
STATUTORY INSTRUMENTS

2023 No. 1225

The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023

Citation, commencement, savings and extent

1.—(1) These Regulations may be cited as the Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023.

(2) These Regulations come into force on the 22nd day after the date on which they are made but have no effect in relation to—

- (a) any election in respect of which the date of the poll specified in the notice of election is on or before 1st May 2024;
 - (b) any referendum in respect of which the date of the poll specified in the notice of referendum is on or before 1st May 2024;
 - (c) any recall petition in respect of which the date for the beginning of any signing period specified in the notice of petition is on or before 1st May 2024.
- (3) This regulation and regulation 10 extend to the United Kingdom.
- (4) Regulations 2, 4, 5, 6, 7, 8, 9, 11 and 12 extend to England and Wales only.
- (5) Regulation 3 extends to Scotland only.

The Representation of the People (England and Wales) Regulations 2001

2.—(1) The Representation of the People (England and Wales) Regulations 2001⁽¹⁾ are amended as follows.

(2) In regulation 3 (interpretation), in paragraph (1), in the appropriate places insert—

““left behind postal voting document” is a postal voting document⁽²⁾ relating to a parliamentary election or a local government election in England that is left behind at a polling station or left for the returning officer without being handed in and for which no return of postal voting documents form has been completed;”;

““return of postal voting documents form” has the meaning given in regulation 79A;”.

(3) In regulation 61C (notification of rejected postal voting statement)—

- (a) in the heading after “statement” insert “or document”;
- (b) in paragraph (1)—
 - (i) after “87(4)” insert “, or on the list created under regulation 87(6) with an indication in accordance with regulation 87(6)(d) that a postal ballot paper was included in rejected postal voting documents,”;
 - (ii) in sub-paragraph (a)—

⁽¹⁾ [S.I. 2001/341](#); relevant amending instruments are [S.I. 2006/752](#), [2006/2910](#), [2013/3198](#), [2019/419](#).

⁽²⁾ See paragraph 12ZA(12) of Schedule 2 to the Representation of the People Act 1983 (c. 2) for the meaning of “postal voting document”.

- (aa) the words from “the returning officer” to the end become paragraph (i);
- (bb) after that paragraph (i) insert—
 - “(ii) the postal ballot paper was handed in at a polling station or for the returning officer, and the relevant officer⁽³⁾—
 - (aa) was not satisfied that the return of postal voting documents form had been completed properly and provided the required information,
 - (bb) suspected that the person handing it in had handed in postal ballot papers on behalf of more than the permitted number of electors, or
 - (cc) suspected that the person handing it in was a political campaigner who was committing an offence under section 112A of the 1983 Act⁽⁴⁾;
 - (iii) the postal ballot paper was a left behind postal voting document;”;
- (iii) in sub-paragraph (c)—
 - (aa) the words from “in regulation 87(5)” to the end become paragraph (i);
 - (bb) after that paragraph (i) insert—
 - “(ii) in regulation 87(7) applied to the absent voter’s postal ballot paper.”;
 - (c) in paragraph (2)(b), at the end insert “except where that offence is committed by a political campaigner under section 112A of the 1983 Act”.
- (4) In regulation 65 (combination of polls)—
 - (a) the existing text becomes paragraph (1);
 - (b) in that paragraph, after “each election may,” insert “subject to paragraph (2) and”;
 - (c) after that paragraph insert—
 - “(2) Paragraph (1) does not apply where the polls of a UK parliamentary election and a local government election in Wales are taken together.”.
- (5) In regulation 79 (alternative means of returning postal ballot paper or postal voting statement)
 - (a) after paragraph (2) insert—
 - “(2A) For elections other than local government elections in Wales, subject to paragraphs (2B) and (4) the presiding officer of the polling station must deliver, or cause to be delivered—
 - (a) any postal ballot paper or postal voting statement, and
 - (b) any return of postal voting documents form,
 returned to that station to the returning officer in the same manner and at the same time as the presiding officer delivers, or causes to be delivered, the packets referred to in rule 43(1) of the elections rules.
 - (2B) A postal ballot paper or postal voting statement may only be delivered to the returning officer in accordance with paragraph (2A) if the requirements of regulation 79A are met and the paper and statement are not rejected in accordance with regulation 79B or 79D.”;

⁽³⁾ See paragraph 12ZA(12) of Schedule 2 to the Representation of the People Act 1983 for the meaning of “the relevant officer”.

⁽⁴⁾ Section 112A was inserted by section 4(2) of the Elections Act 2022 (c. 37).

- (b) at the beginning of paragraph (3) insert “For local government elections in Wales,”;
- (c) in paragraph (4)—
 - (i) after “statement” insert “or return of postal voting documents form”,
 - (ii) after “paragraph” insert “(2A) or”;
- (d) after paragraph (4) insert—
 - “(4A) For elections other than local government elections in Wales, where the returning officer collects, or causes to be collected, any postal ballot paper or postal voting statement or return of postal voting documents form in accordance with paragraph (4) the presiding officer must first make up into separate packets sealed with the presiding officer’s own seal and the seals of such polling agents as are present and desire to affix their seals with a description of its contents written on each packet—
 - (a) the postal ballot papers and postal voting statements; and
 - (b) the return of postal voting documents forms for those postal ballot papers and postal voting statements.”;
- (e) at the beginning of paragraph (5) insert “For local government elections in Wales,”.
- (6) After regulation 79 insert—

“Requirements of return of postal voting documents form

- 79A.—**(1) The requirements of this regulation are—
- (a) the person handing in a postal voting document (“P”) completes a form containing the following information (a “return of postal voting documents form”)—
 - (i) P’s name and address,
 - (ii) whether P is handing in P’s own postal voting documents,
 - (iii) the number of other electors for whom P is handing in postal voting documents,
 - (iv) the total number of envelopes containing postal ballot papers P is handing in, including P’s own,
 - (v) the reason P is handing in postal voting documents for other electors,
 - (vi) a declaration by P that P has not handed in postal voting documents at any polling station or to the returning officer for a total of more than the number of electors other than P set out in regulation 79B(1)(c) or 82B(1)(c), including those being handed in at that time, and either—
 - (aa) that to the best of P’s knowledge, P is not a political campaigner for whom it is an offence to handle the postal voting documents concerned in accordance with section 112A of the 1983 Act, or
 - (bb) that P is a political campaigner and is only handing in postal voting documents for P and for P’s spouse, civil partner, parent, grandparent, brother, sister, child or grandchild, or someone for whom P provides regular care or for whom regular care is provided by an organisation which employs or engages P, and
 - (b) the relevant officer has endorsed the return of postal voting documents form returned by P to confirm the relevant officer’s name and that—
 - (i) the relevant officer is satisfied that the form has been completed properly and provides the information required by paragraph (a),

- (ii) the relevant officer does not suspect that the number of electors other than P for whom P is handing in postal voting documents exceeds the number of electors set out in regulation 79B(1)(c) or 82B(1)(c),
- (iii) the relevant officer does not suspect that P is a political campaigner who is committing an offence under section 112A of the 1983 Act, and
- (iv) the postal voting documents to which the form relates are not rejected.

(2) For the purposes of paragraph (1)(a)(vi)(bb), two people living together as if they were a married couple or civil partners are treated as if they were spouses or civil partners of each other.

Rejection of postal voting documents handed in at a polling station

79B.—(1) A relevant officer must reject—

- (a) all postal voting documents handed in by P where P fails to fully complete the return of postal voting documents form with the required information;
- (b) all postal voting documents handed in by P other than P’s own postal voting documents where the relevant officer has reasonable cause to suspect that the documents are handed in on behalf of more than five other electors;
- (c) a postal voting document handed in by P or all postal voting documents handed in together by P (other than P’s own postal voting documents) where the relevant officer has reasonable cause to suspect that, taking that document or those documents together with any postal voting documents handed in by P on any previous occasion in respect of the same election, or in respect of an election in England for which the day of poll is the same as the election to which the documents relate (whether to a polling station or to the returning officer and disregarding any that were rejected), P has handed in postal voting documents on behalf of more than five other electors.

(2) Where P hands in one or more proxy postal ballot papers completed by P as proxy for another elector, for “five” in paragraphs (1)(b) and (c), substitute the number that is five minus the number of proxy postal ballot papers P hands in.

(3) A relevant officer may reject a postal voting document handed in by P where the relevant officer knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under section 112A of the 1983 Act.

Procedure for dealing with rejected postal voting documents handed in at a polling station

79C.—(1) Where any postal voting document has been rejected in accordance with regulation 79B the relevant officer must indicate this, together with the reason or reasons for the rejection and the relevant officer’s name, on the return of postal voting documents form and attach the form to the postal voting documents concerned.

(2) The presiding officer must make up a packet (or packets) of the rejected postal voting documents and the accompanying return of postal voting documents forms, sealed with the presiding officer’s own seal and the seals of such polling agents as are present and desire to affix their seals with a description of its contents written on each packet.

(3) Where a return of postal voting documents form relates to postal voting documents which have not all been rejected, that form must be dealt with as if it related just to the rejected postal voting documents, and the postal voting documents which have been rejected must be noted on it.

(4) The presiding officer must deliver, or cause to be delivered, those packets in the same manner and at the same time as the presiding officer delivers, or causes to be delivered, the packets referred to in rule 43(1) of the elections rules.

Postal voting documents left behind at a polling station

79D.—(1) Where a person leaves a left behind postal voting document at a polling station, the relevant officer must reject that left behind postal voting document.

(2) The relevant officer must—

- (a) write on a return of postal voting documents form to confirm that the postal voting document is a left behind postal voting document,
- (b) write the relevant officer’s name on that form, and
- (c) attach that form to the left behind postal voting document.

(3) Left behind postal voting documents and the attached return of postal voting documents forms must be included in the packet of rejected postal voting documents and forms made up in accordance with regulation 79C(2).”.

(7) In regulation 82 (receipt of covering envelope)—

- (a) in paragraph (1) for “The” substitute “For local government elections in Wales, the”; and
- (b) insert after paragraph (1)—

“(1A) For elections other than local government elections in Wales, the relevant officer must, immediately on receipt by post of a covering envelope (or an envelope which is stated to include a postal vote) before the close of the poll, place it unopened in a postal voters’ ballot box.”.

(8) After regulation 82 insert—

“Postal voting documents handed in to the returning officer

82A.—(1) This regulation applies to any postal voting document returned by hand in accordance with—

- (a) in respect of a parliamentary election, regulation 79(2);
- (b) in respect of a local government election in England—
 - (i) rule 45(4)(a) of Schedule 2 or rule 45(7)(a) of Schedule 3 to the Local Elections (Principal Areas) (England and Wales) Rules 2006(5),
 - (ii) rule 45(4)(a) of Schedule 2 or rule 45(6)(a) of Schedule 3 to the Local Elections (Parishes and Communities) (England and Wales) Rules 2006(6), or
 - (iii) rule 49(3)(a) of Schedule 1, rule 50(3)(a) of Schedule 2, rule 49(3)(a) of Schedule 3, rule 49(6)(a) of Schedule 5, rule 50(6)(a) of Schedule 6 or rule 49(6)(a) of Schedule 7 to the Greater London Authority Elections Rules 2007(7).

(2) Subject to paragraphs (3) and (4), a person acting under the authority of the returning officer (“the authorised person”) must deliver to the returning officer—

- (a) any postal voting document to which this regulation applies and which is handed in before the close of poll, and
- (b) the return of postal voting documents form completed in respect of it.

(5) [S.I. 2006/3304](#), to which there are amendments not relevant to these Regulations.

(6) [S.I. 2006/3305](#), to which there are amendments not relevant to these Regulations.

(7) [S.I. 2007/3541](#), to which there are amendments not relevant to these Regulations.

(3) A postal voting document may only be delivered to the returning officer in accordance with paragraph (2) if the requirements of regulation 79A are met and the document is not rejected in accordance with regulation 82B or 82D.

(4) Before delivering them to the returning officer in accordance with paragraph (2), the authorised person must first make up into separate packets with a description of its contents written on each packet which is then sealed up—

- (a) the postal voting documents;
- (b) the return of postal voting documents forms for those postal voting documents.

Rejection of postal voting documents handed in to the returning officer

82B.—(1) The authorised person must reject—

- (a) all postal voting documents handed in by P in accordance with regulation 82A(1) where P fails to fully complete the return of postal voting documents form with the required information;
- (b) all postal voting documents handed in by P in accordance with regulation 82A(1) other than P's own postal voting documents where the authorised person has reasonable cause to suspect that the documents are handed in on behalf of more than five other electors;
- (c) a postal voting document handed in by P or all postal voting documents handed in together by P in accordance with regulation 82A(1) (other than P's own postal voting documents) where the authorised person has reasonable cause to suspect that, taking that document or those documents together with any postal voting documents handed in by P on any previous occasion in respect of the same election, or in respect of an election in England for which the day of poll is the same as the election to which the documents relate (whether to a polling station or to the returning officer and disregarding any that were rejected), P has handed in postal voting documents on behalf of more than five other electors.

(2) Where P hands in one or more proxy postal ballot papers completed by P as proxy for another elector, for “five” in paragraphs (1)(b) and (c), substitute the number that is five minus the number of proxy postal ballot papers P hands in.

(3) The authorised person may reject a postal voting document handed in by P in accordance with regulation 82A(1) where the authorised person knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under section 112A of the 1983 Act.

Procedure for dealing with rejected postal voting documents handed in to the returning officer

82C.—(1) Where any postal voting document has been rejected in accordance with regulation 82B the authorised person must indicate this, together with the reason or reasons for the rejection and the authorised person's name, on the return of postal voting documents form and attach the form to the postal voting documents concerned.

(2) The authorised person must make up a packet (or packets) of the rejected postal voting documents and the accompanying return of postal voting documents forms which must be sealed up with a description of its contents written on each packet.

(3) Where a return of postal voting documents form relates to postal voting documents which have not all been rejected, that form must be dealt with as if it related just to the rejected postal voting documents, and the postal voting documents which have been rejected must be noted on it.

(4) The authorised person must deliver those packets to the returning officer before the close of the poll.

Postal voting documents left behind with the returning officer

82D.—(1) This regulation applies to a postal voting document to which regulation 82A(1) applies which is a left behind postal voting document.

(2) The authorised person must—

- (a) reject the left behind postal voting document,
- (b) write on a return of postal voting documents form to confirm that the postal voting document is a left behind postal voting document,
- (c) write the authorised person’s name on that form, and
- (d) attach that form to the left behind postal voting document.

(3) Left behind postal voting documents and the attached return of postal voting documents forms must be included in the packet of rejected postal voting documents and forms made up in accordance with regulation 82C(2).

Opening of delivered or collected packets of postal voting documents

82E.—(1) Paragraph (2) applies to the packets of postal voting documents delivered to or collected by the returning officer in accordance with regulation 79(2A) or (4A) or 82A(1).

(2) Regulations 69(2), 80, 81(6), 83(1) and 84 apply to a packet to which this paragraph applies as if that packet were a postal voters’ ballot box.”

(9) In regulation 87 (lists of rejected postal ballot papers)—

- (a) in the heading at the end insert “or postal voting documents”;
- (b) for paragraph (1) substitute—

“(1) In respect of any election other than a local government election in Wales, the returning officer must keep the four separate lists relating to rejected postal ballot papers or postal voting documents specified in this regulation.

(1A) In respect of any local government election in Wales, the returning officer must keep the first, second and third lists specified in this regulation.”;

(c) after paragraph (5) insert—

“(6) In the fourth list, the returning officer must, subject to paragraph (9), record in relation to any elector whose postal voting documents were rejected in accordance with regulation 79B or 82B or were left behind postal voting documents—

- (a) the elector’s name and address (and the name and address of the proxy if the elector has a proxy),
- (b) the elector’s number on the register of electors (and that of the proxy if the elector has a proxy),
- (c) the specified reason or reasons for the rejection of the postal voting documents,
- (d) an indication as to whether the postal voting documents included a postal ballot paper the number of which matched the postal ballot paper number marked on the postal voting statement, and
- (e) any other information relating to the rejection that the returning officer considers appropriate, but not the postal ballot paper number.

(7) The specified reasons that may be given under sub-paragraph (6)(c) for the rejection of the postal voting documents are—

- (a) the postal voting documents were handed in at a polling station or to the returning officer but the return of postal voting documents form was not fully completed with the required information;
- (b) the postal voting documents were handed in at a polling station or to the returning officer but the number of postal voting documents handed in exceeded or was suspected to exceed the permitted number;
- (c) the postal voting documents were handed in by a political campaigner who was not permitted to hand in those postal voting documents;
- (d) the postal voting documents were left behind postal voting documents.

(8) In compiling the fourth list the returning officer must open separately each covering envelope (including an envelope described in regulation 82(2)) and each ballot paper envelope.

(9) The obligation in paragraph (6) does not apply where an elector's rejected postal voting documents do not include a postal voting statement.”.

(10) In regulation 89 (sealing of receptacles), in paragraph (1) after paragraph (f) insert—

“(g) the packets of rejected postal voting documents and accompanying return of postal voting documents forms made up in accordance with regulations 79C(2) and 82C(2),”.

(11) In regulation 91 (forwarding of documents)—

- (a) in paragraph (1)—
 - (i) in sub-paragraph (a) after “78A(2),” insert “79(4A)(b), 82A(4)(b),”;
 - (ii) in sub-paragraph (b) after “Form K” insert “in respect of a local government election in Wales, or Form K1 in respect of any other election,”;
- (b) in paragraph (3)(a) for “79(3)” substitute “79(2A) and (3)”;
- (c) in sub-paragraphs (3A)(a) and (b)—
 - (i) for “list” substitute “lists”;
 - (ii) after “87(4)” insert “and (6)”;
- (d) in paragraph (4)—
 - (i) for “list” in both places it occurs, substitute “lists”;
 - (ii) after “87(4)” insert “and (6)”.

(12) In regulation 118 (inspection of documents open to public inspection) for paragraph (1)(b) (iv) substitute—

“(iv) the lists required to be compiled under regulation 87(4) and (6), and any extracts produced from those lists;

(v) return of postal voting documents forms.”.

(13) In Schedule 3 (forms)—

- (a) in the arrangement of forms—
 - (i) in the entry for Form K, after “postal ballot papers” insert “(local government elections in Wales)”;
 - (ii) after that entry insert—

“Form K1: statement as to postal ballot papers (parliamentary elections and local government elections in England)”;

- (b) for form A1 (official postal poll card to be sent to an elector voting by post), form B1 (official proxy postal poll card to be sent to an appointed proxy voting by post), form G (postal voting statement for use at a parliamentary election taken alone), form H (postal voting statement for use when postal ballots are combined) and form J (postal voting statement for use when a parliamentary poll is combined with another poll but the postal ballots are not combined) substitute the corresponding forms set out in Schedule 1 to these Regulations;
- (c) after form K, insert new form K1 as set out in Schedule 1 to these Regulations.

The Representation of the People (Scotland) Regulations 2001

3.—(1) The Representation of the People (Scotland) Regulations 2001(8) are amended as follows.

(2) In regulation 3 (interpretation), in paragraph (1), in the appropriate places insert—

““left behind postal voting document” is a postal voting document relating to a parliamentary election that is left behind at a polling station or left for the returning officer without being handed in and for which no return of postal voting documents form has been completed;”;

““return of postal voting documents form” has the meaning given in regulation 79A;”.

(3) In regulation 61C (notification of rejected postal voting statement)—

(a) in the heading, for “statement” substitute “document”;

(b) in paragraph (1)—

(i) after “87(4)” insert “, or on the list created under regulation 87(6) with an indication in accordance with regulation 87(6)(d) that a postal ballot paper was included in rejected postal voting documents;”;

(ii) in sub-paragraph (a)—

(aa) the words from “the returning officer” to the end become paragraph (i);

(bb) after that paragraph (i) insert—

“(ii) the postal ballot paper was handed in at a polling station or for the returning officer, and the relevant officer—

(aa) was not satisfied that the return of postal voting documents form had been completed properly and provided the required information,

(bb) suspected that the person handing it in had handed in postal ballot papers on behalf of more than the permitted number of electors, or

(cc) suspected that the person handing it in was a political campaigner who was committing an offence under section 112A of the 1983 Act;

(iii) the postal ballot paper was a left behind postal voting document;”;

(iii) in sub-paragraph (c)—

(aa) the words from “in regulation 87(5)” to the end becomes paragraph (i);

(bb) after that paragraph (i) insert—

“(ii) in regulation 87(7) applied to the absent voter’s postal ballot paper.”;

- (c) in paragraph (2)(b), at the end insert “except where that offence is committed by a political campaigner under section 112A of the 1983 Act”.
- (4) In regulation 66 (form of postal voting statement), omit paragraph (b).
- (5) In regulation 79 (alternative means of returning postal ballot paper or postal voting statement)
 - (a) in paragraph (2)—
 - (i) for “paragraph (3)” substitute “paragraphs (2A) or (3)”;
 - (ii) after “that station” insert “and any return of postal voting documents form”
 - (b) after paragraph (2) insert—

“(2A) A postal ballot paper or postal voting statement may only be delivered to the returning officer in accordance with paragraph (2) if the requirements of regulation 79A are met and the paper and statement are not rejected in accordance with regulation 79B or 79D.”;
 - (c) in paragraph (3), after “statement” insert “or return of postal voting documents form”;
 - (d) in paragraph (4), for the words from “in accordance with” to the end substitute—

“or return of postal voting documents form in accordance with paragraph (3) the presiding officer must first make up into separate packets sealed with the presiding officer’s own seal and the seals of such polling agents as are present and desire to affix their seals with a description of its contents written on each packet—

 - (a) the postal ballot papers and postal voting statements;
 - (b) the return of postal voting documents forms for those postal ballot papers and postal voting statements.”.
- (6) After regulation 79 insert—

“Requirements of return of postal voting documents form

79A.—(1) The requirements of this regulation are—

- (a) the person handing in a postal voting document (“P”) completes a form containing the following information (a “return of postal voting documents form”)—
 - (i) P’s name and address,
 - (ii) whether P is handing in P’s own postal voting documents,
 - (iii) the number of other electors for whom P is handing in postal voting documents,
 - (iv) the total number of envelopes containing postal ballot papers P is handing in, including P’s own,
 - (v) the reason P is handing in postal voting documents for other electors,
 - (vi) a declaration by P that P has not handed in postal voting documents at any polling station or to the returning officer for a total of more than the number of electors other than P set out in regulation 79B(1)(c) or 82B(1)(c), including those being handed in at that time and either—
 - (aa) that to the best of P’s knowledge, P is not a political campaigner for whom it is an offence to handle the postal voting documents concerned in accordance with section 112A of the 1983 Act, or
 - (bb) that P is a political campaigner and is only handing in postal voting documents for P and for P’s spouse, civil partner, parent, grandparent, brother, sister, child or grandchild, or someone for whom P provides

regular care or for whom regular care is provided by an organisation which employs or engages P, and

- (b) the relevant officer has endorsed the return of postal voting documents form returned by P to confirm the relevant officer's name and that—
 - (i) the relevant officer is satisfied that the form has been completed properly and provides the information required by paragraph (a),
 - (ii) the relevant officer does not suspect that the number of electors other than P for whom P is handing in postal voting documents exceeds number of electors set out in regulation 79B(1)(c) or 82B(1)(c),
 - (iii) the relevant officer does not suspect that P is a political campaigner who is committing an offence under section 112A of the 1983 Act, and
 - (iv) the postal voting documents to which the form relates are not rejected.

(2) For the purposes of paragraph (1)(a)(vi)(bb), two people living together as if they were a married couple or civil partners are treated as if they were spouses or civil partners of each other.

Rejection of postal voting documents handed in at a polling station

79B.—(1) A relevant officer must reject—

- (a) all postal voting documents handed in by P where P fails to fully complete the return of postal voting documents form with the required information;
- (b) all postal voting documents handed in by P other than P's own postal voting documents where the relevant officer has reasonable cause to suspect that the documents are handed in on behalf of more than five other electors;
- (c) a postal voting document handed in by P or all postal voting documents handed in together by P (other than P's own postal voting documents) where the relevant officer has reasonable cause to suspect that, taking that document or those documents together with any postal voting documents handed in by P on any previous occasion in respect of the same election (whether to a polling station or to the returning officer and disregarding any that were rejected), P has handed in postal voting documents on behalf of more than five other electors.

(2) Where P hands in one or more proxy postal ballot papers completed by P as proxy for another elector, for "five" in paragraphs (1)(b) and (c), substitute the number that is five minus the number of proxy postal ballot papers P hands in.

(3) A relevant officer may reject a postal voting document handed in by P where the relevant officer knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under section 112A of the 1983 Act.

Procedure for dealing with rejected postal voting documents handed in at a polling station

79C.—(1) Where any postal voting document has been rejected in accordance with regulation 79B the relevant officer must indicate this, together with the reason or reasons for the rejection and the relevant officer's name, on the return of postal voting documents form and attach the form to the postal voting documents concerned.

(2) The presiding officer must make up a packet (or packets) of the rejected postal voting documents and the accompanying return of postal voting documents forms, sealed with the presiding officer's own seal and the seals of such polling agents as are present and desire to affix their seals with a description of its contents written on each packet.

(3) Where a return of postal voting documents form relates to postal voting documents which have not all been rejected, that form must be dealt with as if it related just to the rejected postal voting documents, and the postal voting documents which have been rejected must be noted on it.

(4) The presiding officer must deliver, or cause to be delivered, those packets in the same manner and at the same time as the presiding officer delivers, or causes to be delivered, the packets referred to in rule 43(1) of the elections rules.

Postal voting documents left behind at a polling station

79D.—(1) Where a person leaves a left behind postal voting document at a polling station, the relevant officer must reject that left behind postal voting document.

(2) The relevant officer must—

- (a) write on a return of postal voting documents form to confirm that the postal voting document is a left behind postal voting document,
- (b) write the relevant officer’s name on that form, and
- (c) attach that form to the left behind postal voting document.

(3) Left behind postal voting documents and the attached return of postal voting documents forms must be included in the packet of rejected postal voting documents and forms made up in accordance with regulation 79C(2).”.

(7) In regulation 82 (receipt of covering envelope), in paragraph (1) for “(whether by hand or by post)” substitute “by post”.

(8) After regulation 82 insert—

“Postal voting documents handed in to the returning officer

82A.—(1) Subject to paragraphs (2) and (3), a person acting under the authority of the returning officer (“the authorised person”) must deliver to the returning officer—

- (a) any postal voting document handed in under regulation 79(1)(b) before the close of the poll, and
- (b) the return of postal voting documents form completed in respect of it.

(2) A postal voting document may only be delivered to the returning officer in accordance with paragraph (1) if the requirements of regulation 79A are met and the document is not rejected in accordance with regulation 82B or 82D.

(3) Before delivering them to the returning officer in accordance with paragraph (1), the authorised person must first make up into separate packets with a description of its contents written on each packet which is then sealed up—

- (a) the postal voting documents;
- (b) the return of postal voting documents forms for those postal voting documents.

Rejection of postal voting documents handed in to the returning officer

82B.—(1) The authorised person must reject—

- (a) all postal voting documents handed in by P in accordance with regulation 79(1)(b) where P fails to fully complete the return of postal voting documents form with the required information;
- (b) all postal voting documents handed in by P in accordance with regulation 79(1)(b) other than P’s own postal voting documents where the authorised person has

reasonable cause to suspect that the documents are handed in on behalf of more than five other electors;

- (c) a postal voting document handed in by P or all postal voting documents handed in together by P in accordance with regulation 79(1)(b) (other than P's own postal voting documents) where the authorised person has reasonable cause to suspect that, taking that document or those documents together with any postal voting documents handed in by P on any previous occasion in respect of the same election (whether to a polling station or to the returning officer and disregarding any that were rejected), P has handed in postal voting documents on behalf of more than five other electors.

(2) Where P hands in one or more proxy postal ballot papers completed by P as proxy for another elector, for "five" in paragraphs (1)(b) and (c), substitute the number that is five minus the number of proxy postal ballot papers P hands in.

(3) The authorised person may reject a postal voting document handed in by P where the authorised person knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under section 112A of the 1983 Act.

Procedure for dealing with rejected postal voting documents handed in to the returning officer

82C.—(1) Where any postal voting document has been rejected in accordance with regulation 82B the authorised person must indicate this, together with the reason or reasons for the rejection and the authorised person's name, on the return of postal voting documents form and attach the form to the postal voting documents concerned.

(2) The authorised person must make up a packet (or packets) of the rejected postal voting documents and the accompanying return of postal voting documents forms which must be sealed up with a description of its contents written on each packet.

(3) Where a return of postal voting documents form relates to postal voting documents which have not all been rejected, that form must be dealt with as if it related just to rejected postal voting documents, and the postal voting documents which have been rejected must be noted on it.

(4) The authorised person must deliver those packets to the returning officer before the close of the poll.

Postal voting documents left behind with the returning officer

82D.—(1) Where a person leaves a left behind postal voting document for the returning officer in accordance with regulation 79(1)(b), the authorised person must reject that left behind postal voting document.

(2) The authorised person must—

- (a) write on a return of postal voting documents form to confirm that the postal voting document is a left behind postal voting document,
- (b) write the authorised person's name on that form, and
- (c) attach that form to the left behind postal voting document.

(3) Left behind postal voting documents and the attached return of postal voting documents forms must be included in the packet of rejected postal voting documents and forms made up in accordance with regulation 82C(2).

Opening of delivered or collected packets of postal voting documents

82E.—(1) Paragraph (2) applies to the packets of postal voting documents delivered to or collected by the returning officer in accordance with regulation 79(2) or (4) or 82A(1).

(2) Regulations 69(2), 80, 81(6), 83(1) and 84 apply to a packet to which this paragraph applies as if that packet were a postal voters' ballot box."

(9) In regulation 87 (lists of rejected postal ballot papers)—

- (a) in the heading, for "ballot papers" substitute "voting documents";
- (b) in paragraph (1), for "three" substitute "four";
- (c) after paragraph (5) insert—

"(6) In the fourth list, the relevant officer must, subject to paragraph (9), record in relation to any elector whose postal voting documents were rejected in accordance with regulation 79B or 82B or were left behind postal voting documents—

- (a) the elector's name and address (and the name and address of the proxy if the elector has a proxy),
- (b) the elector's number on the register of electors (and that of the proxy if the elector has a proxy),
- (c) the specified reason or reasons for the rejection of the postal voting documents,
- (d) an indication as to whether the postal voting documents included a postal ballot paper the number of which matched the postal ballot paper number marked on the postal voting statement, and
- (e) any other information relating to the rejection that the returning officer considers appropriate, but not the postal ballot paper number.

(7) The specified reasons that may be given under sub-paragraph (6)(c) for the rejection of the postal voting documents are—

- (a) the postal voting documents were handed in at a polling station or to the returning officer but the return of postal voting documents form was not fully completed with the required information;
- (b) the postal voting documents were handed in at a polling station or to the returning officer but the number of postal voting documents handed in exceeded or was suspected to exceed the permitted number;
- (c) the postal voting documents were handed in by a political campaigner who was not permitted to hand in those postal voting documents;
- (d) the postal voting documents were left behind postal voting documents.

(8) In compiling the fourth list the returning officer must open separately each covering envelope (including an envelope described in regulation 82(2)) and each ballot paper envelope.

(9) The obligation in paragraph (6) does not apply where an elector's rejected postal voting documents do not include a postal voting statement."

(10) In regulation 89 (sealing of receptacles), in paragraph (1) after paragraph (f) insert—

- "(g) the packets of rejected postal voting documents and accompanying return of postal voting documents forms made up in accordance with regulations 79C(2) and 82C(2),"

(11) In regulation 91 (retention of documents)—

- (a) in paragraph (1)—
 - (i) in sub-paragraph (a) after "78A(2)," insert "79(3)(b), 82A(3)(b),";

- (ii) in sub-paragraph (c) after “87(4)” insert “and (6)”; and
- (b) for paragraph (4) substitute—
 - “(4) Rules 56, 57 and 58 of the elections rules will apply to any packet or document retained under this regulation save that in applying rules 56 and 57 to the lists provided for by regulation 87(4) and (6), these lists and any extracts from them are to be treated as if they were counted ballot papers.”.
- (12) In regulation 91A (forwarding of documents)—
 - (a) in paragraph (1) for sub-paragraphs (a) and (b) substitute—
 - “(a) where any lists compiled under regulation 87(4) or (6) relate to a constituency contained within a single local government area, send copies of those lists to the registration officer for that local government area;
 - (b) where any lists compiled under regulations 87(4) or (6) relates to a constituency which comprises any part of more than one local government area, send copies of such extracts of the lists as are relevant to each of the registration officers for those local government areas.”;
 - (b) in paragraph (3)—
 - (i) for “copy of the list, or extracts of the list” in both places it occurs substitute “copies of the lists, or extracts of the lists”;
 - (ii) in sub-paragraph (b) for “a list, or extracts of a list” substitute “lists, or extracts of lists”;
 - (c) in paragraphs (4) and (5) for “the copy of the list, or extracts of the list” in each place it occurs substitute “copies of the lists, or extracts of the lists”.
- (13) In regulation 118 (inspection of documents open to public inspection) for paragraph (1)(b) (iv) substitute—
 - “(iv) the lists required to be compiled under regulation 87(4) and (6), and any extracts produced from those lists;
 - (v) return of postal voting documents forms.”.
- (14) In Schedule 3 (forms)—
 - (a) in the arrangement of forms, omit the entry for Form H;
 - (b) for form A1 (official postal poll card to be sent to an elector voting by post), form B1 (official proxy postal poll card to be sent to an appointed proxy voting by post) and form G (postal voting statement for use at a parliamentary election taken alone) substitute the corresponding forms in Schedule 2 to these Regulations;
 - (c) omit form H (postal voting statement for use when postal ballots are combined);
 - (d) for form J (postal voting statement for use when a parliamentary poll is combined with another poll but the postal ballots are not combined) and form K (statement as to postal ballot papers) substitute the corresponding forms in Schedule 2 to these Regulations.

The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004

4. In Schedule 2 to the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 (modifications to parliamentary elections rules)⁽⁹⁾, in paragraph 9, in the text of the substituted rule 29(5), for the voting instructions for election of the mayor of London (which begins “#On the ballot paper”) substitute—

(9) [S.I. 2004/294](#), amended by [S.I. 2014/920](#); there are other amending instruments but none is relevant.

“#Vote for ONLY ONE candidate by putting a cross [X] in the box next to your choice.”.

The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007

5.—(1) The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007(**10**) are amended as follows.

(2) In Schedule 1 (mayoral election rules)—

(a) in rule 32 (admission to polling stations), in paragraph (1) after sub-paragraph (b) insert—

“(ba) in England, persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 47(5)(b);”;

(b) in rule 47 (the first count), in paragraph (4)—

(i) omit the “and” at the end of sub-paragraph (c);

(ii) after sub-paragraph (d) insert—

“and

(e) in England, the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001(**11**).”;

(c) in the Appendix of forms—

(i) in the list of forms—

(aa) in the entry for form 9 (official postal poll card), at the end insert “(for use at mayoral elections in Wales)”;

(bb) after that entry insert—

“Form 9A: Official postal poll card (for use at mayoral elections in England)”;

(cc) in the entry for form 11 (official proxy postal poll card), at the end insert “(for use at mayoral elections in Wales)”;

(dd) after that entry insert—

“Form 11ZA: Official proxy postal poll card (for use at mayoral elections in England)”;

(ii) for form 7A (postal voting statement – mayoral elections in England) substitute the corresponding form as set out in Part 1 of Schedule 3 to these Regulations;

(iii) after form 9 insert new form 9A as set out in Part 1 of Schedule 3 to these Regulations;

(iv) after form 11 insert new form 11ZA as set out in Part 1 of Schedule 3 to these Regulations.

(3) In Schedule 2 (modifications of Acts and statutory instruments), in Table 4 (Representation of the People (England and Wales) Regulations 2001)—

(a) in the entry for regulation 65 (combination of polls), in the second column, for “After paragraph (b)” substitute “In paragraph (1), after sub-paragraph (b)”;

(b) after that entry insert—

(10) *S.I. 2007/1024*; relevant amending instruments are *S.I. 2014/370*, *2022/1352*.

(11) Regulations 79B, 79D, 82B and 82D are inserted by regulation 2 of these Regulations.

“Regulation 82A (postal voting documents handed in to the returning officer) In paragraph (1), in sub-paragraph (b), after paragraph (i) insert—

“(ia) rule 47(5)(a) of the Mayoral Elections rules.””.

(4) In Schedule 3 (mayoral election (combination of polls) rules)—

(a) in rule 32 (admission to polling station), in paragraph (1) after sub-paragraph (b) insert—

“(ba) in England, persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 47(8)(b);”;

(b) in rule 47 (the first count), in paragraph (7)—

(i) omit the “and” at the end of sub-paragraph (c);

(ii) after sub-paragraph (d) insert—

“and

(e) in England, the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.”;

(c) in the Appendix of forms—

(i) in the list of forms—

(aa) in the entry for form 9 (official postal poll card), at the end insert “(for use at mayoral elections in Wales)”;

(bb) after that entry insert—

“Form 9A: Official postal poll card (for use at mayoral elections in England)”;

(cc) in the entry for form 11 (official proxy postal poll card), at the end insert “(for use at mayoral elections in Wales)”;

(dd) after that entry insert—

“Form 11ZA: Official proxy postal poll card (for use at mayoral elections in England)”;

(ii) for form 7A(1) and 7A(2) (postal voting statements – mayoral elections in England) substitute the corresponding forms as set out in Part 2 of Schedule 3 to these Regulations;

(iii) after form 9 insert new form 9A as set out in Part 2 of Schedule 3 to these Regulations;

(iv) after form 11 insert new form 11ZA as set out in Part 2 of Schedule 3 to these Regulations.

The Local Authorities (Conduct of Referendums) (England) Regulations 2012

6.—(1) The Local Authorities (Conduct of Referendums) (England) Regulations 2012(12) are amended as follows.

(2) In Schedule 3 (the Local Government Act referendums rules)—

(a) in rule 21 (admission to polling station), in paragraph (1) after sub-paragraph (b) insert—

(12) [S.I. 2012/323](#), amended by [S.I. 2014/924](#); there are other amending instruments but none is relevant.

- “(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 36(4)(b).”;
- (b) in rule 36 (the count), in paragraph (3)—
- (i) omit the “and” at the end of sub-paragraph (c);
- (ii) after sub-paragraph (d) insert—
- “and
- (e) the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.”;
- (c) in Part 8 (appendix of forms), for the form of postal voting statement, the form of the official postal poll card (to be sent to a voter voting by post) and the form of the official proxy postal poll card (to be sent to an appointed proxy voting by post) substitute the corresponding forms set out in Part 1 of Schedule 4 to these Regulations.
- (3) In Schedule 4 (application, with modifications, of Acts and subordinate legislation)—
- (a) in Table 1 (Representation of the People Act 1983)—
- (i) in the entry for section 66 (requirement of secrecy)(**13**), in the second column after the modification already listed insert—
- “In subsection (6A), in the definition of “relevant election” (in which all references to “election” are modified to be construed as references to “referendum” by paragraph 1(2)(a) of this Schedule)—
- (a) omit paragraph (a), and
- (b) in paragraph (b) omit “under the local government Act”.”;
- (ii) after the entry for section 112 insert the following entry—

“Section 112A (handling of postal voting documents by political campaigners) In subsection (7)—

(a) omit paragraphs (a) to (d),

(b) in paragraph (g) for “any of paragraphs (a) to (f)” substitute “paragraph (e) or (f)”, and

(c) after paragraph (h) insert—

“(i) a person involved in the conduct or management of a campaign conducted with a view to promoting or procuring a particular outcome in relation to the question to be asked in the relevant referendum.”.

In subsection (8), in the definition of “relevant election” (in which all references

(13) Section 66 was amended by paragraph 3 of Schedule 3 to the Representation of the People Act 1985 (c. 50), by paragraph 11 of Schedule 3 to the Greater London Authority Act 1999 (c. 29), by paragraphs 82, 86 and 96 of Schedule 1 to the Electoral Administration Act 2006 (c. 22), by section 34(1)(b) of, and paragraph 2 of Schedule 2 to, the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), by section 7(1) to (5) of the Elections Act 2022 (c. 37) and by S.S.I. 2012/31.

to “election” are modified to be construed as references to “referendum” by paragraph 1(2)(a) of this Schedule)—

(a) omit paragraph (a), and

(b) in paragraph (b) for “local government election” substitute “referendum”.”;

(b) in Table 6 (the Representation of the People (England and Wales) Regulations 2001)(14)—

(i) in the entry which begins “regulation 4(1)(b)”, for “K” substitute “K1”;

(ii) in the entry for regulation 61C after “statement” insert “or document”;

(iii) for the entry for regulation 79(3) to (5) substitute—

“Regulation 79(2A), (2B), (4) and (4A) In paragraph (4A) for “polling agents” (alternative means of returning postal ballot paper or postal voting statement) substitute “polling observers (if any)”.

Regulation 79A (requirements of return of postal voting documents form)

Regulation 79B (rejection of postal voting documents handed in at a polling station)

Regulation 79C (procedure for dealing with rejected postal voting documents handed in at a polling station) In paragraph (2) for “polling agents” substitute “polling observers (if any)”.

Regulation 79D (postal voting documents left behind at a polling station)”;

(iv) after the entry for regulation 82 insert—

“Regulation 82A (postal voting documents handed in to the returning officer) In paragraph (1), for the words from “in accordance with” to the end substitute “in accordance with rule 36(4)(a) of the Local Government Act Referendums Rules or rule 38(6)(a) of the Local Government Act Referendums (Combination of Polls) Rules”.

Regulation 82B (rejection of postal voting documents handed in to the returning officer)

Regulation 82C (procedure for dealing with rejected postal voting documents handed in to the returning officer)

Regulation 82D (postal voting documents left behind with the returning officer)

Regulation 82E (opening of delivered or collected packets of postal voting documents)”;

- (v) in the entry for regulation 87, in the first column after “ballot papers” insert “or postal voting documents”;
- (vi) in the entry for Schedule 3, Form K, for “Form K” substitute “Form K1”.
- (4) In Schedule 5 (the Local Government Act referendums (combination of polls) rules)—
 - (a) in rule 17 (equipment of polling stations), in paragraph (10), for the voting instructions for election of the mayor of London (which begins “#On the ballot paper”) substitute—
 - “#Vote for ONLY ONE candidate by putting a cross [X] in the box next to your choice.”;
 - (b) in rule 23 (admission to polling station), in paragraph (1) after sub-paragraph (b) insert—
 - “(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 38(6)(b).”;
 - (c) in rule 38 (the count), in paragraph (5)—
 - (i) omit the “and” at the end of sub-paragraph (c);
 - (ii) after sub-paragraph (d) insert—
 - “and
 - (e) the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.”;
 - (d) in Part 8 (appendix of forms), for the form of postal voting statement (for use where there is joint issue and receipt of postal ballot papers), the form of postal voting statement (for use when a referendum poll is combined with another poll but the postal ballot papers are not combined), the form of the official postal poll card (to be sent to a voter voting by post) and the form of the official proxy postal poll card (to be sent to an appointed proxy voting by post) substitute the corresponding forms set out in Part 2 of Schedule 4 to these Regulations.

The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012

7.—(1) The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012(15) are amended as follows.

- (2) In Schedule 3 (the Local Government Finance Act referendums rules)—
 - (a) in rule 21 (admission to polling station), in paragraph (1) after sub-paragraph (b) insert—
 - “(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 36(4)(b).”;
 - (b) in rule 36 (the count), in paragraph (3)—
 - (i) omit the “and” at the end of sub-paragraph (c);
 - (ii) after sub-paragraph (d) insert—
 - “and
 - (e) the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.”;
 - (c) in Part 8 (appendix of forms), for the form of postal voting statement, the form of the official postal poll card (to be sent to a voter voting by post) and the form of the official

(15) S.I. 2012/444; relevant amending instruments are S.I. 2013/409, 2014/925.

proxy postal poll card (to be sent to an appointed proxy voting by post) substitute the corresponding forms set out in Part 1 of Schedule 5 to these Regulations.

- (3) In Schedule 4 (application, with modifications, of Acts and subordinate legislation)—
- (a) in Table 1 (Representation of the People Act 1983)—
- (i) in the entry for section 66 (requirement of secrecy), in the second column after the modification already listed insert—
- “In subsection (6A), in the definition of “relevant election” (in which all references to “election” are modified to be construed as references to “referendum” by paragraph 1(3)(a) of this Schedule)—
- (a) omit paragraph (a), and
- (b) in paragraph (b) omit “under the local government Act”.”;
- (ii) after the entry for section 112 insert the following entry—

“Section 112A (handling of postal voting documents by political campaigners) In subsection (7)—

(a) omit paragraphs (a) to (d),

(b) in paragraph (g) for “any of paragraphs (a) to (f)” substitute “paragraph (e) or (f)”, and

(c) after paragraph (h) insert—

“(i) a person involved in the conduct or management of a campaign conducted with a view to promoting or procuring a particular outcome in relation to the question to be asked in the relevant referendum.”.

In subsection (8), in the definition of “relevant election” (in which all references to “election” are modified to be construed as references to “referendum” by paragraph 1(3)(a) of this Schedule)—

(a) omit paragraph (a), and

(b) in paragraph (b) for “local government election” substitute “referendum”.”;

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- (b) in Table 6 (the Representation of the People (England and Wales) Regulations 2001)—
- (i) in the entry which begins regulation 4(1)(b), for “K” substitute “K1”;
- (ii) in the entry for regulation 61C after “statement” insert “or document”;
- (iii) for the entry for regulation 79(3) to (5) substitute—

“Regulation 79(2A), (2B), (4) and (4A) In paragraph (4A) for “polling agents” (alternative means of returning postal ballot paper or postal voting statement) substitute “polling observers (if any)”.

Regulation 79A (requirements of return of postal voting documents form)

Regulation 79B (rejection of postal voting documents handed in at a polling station)

Regulation 79C (procedure for dealing with rejected postal voting documents handed in at a polling station) In paragraph (2) for “polling agents” substitute “polling observers (if any)”

Regulation 79D (postal voting documents left behind at a polling station”);

(iv) after the entry for regulation 82 insert—

<p>“Regulation 82A (postal voting documents handed in to the returning officer)</p>	<p>In paragraph (1), for the words from “in accordance with” to the end substitute “in accordance with rule 36(4)(a) of the Local Government Finance Act Referendums Rules or rule 38(8)(a) of the Local Government Finance Act (Combination of Polls) Rules”.</p>
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Regulation 82B (rejection of postal voting documents handed in to the returning officer)

Regulation 82C (procedure for dealing with rejected postal voting documents handed in to the returning officer)

Regulation 82D (postal voting documents left behind with the returning officer)

Regulation 82E (opening of delivered or collected packets of postal voting documents”);

(v) in the entry for regulation 87, in the first column after “ballot papers” insert “or postal voting documents”;

(vi) in the entry for Schedule 3, Form K, for “Form K” substitute “Form K1”.

(4) In Schedule 5 (the Local Government Finance Act referendums (combination of polls) rules)

(a) in rule 17 (equipment of polling stations), in paragraph (10), for the voting instructions for election of the mayor of London (which begins “#On the ballot paper”) substitute—

“#Vote for ONLY ONE candidate by putting a cross [X] in the box next to your choice.”;

(b) in rule 23 (admission to polling station), in paragraph (1) after sub-paragraph (b) insert—

“(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 38(8)(b);”;

(c) in rule 38 (the count), in paragraph (7)—

(i) omit the “and” at the end of sub-paragraph (c);

(ii) after sub-paragraph (d) insert—

“and

- (e) the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.”;
- (d) in Part 8 (appendix of forms), for the form of postal voting statement (for use where there is joint issue and receipt of postal ballot papers), the form of postal voting statement (for use when a referendum poll is combined with another poll but the postal ballot papers are not combined), the form of the official postal poll card (to be sent to a voter voting by post) and the form of the official proxy postal poll card (to be sent to an appointed proxy voting by post) substitute the corresponding forms set out in Part 2 of Schedule 5 to these Regulations.

The Police and Crime Commissioner Elections Order 2012

- 8.—(1) The Police and Crime Commissioner Elections Order 2012(16) is amended as follows.
- (2) In article 2 (interpretation), in paragraph (1), in the appropriate places insert—
- ““left behind postal voting document” is a postal voting document that is left behind at a polling station or left for the returning officer without being handed in and for which no return of postal voting documents form has been completed.”;
 - ““postal voting document” means a postal ballot paper, postal voting statement or other document that has been issued to a person for the purpose of enabling the person to vote by post at a PCC election.”;
 - ““relevant officer” means—
- (a) where a postal voting document is handed in at a polling station—
 - (i) the person presiding at the polling station, or
 - (ii) a clerk at the polling station;
 - (b) where a postal voting document is handed in to the local returning officer, a person acting under the authority of that officer.”;
- ““return of postal voting documents form” has the meaning given in paragraph 43A of Schedule 2.”.
- (3) In article 22 (requirement of secrecy) after paragraph (5) insert—
- “(5A) No person may—
- (a) except for some purpose authorised by law, obtain or attempt to obtain information, or communicate at any time to any other person any information, as to the number or other unique identifying mark on the back of a ballot paper sent to a person for voting by post at a PCC election;
 - (b) except for some purpose authorised by law, obtain or attempt to obtain information, or communicate at any time to any other person any information, as to the official mark on a ballot paper sent to a person for voting by post at a PCC election;
 - (c) obtain or attempt to obtain information, in the circumstances mentioned in paragraph (5B), as to the candidate for whom a person voting by post at a PCC election (“V”) is about to vote or has voted;
 - (d) communicate at any time to any other person information obtained in contravention of sub-paragraph (c).

(5B) The circumstances referred to in paragraph (5A)(c) are where V is about to mark, is in the process of marking, or has just marked, a ballot paper sent to V for voting by post at the election.

(5C) But—

- (a) a person (“E”) who is voting by proxy does not contravene paragraph (5A) by obtaining or attempting to obtain from the person appointed as E’s proxy information as to a matter mentioned in sub-paragraph (a) or (c) of that paragraph that relates to E’s vote, and
- (b) a person who is appointed as proxy for an elector does not contravene paragraph (5A) by communicating to that elector information as to a matter mentioned in sub-paragraph (a) or (c) of that paragraph that relates to that elector’s vote.

(5D) Paragraphs (5A)(c) and (d) do not apply where the purpose (or main purpose) for which the information is sought or communicated is its use for the purposes of—

- (a) a published statement relating to the way in which voters intend to vote or have voted at the PCC election, or
- (b) a published forecast as to the result of that election which is based on information given by voters.

(5E) In paragraph (5D)—

- (a) “forecast” includes estimate;
- (b) “published” means made available to the public at large or to any section of the public, in whatever form and by whatever means;
- (c) the reference to the result of the PCC election is a reference to the result of the election either as a whole or so far as any particular candidate or candidates at the election is or are concerned.

(5F) A person voting as proxy for an elector at a PCC election—

- (a) must not communicate at any time to any person other than that elector any information as to the candidate for whom the person is about to vote, or has voted, as proxy for that elector;
- (b) except for some purpose authorised by law, must not communicate at any time to any person other than that elector the number or other unique identifying mark on the back of a ballot paper sent or delivered to the person for voting as proxy for that elector.”.

(4) In article 75 (persons reported personally guilty of corrupt and illegal practices), in paragraph (2)(b)(i)—

- (a) for “or 62B” substitute “, 62B or 112A”;
- (b) for “paragraph 10” substitute “paragraph 9A or 10”.

(5) In article 77 (incapacities on conviction of corrupt or illegal practice), in paragraph (2)(a)(i)—

- (a) for “or 62B” substitute “, 62B or 112A”;
- (b) for “paragraph 10” substitute “paragraph 9A or 10”.

(6) In Schedule 2 (absent voting at PCC elections)—

- (a) after paragraph 9 (offences as to declarations or forms used for purposes of postal and proxy vote applications) insert—

“Offence of handling postal voting documents by political campaigners

9A.—(1) A person who is a political campaigner in respect of a PCC election commits an offence if the person handles a postal voting document that has been issued to another person for use in that election.

(2) But a person who handles a postal voting document for use in a PCC election does not commit the offence if—

- (a) the person is responsible for, or assists with, the conduct of that election (for example as a police area returning officer or a local returning officer or a person working under the direction of such an officer),
- (b) the person is engaged in the business of a postal operator, or
- (c) the person is employed or engaged in a role the duties of which include the handling of postal packets on behalf of members of an organisation or the occupants of a communal building,

and the handling is consistent with the person’s duties in that capacity.

(3) Nor does a person commit the offence if the person—

- (a) is the other person’s spouse, civil partner, parent, grandparent, brother, sister, child or grandchild, or
- (b) provides regular care for, or is employed or engaged by an organisation which provides care for, the other person.

(4) It is a defence for a person charged with the offence to show that the person did not dishonestly handle the postal voting document for the purpose of promoting a particular outcome at a PCC election.

(5) Where sufficient evidence is adduced to raise an issue with respect to the defence under sub-paragraph (4), the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

(6) A person is guilty of a corrupt practice if the person—

- (a) commits the offence under sub-paragraph (1), or
- (b) aids, abets, counsels or procures the commission of that offence.

(7) For the purposes of this paragraph a person is a political campaigner in respect of a PCC election if any of the following applies—

- (a) the person is a candidate at the election;
- (b) the person is an election agent of a candidate at the election;
- (c) the person is a sub-agent of a person within paragraph (b);
- (d) the person is employed or engaged by a person who is a candidate at the election for the purposes of that person’s activities as a candidate;
- (e) the person is a member of a registered political party and carries on an activity designed to promote a particular outcome at the election;
- (f) the person is employed or engaged by a registered political party in connection with the party’s political activities;
- (g) the person is employed or engaged by a person within any of paragraphs (a) to (f) to carry on an activity designed to promote a particular outcome at the election;
- (h) the person is employed or engaged by a person within paragraph (g) to carry on an activity designed to promote a particular outcome at the election.

(8) In this paragraph—

“postal operator” has the same meaning as in Part 3 of the Postal Services Act 2011(17);

“postal voting document” has the meaning given in article 2(1) but also includes an envelope that has been issued to a person for the purpose of enabling the person to vote by post at a PCC election.

(9) For the purposes of this paragraph, an envelope—

(a) that is not a postal voting document within the meaning of sub-paragraph (8), but

(b) that contains a postal ballot paper or postal voting statement that has been issued to a person for the purpose of enabling the person to vote by post at a PCC election,

is to be treated as if it were a postal voting document that has been issued to the person for use in the election.

(10) In this paragraph, any reference to a person who is “engaged” by another person, or to a person who provides care for another person, includes a reference to a person who is engaged or provides care otherwise than for payment or promise of payment.

(11) For the purposes of sub-paragraph (3)(a), two people living together as if they were a married couple or civil partners are treated as if they were spouses or civil partners of each other.”;

(b) in paragraph 29 (combination of polls)—

(i) in sub-paragraph (1), after “local referendum may,” insert “subject to sub-paragraph (1A) and”;

(ii) after sub-paragraph (1) insert—

“(1A) Sub-paragraph (1) does not apply where the polls of a PCC election and any of the following are taken together—

(a) a local government election in Wales;

(b) an election described in section 15(1)(d)(v) of the Representation of the People Act 1985;

(c) a referendum in Wales described in section 15(3)(a)(v) or (vi) of the Representation of the People Act 1985.”;

(iii) omit sub-paragraph (3);

(c) in paragraph 34 (notification of requirement of secrecy), for “sub-paragraphs (5) and (7)” substitute “paragraphs (6) and (8)”;

(d) in paragraph 43 (alternative means of returning postal ballot paper or postal voting statement)—

(i) in sub-paragraph (3)—

(aa) for “sub-paragraph (4)” substitute “sub-paragraphs (3A) and (4)”;

(bb) after “that station” insert “and any return of postal voting documents form”;

(ii) after sub-paragraph (3) insert—

“(3A) A postal ballot paper or postal voting statement may only be delivered to the local returning officer in accordance with sub-paragraph (3) if the requirements of paragraph 43A are met and the paper and statement are not rejected in accordance with paragraph 43B or 43D.”;

(17) 2011 c. 5. See section 27(3) to (5).

(iii) in sub-paragraph (4), after “statement” insert “and any return of postal voting documents form”;

(iv) for sub-paragraph (5) substitute—

“(5) Where the local returning officer collects, or causes to be collected, any postal ballot paper or postal voting statement or return of postal voting documents form in accordance with sub-paragraph (4), the presiding officer must first make up into separate packets sealed with the presiding officer’s own seal and the seals of such polling agents as are present and desire to affix their seals with a description of its contents written on each packet—

(a) the postal ballot papers and postal voting statements; and

(b) the return of postal voting documents forms for those postal ballot papers and postal voting statements.”;

(e) after paragraph 43 insert—

“Requirements of return of postal voting documents form

43A.—(1) The requirements of this paragraph are—

(a) the person handing in a postal voting document (“P”) completes a form containing the following information (a “return of postal voting documents form”)—

(i) P’s name and address,

(ii) whether P is handing in P’s own postal voting documents,

(iii) the number of other electors for whom P is handing in postal voting documents,

(iv) the total number of envelopes containing postal ballot papers P is handing in, including P’s own,

(v) the reason P is handing in postal voting documents for other electors,

(vi) a declaration by P that P has not handed in postal voting documents at any polling station or to the returning officer for a total of more than the number of electors other than P set out in paragraph 43B(1)(c) or 46B(1)(c), including those being handed in at that time and either—

(aa) that to the best of P’s knowledge, P is not a political campaigner for whom it is an offence to handle the postal voting documents concerned in accordance with paragraph 9A, or

(bb) that P is a political campaigner and is only handing in postal voting documents for P and for P’s spouse, civil partner, parent, grandparent, brother, sister, child or grandchild, or someone for whom P provides regular care or for whom regular care is provided by an organisation which employs or engages P, and

(b) the relevant officer has endorsed the return of postal voting documents form returned by P to confirm the relevant officer’s name and that—

(i) the relevant officer is satisfied that the form has been completed properly and provides the information required by sub-paragraph (a),

(ii) the relevant officer does not suspect that the number of electors other than P for whom P is handing in postal voting documents exceeds the number specified in paragraph 43B(1)(b) or (c), or in paragraph 46B(1)(b) or (c),

(iii) the relevant officer does not suspect that P is a political campaigner who is committing an offence under paragraph 9A, and

(iv) the postal voting documents to which the form relates are not rejected.

(2) For the purposes of sub-paragraph (1)(a)(vi)(bb), two people living together as if they were a married couple or civil partners are treated as if they were spouses or civil partners of each other.

Rejection of postal voting documents handed in at a polling station

43B.—(1) A relevant officer must reject—

- (a) all postal voting documents handed in by P where P fails to fully complete the return of postal voting documents form with the required information;
- (b) all postal voting documents handed in by P other than P’s own postal voting documents where the relevant officer has reasonable cause to suspect that the documents are handed in on behalf of more than five other electors;
- (c) a postal voting document handed in by P or all postal voting documents handed in together by P (other than P’s own postal voting documents) where the relevant officer has reasonable cause to suspect that, taking that document or those documents together with any postal voting documents handed in by P on any previous occasion in respect of the same election, or in respect of an election in England for which the day of poll is the same as the election to which the documents relate (whether to a polling station or to the returning officer and disregarding any that were rejected), P has handed in postal voting documents on behalf of more than five other electors.

(2) Where P hands in one or more proxy postal ballot papers completed by P as proxy for another elector, for “five” in sub-paragraph (1)(b) and (c), substitute the number that is five minus the number of proxy postal ballot papers P hands in.

(3) A relevant officer may reject a postal voting document handed in by P where the relevant officer knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under paragraph 9A.

Procedure for dealing with rejected postal voting documents handed in at a polling station

43C.—(1) Where any postal voting document has been rejected in accordance with paragraph 43B the relevant officer must indicate this, together with the reason or reasons for the rejection and the relevant officer’s name, on the return of postal voting documents form and attach the form to the postal voting documents concerned.

(2) The presiding officer must make up a packet (or packets) of the rejected postal voting documents and the accompanying return of postal voting documents forms, sealed with the presiding officer’s own seal and the seals of such polling agents as are present and desire to affix their seals with a description of its contents written on each packet.

(3) Where a return of postal voting documents form relates to postal voting documents which have not all been rejected, that form must be dealt with as if it related just to the rejected postal voting documents, and the postal voting documents which have been rejected must be noted on it.

(4) The presiding officer must deliver, or cause to be delivered, those packets in the same manner and at the same time as the presiding officer delivers, or causes to be delivered, the packets referred to in rule 47(1) of the PCC elections rules.

Postal voting documents left behind at a polling station

43D.—(1) Where a person leaves a left behind postal voting document at a polling station, the relevant officer must reject that left behind postal voting document.

(2) The relevant officer must—

- (a) write on a return of postal voting documents form to confirm that the postal voting document is a left behind postal voting document,
- (b) write the relevant officer’s name on that form, and
- (c) attach that form to the left behind postal voting document.

(3) Left behind postal voting documents and the attached return of postal voting documents forms must be included in the packet of rejected postal voting documents and forms made up in accordance with paragraph 43C(2).”;

- (f) in paragraph 46 (receipt of covering envelope), in paragraph (1) for “(whether by hand or by post)” substitute “by post”;
- (g) after paragraph 46 insert—

“Postal voting documents handed in to the returning officer

46A.—(1) Subject to sub-paragraphs (2) and (3), the relevant officer must deliver to the local returning officer—

- (a) any postal voting document handed in under paragraph 43(2) before the close of the poll, and
- (b) the return of postal voting documents form completed in respect of it.

(2) A postal voting document may only be delivered to the local returning officer in accordance with sub-paragraph (1) if the requirements of regulation 43A are met and the paper and statement are not rejected in accordance with regulation 46B or 46D.

(3) Before delivering them to the local returning officer in accordance with sub-paragraph (1), the relevant officer must first make up into separate packets with a description of its contents written on each packet which is then sealed up—

- (a) the postal voting documents;
- (b) the return of postal voting documents forms for those postal voting documents.

Rejection of postal voting documents handed in to the returning officer

46B.—(1) The relevant officer must reject—

- (a) all postal voting documents handed in by P in accordance with paragraph 43(2) where P fails to fully complete the return of postal voting documents form with the required information;
- (b) all postal voting documents handed in by P in accordance with paragraph 43(2) other than P’s own postal voting documents where the relevant officer has reasonable cause to suspect that the documents are handed in on behalf of more than five other electors;
- (c) a postal voting document handed in by P or all postal voting documents handed in together by P in accordance with paragraph 43(2) (other than P’s own postal voting documents) where the relevant officer has reasonable cause to suspect that, taking that document or those documents together with any postal voting documents handed in by P on any previous occasion in respect of the same

election or in respect of an election in England for which the day of poll is the same as the election to which the documents relate (whether to a polling station or to the returning officer and disregarding any that were rejected), P has handed in postal voting documents on behalf of more than five other electors.

(2) Where P hands in one or more proxy postal ballot papers completed by P as proxy for another elector, for “five” in sub-paragraphs (1)(b) and (c), substitute the number that is five minus the number of proxy postal ballot papers P hands in.

(3) The relevant officer may reject a postal voting document handed in by P where the relevant officer knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under paragraph 9A.

Procedure for dealing with rejected postal voting documents handed in to the returning officer

46C.—(1) Where any postal voting document has been rejected in accordance with regulation 46B the relevant officer must indicate this, together with the reason or reasons for the rejection and the relevant officer’s name, on the return of postal voting documents form and attach the form to the postal voting documents concerned.

(2) The relevant officer must make up a packet (or packets) of the rejected postal voting documents and the accompanying return of postal voting documents forms which must be sealed up with a description of its contents written on each packet.

(3) Where a return of postal voting documents form relates to postal voting documents which have not all been rejected, that form must be dealt with as if it related just to rejected postal voting documents, and the postal voting documents which have been rejected must be noted on it.

(4) The relevant officer must deliver those packets to the local returning officer before the close of the poll.

Postal voting documents left behind with the returning officer

46D.—(1) Where a person leaves a left behind postal voting document with the relevant officer in accordance with paragraph 43(2), the relevant officer must reject that left behind postal voting document.

(2) The relevant officer must—

- (a) write on a return of postal voting documents form to confirm that the postal voting document is a left behind postal voting document,
- (b) write the relevant officer’s name on that form, and
- (c) attach that form to the left behind postal voting document.

(3) Left behind postal voting documents and the attached return of postal voting documents forms must be included in the packet of rejected postal voting documents and forms made up in accordance with regulation 46C(2).

Opening of delivered or collected packets of postal voting documents

46E.—(1) Sub-paragraph (2) applies to the packets of postal voting documents delivered to or collected by the local returning officer in accordance with paragraph 43(3) or (4) or 46A(1).

(2) Paragraphs 33(2), 44, 45(6), 47(1) and 48 apply to a packet to which this sub-paragraph applies as if that packet were a postal voters’ ballot box.”;

- (h) in paragraph 55 (lists of rejected postal ballot papers)
 - (i) in the heading and in sub-paragraph (1), after “papers” insert “or other postal voting documents”;
 - (ii) after sub-paragraph (5) insert—
 - “(6) In the fourth list, the officer must, subject to sub-paragraph (9), record in relation to any elector whose postal voting documents were rejected in accordance with paragraph 43B or 46B or were left behind postal voting documents—
 - (a) the elector’s name and address (and the name and address of the proxy if the elector has a proxy),
 - (b) the elector’s number on the register of electors (and that of the proxy if the elector has a proxy),
 - (c) the specified reason or reasons for the rejection of the postal voting documents,
 - (d) an indication as to whether the postal voting documents included a postal ballot paper the number of which matched the postal ballot paper number marked on the postal voting statement, and
 - (e) any other information relating to the rejection that the officer considers appropriate, but not the postal ballot paper number.
 - (7) The specified reasons that may be given under sub-paragraph (6)(c) for the rejection of the postal voting document are—
 - (a) the postal voting documents were handed in at a polling station or to the returning officer but the return of postal voting documents form was not fully completed with the required information;
 - (b) the postal voting documents were handed in at a polling station or to the returning officer but the number of postal voting documents handed in exceeded or was suspected to exceed the permitted number;
 - (c) the postal voting documents were handed in by a political campaigner who was not permitted to hand in those postal voting documents;
 - (d) the postal voting documents were left behind postal voting documents.
 - (8) In compiling the fourth list the returning officer must open separately each covering envelope (including an envelope described in paragraph 46(2)) and each ballot paper envelope.
 - (9) The obligation in sub-paragraph (6) does not apply where an elector’s rejected postal voting documents do not include a postal voting statement.”;
- (i) in paragraph 57 (sealing of packets), in sub-paragraph (1)—
 - (i) omit the “and” at the end of paragraph (e);
 - (ii) after paragraph (f) insert—
 - “and
 - (g) the packets of rejected postal voting documents and accompanying return of postal voting documents forms made up in accordance with paragraphs 43C(2) and 46C(2),”;
- (j) in paragraph 59 (forwarding of documents)—
 - (i) in sub-paragraph (1)(a) after “42A(2),” insert “43(5)(b), 46A(3)(b),”;
 - (ii) in sub-paragraph (1)(c)—
 - (aa) for “list” substitute “lists”;

- (bb) after “55(4)” insert “and (6)”;
 - (iii) in sub-paragraph (4) after “55(4)” insert “and (6)”;
 - (k) in paragraph 59A (notification of a rejected postal voting statement)—
 - (i) in the heading for “statement” substitute “document”;
 - (ii) in sub-paragraph (1) after “55(4)” insert “, or on the list compiled under paragraph 55(6) with an indication in accordance with paragraph 55(6)(d) that a postal ballot paper was included in rejected postal voting documents,”;
 - (iii) in sub-paragraph (1)(a)—
 - (aa) the words from “the local returning officer” to the end becomes sub-paragraph (i);
 - (bb) after that sub-paragraph (i) insert—
 - “(ii) the postal ballot paper was handed in at a polling station and the relevant officer—
 - (aa) was not satisfied that the return of postal voting documents form had been completed properly and provided the required information,
 - (bb) suspected that the person handing it in had handed in postal ballot papers on behalf of more than the permitted number of electors, or
 - (cc) suspected that the person handing it in was a political campaigner who was committing an offence under paragraph 9A;
 - (iii) the postal ballot paper was a left behind postal voting document;”;
 - (iv) in sub-paragraph (1)(c)—
 - (aa) the words from “in paragraph 55(5)” to the end become sub-paragraph (i);
 - (bb) after that sub-paragraph (i) insert—
 - “(ii) paragraph 55(7) applied to the absent voter’s postal ballot paper.”;
 - (v) in sub-paragraph (2)(b) at the end insert “except where that offence is committed by a political campaigner under paragraph 9A”;
 - (l) in paragraph 60 (forms), for form 2 (postal voting statement where PCC election taken alone), form 4 (postal voting statement where polls are combined but proceedings on issue and receipt of postal ballot papers are not combined) and form 5 (statement of the number of postal ballot papers issued) substitute the corresponding forms set out in Part 1 of Schedule 6 to these Regulations.
- (7) In Schedule 3 (rules for the conduct of PCC elections where poll not taken together with poll at another election)—
- (a) in rule 32 (notification of requirement of secrecy), in paragraph (1)—
 - (i) in sub-paragraph (a) for “(4) and (7)” substitute “(5) and (8)”;
 - (ii) in sub-paragraph (b) for “22(2), (3) and (7)” substitute “22(3), (4) and (8)”;
 - (b) in rule 34 (admission to polling stations), in paragraph (1) after sub-paragraph (b) insert—
 - “(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with paragraph 43(1) of Schedule 2”;
 - (c) in rule 49 (procedure of verification at ballot paper accounts), in paragraph (2)—
 - (i) omit the “and” at the end of sub-paragraph (c);

- (ii) after sub-paragraph (d) insert—
 - “and
 - (e) the postal ballot paper is not one that falls to be rejected in accordance with paragraph 43B, 43D, 46B or 46D of Schedule 2.”;
- (d) in rule 70 (forms), for form 12 (official postal poll card) and form 14 (official postal proxy poll card) substitute the corresponding forms set out in Part 2 of Schedule 6 to these Regulations.
- (8) In Schedule 4 (combination of polls), in paragraph 27 (notification of requirement of secrecy), in the wording substituted for rule 32 by that paragraph—
 - (a) in paragraph (1)—
 - (i) in sub-paragraph (a) for “(4) and (7)” substitute “(5) and (8)”;
 - (ii) in sub-paragraph (b) for “22(2), (3) and (7)” substitute “22(3), (4) and (8)”;
 - (b) in paragraph (2) for “22(2) and (7)” substitute “22(3) and (8)”.
- (9) In the table in Part 1 of Schedule 9 (application to PCC elections of existing provisions about legal proceedings), in the modifications to section 168 of the Representation of the People Act 1983(18)—
 - (a) after “60 or 62A” insert “or 112A”;
 - (b) for “paragraph 10” substitute “paragraph 9A or 10”.
- (10) In Schedule 10 (access to marked registers and other documents open to public inspection after an election), in paragraph 3 (inspection of documents open to inspection), in sub-paragraph (1) (b)—
 - (a) in sub-paragraph (iv) after “55(4)” insert “or (6)”;
 - (b) after sub-paragraph (iv) insert—
 - “(v) return of postal voting documents forms.”.

The Neighbourhood Planning (Referendums) Regulations 2012

- 9.—(1) The Neighbourhood Planning (Referendums) Regulations 2012(19) are amended as follows.
- (2) In Schedule 3 (the neighbourhood planning referendums rules)—
 - (a) in rule 22 (admission to polling station), in paragraph (1) after sub-paragraph (b) insert—
 - “(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 37(4)(b);”;
 - (b) in rule 37 (the count), in paragraph (3)—
 - (i) omit the “and” at the end of sub-paragraph (c);
 - (ii) after sub-paragraph (d) insert—
 - “and
 - (e) the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.”;

(18) Section 168 was amended by paragraph 8 of Schedule 3 and paragraph 57 of Schedule 4 to the Representation of the People Act 1985 (c. 50), paragraph 121 of Schedule 1 to the Electoral Administration Act 2006 (c. 22), by paragraph 11 of Schedule 2 to the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14) and by section 4(4) of the Elections Act 2022 (c. 37).

(19) S.I. 2012/2031; relevant amending instruments are S.I. 2013/798, 2014/333, 2018/1310.

- (c) in Part 8 (appendix of forms), for form 6 (postal voting statement), form 8 (official postal poll card) and form 10 (official proxy postal poll card) substitute the corresponding forms set out in Part 1 of Schedule 7 to these Regulations.
- (3) In Schedule 4 (application, with modification, of other Acts and subordinate legislation)—
- (a) in Table 1 (Representation of the People Act 1983)—
- (i) in the entry for section 66 (requirement of secrecy), in the second column after the modification already listed insert—
- “In subsection (6A), in the definition of “relevant election” (in which all references to “election” are modified to be construed as references to “referendum” by regulation 8(4)(a))—
- (a) omit paragraph (a), and
- (b) in paragraph (b) omit “under the local government Act”.”;
- (ii) after the entry for section 112 (providing money for illegal purposes) insert the following entry—

“Section 112A (handling of postal voting documents by political campaigners) In subsection (7)—

(a) omit paragraphs (a) to (d),

(b) in paragraph (g) for “any of paragraphs (a) to (f)” substitute “paragraph (e) or (f)”, and

(c) after paragraph (h) insert—

“(i) a person involved in the conduct or management of a campaign conducted with a view to promoting or procuring a particular outcome in relation to the question to be asked in the relevant referendum.”.

In subsection (8), in the definition of “relevant election” (in which all references to “election” are modified to be construed as references to “referendum” by regulation 8(4)(a))—

(a) omit paragraph (a), and

(b) in paragraph (b) for “local government election” substitute “referendum”.”;

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- (b) in Table 6 (the Representation of the People (England and Wales) Regulations 2001)—
- (i) in the entry which begins regulation 4(1)(b), for “K” substitute “K1”;
- (ii) in the entry for regulation 61C after “statement” insert “or document”;
- (iii) for the entry for regulation 79(3) to (5) substitute—

“Regulation 79(2A), (2B), (4) and (4A) In paragraph (4A) for “polling agents” (alternative means of returning postal ballot substitute “polling observers (if any)”. paper or postal voting statement)

After paragraph (4A) insert—

“(4B) For the purpose of paragraph (4A), in relation to a referendum under Schedule 4B to the Town and Country Planning Act 1990, “polling observer” has the meaning given in regulation 2 of the Neighbourhood Planning (Referendums) Regulations 2012”.

Regulation 79A (requirements of return of postal voting documents form)

Regulation 79B (rejection of postal voting documents handed in at a polling station)

Regulation 79C (procedure for dealing with In paragraph (2) for “polling agents” rejected postal voting documents handed in substitute “polling observers (if any)”. at a polling station)

After paragraph (4) insert—

“(5) for the purpose of paragraph (2), in relation to a referendum under Schedule 4B to the Town and Country Planning Act 1990, “polling observer” has the meaning given in regulation 2 of the Neighbourhood Planning (Referendums) Regulations 2012.”.

Regulation 79D (postal voting documents left behind at a polling station”);

(iv) after the entry for regulation 82 insert—

“Regulation 82A (postal voting documents In paragraph (1), for the words from “in handed in to the returning officer) accordance with” to the end substitute “in accordance with rule 37(4)(a) of the Neighbourhood Planning Referendums Rules or rule 37(6)(a) of the Neighbourhood Planning Referendums (Combination of Polls) Rules”.

Regulation 82B (rejection of postal voting documents handed in to the returning officer)

Regulation 82C (procedure for dealing with rejected postal voting documents handed in to the returning officer)

Regulation 82D (postal voting documents left behind with the returning officer)

Regulation 82E (opening of delivered or collected packets of postal voting documents)”;

(v) in the entry for regulation 87, in the first column after “ballot papers” insert “or postal voting documents”;

(vi) in the entry for Schedule 3, Form K, for “Form K” substitute “Form K1”.

(4) In Schedule 5 (the neighbourhood planning referendums (combination of polls) rules)—

(a) in rule 18 (equipment of polling stations), in paragraph (10), for the voting instructions for election of the mayor of London (which begins “#On the ballot paper”) substitute—

“#Vote for ONLY ONE candidate by putting a cross [X] in the box next to your choice.”;

(b) in rule 22 (admission to polling station) in paragraph (1) after sub-paragraph (b) insert—

“(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 37(6)(b);”;

(c) in rule 37 (the count), in paragraph (5)—

(i) omit the “and” at the end of sub-paragraph (c);

(ii) after sub-paragraph (d) insert—

“and

(e) the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.”;

(d) in Part 8 (appendix of forms), for form 6 (postal voting statement for use where there is joint issue and receipt of postal ballot papers), form 7 (postal voting statement for use where a referendum poll is combined with another poll but the postal ballot papers are not combined), form 9 (official postal poll card to be sent to a voter voting by post) and form 11 (official proxy postal poll card to be sent to an appointed proxy voting by post) substitute the corresponding forms set out in Part 2 of Schedule 7 to the Regulations.

(5) In Schedule 7 (the neighbourhood planning business referendums rules)—

(a) in rule 2 (interpretation), in paragraph (1), in the appropriate places, insert—

““left behind postal voting document” is a postal voting document that is left behind at a polling station or left for the returning officer without being handed in and for which no return of postal voting documents form has been completed;”;

““postal voting document” means a postal ballot paper, postal voting statement or other document that has been issued to a person for the purpose of enabling the person to vote by post in a business referendum;”;

““relevant officer” means—

(a) where a postal voting document is handed in at a polling station—

(i) the person presiding at the polling station, or

(ii) a clerk at the polling station;

(b) where a postal voting document is handed into the counting officer, a person acting under the authority of that officer;”;

““return of postal voting documents form” has the meaning given in rule 27A;”;

(b) in rule 27 (alternative means of returning postal ballot paper or postal voting statement)—

(i) in paragraph (3)—

- (aa) for “paragraph (4)” substitute “paragraphs (3A) and (4)”;
- (bb) after “that station” insert “and any return of postal voting documents form”;
- (ii) after paragraph (3) insert—
 - “(3A) A postal ballot paper or postal voting statement may only be delivered to the counting officer in accordance with paragraph (3) if the requirements of rule 27A are met and the paper and statement are not rejected in accordance with rule 27B or 27D.”;
- (iii) in paragraph (4), after “statement” insert “and any return of postal voting documents form”;
- (iv) for paragraph (5) substitute—
 - “(5) Where the counting officer collects, or causes to be collected, any postal ballot paper or postal voting statement or return of postal voting documents form in accordance with paragraph (4) the presiding officer must first make up into separate packets sealed with the presiding officer’s own seal and the seals of such polling observers as are present and desire to affix their seals with a description of its contents written on each packet—
 - (a) the postal ballot papers and postal voting statements; and
 - (b) the return of postal voting documents forms for those postal ballot papers and postal voting statements.”;
- (c) after rule 27 insert—

“Requirements of return of postal voting documents form

27A. The requirements of this rule are—

- (a) the person handing in a postal voting document (“P”) completes a form containing the following information (a “return of postal voting documents form”)—
 - (i) P’s name and address,
 - (ii) whether P is handing in P’s own postal voting documents,
 - (iii) the number of other named voters for whom P is handing in postal voting documents,
 - (iv) the total number of envelopes containing postal ballot papers P is handing in, including P’s own,
 - (v) the reason P is handing in postal voting documents for other named voters,
 - (vi) a declaration by P that P has not handed in postal voting documents at any polling station or to the counting officer for a total of more than the number of named voters other than P set out in rule 27B(1)(c) or 30B(1)(c), including those being handed in at that time and that to the best of P’s knowledge, P is not a political campaigner for whom it is an offence to handle the postal voting documents concerned in accordance with section 112A of the 1983 Act;
- (b) the relevant officer has endorsed the return of postal voting documents form returned by P to confirm the relevant officer’s name and that—
 - (i) the relevant officer is satisfied that the form has been completed properly and provides the information required by paragraph (a),

- (ii) the relevant officer does not suspect that the number of named voters other than P for whom P is handing in postal voting documents exceeds the number of named voters specified in rule 27B(1)(b) or (c), or rule 30B(1)(b) or (c),
- (iii) the relevant officer does not suspect that P is a political campaigner who is committing an offence under section 112A of the 1983 Act, and
- (iv) the postal voting documents to which the form relates are not rejected.

Rejection of postal voting documents handed in at a polling station

27B.—(1) A relevant officer must reject—

- (a) all postal voting documents handed in by P where P fails to fully complete the return of postal voting documents form with the required information;
- (b) all postal voting documents handed in by P other than P’s own postal voting documents where the relevant officer has reasonable cause to suspect that the documents are handed in on behalf of more than five other named voters; and
- (c) a postal voting document handed in by P or all postal voting documents handed in together by P (other than P’s own postal voting documents) where the relevant officer has reasonable cause to suspect that, taking that document or those documents together with any postal voting documents handed in by P on any previous occasion in respect of the same referendum, or in respect of an election or referendum for which the day of poll is the same as the referendum to which the documents relate (whether at a polling station or to the counting officer and disregarding any that were rejected), P has handed in postal voting documents on behalf of more than five other named voters.

(2) Where P hands in one or more proxy postal ballot papers completed by P as proxy for another named voter, for “five” in paragraphs (1)(b) and (c), substitute the number that is five minus the number of proxy postal ballot papers P hands in.

(3) A relevant officer may reject a postal voting document handed in by P where the relevant officer knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under section 112A of the 1983 Act.

Procedure for dealing with rejected postal voting documents handed in at a polling station

27C.—(1) Where any postal voting document has been rejected in accordance with rule 27B the relevant officer must indicate this, together with the reason or reasons for the rejection and the relevant officer’s name, on the return of postal voting documents form and attach the form to the postal voting documents concerned.

(2) The presiding officer must make up a packet (or packets) of the rejected postal voting documents and the accompanying return of postal voting documents forms, sealed with the presiding officer’s own seal and the seals of such polling observers as are present and desire to affix their seals with a description of its contents written on each packet.

(3) Where a return of postal voting documents form relates to postal voting documents which have not all been rejected, that form must be dealt with as if related just to rejected postal voting documents, and the postal voting documents which have been rejected must be noted on it.

(4) The presiding officer must deliver, or cause to be delivered, to the counting officer, those packets in the same manner and at the same time as the presiding officer delivers, or causes to be delivered, to the counting officer, the packets referred to in rule 62.

Postal voting documents left behind at a polling station

27D.—(1) Where a person leaves a left behind postal voting document at a polling station, the relevant officer must reject that left behind postal voting document.

(2) The relevant officer must—

- (a) write on a return of postal voting documents form to confirm that the postal voting document is a left behind postal voting document,
- (b) write the relevant officer’s name on that form, and
- (c) attach that form to the left behind postal voting document.

(3) Left behind postal voting documents and the attached return of postal voting documents forms must be included in the packet of rejected postal voting documents and forms made up in accordance with rule 27C(2).”;

- (d) in rule 30 (receipt of covering envelope) for “(whether by hand or by post)” substitute “by post”;
- (e) after rule 30 insert—

“Postal voting documents handed in to the counting officer

30A.—(1) Subject to paragraphs (2) and (3), the relevant officer must deliver to the counting officer—

- (a) any postal voting document handed in under rule 64(4)(a) before the close of the poll, and
- (b) the return of postal voting documents form completed in respect of it.

(2) A postal voting document may only be delivered to the counting officer in accordance with paragraph (1) if the requirements of rule 27A are met and the document is not rejected in accordance with rule 30B or 30D.

(3) Before delivering them to the counting officer in accordance with paragraph (1), the relevant officer must first make up into separate packets with a description of its contents written on each packet which is then sealed up—

- (a) the postal voting documents;
- (b) the return of postal voting documents forms for those postal voting documents.

Rejection of postal voting documents handed in to the counting officer

30B.—(1) The relevant officer must reject—

- (a) all postal voting documents handed in by P where P fails to fully complete the return of postal voting documents form with the required information;
- (b) all postal voting documents handed in by P other than P’s own postal voting documents where the relevant officer has reasonable cause to suspect that the documents are handed in on behalf of more than five other named voters;
- (c) a postal voting document handed in by P or all postal voting documents handed in together by P (other than P’s own postal voting documents) where the relevant officer has reasonable cause to suspect that, taking that document or those documents together with any postal voting documents handed in by P on any

previous occasion in respect of the same business referendum, or in respect of an election or referendum for which the day of poll is the same as the referendum to which the documents relate (whether to a polling station or to the counting officer and disregarding any that were rejected), P has handed in postal voting documents on behalf of more than five other named voters.

(2) Where P hands in one or more proxy postal ballot papers completed by P as proxy for another named voter, for “five” in paragraphs (1)(b) and (c), substitute the number that is five minus the number of proxy postal ballot papers P hands in.

(3) The relevant officer may reject a postal voting document handed in by P where the relevant officer knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under section 112A of the 1983 Act.

Procedure for dealing with rejected postal voting documents handed in to the counting officer

30C.—(1) Where any postal voting document has been rejected in accordance with rule 30B the relevant officer must indicate this, together with the reason or reasons for the rejection and the relevant officer’s name, on the return of postal voting documents form and attach the form to the postal voting documents concerned.

(2) The relevant officer must make up a packet (or packets) of the rejected postal voting documents and the accompanying return of postal voting documents forms which must be sealed up with a description of its contents written on each packet.

(3) Where a return of postal voting documents form relates to postal voting documents which have not all been rejected, that form must be dealt with as if it related just to rejected postal voting documents, and the postal voting documents which have been rejected must be noted on it.

(4) The relevant officer must deliver those packets to the counting officer before the close of the poll.

Postal voting documents left behind with the counting officer

30D.—(1) This rule applies to a postal voting document to which rule 64(4)(a) applies and which is a left behind postal voting document.

(2) The relevant officer must—

- (a) reject the left behind postal voting document,
- (b) write on a return of postal voting documents form to confirm that the postal voting document is a left behind postal voting document,
- (c) write the relevant officer’s name on that form, and
- (d) attach that form to the left behind postal voting document.

(3) Left behind postal voting documents and the attached return of postal voting documents forms must be included in the packet of rejected postal voting documents and forms made up in accordance with regulation 30C(2).

Opening of delivered or collected packets of postal voting documents

30E.—(1) Paragraph (2) applies to the packets of postal voting documents delivered to or collected by the returning officer in accordance with rule 27(3) or (4) or 30A(1).

(2) Rules 28, 29(6), 31(1) and 32 apply to a packet to which this paragraph applies as if that packet were a postal voters’ ballot box.”;

- (f) in rule 41 (sealing of receptacles), in paragraph (1) after sub-paragraph (f) insert—
 - “(g) the packets of rejected postal voting documents and accompanying return of postal voting documents forms made up in accordance with rules 27C(2) and 30C(2),”;
 - (g) in rule 42 (forwarding of documents), in paragraph (1)(a) after “26(8),” insert “27(5)(b), 30A(3)(b),”;
 - (h) in rule 49 (admission to polling station) in paragraph (1) after sub-paragraph (b) insert—
 - “(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 64(4)(b),”;
 - (i) in rule 64 (the count), in paragraph (3)—
 - (i) omit the “and” at the end of sub-paragraph (c);
 - (ii) after sub-paragraph (d) insert—
 - “and
 - (e) the postal ballot paper is not one that falls to be rejected in accordance with rule 27B, 27D, 30B or 30D.”;
 - (j) in Part 10 (appendix of forms), for form 4 (form of business referendum postal voting statement) substitute the corresponding form set out in Part 3 of Schedule 7 to these Regulations.
- (6) In Schedule 8, in Table 1 (Representation of the People Act 1983)—
- (a) in the entry for section 66 (requirement of secrecy)—
 - (i) in the first column after “except” insert “(5),”;
 - (ii) in the second column—
 - (aa) in the first line, for “(4)” substitute “(4B)”;
 - (bb) after substituted subsection (3) insert—
 - “(3A) No person may—
 - (a) except for some purpose authorised by law, obtain or attempt to obtain information, or communicate at any time to any other person any information, as to the number or other unique identifying mark on the back of a ballot paper sent to a named voter for voting by post at a business referendum;
 - (b) except for some purpose authorised by law, obtain or attempt to obtain information, or communicate at any time to any other person any information, as to the official mark on a ballot paper sent to a named voter for voting by post at a business referendum;
 - (c) obtain or attempt to obtain information, in the circumstances mentioned in subsection (3B), as to the answer for which a named voter voting by post at a business referendum (“V”) is about to vote or has voted;
 - (d) communicate at any time to any other person information obtained in contravention of paragraph (c).
 - (3B) The circumstances referred to in subsection (3A)(c) are where V is about to mark, is in the process of marking, or has just marked, a ballot paper sent to V for voting by post at the business referendum.
 - (3C) But—

(a) a business vote holder who has named another individual as voting on their behalf does not contravene subsection (3A) by obtaining or attempting to obtain from the named voter information as to a matter mentioned in paragraphs (a) or (c) of that subsection that relates to the business vote holder’s vote, and

(b) a named voter who has been named as voting on behalf of a business vote holder does not contravene subsection (3A) by communicating to that business vote holder information as to a matter mentioned in paragraphs (a) or (c) of that subsection that relates to that business vote holder’s vote.

(3D) Subsections (3A)(c) and (d) do not apply where the purpose (or main purpose) for which the information is sought or communicated is its use for the purposes of—

(a) a published statement relating to the way in which voters intend to vote or have voted at the business referendum, or

(b) a published forecast as to the result of that referendum which is based on information given by voters.

(3E) In subsection (3D)—

(a) “forecast” includes estimate;

(b) “published” means made available to the public at large or to any section of the public, in whatever form and by whatever means;

(c) the reference to the result of the business referendum is a reference to the result of the referendum as a whole or so far as any particular answer of the referendum is concerned.

(3F) A named voter who has been named as voting on behalf of a business vote holder at a business referendum—

(a) must not communicate at any time to any person other than that business vote holder any information as to the answer for which the named voter is about to vote, or has voted, on behalf of the business vote holder;

(b) except for some purpose authorised by law, must not communicate at any time to any person other than that business vote holder the number or other unique identifying mark on the back of a ballot paper sent or delivered to the named voter for voting on behalf of the business vote holder.”;

(cc) after substituted subsection (4) insert—

“(4A) No person having undertaken to assist a relevant named voter to vote at a business referendum may communicate at any time to any person except that voter any information as to—

(a) the answer for which the relevant named voter intends to vote or has voted, or

(b) the number or other unique identifying mark on the back of the ballot paper given for the use of the relevant named voter.

(4B) In subsection (4A) “relevant named voter” means a named voter who is blind, has another disability, or is unable to read.”;

(dd) after the substituted text, insert—

“In subsection (6A), in the definition of “relevant election” (in which all references to “election” are modified to be construed as references to “business referendum” by regulation 17(6)(a))—

- (a) omit paragraph (a), and
 - (b) in paragraph (b) omit “under the local government Act”.”;
- (b) after the entry for section 112 (providing money for illegal purposes) insert—

“Section 112A (handling of postal voting documents by political campaigners) In subsection (7)—

- (a) omit paragraphs (a) to (d),
- (b) in paragraph (g) for “any of paragraphs (a) to (f)” substitute “paragraph (e) or (f)”, and
- (c) after paragraph (h) insert—

“(i) a person involved in the conduct or management of a campaign conducted with a view to promoting or procuring a particular outcome in relation to the question to be asked in the relevant business referendum.”.

In subsection (8), in the definition of “relevant election” (in which all references to “election” are modified to be construed as references to “business referendum” by regulation 17(6)(a))

- (a) omit paragraph (a), and
- (b) in paragraph (b) for “local government election” substitute “business referendum”.”.

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

10.—(1) The Recall of MPs Act 2015 (Recall Petition) Regulations 2016(20) are amended as follows.

- (2) In regulation 2 (application)—
 - (a) in paragraph (2)—
 - (i) after sub-paragraph (m) insert—
 - “(ma) regulation 99B (rejection of postal petition documents handed in at a petition signing place);
 - (mb) regulation 99C (procedure for dealing with rejected postal petition documents handed in at a petition signing place);
 - (mc) regulation 99D (postal petition documents left behind at a petition signing place);”;
 - (ii) in sub-paragraphs (p) and (q), for “signing sheets” substituted “petition documents”;

(20) S.I. 2016/295, to which there are amendments not relevant to these Regulations.

- (iii) in sub-paragraph (r), for “statement” substitute “document”;
- (b) in paragraph (5), after sub-paragraph (m) insert—
- “(ma) regulation 110A (list of rejected postal petition documents: Northern Ireland);
- (mb) regulation 115A (notification of a rejected postal petition document: Northern Ireland).”.
- (3) In regulation 3 (interpretation), in paragraph (1), in the appropriate places, insert—
- ““left behind postal petition document” is a postal petition document that is left behind at a signing place or left for the petition officer without being handed in and for which no return of postal petition documents form has been completed;”;
- ““postal petition document” means a postal signing sheet, postal petition statement, declaration of identity or other document that has been issued to a person for the purpose of enabling the person to sign by post at a recall petition;”;
- ““relevant officer” means—
- (a) where a postal petition document is handed in at a petition signing place—
- (i) the petition clerk, or
- (ii) an assistant appointed to assist the petition clerk;
- (b) where a postal petition document is handed in to the petition officer, a person acting under the authority of that officer;”;
- ““return of postal petition documents form” has the meaning given in regulation 99A;”.
- (4) In regulation 22 (admission to petition signing place) in paragraph (1) after sub-paragraph (b) insert—
- “(ba) in England, Wales and Scotland, persons aged 18 or over returning a postal petition document by hand in accordance with regulation 99(1)(a)(i);”.
- (5) In regulation 39 (the count)—
- (a) in paragraph (3)—
- (i) at the end of sub-paragraph (c), omit “and”;
- (ii) after sub-paragraph (d) insert—
- “and
- (e) the postal signing sheet is not one that falls to be rejected in accordance with regulation 99B or 102B.”;
- (b) in paragraph (5)—
- (i) at the end of sub-paragraph (b), omit “and”;
- (ii) after sub-paragraph (c) insert—
- “and
- (d) the postal signing sheet is not one that falls to be rejected in accordance with regulation 102B.”.
- (6) In regulation 46(2) (retention and disposal of documents: England and Wales and Northern Ireland) after “Ireland)” insert “and 110A (list of rejected postal petition documents: Northern Ireland)”.
- (7) In regulation 99 (alternative means of returning postal signing sheets, postal petition statements and declarations of identity)—
- (a) for paragraph (1) substitute—
- “(1) For the purposes of regulation 39(3) and (5) (the count)—

- (a) for a recall petition held in England, Wales or Scotland—
 - (i) the manner in which a postal signing sheet and postal petition statement may be returned to any petition signing place is by hand;
 - (ii) the manner in which such a sheet and statement may be returned to the petition officer is by hand or by post;
- (b) for a recall petition held in Northern Ireland, the manner in which a postal signing sheet and declaration of identity may be returned to the petition officer is by hand or by post.”;
- (b) in paragraph (2)—
 - (i) for “Subject to paragraph (3),” substitute “Where paragraph (1)(a) applies, subject to paragraphs (2A) and (3)”;
 - (ii) for “, postal petition statement or declaration of identity” substitute “or postal petition statement”;
 - (iii) after “signing place” insert “and any return of postal petition documents form”;
- (c) after paragraph (2) insert—

“(2A) A petition signing sheet or postal petition statement may only be delivered to the petition officer in accordance with paragraph (2) if the requirements of regulation 99A are met and the sheet and statement are not rejected in accordance with regulation 99B or 99D.”;
- (d) in paragraph (3) for “declaration of identity” substitute “return of postal petition documents form”;
- (e) for paragraph (4) substitute—

“(4) Where the petition officer collects, or causes to be collected, any postal signing sheet, postal petition statement or return of postal petition documents form in accordance with paragraph (3) the petition clerk must first make up into separate packets sealed with the petition clerk’s own seal with a description of its contents written on each packet—

 - (a) the postal signing sheets and postal petition statements;
 - (b) the return of postal petition documents forms for those postal signing sheets and postal petition statements.”.
- (8) After regulation 99 insert—

“Requirements of return of postal petition documents form

99A.—(1) The requirements of this regulation are—

- (a) the person handing in a postal petition document (“P”) completes a form containing the following information (a “return of postal petition documents form”)—
 - (i) P’s name and address,
 - (ii) whether P is handing in P’s own postal petition documents,
 - (iii) the number of other electors for whom P is handing in postal petition documents,
 - (iv) the total number of envelopes containing postal signing sheets P is handing in, including P’s own,
 - (v) the reason P is handing in postal petition documents for other electors,
 - (vi) a declaration by P that P has not handed in postal petition documents at any signing place or to the petition officer for a total of more than the number of

electors other than P set out in regulation 99B(1)(c) or 102B(1)(c), including those being handed in at that time and either—

- (aa) that to the best of P’s knowledge, P is not a political campaigner for whom it is an offence to handle the postal petition documents concerned in accordance with regulation 122A,
 - (bb) that P is a political campaigner and is only handing in postal petition documents for P and for P’s spouse, civil partner, parent, grandparent, brother, sister, child or grandchild, or someone for whom P provides regular care or for whom regular care is provided by an organisation which employs or engages P,
- (b) the relevant officer has endorsed the return of postal petition documents form returned by P to confirm the relevant officer’s name and that—
- (i) the relevant officer is satisfied that the form has been completed properly and provides the information required by paragraph (a),
 - (ii) the relevant officer does not suspect that the number of electors other than P for whom P is handing in postal petition documents exceeds the number of electors specified in regulation 99B(1)(b) or 102B(1)(b),
 - (iii) the relevant officer does not suspect that P is a political campaigner who is committing an offence under regulation 122A, and
 - (iv) the postal petition documents to which the form relates are not rejected.

(2) For the purposes of paragraph (1)(a)(vi)(bb), two people living together as if they were a married couple or civil partners are treated as if they were spouses or civil partners of each other.

Rejection of postal petition documents handed in at a petition signing place

99B.—(1) A relevant officer must reject—

- (a) all postal petition documents handed in by P where P fails to fully complete the return of postal petition documents form with the required information;
- (b) all postal petition documents handed in by P other than P’s own postal petition documents where the relevant officer has reasonable cause to suspect that the documents are handed in on behalf of more than five other electors;
- (c) a postal petition document handed in by P or all postal petition documents handed in together by P (other than P’s own postal petition documents) where the relevant officer has reasonable cause to suspect that, taking that document or those documents together with any postal petition documents handed in by P on any previous occasion in respect of the same petition (whether to a signing place or to the petition officer and disregarding any that were rejected), P has handed in postal petition documents on behalf of more than five other electors.

(2) Where P hands in one or more proxy postal signing papers completed by P as proxy for another elector, for “five” in paragraphs (1)(b) and (c), substitute the number that is five minus the number of proxy postal signing papers P hands in.

(3) A relevant officer may reject a postal petition document handed in by P where the relevant officer knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under regulation 122A.

Procedure for dealing with rejected postal petition documents handed in at a petition signing place

99C.—(1) Where any postal petition document has been rejected in accordance with regulation 99B the relevant officer must indicate this, together with the reason or reasons for the rejection and the relevant officer’s name, on the return of postal petition documents form and attach the form to the postal petition documents concerned.

(2) The petition clerk must make up a packet (or packets) of the rejected postal petition documents and the accompanying return of postal petition documents forms, sealed with the petition clerk’s own seal with a description of its contents written on each packet.

(3) Where a return of postal petition documents form relates to postal petition documents which have not all been rejected, that form must be dealt with as if it related just to rejected postal petition documents, and the postal petition documents which have been rejected must be noted on it.

(4) The petition clerk must deliver, or cause to be delivered, those packets in the same manner and at the same time as the petition clerk delivers, or causes to be delivered, the packets referred to in regulation 37.

Postal petition documents left behind at a petition signing place

99D.—(1) Where a person leaves a left behind postal petition document at a signing place, the relevant officer must reject that left behind postal petition document.

(2) The relevant officer must—

- (a) write on a return of postal petition documents form to confirm that the postal petition document is a left behind postal petition document,
- (b) write the relevant officer’s name on that form, and
- (c) attach that form to the left behind postal petition document.

(3) Left behind postal petition documents and the attached return of postal petition documents forms must be included in the packet of rejected postal petition documents and forms made up in accordance with regulation 99C(2).”.

(9) In regulation 102 (receipt of covering envelopes) for “(whether by hand of post)” substitute “by post”.

(10) After regulation 102 insert—

“Postal petition documents handed in to the petition officer

102A.—(1) Subject to paragraphs (2) and (3), the relevant officer must deliver to the petition officer—

- (a) any postal petition document handed in under regulation 99(1)(a)(ii) or (b) before the end of the signing period, and
- (b) the return of postal petition documents form completed in respect of it.

(2) A postal petition document may only be delivered to the petition officer in accordance with paragraph (1) if the requirements of regulation 99A are met and the document is not rejected in accordance with regulation 102B or 102D.

(3) Before delivering them to the petition officer in accordance with paragraph (1), the relevant officer must first make up into separate packets with a description of its contents written on each packet which is then sealed up—

- (a) the postal petition documents;

- (b) the return of postal petition documents forms for those postal petition documents.

Rejection of postal petition documents handed in to the petition officer

102B.—(1) The relevant officer must reject—

- (a) all postal petition documents handed in by P where P fails to fully complete the return of postal petition documents form with the required information;
- (b) all postal petition documents handed in by P other than P’s own postal petition documents where the relevant officer has reasonable cause to suspect that the documents are handed in on behalf of more than five other electors;
- (c) a postal petition document handed in by P or all postal petition documents handed in together by P (other than P’s own postal petition documents) where the relevant officer has reasonable cause to suspect that, taking that document or those documents together with any postal petition documents handed in by P on any previous occasion in respect of the same petition (whether to a signing place or to the petition officer and disregarding any that were rejected), P has handed in postal voting documents on behalf of more than five other electors.

(2) Where P hands in one or more proxy postal petition documents completed by P as proxy for another elector, for “five” in paragraphs (1)(b) and (c), substitute the number that is five minus the number of proxy postal petition documents P hands in.

(3) The relevant officer may reject a postal petition document handed in by P where the relevant officer knows or has reasonable cause to suspect that, in handing in the document, P is committing an offence under regulation 122A.

Procedure for dealing with rejected postal petition documents handed in to the petition officer

102C.—(1) Where any postal petition document has been rejected in accordance with regulation 102B the relevant officer must indicate this, together with the reason or reasons for the rejection and the relevant officer’s name, on the return of postal petition documents form and attach the form to the postal petition documents concerned.

(2) The relevant officer must make up a packet (or packets) of the rejected postal petition documents and the accompanying return of postal petition documents forms which must be sealed up with a description of its contents written on each packet.

(3) Where a return of postal petition documents form relates to postal petition documents which have not all been rejected, that form must be dealt with as if it related just to rejected postal petition documents, and the postal petition documents which have been rejected must be noted on it.

(4) The relevant officer must deliver those packets to the petition officer before the end of the signing period.

Postal petition documents left behind with the petition officer

102D.—(1) This regulation applies to a postal petition document to which regulation 102A(1) applies which is a left behind postal petition document.

(2) The relevant officer must—

- (a) reject that left behind postal petition document,
- (b) write on a return of postal petition documents form to confirm that the postal petition document is a left behind postal petition document,

- (c) write the relevant officer's name on that form, and
- (d) attach that form to the left behind postal petition document.

(3) Left behind postal petition documents and the attached return of postal petition documents forms must be included in the packet of rejected postal petition documents and forms made up in accordance with regulation 102C(2).

Opening of delivered or collected packets of postal petition documents

102E.—(1) Paragraph (2) applies to the packets of postal petition documents delivered to or collected by the returning officer in accordance with regulation 99(2) or (3) or 102A(1).

(2) Regulations 101(6), 103(1) and 104 apply to a packet to which this paragraph applies as if that packet were a postal signers' ballot box."

(11) In regulation 106 (confirming receipt of postal signing statements: England and Wales and Scotland), in paragraph (1)(b)—

- (a) after "either of the" insert "first or second";
- (b) for "signing sheets" substitute "petition documents".

(12) In regulation 110 (lists of rejected postal signing sheets: England and Wales and Scotland)—

- (a) in the heading, for "signing sheets" substitute "petition documents";
- (b) in paragraph (1)—
 - (i) for "three" substitute "four";
 - (ii) for "signing sheets" in both places substitute "petition documents";

(c) after paragraph (5) insert—

"(6) In the fourth list, the petition clerk must, subject to paragraph (9), record in relation to any elector whose postal petition documents were rejected in accordance with regulation 99B or 102B, or were left behind postal petition documents—

- (a) the elector's name and address (and the name and address of the proxy if the elector has a proxy);
- (b) the elector's number on the register of electors (and that of the proxy if the elector has a proxy),
- (c) the specified reason or reasons for the rejection of the postal petition documents,
- (d) an indication as to whether the postal petition documents included a postal signing sheet the number of which matched the postal signing sheet number marked on the postal petition statement, and
- (e) any other information relating to the rejection that the petition officer considers appropriate, but not the postal signing sheet number.

(7) The specified reasons that may be given under sub-paragraph (6)(c) for the rejection of the postal petition documents are—

- (a) the postal petition documents were handed in at a signing place or to the petition officer but the return of postal petition documents form was not fully completed with the required information;
- (b) the postal petition documents were handed in at a signing place or to the petition officer but the number of postal petition documents handed in exceeded or was suspected to exceed the permitted number;
- (c) the postal petition documents were handed in by a political campaigner who was not permitted to hand in those postal petition documents;

(d) the postal petition documents were left behind postal petition documents.

(8) In compiling the fourth list the petition officer must open separately each covering envelope (including an envelope described in regulation 102(2)) and each signing sheet envelope.

(9) The obligation in paragraph (6) does not apply where an elector's rejected postal petition documents do not include a postal petition statement."

(13) After regulation 110 insert—

“List of rejected postal petition documents: Northern Ireland

110A.—(1) In respect of any petition, the petition officer must keep a list relating to rejected postal petition documents as required by this regulation.

(2) The petition officer must, subject to paragraph (5), record in relation to any elector whose postal petition documents were rejected in accordance with regulation 102B, or were left behind postal petition documents—

- (a) the elector's name and address (and the name and address of the proxy if the elector has a proxy),
- (b) the elector's number on the register of electors (and that of the proxy if the elector has a proxy),
- (c) the specified reason or reasons for the rejection of the postal petition documents,
- (d) an indication as to whether the postal petition documents included a postal signing sheet the number of which matched the postal signing sheet number marked on the postal petition statement, and
- (e) any other information relating to the rejection that the petition officer considers appropriate, but not the postal signing sheet number.

(3) The specified reasons that may be given under sub-paragraph (2)(c) for the rejection of the postal petition documents are—

- (a) the postal petition documents were handed in to the petition officer but the return of postal petition documents form was not fully completed with the required information;
- (b) the postal petition documents were handed in to the petition officer but the number of postal petition documents handed in exceeded or was suspected to exceed the permitted number;
- (c) the postal petition documents were handed in by a political campaigner who was not permitted to hand in those postal petition documents;
- (d) the postal petition documents were left behind postal petition documents.

(4) In compiling the list the petition officer must open separately each covering envelope (including an envelope described in regulation 102(2)) and each signing sheet envelope.

(5) The obligation in paragraph (2) does not apply where an elector's rejected postal petition documents do not include a postal petition statement."

(14) In regulation 111 (checking lists of rejected postal signing sheets: England and Wales and Scotland), in the heading for “signing sheets” substitute “petition documents”.

(15) In regulation 112 (sealing of receptacles)—

- (a) in paragraph (1), after sub-paragraph (e) insert—

- “(f) the packets of rejected postal petition documents and accompanying return of postal petition documents forms made up in accordance with regulation 99C(2) and 102C(2),”;
 - (b) in paragraph (2), after sub-paragraph (c) insert—
 - “(d) the packets of rejected postal petition documents and accompanying return of postal petition documents forms made up in accordance with regulation 102C(2),”.
- (16) In regulation 114 (forwarding of documents)—
 - (a) in paragraph (1)(a), after “(cancellation of postal signing sheets),” insert “regulation 99(4) (b) (alternative means of returning postal signing sheets, postal petition statements and declarations of identity), 102A(3)(b) (postal petition documents handed in to the petition officer),”;
 - (b) in paragraph (3)—
 - (i) for “list” in each place it occurs substitute “lists”;
 - (ii) in sub-paragraph (a), for “(lists of rejected postal signing sheets)” substitute “and (6) or regulation 110A(1) (lists of rejected postal petition documents)”;
 - (iii) in sub-paragraph (b), after “110(4)” insert “and (6) or regulation 110A(1)”;
 - (c) in paragraph (4)—
 - (i) for “list” substitute “lists”;
 - (ii) for “(lists of rejected postal signing sheets)” substitute “and (6) or regulation 110A(1) (lists of rejected postal petition documents)”.
- (17) In regulation 115 (notification of a rejected postal petition statement: England and Wales and Scotland)—
 - (a) in the heading for “statement” substitute “document”;
 - (b) in paragraph (1)—
 - (i) for “(lists of rejected postal signing sheets)” substitute “, or on the list compiled under regulation 110(6) (list of rejected postal petition documents) with an indication in accordance with regulation 110(6)(d) that a postal signing sheet was included in rejected postal petition documents,”;
 - (ii) in sub-paragraph (a)—
 - (aa) the words from “the petition officer” to the end become paragraph (i);
 - (bb) after that paragraph (i) insert—
 - “(ii) the postal signing sheet was handed in and the relevant officer—
 - (aa) was not satisfied that the return of postal petition documents form had been completed properly and provided the required information;
 - (bb) suspected that the person handing it in had handed in postal signing sheets on behalf of more than the permitted number of electors;
 - (cc) suspected that the person handing it in was a political campaigner who was committing an offence under regulation 122A;
 - (iii) the postal signing sheet was a left behind postal petition document,”;

- (iii) in sub-paragraph (c)—
 - (aa) the words from “in regulation” to the end become paragraph (i);
 - (bb) after that paragraph (i) insert—
 - “(ii) in regulation 110(7) applied to the postal signing sheet.”;
 - (c) in paragraph (2)(b) at the end insert “except where that offence is committed by a political campaigner under regulation 122A”.
- (18) After regulation 115 insert—

“Notification of a rejected postal petition document: Northern Ireland

115A.—(1) Where an absent signer for a petition in Northern Ireland appears on the list compiled under regulation 110A (lists of rejected postal petition documents) with an indication in accordance with regulation 110A(2)(d) that a postal signing sheet was included in the rejected postal petition documents—

- (a) the petition officer must notify the absent signer (and the elector if the absent signer is a proxy) that the signing sheet concerned was rejected because—
 - (i) the postal signing sheet was handed in and the relevant officer—
 - (aa) was not satisfied that the return of postal petition documents form had been completed properly and provided the required information;
 - (bb) suspected that the person handing it in had handed in postal signing sheets on behalf of more than the permitted number of electors;
 - (cc) suspected that the person handing it in was a political campaigner who was committing an offence under regulation 122A;
 - (ii) the postal signing sheet was a left behind postal petition document;
 - (b) the petition officer must send the notification as soon as possible, and within the period of three months beginning with the last day of the signing period; and
 - (c) the notification must include information as to which of the specified reasons referred to in regulation 110A(3) applied to the postal signing sheet.
- (2) The petition officer is not obliged to send a notification—
- (a) to any person who is no longer shown as signing the petition by post in the record kept under regulation 52(5) or regulation 58(7) at the time the petition officer proposes to send the notification, or
 - (b) where the petition officer suspects that an offence may have been committed in relation to the postal signing sheet or the absent signer’s entitlement to sign the petition under section 10 of the Act (persons entitled to sign a recall petition) except where that offence is committed by a political campaigner under regulation 112A.
- (3) A notification issued under paragraph (1) may also include any other information that the petition officer considers appropriate, but a notification must not include a date of birth or national insurance number.”.
- (19) After regulation 122 (tampering with signing sheets etc.) insert—

“Handling of postal petition documents by political campaigners

122A.—(1) A person who is a political campaigner in respect of a petition commits an offence if the person handles a postal petition document that has been issued to another person for use in that petition.

(2) But a person who handles a postal petition document for use in a petition does not commit the offence if—

- (a) the person is responsible for, or assists with, the conduct of that petition (for example as a petition officer or a person working under the direction of a petition officer),
- (b) the person is engaged in the business of a postal operator, or
- (c) the person is employed or engaged in a role the duties of which include the handling of postal packets on behalf of members of an organisation or the occupants of a communal building,

and the handling is consistent with the person’s duties in that capacity.

(3) Nor does a person commit the offence if the person—

- (a) is the other person’s spouse, civil partner, parent, grandparent, brother, sister, child or grandchild, or
- (b) provides regular care for, or is employed or engaged by an organisation which provides care for, the other person.

(4) It is a defence for a person charged with the offence to show that the person did not dishonestly handle the postal petition document for the purpose of promoting a particular outcome of a petition.

(5) Where sufficient evidence is adduced to raise an issue with respect to the defence under paragraph (4), the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

(6) A person is guilty of a corrupt practice if the person—

- (a) commits the offence under paragraph (1), or
- (b) aids, abets, counsels or procures the commission of that offence.

(7) For the purposes of this regulation a person is a political campaigner in respect of a petition if any of the following applies—

- (a) the person is the MP who is subject to the petition process;
- (b) the person is employed or engaged by the MP who is subject to the petition process for the purposes of their activities as an MP;
- (c) the person is a member of a registered political party and carries on an activity designed to promote a particular outcome of the petition;
- (d) the person is employed or engaged by a registered political party in connection with the party’s political activities;
- (e) the person is employed or engaged by a person within any of sub-paragraphs (a) to (d) to carry on an activity designed to promote a particular outcome of the petition;
- (f) the person is employed or engaged by a person within sub-paragraph (e) to carry on an activity designed to promote a particular outcome of the petition;
- (g) the person is an accredited campaigner within the meaning of Part 5 of Schedule 3 to the Act(21).

(8) In this regulation—

“postal operator” has the same meaning as in Part 3 of the Postal Services Act 2011;

“postal petition document” includes an envelope that has been issued to a person for the purpose of enabling the person to sign a petition by post.

(9) For the purposes of this regulation, an envelope—

(21) Part 5 was amended by [S.I. 2018/1310](#).

- (a) that is not a postal petition document, but
- (b) that contains a postal signing sheet, postal petition statement or declaration of identity that has been issued to a person for the purpose of enabling the person to sign a petition by post,

is to be treated as if it were a postal petition document that has been issued to the person for use in the petition.

(10) In this regulation, any reference to a person who is “engaged” by another person, or to a person who provides care for another person, includes a reference to a person who is engaged or provides care otherwise than for payment or promise of payment.

(11) For the purposes of paragraph (3)(a), two people living together as if they were a married couple or civil partners are treated as if they were spouses or civil partners of each other.”.

(20) In regulation 123 (requirement of secrecy)—

(a) after paragraph (4) insert—

“(4A) No person may—

- (a) except for some purpose authorised by law, obtain or attempt to obtain information, or communicate at any time to any other person any information, as to the number or other unique identifying mark on the back of a postal signing sheet issued to a person for signing a petition by post;
- (b) except for some purpose authorised by law, obtain or attempt to obtain information, or communicate at any time to any other person any information, as to the official mark on a postal signing sheet issued to a person for signing a petition by post;
- (c) obtain or attempt to obtain information, in the circumstances mentioned in paragraph (4B), as to whether a person issued with a postal signing sheet for signing a petition by post (“P”) has or has not signed the petition;
- (d) communicate at any time to any other person information obtained in contravention of sub-paragraph (c).

(4B) The circumstances referred to in paragraph (4A)(c) are where P is about to mark, or is in the process of marking, or has just marked, a postal signing sheet issued to P for signing a petition by post.

(4C) But—

- (a) a person (“E”) who is signing a petition by proxy does not contravene paragraph (4A) by obtaining or attempting to obtain from the person entitled to sign the petition as E’s proxy information as to a matter mentioned in sub-paragraph (a) of that paragraph that relates to E’s signing of the petition, and
- (b) a person who is entitled to sign a petition as E’s proxy does not contravene paragraph (4A) by communicating to E information as to a matter mentioned in sub-paragraph (a) of that paragraph that relates to E’s signing of the petition.

(4D) Paragraphs (4A)(c) and (d) do not apply where the purpose (or main purpose) for which the information is sought or communicated is its use for the purpose of—

- (a) a published statement relating to whether people entitled to sign the petition intend to sign it or have signed it, or
- (b) a published forecast as to the result of that petition which is based on information given by people entitled to sign it.

(4E) In paragraph (4D)—

- (a) “forecast” includes estimate;
 - (b) “published” means made available to the public at large or to any section of the public, in whatever form and by whatever means.
- (4F) Where a person (“the proxy”) is entitled to sign a petition as proxy for another person (“E”)—
- (a) the proxy must not communicate at any time to any person other than E any information as to whether the proxy is about to sign the petition, or has signed the petition, as proxy for E;
 - (b) except for some purpose authorised by law, the proxy must not communicate at any time to any person other than E the number or other unique identifying mark on the back of a signing sheet issued to the proxy for signing the petition as proxy for E.”;
- (b) in paragraph (6)—
- (i) after “person” insert “who acts in contravention of this regulation is”;
 - (ii) for “under this regulation” substitute “and”.
- (21) In Schedule 2 (forms)—
- (a) in Part 1 (United Kingdom), for form E (official petition notice for an elector who may sign the petition by post), form G (official petition notice for a proxy who may sign the petition by post), form K (postal petition statement) and form L (statement as to postal petition signing sheets, proxies and additional data) substitute the corresponding forms set out in Part 1 of Schedule 8 to these Regulations;
 - (b) in Part 3 (Northern Ireland), for form E (official petition notice for an elector who may sign the petition by post), form G (official petition notice for a proxy who may sign the petition by post), form L (statement as to postal petition signing sheets, proxies and additional data) and form M (declaration of identity) substitute the corresponding forms set out in Part 2 of Schedule 8 to these Regulations.
- (22) In Schedule 3 (access to marked registers after a petition), in paragraph 3 (inspection of documents open to public inspection), in sub-paragraph (1)(b)—
- (a) in sub-paragraph (iv), for “(lists of rejected postal signing sheets)” substitute “or (6) or regulation 110A(1) (lists of rejected postal petition documents);
 - (b) after sub-paragraph (iv) insert—
“(v) return of postal petition documents forms.”
- (23) In Schedule 4 (legal proceedings: application to recall petitions of existing provisions)—
- (a) in paragraph 21, in the words substituted by sub-paragraph (b), for “or 120 (offences relating to applications for postal and proxy signing)” substitute “, 120 (offences relating to applications for postal and proxy signing) or 122A (handling of postal petition documents by political campaigners)”;
 - (b) in paragraph 26, for sub-paragraph (a) substitute—
“(a) in paragraph (a)(i), for the words from “section 60” to “above” substitute “regulation 118 (personation), regulation 120 (offences relating to applications for postal or proxy signing) or regulation 122A (handling of postal petition documents by political campaigners) of the Recall of MPs Act 2015 (Recall Petition) Regulations 2016”;
 - (c) in paragraph 28, for sub-paragraph (b) substitute—
“(b) in subsection (2), for the words from “section 60” to the end, substitute “regulation 118 (personation), regulation 120 (offences relating to applications

for postal or proxy signing) or regulation 122A (handling of postal petition documents by political campaigners) of the Recall of MPs Act 2015 (Recall Petition) Regulations 2016, or an illegal practice under regulation 119 of those Regulations (other signing offences).”;

The Combined Authorities (Mayoral Elections) Order 2017

11.—(1) The Combined Authorities (Mayoral Elections) Order 2017(**22**) is amended as follows.

(2) In Schedule 1 (combined authorities mayoral elections rules)—

(a) in rule 32 (admission to polling station), in paragraph (1) after sub-paragraph (b) insert—

“(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 47(3)(b).”;

(b) in rule 47 (procedure at verification of ballot paper accounts), in paragraph (2)—

(i) omit the “and” at the end of sub-paragraph (c);

(ii) after sub-paragraph (d) insert—

“and

(e) the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.”;

(c) in Part 9 (appendix of forms), for form 7 (postal voting statement), form 9 (official postal poll card) and form 11 (official proxy postal poll card) substitute the corresponding forms set out in Part 1 of Schedule 9 to these Regulations.

(3) In Schedule 2 (modifications of Acts and statutory instrument), in paragraph 5 (Representation of the People (England and Wales) Regulations 2001)—

(a) in sub-paragraph (5) for “after paragraph (b)” substitute “in paragraph (1), after sub-paragraph (b)”;

(b) after sub-paragraph (6) insert—

“(6A) Regulation 82A (postal voting documents handed in to the returning officer) has effect as if, in paragraph (1), in sub-paragraph (b), after paragraph (i) there were inserted—

“(ia) rule 47(3)(a) or 50(6)(a) of the Combined Authority Mayoral Elections Rules;”.

(4) In Schedule 3 (combined authority mayoral election (combination of polls) rules)—

(a) in rule 32 (admission to polling station) in paragraph (1) after sub-paragraph (b) insert—

“(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 47(3)(b).”;

(b) in rule 47 (procedure at verification of ballot paper accounts) in paragraph (2)—

(i) omit the “and” at the end of sub-paragraph (c);

(ii) after sub-paragraph (d) insert—

“and

(e) the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.”;

- (c) in Part 9 (appendix of forms), for forms 7(1) and 7(2) (postal voting statements), form 9 (official postal poll card) and form 11 (official proxy postal poll card) substitute the corresponding forms set out in Part 2 of Schedule 9 to these Regulations.

The Police and Crime Commissioner Elections (Welsh Forms) Order 2021

12. In Schedule 3 to the Police and Crime Commissioner Elections (Welsh Forms) Order 2021 (Welsh and English versions of prescribed forms)**(23)**, for the following forms substitute the corresponding forms set out in Schedule 10 to these Regulations—

- (a) form 2 (postal voting statement where PCC election taken alone);
- (b) form 4 (postal voting statement where polls are combined but proceedings on issue and receipt of postal ballot papers are not combined);
- (c) form 5 (statement of the number of postal ballot papers issued);
- (d) form 12 (official postal poll card);
- (e) form 14 (official proxy postal poll card).

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Jacob Young
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and
Communities

20th November 2023

(23) [S.I. 2021/291](#), amended by [S.I. 2022/1354](#); there are other amending instruments but none is relevant.