
STATUTORY INSTRUMENTS

2016 No. 295

The Recall of MPs Act 2015 (Recall Petition) Regulations 2016

PART 4

ABSENT SIGNERS

CHAPTER 2

Applications for Absent Signing

Additional requirements for applications for a proxy signature for a definite or an indefinite period on grounds of blindness or other disability: England and Wales and Scotland

64.—(1) An application to sign the petition by proxy for a particular or indefinite period under regulation 51(2) in pursuance of the grounds under paragraph (3)(c) of that regulation must specify the disability by reason of which it is made.

(2) Subject to paragraph (3), such an application must be attested and signed by—

- (a) a registered medical practitioner⁽¹⁾;
- (b) a registered nurse⁽²⁾;
- (c) a registered dentist as defined by section 53(1) of the Dentists Act 1984⁽³⁾;
- (d) a registered dispensing optician or a registered optometrist within the meaning of the Opticians Act 1989⁽⁴⁾;
- (e) a registered pharmacist within the meaning of article 3(1) of the Pharmacy Order 2010⁽⁵⁾;
- (f) a registered osteopath as defined by section 41 of the Osteopaths Act 1993⁽⁶⁾;
- (g) a registered chiropractor as defined by section 43 of the Chiropractors Act 1994⁽⁷⁾;
- (h) a Christian Science practitioner;
- (i) a person registered as a member of a profession to which the Health and Social Work Professions Order 2001⁽⁸⁾ extends;
- (j) the person registered—
 - (i) in England and Wales, as carrying on a care home registered under Part 2 of the Care Standards Act 2000⁽⁹⁾, or

(1) A registered medical practitioner means a fully registered person within the meaning of the Medical Act 1983 (c. 54) who holds a licence to practise under that Act; see Schedule 1 to the Interpretation Act 1978 (c. 30).

(2) A registered nurse means a nurse registered in the register maintained under article 5 of the Nursing and Midwifery Order 2001 (S.I. 2002/253) by virtue of qualifications in nursing; see Schedule 1 to the Interpretation Act 1978.

(3) 1984 c. 24.

(4) 1989 c. 44.

(5) S.I. 2010/231.

(6) 1993 c. 21.

(7) 1994 c. 17.

(8) S.I. 2002/254.

(9) 2000 c. 14.

- (ii) in Scotland, as managing a care home service registered under Part 5 of the Public Services Reform (Scotland) Act 2010⁽¹⁰⁾,
where the applicant is resident in such a home;
- (k) the warden of premises forming one of a group of premises provided for persons of pensionable age or disabled persons for which there is a resident warden, where the applicant states that he or she resides in such premises;
- (l) a manager—
 - (i) in England and Wales, within the meaning of section 145(1) of the Mental Health Act 1983⁽¹¹⁾, or
 - (ii) in Scotland, within the meaning of section 329 of the Mental Health (Care and Treatment) (Scotland) Act 2003⁽¹²⁾ responsible for the administration of a hospital within the meaning of that section,
or a person authorised to act on behalf of such a manager for these purposes;
- (m) a person registered in the register of social workers maintained—
 - (i) in England, in accordance with the Health and Social Work Professions Order 2001;
 - (ii) in Wales, in accordance with section 56 of the Care Standards Act 2000, or
 - (iii) in Scotland, in accordance with section 44 of the Regulation of Care (Scotland) Act 2001⁽¹³⁾.
- (3) A person who qualifies—
 - (a) by virtue of any of paragraphs (2)(a) to (i) may not attest an application for these purposes unless—
 - (i) the person is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from that person in respect of that disability; or
 - (b) by virtue of paragraph (2)(m) may not attest an application for these purposes unless—
 - (i) the person is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from the person in respect of that disability; or
 - (iii) the person has arranged care or assistance for the applicant in respect of that disability.
- (4) The person attesting the application must state—
 - (a) their name and address and the qualification by virtue of which they attest the application;
 - (b) where the person (A) who attests the application is a person referred to in paragraph (3) (a), that—
 - (i) A is treating the applicant for the disability specified in the application; or
 - (ii) the applicant is receiving care from A in respect of that disability;
 - (c) where the person (B) who attests the application is a person referred to in paragraph (3) (b), that—
 - (i) B is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from B in respect of that disability; or
 - (iii) B has arranged care or assistance for the applicant in respect of that disability;

⁽¹⁰⁾ 2010 asp. 8.

⁽¹¹⁾ 1983 c. 20.

⁽¹²⁾ 2003 asp. 13.

⁽¹³⁾ 2001 asp. 8.

- (d) that, to the best of their knowledge and belief, the applicant has the disability specified in the application and that the applicant cannot reasonably be expected to go in person to their allotted petition signing place or to sign unaided there by reason of that disability; and
- (e) that, to the best of their knowledge and belief, the disability specified in the application is likely to continue either indefinitely or for a period specified by the person attesting the application.

(5) Paragraphs (2) to (4) do not apply where—

- (a) the application is based on the applicant’s blindness and—
 - (i) in England, the applicant is registered by the local authority which is specified in the application as a person who is severely sight-impaired under section 77(1) of the Care Act 2014 (registers of sight-impaired adults)(**14**);
 - (ii) in Wales, the applicant is registered as a blind person by the local authority which is specified in the application and which has made arrangements for the applicant under section 29(1) of the National Assistance Act 1948(**15**);
 - (iii) in Scotland, the applicant is registered as a blind person by the local authority which is specified in the application; or
- (b) the applicant is in receipt of—
 - (i) the higher rate of the mobility component of a disability living allowance (payable under section 73 of the Social Security Contributions and Benefits Act 1992)(**16**),
 - (ii) the enhanced rate of the mobility component of personal independence payment (payable under section 79(2) of the Welfare Reform Act 2012)(**17**), or
 - (iii) the armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011(**18**),

because of the disability specified in the application.

(6) The fact that an applicant is registered with a local authority as a person who is severely sight-impaired or as a blind person, as mentioned in paragraph (5)(a), is to be deemed sufficient evidence that the applicant is eligible to sign the petition by proxy on the grounds set out in regulation 51(3)(c).

(7) A manager (or person authorised to act on behalf of such a manager) attesting an application by virtue of paragraph (2)(l) must, instead of the matters specified in paragraph (4)(a), state in the attestation—

- (a) the name of the person attesting the application;
- (b) that the person is authorised to attest the application;
- (c) the position of the person in the hospital at which the applicant is liable to be detained, or at which the applicant is receiving treatment;
- (d) the statutory provision under which the applicant is liable to be detained at the hospital (where applicable).

Commencement Information

II Reg. 64 in force at 4.3.2016, see [reg. 1](#)

(14) 2014 c. 23.
(15) 1948 c. 29.
(16) 1992 c. 4.
(17) 2012 c. 5.
(18) S.I. 2011/2552.

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Recall of MPs Act 2015 (Recall Petition) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Recall of MPs Act 2015 (Recall Petition) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations applied by [2022 c. 37 Sch. 11 para. 7\(3\)](#)
- reg. 64(2)(i) words substituted by [S.I. 2019/1094 Sch. 3 para. 39\(a\)](#) (This amendment comes into force on the date on which Children and Social Work Act 2017 (c. 16), s. 39(1) comes into force. That provision comes into force on 2.12.2019 by [S.I. 2019/1436, reg. 2\(b\)](#))
- reg. 64(2)(m)(i) words substituted by [S.I. 2019/1094 Sch. 3 para. 39\(b\)](#) (This amendment comes into force on the date on which Children and Social Work Act 2017 (c. 16), s. 39(1) comes into force. That provision comes into force on 2.12.2019 by [S.I. 2019/1436, reg. 2\(b\)](#))
- reg. 64(5)(b)(iii) word inserted by [S.I. 2021/1188 art. 9\(3\)\(b\)](#)
- reg. 64(5)(b)(iii) word omitted by [S.I. 2022/332 art. 9\(2\)\(a\)](#)
- reg. 64(5)(b)(ii) word omitted by [S.I. 2021/1188 art. 9\(3\)\(a\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 para. 1(1)(e)(ia) inserted by [S.I. 2020/581 reg. 13\(5\)\(a\)\(ii\)](#)
- Sch. 3 para. 3(1)(b)(v) inserted by [S.I. 2023/1225 reg. 10\(22\)\(b\)](#)
- Sch. 3 para. 1(1)(e)(i) words omitted by [S.I. 2020/581 reg. 13\(5\)\(a\)\(i\)](#)
- reg. 2(2)(aa) inserted by [S.I. 2022/1382 reg. 69\(b\)](#)
- reg. 2(2)(ea) inserted by [S.I. 2022/1382 reg. 69\(c\)](#)
- reg. 2(2)(ia) inserted by [S.I. 2022/1382 reg. 69\(e\)](#)
- reg. 2(2)(ja) inserted by [S.I. 2022/1382 reg. 69\(f\)](#)
- reg. 2(2)(jb)-(je) inserted by [S.I. 2023/1147 reg. 19\(2\)](#)
- reg. 2(2)(ma)-(mc) inserted by [S.I. 2023/1225 reg. 10\(2\)\(a\)\(i\)](#)
- reg. 2(2)(za) inserted by [S.I. 2022/1382 reg. 69\(a\)](#)
- reg. 2(2)(za) omitted by [S.I. 2023/1116 reg. 16\(2\)](#)
- reg. 2(5)(n) inserted by [S.I. 2023/1116 reg. 14\(6\)\(c\)](#)
- reg. 2(5)(ba)(bb) inserted by [S.I. 2023/1116 reg. 14\(6\)\(b\)](#)
- reg. 2(5)(ma)(mb) inserted by [S.I. 2023/1225 reg. 10\(2\)\(b\)](#)
- reg. 2(5)(za) inserted by [S.I. 2023/1116 reg. 14\(6\)\(a\)](#)
- reg. 13A13B inserted by [S.I. 2023/1116 reg. 14\(1\)](#)
- reg. 17(3)(c) inserted by [S.I. 2022/1382 reg. 71\(b\)](#)
- reg. 17(3)(c) words substituted by [S.I. 2023/1116 reg. 15](#)
- reg. 18(7)(fa) inserted by [S.I. 2022/1382 reg. 72\(a\)](#)
- reg. 19(3)(e) inserted by [S.I. 2023/1116 reg. 14\(2\)](#)
- reg. 19(3A) inserted by [S.I. 2022/1382 reg. 73\(a\)](#)
- reg. 19(4A) inserted by [S.I. 2022/1309 reg. 12\(1\)\(b\)](#)
- reg. 19(5A) inserted by [S.I. 2022/1382 reg. 73\(b\)](#)
- reg. 20A amendments by [S.I. 2022/1382, regs. 70-75, 77, 78, 80-82](#) extended to N.I. by [S.I. 2023/1382 reg. 13](#)
- reg. 20A inserted by [S.I. 2022/1382 reg. 74](#)
- reg. 20A words omitted by [S.I. 2023/1116 reg. 16\(1\)\(a\)](#)
- reg. 20A heading words omitted by [S.I. 2023/1116 reg. 16\(1\)\(b\)](#)
- reg. 22(1)(ba) inserted by [S.I. 2023/1225 reg. 10\(4\)](#)
- reg. 25(3A) inserted by [S.I. 2022/1382 reg. 75\(b\)](#)
- reg. 25(4A)-(4C) inserted by [S.I. 2022/1382 reg. 75\(d\)](#)

- reg. 25(4A) words omitted by S.I. 2023/1116 reg. 17(3)(a)
- reg. 25(4A)(b) words inserted by S.I. 2023/1116 reg. 17(3)(b)
- reg. 25(6) inserted by S.I. 2022/1382 reg. 75(f)
- reg. 27(1A)-(1N) inserted by S.I. 2022/1382 reg. 76(3)
- reg. 28(3A) inserted by S.I. 2023/1116 reg. 18(3)
- reg. 28(6A)-(6C) inserted by S.I. 2023/1116 reg. 18(7)
- reg. 28(7A)-(7C) inserted by S.I. 2023/1116 reg. 18(9)
- reg. 29(1)(1A) substituted for reg. 29(1) by S.I. 2023/1116 reg. 19(2)
- reg. 29(2A) amendments by S.I. 2022/1382, regs. 70-75, 77, 78, 80-82 extended to N.I. by S.I. 2023/1382 reg. 13
- reg. 29(2A) inserted by S.I. 2022/1382 reg. 77
- reg. 30(7A) amendments by S.I. 2022/1382, regs. 70-75, 77, 78, 80-82 extended to N.I. by S.I. 2023/1382 reg. 13
- reg. 30(7A) inserted by S.I. 2022/1382 reg. 78
- reg. 30A inserted by S.I. 2022/1382 reg. 79
- reg. 33(5)(ea) amendments by S.I. 2022/1382, regs. 70-75, 77, 78, 80-82 extended to N.I. by S.I. 2023/1382 reg. 13
- reg. 33(5)(ea) inserted by S.I. 2022/1382 reg. 80
- reg. 37(1)(ea) amendments by S.I. 2022/1382, regs. 70-75, 77, 78, 80-82 extended to N.I. by S.I. 2023/1382 reg. 13
- reg. 37(1)(ea) inserted by S.I. 2022/1382 reg. 81
- reg. 37(1)(eb) inserted by S.I. 2023/1116 reg. 22
- reg. 39(3)(e) and word inserted by S.I. 2023/1225 reg. 10(5)(a)(ii)
- reg. 39(5)(d) and word inserted by S.I. 2023/1225 reg. 10(5)(b)(ii)
- reg. 43(2)(ba) amendments by S.I. 2022/1382, regs. 70-75, 77, 78, 80-82 extended to N.I. by S.I. 2023/1382 reg. 13
- reg. 43(2)(ba) inserted by S.I. 2022/1382 reg. 82
- reg. 44(1)(da) inserted by S.I. 2022/1382 reg. 83
- reg. 45(1A) inserted by S.I. 2022/1382 reg. 84
- reg. 45A inserted by S.I. 2023/1116 reg. 14(3)
- reg. 46(1) reg. 46 renumbered as reg. 46(1) by S.I. 2020/581 reg. 13(2)(b)
- reg. 46(2) inserted by S.I. 2020/581 reg. 13(2)(c)
- reg. 46(2) words inserted by S.I. 2023/1225 reg. 10(6)
- reg. 46A inserted by S.I. 2023/1116 reg. 14(4)
- reg. 51(1A)(1B) inserted by S.I. 2023/1147 reg. 19(6)(b)
- reg. 51(1B)(a) words substituted by S.I. 2023/1406 reg. 13(3)(a)
- reg. 51(7A) inserted by S.I. 2023/1147 reg. 19(6)(e)
- reg. 52(1)(da) inserted by S.I. 2018/699 reg. 8(3)(a)(iii)
- reg. 52(1A) inserted by S.I. 2018/699 reg. 8(3)(b)
- reg. 52(9)(10) inserted by S.I. 2018/699 reg. 8(3)(c)
- reg. 52(9)-(9B) substituted for reg. 52(9) by S.I. 2020/581 reg. 13(3)(a)
- reg. 52(10) words substituted by S.I. 2020/581 reg. 13(3)(b)
- reg. 54(1)(da) inserted by S.I. 2018/699 reg. 8(4)(a)(ii)
- reg. 54(1A) inserted by S.I. 2018/699 reg. 8(4)(b)
- reg. 54(6)(7) inserted by S.I. 2018/699 reg. 8(4)(c)
- reg. 54(6)-(6B) substituted for reg. 54(6) by S.I. 2020/581 reg. 13(4)(a)
- reg. 54(7) words substituted by S.I. 2020/581 reg. 13(4)(b)
- reg. 57(3)(za) inserted by S.I. 2023/1147 reg. 19(7)(a)
- reg. 57(5)(5A) substituted for reg. 57(5) by S.I. 2023/1147 reg. 19(7)(b)
- reg. 58(6A) inserted by S.I. 2023/1147 reg. 19(8)(a)
- reg. 60(1)(aa) inserted by S.I. 2023/1147 reg. 19(9)(a)
- reg. 60(6A)-(6E) inserted by S.I. 2023/1147 reg. 19(9)(b)
- reg. 63(1A) inserted by S.I. 2023/1147 reg. 19(10)(b)
- reg. 63A inserted by S.I. 2022/1382 reg. 86
- reg. 64(5)(b)(v) and word inserted by S.I. 2022/332 art. 9(2)(b)
- reg. 64(5)(b)(iv) inserted by S.I. 2021/1188 art. 9(3)(c)
- reg. 65(4)(b)(v) and word inserted by S.I. 2022/332 art. 9(3)(b)
- reg. 65(4)(b)(iv) inserted by S.I. 2021/1188 art. 9(4)(c)

- reg. 68(6A) inserted by S.I. 2023/1147 reg. 19(11)
- reg. 69A inserted by S.I. 2022/1382 reg. 88
- reg. 71(2A) inserted by S.I. 2022/1382 reg. 89(3)
- reg. 71(4A)(4B) inserted by S.I. 2022/1382 reg. 89(6)
- reg. 71(4A) words inserted by S.I. 2023/1147 reg. 19(12)(a)
- reg. 71(4C) inserted by S.I. 2023/1147 reg. 19(12)(b)
- reg. 71(8) inserted by S.I. 2022/1382 reg. 89(7)
- reg. 71A inserted by S.I. 2022/1382 reg. 90
- reg. 72A-72C inserted by S.I. 2023/1147 reg. 19(13)
- reg. 72B(5A) inserted by S.I. 2023/1406 reg. 13(5)(a)
- reg. 72B(6) words inserted by S.I. 2023/1406 reg. 13(5)(b)(i)
- reg. 72B(6)(d)(i) words inserted by S.I. 2023/1406 reg. 13(5)(b)(ii)
- reg. 72B(7)(c)(ii)(aa) word inserted by S.I. 2023/1406 reg. 13(5)(c)
- reg. 72B(8) words substituted by S.I. 2023/1406 reg. 13(5)(d)(i)
- reg. 72B(8)(a) words substituted by S.I. 2023/1406 reg. 13(5)(d)(ii)
- reg. 72B(8)(b) words substituted by S.I. 2023/1406 reg. 13(5)(d)(iii)
- reg. 72B(8)(c) words substituted by S.I. 2023/1406 reg. 13(5)(d)(iii)
- reg. 72B(8)(ca) inserted by S.I. 2024/43 reg. 25(2)
- reg. 73(9)-(13) inserted by S.I. 2023/1147 reg. 19(14)(b)
- reg. 73A inserted by S.I. 2023/1147 reg. 19(15)
- reg. 99(2A) inserted by S.I. 2023/1225 reg. 10(7)(c)
- reg. 99A-99D inserted by S.I. 2023/1225 reg. 10(8)
- reg. 102A-102E inserted by S.I. 2023/1225 reg. 10(10)
- reg. 110(6)-(9) inserted by S.I. 2023/1225 reg. 10(12)(c)
- reg. 110A inserted by S.I. 2023/1225 reg. 10(13)
- reg. 112(1)(f) inserted by S.I. 2023/1225 reg. 10(15)(a)
- reg. 112(2)(d) inserted by S.I. 2023/1225 reg. 10(15)(b)
- reg. 115(1)(a)(i) words in reg. 115(1)(a) renumbered as reg. 115(1)(a)(i) by S.I. 2023/1225 reg. 10(17)(b)(ii)(aa)
- reg. 115(1)(a)(ii)(iii) inserted by S.I. 2023/1225 reg. 10(17)(b)(ii)(bb)
- reg. 115(1)(c)(i) words in reg. 115(1)(c) renumbered as reg. 115(1)(c)(i) by S.I. 2023/1225 reg. 10(17)(b)(iii)(aa)
- reg. 115(1)(c)(ii) inserted by S.I. 2023/1225 reg. 10(17)(b)(iii)(bb)
- reg. 115A inserted by S.I. 2023/1225 reg. 10(18)
- reg. 117(ba) inserted by S.I. 2023/1141 reg. 8(2)
- reg. 119(1A) inserted by S.I. 2023/1147 reg. 19(16)(a)
- reg. 122A inserted by S.I. 2023/1225 reg. 10(19)
- reg. 123(4A)-(4F) inserted by S.I. 2023/1225 reg. 10(20)(a)
- reg. 123A inserted by S.I. 2023/1141 reg. 8(3)
- reg. 124A inserted by S.I. 2023/1116 reg. 14(5)
- reg. 144(2A) inserted by S.I. 2022/1382 reg. 91(b)