
S T A T U T O R Y I N S T R U M E N T S

1985 No. 1185 (C.22)

REPRESENTATION OF THE PEOPLE

**The Representation of the People Act 1985
(Commencement No. 1) Order 1985**

Made - - - - - *27th July 1985*

In exercise of the power conferred upon me by section 29(2) of the Representation of the People Act 1985(a), I hereby make the following Order:—

1. This Order may be cited as the Representation of the People Act 1985 (Commencement No. 1) Order 1985.

2. Subject to Article 4 below, the provisions of the Representation of the People Act 1985 which are listed in the Schedule to this Order shall come into force on 1st October 1985.

3.—(1) Subject to paragraph (2) below, section 17 of the Representation of the People Act 1985 (combination of polls at local elections) shall come into force on 1st September 1985.

(2) The amendments made by section 17 shall not have effect for the purposes of an election in respect of which the notice of election is published before 1st September 1985.

4.—(1) The amendments made by the following provisions of the Representation of the People Act 1985, that is—

(a) section 13 and subsections (1), (2), (3) and (6) of section 14, and

(b) paragraphs 37, 38, 67(a), 68, 71(a), 75, 77 and 83 of Schedule 4,

shall not have effect for the purposes of an election in respect of which the notice of election is published before 1st October 1985.

(2) The amendments made by the following provisions of the Representation of the People Act 1985, that is—

(a) section 23 and Schedule 3, and

(b) paragraphs 19, 35, 39, 61 and 62 of Schedule 4,

shall not have effect for the purposes of an offence committed, or alleged to have been committed, before 1st October 1985.

(a) 1985 c. 50.

(3) The amendments made by paragraphs 24, 26, 27, 28, 29, 30(b), 32, 33, 43, 44, 88 and 89 of Schedule 4 to the Representation of the People Act 1985 shall not have effect for the purposes of an election the result of which is declared before 1st October 1985.

(4) The amendments made by paragraphs 30(a) and 56 of Schedule 4 to the Representation of the People Act 1985 shall not have effect for the purposes of an application made under section 86 or 167, respectively, of the Representation of the People Act 1983(a) before 1st October 1985.

(5) The amendment made by paragraph 31 of Schedule 4 to the Representation of the People Act 1985 shall not have effect for the purposes of an order made under section 87(1) or (2) of the Representation of the People Act 1983 which was made before 1st October 1985.

Home Office.
27th July 1985.

Leon Brittan,
One of Her Majesty's Principal
Secretaries of State.

(a) 1983 c. 2.

SCHEDULE

PROVISIONS OF THE REPRESENTATION OF THE PEOPLE ACT 1985 COMING INTO
FORCE ON 1ST OCTOBER 1985

| Provisions of the Act | Subject matter of the provisions |
|---|--|
| Section 13. | Deposit by candidates at parliamentary elections. |
| Section 14. | Election expenses. |
| Section 18. | Ordinary day of local elections. |
| Section 19(6)(a). | Timing of elections. |
| Section 20. | Summoning new Parliament: effect of demise of the Crown. |
| Section 22. | Welsh versions of forms. |
| Section 23. | Increase in penalties for offences under principal Act, etc. |
| Section 24. | Miscellaneous amendments of principal Act. |
| Section 25(2). | Amendments of other enactments. |
| Section 26. | Expenses. |
| Section 27(2) and (3). | Interpretation. |
| Section 28. | Repeals. |
| Schedule 3. | Penalties. |
| In Schedule 4, the following paragraphs:— paragraphs 1 to 6; paragraph 8; paragraphs 10 to 17; paragraphs 19 to 33; paragraphs 35 to 68; paragraphs 70 to 72; paragraphs 74 to 78; paragraphs 81 to 83; paragraphs 87 to 90. | Miscellaneous amendments of the principal Act. |
| So much of Schedule 5 as is specified in the Appendix to this Schedule. | Repeals. |

APPENDIX
REPEALS TAKING EFFECT ON 1ST OCTOBER 1985

| Chapter | Short title | Extent of repeal |
|----------------------|--|--|
| 1797 c. 127. | The Meeting of Parliament Act 1797. | Sections 3 to 5. |
| 7 & 8 Geo. 5. c. 64. | The Representation of the People Act 1918. | The whole Act, so far as otherwise unrepealed. |
| 1972 c. 70. | The Local Government Act 1972. | In section 243(3), the words "of election or" in the second place where they occur and the words "as the case may be". |
| 1983 c. 2. | The Representation of the People Act 1983. | <p>In section 18, in subsection (2)(b) the words "in the case of a county constituency" and in subsection (6) paragraph (b) and the word "and" immediately preceding it.</p> <p>Section 39(8).</p> <p>In section 49, subsections (1)(d) and (2)(c).</p> <p>Section 51.</p> <p>In section 52(2), the words "by the Secretary of State or, in Scotland".</p> <p>Section 53(2).</p> <p>Section 55.</p> <p>Section 56(1)(c) and (6).</p> <p>Section 76(3).</p> <p>Section 103(2).</p> <p>In section 104(b), the words "except section 103(2)".</p> <p>Section 106(4).</p> <p>In section 108, subsection (3) and in subsection (4) the word "also".</p> <p>In section 124, in paragraph (a) the words "receiving the judges and" and paragraph (b).</p> <p>In section 125, paragraph (a).</p> <p>In section 126(3), the words "and Northern Ireland".</p> <p>In section 136, in subsection (4) the words from "not" to "notice", subsection (5) and in subsection (7) the words "not exceeding five days".</p> <p>In section 140, subsection (5) and in subsection (7) the words from "and shall give" to the end of the subsection.</p> <p>Section 141(3) and (4).</p> <p>Section 142.</p> |

APPENDIX—*continued*

| Chapter | Short title | Extent of repeal |
|------------------------------------|---|---|
| 1983 c. 2 (<i>continued</i>). | The Representation of the People Act 1983 (<i>continued</i>). | <p>In section 148(4)(a) the words “(appointed with the Attorney General’s approval)”.</p> <p>Section 156(2) to (4).</p> <p>Section 160, in subsection (1) the words “and whether” to “indemnity” and subsection (2).</p> <p>In section 161, the words from “whether” to “not”.</p> <p>In section 162, the words from “whether” to “not”.</p> <p>In section 163(1)(b), the words from “whether” to “not”.</p> <p>Section 168(5) and (6).</p> <p>In section 169, the words from “(including” to “court)”.</p> <p>Sections 171 and 172.</p> <p>In section 173(a), the words “on indictment or by an election court”.</p> <p>In section 176, in subsection (1) the words from “whether” to “otherwise” and subsection (3).</p> <p>In section 181, in subsection (3) the words from “with” to “approval”, from “of not” to “standing” and from “and” onwards and in subsection (6) the words from “so far” to “defendant”.</p> <p>In section 187(1), the word “51(2)” and the word “district” in both places where it occurs.</p> <p>Section 190.</p> <p>In section 191(1)(a), the word “51(2)”.</p> <p>Section 192.</p> <p>In section 196, the words “or under section 156(2)”.</p> <p>Section 199.</p> <p>In section 202(1), the definition of “registration duties”.</p> <p>In section 203(4)(a), the words from “and any” to “officer”.</p> <p>In Schedule 1, in rule 5, in paragraph (1) the words “in the form in the Appendix” and paragraph (3).</p> <p>In Schedule 1, in rule 23, paragraph (2)(c) and the word “and” immediately preceding it and paragraph (3).</p> |

APPENDIX—*continued*

| Chapter | Short title | Extent of repeal |
|------------------------------------|---|--|
| 1983 c. 2 (<i>continued</i>). | The Representation of the People Act 1983 (<i>continued</i>). | In Schedule 1, in the Appendix of Forms, the form of notice of election. In Schedule 2, paragraph 9. In Schedule 7, paragraphs 8 and 9. |

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order brings into force on 1st October 1985 the provisions of the Representation of the People Act 1985 set out in the Schedule to this Order. Section 17 of that Act is brought into force on 1st September 1985 by Article 3 of the Order. Articles 3(2) and 4 make transitional provisions.

SI 1985/1185
ISBN 0-11-057185-1



780110 571850