
Changes to legislation: There are currently no known outstanding effects for the Elections Act 2022, Paragraph 22. (See end of Document for details)

SCHEDULES

SCHEDULE 1

VOTER IDENTIFICATION

22 After rule 40ZA insert—

“Refusal to deliver ballot paper: Great Britain

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).

(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

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- (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.”

Commencement Information

- I1** Sch. 1 para. 22 not in force at Royal Assent, see [s. 67\(1\)](#)
- I2** [Sch. 1 para. 22](#) in force at 16.1.2023 by [S.I. 2022/1401](#), [reg. 2\(d\)\(x\)](#) (with [reg. 3\(1\)](#))

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