

**Changes to legislation:** Representation of the People Act 1983, Part V is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 1

#### Modifications etc. (not altering text)

- C1** Parliamentary election rules modified (N.I.) (*prosp.*) by Representation of the People Act 1985 (c. 50, SIF 42), s. 10, **Sch. 1 paras. 8–23**
- C2** Paras. 3–7 of Pt. II of Sch. 1 to Representation of the People Act 1985 (c. 50, SIF 42) have effect (N.I.) (*prosp.*) by virtue of s. 10 of, and Sch. 1 para. 2 to, that Act as additional rules in Sch. 1 to this Act
- C3** Sch. 1 applied with modifications (S.) by S.I. 1986/2213, **Rules 2, 5**  
Sch. 1 applied (with modifications) (E.W.S.) (28.4.1999) by 1985 c. 50, s. 15(1)(2) (as applied (with modifications) (28.4.1999) by S.I. 1999/1214, reg. 8, **Sch. 3**) (which S.I. was revoked (23.3.2004) by S.I. 2004/293, **reg. 126**)
- C4** Sch. 1 modified (E.W.) by S.I. 1986/1081, **regs. 2, 97, 98, 100** (which S.I. was revoked (23.3.2004) by S.I. 2004/294, **reg. 3**)
- C5** Sch. 1 extended (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, **art. 6(1)-(4)**
- C6** Sch. 1 modified (N.I.) (10.4.2001) by Elections Act 2001 (c. 7), s. 4, **Sch.** (as amended (16.12.2010) by S.I. 2010/2977, arts. 2(2), 6; (15.9.2014) by S.I. 2014/1116, arts. 1(1), 9; and (4.4.2024) by S.I. 2024/382, art. 1(2), **Sch. 5** (with art. 1(3)))
- C7** Sch. 1 modified (S.) by The Representation of the People (Scotland) Regulations 1986 (S.I. 1986/1111), regs. 2, **95, 96, 98** (as amended (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **36** (with reg. 1(6)(7)))
- C8** Sch. 1 modified (E.W.) (23.3.2004) by The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294), reg. 8, **Sch. 2** (as amended (22.5.2014) by S.I. 2014/920, regs. 1(1), **2(7)**, 3-6; (7.5.2015) by S.I. 2015/654, regs. 1(1), **2**); (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **37** (with reg. 1(6)(7)) and (with effect in accordance with reg. 1(2) of the amending S.I.) by The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225), **reg. 4**)

### PART V

#### DISPOSAL OF DOCUMENTS

#### *[<sup>F1</sup>Destruction of home address forms*

#### Textual Amendments

- F1** Sch. 1 rule 53A and preceding cross-heading inserted (4.9.2009) before Sch. 1 rule 54 by Political Parties and Elections Act 2009 (c. 12), **ss. 24(7), 43(1)**; S.I. 2009/2395, **art. 2** (with art. 3)

- 53A The returning officer shall destroy each candidate's home address form—
- (a) on the next working day following the 21st day after the officer has returned the name of the member elected; or

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- (b) if an election petition questioning the election or return is presented before that day, on the next working day following the conclusion of proceedings on the petition or on appeal from such proceedings.]

*[<sup>F2</sup>Destruction of date of birth lists: Northern Ireland*

#### Textual Amendments

- F2** Sch. 1 rule 53B and cross-heading inserted (N.I.) (31.1.2024) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 26; S.I. 2023/1145, reg. 4(a) (with Sch. para. 3)

- 53B The Chief Electoral Officer for Northern Ireland must destroy the lists provided to the polling station under rule 29(3)(f)—
- (a) on the next working day following the 21st day after the Chief Electoral Officer has returned the name of the member elected, or
- (b) if an election petition questioning the election or return is presented before that day, on the next working day following the conclusion of proceedings on the petition or on appeal from such proceedings.]

#### Modifications etc. (not altering text)

- C9** Sch. 1 rule 53B applied (with modifications) (31.1.2024) by S.I. 2001/2599, Sch. 1 (as amended by Elections Act 2022 (c. 37), s. 67(1), Sch. 6 para. 44; S.I. 2023/1145, reg. 4(e)(xiv) (with Sch. para. 3))

#### *Sealing up of ballot papers*

- 54 (1) On the completion of the counting at a contested election the returning officer shall seal up in separate packets the counted and rejected ballot papers.
- [<sup>F3</sup>(2) The returning officer shall not open the sealed packets of—
- (a) tendered ballot papers,
- [<sup>F4</sup>(aa) tendered postal ballot papers,]
- (b) the completed corresponding number lists,
- [<sup>F5</sup>(ba) in the case of an election held in England and Wales or Scotland, the completed ballot paper refusal list,]
- (c) certificates as to employment on duty on the day of the poll, or
- (d) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of this Act) and lists of proxies.]
- [<sup>F6</sup>(3) This rule applies in relation to Northern Ireland as if the reference in paragraph (2) (d) to section 13B(3B) or (3D) were a reference to section 13BA(9).]

#### Textual Amendments

- F3** Sch. 1 rule 54(2) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(5), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F4** Sch. 1 rule 54(2)(aa) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 3(10)

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- F5** Sch. 1 rule 54(2)(ba) inserted (E.W.S.) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 27**; S.I. 2022/1401, reg. 2(d)(xiii) (with reg. 3(1))
- F6** Sch. 1 rule 54(3) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 6(10)**; S.I. 2008/1318, **art. 2**

#### Modifications etc. (not altering text)

- C10** Sch. 1 rules 54–57, 60 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C11** Sch. 1 rules 54–57, 60 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C12** Sch. 1 rule 54 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(b)(5)–(8), **Sch. 1**  
Sch. 1 rule 54 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, **Sch. 2**
- C13** Sch. 1 rule 54 applied (with modifications) (31.7.1997) by 1997 c. 61, s. 3, **Sch. 3 para. 13** Table 2  
Sch. 1 rule 54 applied (with modifications) (1.8.2001) by S.I. 2001/2599, art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)

#### *Delivery of documents to [F7 registration officer]*

#### Textual Amendments

- F7** Sch. 1 rule 55: words in heading substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(2), 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**

- 55 (1) The returning officer shall then forward to the [F8 relevant registration officer] the following documents—
- (a) the packets of ballot papers in his possession,
  - (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts,
  - (c) the tendered votes lists, [F9 the tendered postal votes lists,] the lists of [F10 voters with disabilities] assisted by companions, the lists of votes marked by the presiding officer and the related statements, [F11 the lists maintained under rule 41A,] and the declarations made by the companions of [F10 voters with disabilities],
  - [F12 (ca) the packets of the completed corresponding number lists,]
  - [F13 (cb) in the case of an election held in England and Wales or Scotland, the packet containing the completed ballot paper refusal list,]
  - (d) the packets of F14 . . . certificates as to employment on duty on the day of the poll,
  - (e) the packets containing marked copies of registers [F15 (including any marked copy notices issued under section 13B(3B) or (3D) of this Act)] and [F16 of the postal voters list, of lists of proxies and of the proxy postal voters list] ,
  - [F17 (f) such other documents relating to elections as are prescribed,]
- endorsing on each packet a description of its contents, the date of the election to which they relate and the name of the constituency for which the election was held.

[F18(1A) In this rule and in rules 56 and 57 references to the relevant registration officer are to—

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- (a) the registration officer of the local authority in whose area the constituency is situated, or
- (b) if the constituency comprises any part of the area of more than one local authority, the registration officer of the local authority in whose area the greater or greatest (as the case may be) number of electors is registered.

[ Paragraph (1)(e) does not apply to an election for a constituency in Northern Ireland,<sup>F19</sup>(1B) but the returning officer shall endorse on each packet containing—

- (a) marked copies of the registers,
- (b) the postal voters list,
- (c) the proxy postal voters list, and
- (d) lists of proxies,

a description of its contents, the date of the election to which it relates and the name of the constituency for which the election was held.]]

(2) <sup>F20</sup> .....

(3) <sup>F20</sup> .....

(4) <sup>F20</sup> .....

[<sup>F21</sup>(5) This rule applies in relation to Northern Ireland as if—

- (a) paragraph (1)(c) included a reference to the lists maintained under rule 41B, and
- (b) the reference in paragraph (1B)(a) to marked copies of the registers included any marked copy notices issued under section 13BA(9).]

#### Textual Amendments

- F8** Words in Sch. 1 rule 55(1) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(3)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F9** Words in Sch. 1 rule 55(1)(c) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 3(11)
- F10** Words in rule 55(1)(c) substituted (16.2.2001) by 2000 c. 2, s. 13(1)(4); S.I. 2001/116, art. 2(1)
- F11** Words in Sch. 1 rule 55(1)(c) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, Sch. 1 para. 40(a); S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F12** Sch. 1 rule 55(1)(ca) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(6)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4
- F13** Sch. 1 rule 55(1)(cb) inserted (E.W.S.) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 28; S.I. 2022/1401, reg. 2(d)(xiii) (with reg. 3(1))
- F14** Words in Sch. 1 rule 55(1)(d) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(6)(b), 77, Sch. 2; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o)(aa) (cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4
- F15** Words in Sch. 1 rule 55(1)(e) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, Sch. 1 para. 40(b); S.I. 2006/3412, art. 3, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F16** Words in Sch. 1 rule 55(1)(e) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 45(3)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(u) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4

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- F17** Sch. 1 rule 55(1)(f) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 45(3)(b), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(u) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts 2, 4
- F18** Sch. 1 rule 55(1A) inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(3)(b), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F19** Sch. 1 rule 55(1B) inserted (N.I.) (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77, Sch. 1 para. 95(2); S.I. 2008/1316, arts 2, 5
- F20** Sch. 1 rule 55(2)-(4) repealed (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(3)(c), 74(2), 77, Sch. 2; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t)(aa)(cc)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F21** Sch. 1 rule 55(5) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, Sch. 4 para. 6(11); S.I. 2008/1318, art. 2

#### Modifications etc. (not altering text)

- C14** Sch. 1 rules 54–57, 60 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C15** Sch. 1 rules 54–57, 60 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I
- C16** Sch. 1 rule 55 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), Sch. 1  
Sch. 1 rule 55 applied (with modifications) (N.I.) (25.4.1998) by S.I. 1998/1126, art. 6, Sch. 2  
Sch. 1 rule 55(1)(1B)(5) applied (with modifications) (1.8.2001) by S.I. 2001/2599, art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, Sch. 1)

#### Orders for production of documents

- 56 (1) An order—
- (a) for the inspection or production of any rejected ballot papers in the custody of the [F22relevant registration officer] , or
  - (b) for the opening of a sealed packet of [F23the completed corresponding number lists or of] certificates as to employment on duty on the day of the poll or the inspection of any counted ballot papers in his custody,
- may be made—
- (i) by the House of Commons; or
  - (ii) if satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of an election petition, by the High Court or [F24the county court].
- [F25(1A) An order—
- (a) for the opening of the sealed packet containing a completed ballot paper refusal list, or
  - (b) for the inspection or production of that list,
- may be made by the High Court or the county court if satisfied by evidence on oath that the order is required for the purpose of an election petition relating to an election in England and Wales or Scotland.]
- (2) An order for the opening of a sealed packet of [F26the completed corresponding number lists or of] certificates or for the inspection of any counted ballot papers in the [F27relevant registration officer's] custody may be made by an election court.
  - (3) An order under this rule may be made subject to such conditions as to—

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- (a) persons,
- (b) time,
- (c) place and mode of inspection,
- (d) production or opening,

as the House of Commons or court making the order may think expedient; but in making and carrying into effect an order for the opening of a packet of [F28the completed corresponding number lists or of] certificates or for the inspection of counted ballot papers, care shall be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved—

- (i) that his vote was given; and
- (ii) that the vote has been declared by a competent court to be invalid.

(4) An appeal lies to the High Court from any order of [F29the county court] under this rule.

(5) Any power given under this rule—

- (a) to the High Court or, except in Northern Ireland, to [F30the county court], may be exercised by any judge of the court otherwise than in open court; and
- (b) in Northern Ireland to a county court, may be exercised in such manner as may be provided by rules of court.

(6) Where an order is made for the production by the [F22relevant registration officer] of any document in his possession relating to any specified election—

- (a) the production by him or his agent of the document ordered in such manner as may be directed by that order shall be conclusive evidence that the document relates to the specified election; and
- (b) any endorsement on any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what they are stated to be by the endorsement.

[F31(7) The production from proper custody of—

- (a) a ballot paper purporting to have been used at any election, and
- (b) a completed corresponding number list with a number marked in writing beside the number of the ballot paper,

shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person whose entry in the register of electors (or on a notice issued under section 13B(3B) or (3D) of this Act) at the time of the election contained the same number as the number written as mentioned in sub-paragraph (b).]

(8) Save as by this rule provided, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the [F22relevant registration officer] or to open any sealed packets of [F32the completed corresponding number lists or of] certificates.

#### Textual Amendments

**F22** Words in [Sch. 1 rule 56\(1\)\(6\)\(8\)](#) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 41\(4\)\(a\)](#), 77; [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 14\(t\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); [S.I. 2008/1316](#), [arts. 2, 3](#)

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- F23** Words in Sch. 1 rule 56(1)(b) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(a), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F24** Words in Sch. 1 rule 56(1) substituted (22.4.2014) (with a view to the inserted references to the county court including (as in other places in this Act) a county court in Northern Ireland) by Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F25** Sch. 1 rule 56(1A) inserted (E.W.S.) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 29; S.I. 2022/1401, reg. 2(d)(xiii) (with reg. 3(1))
- F26** Words in Sch. 1 rule 56(2) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(b), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F27** Words in Sch. 1 rule 56(2) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 41(4)(b), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(t) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 3
- F28** Words in Sch. 1 rule 56(3) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(c), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F29** Words in Sch. 1 rule 56(4) substituted (22.4.2014) (with a view to the inserted references to the county court including (as in other places in this Act) a county court in Northern Ireland) by Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F30** Words in Sch. 1 rule 56(5)(a) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F31** Sch. 1 rule 56(7) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(d), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4
- F32** Words in Sch. 1 rule 56(8) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 31(7)(e), 77; S.I. 2006/3412, art. 3, Sch. 1 para. 14(o) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, arts. 2, 4

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- C17** Sch. 1 rules 54–57, 60 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I
- C18** Sch. 1 rules 54–57, 60 applied with modifications (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), Sch. 1 Pt. I
- C19** Sch. 1 rule 56 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), Sch. 1 Sch. 1 rule 56 applied (with modifications) (1.8.2001) by S.I. 2001/2599, art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, Sch. 1)
- C20** Sch. 1 rule 56 applied (with modifications) (1.8.2001) by The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599), art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, Sch. 1; and modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(1), Sch. 8 paras. 38(3), 50(7)(b))
- C21** Sch. 1 rule 56 applied (with modifications) by The Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497), reg. 91A(3) (as inserted (6.4.2014) by S.I. 2013/3206, regs. 1(3)(c), 38)
- C22** Sch. 1 rule 56 applied (with modifications) by S.I. 2001/497, reg. 91(4) (as substituted (S.) (with effect in accordance with reg. 1(2) of the amending S.I.) by The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225), reg. 3(11)(b))

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*[<sup>F33</sup>Inspection of ballot paper refusal list: Great Britain*

**Textual Amendments**

**F33** Sch. 1 rule 56A and cross-heading inserted (27.8.2022) by Elections Act 2022 (c. 37), s. 67(1), Sch. 1 para. 30; S.I. 2022/916, reg. 2(d)(xi)

- 56A (1) Regulations may make provision about the circumstances in which a registration officer may open the sealed packet containing a completed ballot paper refusal list and inspect the list.
- (2) Regulations may impose conditions in relation to the opening of a sealed packet or the inspection of a list by virtue of paragraph (1).
- (3) Regulations may make provision about the disclosure by a registration officer of information contained in the ballot paper refusal list.]

*Retention and public inspection of documents*

- 57 (1) The [<sup>F34</sup>relevant registration officer] shall retain for a year all documents relating to an election forwarded to him in pursuance of these rules by a returning officer, and then, unless otherwise directed by order of the House of Commons [<sup>F35</sup>, the High Court, the Crown Court or a magistrates' court] , shall cause them to be destroyed.
- [<sup>F36</sup>(2) The documents mentioned in paragraphs (1) and (1A) except—
- (a) ballot papers,
- (b) the completed corresponding number lists,
- [<sup>F37</sup>(ba) in the case of an election held in England and Wales or Scotland, the completed ballot paper refusal list,]
- (c) certificates as to employment on duty on the day of the poll,
- shall be open to public inspection.]
- [<sup>F38</sup>(3) The relevant registration officer or the Chief Electoral Officer for Northern Ireland (as the case may be) must, on request, supply to any person copies of or extracts from such description of the documents open to public inspection as is prescribed by regulations.]
- [<sup>F39</sup>(4) Each of the following must, on request, be supplied with a copy of the marked copies of the register, the postal voters list, the list of proxies and the proxy postal voters list—
- (a) a registered party within the meaning of Part 2 of the Political Parties, Elections and Referendums Act 2000;
- (b) a person who was a candidate at the election in relation to the constituency for which he was a candidate.
- (5) Regulations may impose conditions in relation to—
- (a) the inspection of any document in pursuance of paragraph (2);
- (b) the supply of any document or part of a document in pursuance of paragraph (3);
- (c) the supply of any document or part of a document in pursuance of paragraph (4).
- (6) Regulations may also make provision—



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**Changes to legislation:** Representation of the People Act 1983, Part V is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (a) as to the form in which any such document or part is supplied;
  - (b) for the payment of a fee in respect of the supply of a document or part.
- (7) Conditions which may be imposed for the purposes of paragraph (5)(a) or (b) include conditions as to—
- (a) whether a person may take any copy of a document he is permitted to inspect;
  - (b) the manner in which any such copy is to be taken;
  - (c) the purposes for which information contained in any document or part of a document which is inspected or supplied in pursuance of paragraph (2) or (3) may be used.
- (8) Conditions which may be imposed for the purposes of paragraph (5)(b) or (c) include conditions as to the extent to which a person to whom a document or part of a document has been supplied may—
- (a) supply that document or part to any other person;
  - (b) disclose to any other person any information contained in the document or part;
  - (c) use any such information for a purpose other than that for which the document or part was supplied to him.
- (9) Regulations may also impose conditions corresponding to those mentioned in paragraph (8) in respect of persons who have obtained a document or part of a document mentioned in paragraph (4)—
- (a) which was supplied to another person in pursuance of paragraph (4), or
  - (b) otherwise than in accordance with regulations under this section.]

#### *Disposal of documents in Scotland*

[<sup>F40</sup>58 (1) This rule modifies rules 55 to 57 in relation to elections in Scotland.

- (2) In relation to such elections—
- (a) the documents mentioned in rule 55(1)—
    - (i) are not to be forwarded by the returning officer as required by that rule,
    - (ii) instead, are to remain in the returning officer's custody (and be endorsed by the officer as required by that rule);
  - (b) the references in rules 56 and 57 to the relevant registration officer are to be read as references to the returning officer (and rule 55(1A) is to be disregarded);
  - [<sup>F41</sup>(ba) the references in rule 56A to a registration officer are to be read as references to the returning officer;]
  - (c) the reference in rule 57(1) to the documents to be retained is to be read as a reference to the documents remaining in the returning officer's custody under sub-paragraph (a)(ii).]

#### **Textual Amendments**

**F40** Sch. 1 rule 58 substituted (26.3.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. **25(b)**, 43(1); [S.I. 2010/969](#), art. 2(a) (with art. 3)

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**F41** Sch. 1 rule 58(2)(ba) inserted (27.8.2022 for specified purposes, 16.1.2023 in so far as not already in force) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 32**; S.I. 2022/916, reg. 2(d)(xi); S.I. 2022/1401, reg. 2(d)(xiii) (with reg. 3(1))

**Modifications etc. (not altering text)**

**C27** Sch. 1 rule 58 applied (with modifications) by S.I. 2001/497, **reg. 91(4)** (as substituted (S.) (with effect in accordance with reg. 1(2) of the amending S.I.) by The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225), **reg. 3(11)(b)**)

*Disposal of documents in Northern Ireland*

[<sup>F42</sup>59 In the application of rules 55 to 57 to elections for a constituency in Northern Ireland, the references to the relevant registration officer shall be taken to be references to the Clerk of the Crown for Northern Ireland.]

**Textual Amendments**

**F42** Sch. 1 rule 59 substituted (1.7.2008) by Electoral Administration Act 2006 (c. 22), **ss. 41(7), 77**; S.I. 2008/1316, **arts. 2, 5**

### Changes to legislation:

Representation of the People Act 1983, Part V is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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

- Act Representation of the People Acts amended by [1985 c. 50 Sch. 1 para. 24](#)
- Act power to amend conferred by [2009 c. 12 s. 34\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 9(2A) inserted by [2021 asc 1 s. 18\(2\)](#)
- s. 9E(1A) inserted by [2021 asc 1 s. 18\(4\)](#)
- s. 9ZA inserted by [2021 asc 1 s. 18\(3\)](#)
- s. 10(4C)(4D) inserted by [2009 c. 12 s. 33\(3\)\(e\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 10A(1C)(1D) inserted by [2009 c. 12 s. 33\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 10ZE(2A) inserted by [2021 asc 1 s. 18\(5\)\(a\)](#)
- s. 10ZE(4A) inserted by [2021 asc 1 s. 18\(5\)\(c\)](#)
- s. 10ZE(5A)-(5C) inserted by [2021 asc 1 s. 18\(5\)\(d\)](#)
- s. 13A(1)(zc) inserted by [2021 asc 1 s. 18\(6\)](#)
- s. 13A(2C)(2D) inserted by [2009 c. 12 s. 33\(6\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 16(1)(e) words substituted by [2022 c. 37 Sch. 8 para. 1\(5\)](#)
- s. 16(1)(e) words substituted by [2022 c. 37 Sch. 8 para. 1\(6\)](#)
- s. 49(5)(b)(iia) inserted by [2022 c. 37 Sch. 8 para. 1\(8\)\(a\)](#)
- s. 56(1)(azaa) inserted by [2021 asc 1 s. 18\(9\)](#)
- s. 62C applied (with modifications) by S.I. 2012/2031, Sch. 4 Pt. 1 Table 1 (as amended) by [S.I. 2023/1141 reg. 7\(2\)\(a\)](#)
- s. 62C applied (with modifications) by S.I. 2012/2031, Sch. 8 Table 1 (as amended) by [S.I. 2023/1141 reg. 7\(3\)\(a\)](#)
- s. 62C applied (with modifications) by S.I. 2012/323, Sch. 4 Table 1 (as amended) by [S.I. 2023/1141 reg. 5\(a\)](#)
- s. 62C applied (with modifications) by S.I. 2012/444, Sch. 4 Table 1 (as amended) by [S.I. 2023/1141 reg. 6\(a\)](#)
- s. 62C inserted by [2023 c. 12 s. 1](#)
- s. 63(3)(ba) inserted by [2006 c. 22 s. 7](#) (This amendment not applied to legislation.gov.uk. S. 7 repealed (2.4.2013) without ever being in force by 2013 c. 6, s. 23; S.I. 2013/702, art. 3(e))
- s. 81(4A)(4B) inserted by [2006 asp 14 s. 19\(2\)](#)

- s. 113(7)(b)(c) inserted by [2011 c. 1 Sch. 10 para. 15\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 114(4) inserted by [2011 c. 1 Sch. 10 para. 16](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 115(3) inserted by [2011 c. 1 Sch. 10 para. 17](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 139(6A) inserted by [2011 c. 1 Sch. 10 para. 19\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 165(3A) inserted by [2011 c. 1 Sch. 10 para. 20](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 201(2B) inserted by [2009 c. 12 s. 33\(9\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 203A applied (with modifications) by S.I. 2001/2599, Sch. 1 table (as amended) by [2022 c. 37 Sch. 8 para. 11\(3\)](#)
- s. 203A203B applied by 1989 c. 3, Sch. 1 Pt. 1 (as amended) by [2022 c. 37 Sch. 8 para. 9\(4\)](#)
- s. 203B applied (with modifications) by S.I. 2001/2599, Sch. 1 table (as amended) by [2022 c. 37 Sch. 8 para. 11\(3\)](#)
- Sch. 1 rule 37A inserted by [2011 c. 1 s. 9\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 9 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(a))
- Sch. 1 rule 45A45B inserted by [2011 c. 1 s. 9\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 9 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(a))
- Sch. 1 rule 46(3) inserted by [2011 c. 1 Sch. 10 para. 5\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(3A)(3B) inserted by [2011 c. 1 Sch. 10 para. 6\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 40(1B)(a) repealed by [2006 c. 22 Sch. 2](#)
- Sch. 1 rule 18 substituted by [2011 c. 1 Sch. 10 para. 2](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(4)(d) substituted by [2011 c. 1 Sch. 10 para. 6\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(2)(c) substituted by [2011 c. 1 Sch. 10 para. 10\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 62 substituted by [2011 c. 1 Sch. 10 para. 11\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(1)(aa)(b) substituted for Sch. 1 rule 47(1)(b) by [2011 c. 1 Sch. 10 para. 6\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(2)-(2E) substituted for Sch. 1 rule 47(2) by [2011 c. 1 Sch. 10 para. 6\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

- Sch. 1 rule 47(4)(aa)(b) substituted for Sch. 1 rule 47(4)(b) by [2011 c. 1 Sch. 10 para. 6\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 49(4A) substituted for Sch. 1 rule 49 by [2011 c. 1 Sch. 10 para. 7](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 50(1)(a)(aa)(ab)(b)(c) substituted for Sch. 1 rule 50(1)(a)-(c) by [2011 c. 1 Sch. 10 para. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(2)(a)(aa) substituted for Sch. 1 rule 61(2)(a) by [2011 c. 1 Sch. 10 para. 10\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 46(1)(1A) substituted for rule 46(1) by [2011 c. 1 Sch. 10 para. 5\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 46(2) words inserted by [2011 c. 1 Sch. 10 para. 5\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47 heading words inserted by [2011 c. 1 Sch. 10 para. 6\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 29(5) words substituted by [2011 c. 1 Sch. 10 para. 3](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 44(5) words substituted by [2011 c. 1 Sch. 10 para. 4](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(1) words substituted by [2011 c. 1 Sch. 10 para. 6\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(1)(d) words substituted by [2011 c. 1 Sch. 10 para. 6\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 53(4) words substituted by [2011 c. 1 Sch. 10 para. 9](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(1) words substituted by [2011 c. 1 Sch. 10 para. 10\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 2 para. 1(4ZA)-(4ZC) inserted by [2009 c. 12 s. 33\(10\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- Sch. 2 para. 1(6A) inserted by [2009 c. 12 s. 33\(10\)\(e\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- Sch. 2 para. 5C inserted by [2022 c. 37 Sch. 4 para. 5](#)
- Sch. 6A applied (with modifications) by S.I. 2001/2599, Sch. 1 table (as inserted) by [2022 c. 37 Sch. 8 para. 11\(4\)](#)
- Sch. 6A applied by 1989 c. 3, Sch. 1 Pt. 1 (as amended) by [2022 c. 37 Sch. 8 para. 9\(4\)](#)