

---

STATUTORY INSTRUMENTS

---

**2012 No. 1917**

**The Police and Crime Commissioner Elections Order 2012**

**PART 2**

**Exercise of franchise for PCC elections**

*Offences*

**Personation**

**17.**—(1) A person is guilty of a corrupt practice if the person commits, or aids, abets, counsels or procures the commission of, the offence of personation.

(2) A person (“P”) is deemed guilty of personation at a PCC election if P—

- (a) votes in person or by post as some other person, whether as an elector or as proxy, and whether that other person is living or dead or is a fictitious person, or
- (b) votes in person or by post as proxy—
  - (i) for a person whom P knows or has reasonable grounds for supposing to be dead or to be a fictitious person, or
  - (ii) when P knows or has reasonable grounds for supposing that P’s appointment as proxy is no longer in force.

(3) For the purposes of this article, a person who has applied for a ballot paper for the purpose of voting in person or who has marked, whether validly or not, and returned a ballot paper issued for the purpose of voting by post, is deemed to have voted.

(4) Section 24A of the Police and Criminal Evidence Act 1984<sup>(1)</sup> (arrest without warrant: other persons) does not permit a person other than a constable to arrest, inside a polling station, a person who commits or is suspected of committing an offence under the preceding provisions of this article.

---

(1) 1984 c.60. Section 24A was inserted by section 110(1) of the Serious Organised Crime and Police Act 2005 (c.15) and amended by section 2 of the Racial and Religious Hatred Act 2006 (c.1).