issued by an EEA state.
- (1I) In paragraph (1H)(a) “United Kingdom passport” means a passport issued by—
- (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.

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

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

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

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

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

“appropriate registration officer” means—

- (a) the registration officer for the constituency in which the election is being held, or
- (b) where the election is being held in a constituency for which there is more than one registration officer, any of those officers;

a voter’s “electoral number” is the number—

- (a) allocated to the voter as stated in the copy of the register of electors, or
- (b) where an entry relating to the voter is added to the register in pursuance of a notice issued under section 13B(3B) or (3D), as stated in the copy of that notice.

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

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- (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.
- (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.”
- (5) In paragraph (2), omit the words from “and only” to the end.
- (6) In paragraph (3), omit sub-paragraph (a).

Commencement Information

- I1** Sch. 1 para. 18 not in force at Royal Assent, see [s. 67\(1\)](#)
- I2** [Sch. 1 para. 18](#) in force at 16.1.2023 by [S.I. 2022/1401](#), [reg. 2\(d\)\(x\)](#) (with [reg. 3\(1\)](#))

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