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# Representation of the People Act 1983

## 1983 CHAPTER 2

### PART I

#### PARLIAMENTARY AND LOCAL GOVERNMENT FRANCHISE AND ITS EXERCISE

##### *Service qualifications and declarations for registration*

#### 14 Service qualification.

- (1) A person has a service qualification for the purposes of this Act who—
- is a member of the forces,
  - (not being such a member) is employed in the service of the Crown in a post outside the United Kingdom of any prescribed class or description,
  - is employed by the British Council in a post outside the United Kingdom,
  - is the wife or husband of a member of the forces,
  - is the wife or husband of a person mentioned in paragraph (b) or paragraph (c) above and is residing outside the United Kingdom to be with her husband or, as the case may be, his wife,

and where a person leaves the United Kingdom to take up employment or residence as mentioned above or returns to the United Kingdom at the end of such employment or residence, the employment or residence shall be deemed to begin from the time of leaving or to continue until the time of returning, as the case may be.

- (2) For the purposes of section 1(2) above a person ceasing to have a service qualification shall be treated as if he were resident in Northern Ireland for the period during which he had a service qualification.

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

- C1** Ss. 12–17 extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989](#) (c. 3, SIF 42), ss. 2, 13(6), [Sch. 1 Pt. I](#)

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## 15 Service declaration.

- (1) A service declaration shall be made only—
  - (a) by a person who has a service qualification, or
  - (b) subject to any prescribed conditions, by a person about to leave the United Kingdom in such circumstances as to acquire a service qualification.

and a service declaration may be made by such a person notwithstanding the fact that by reason of his age he is not yet entitled to vote.
- (2) A service declaration made by a member of the forces or the wife or husband of such a member shall, if not cancelled, continue in force so long as the declarant has a service qualification, except in so far as regulations provide that the declaration shall cease to be in force on a change in the circumstances giving the service qualification.
- (3) A service declaration made by any other person shall be made with a view to registration in the register of electors—
  - (a) for a particular year; and
  - (b) with reference to the qualifying date for that register.
- (4) A service declaration made with reference to any qualifying date shall be made during the twelve months ending with that date, but shall not have effect if after it is made and before that date—
  - (a) the declarant ceases to have a service qualification; or
  - (b) the declarant cancels the declaration; or
  - (c) in so far as regulations so provide, there is a change in the circumstances giving the service qualification.
- (5) No service declaration shall be specially made by a person for the purpose of local government elections, and any service declaration made for the purpose of parliamentary elections shall have effect also for the purpose of local government elections; but—
  - (a) a service declaration may be made for the purpose of local government elections only by a person who is as a peer subject to a legal incapacity to vote at parliamentary elections; and
  - (b) where so made, shall be marked to show that it is available for local government elections only, but shall in all other respects be the same as other service declarations.
- (6) If a person—
  - (a) makes a service declaration declaring to more than one address, or
  - (b) makes more than one service declaration bearing the same date and declaring to different addresses,

the declaration or declarations shall be void.
- (7) A service declaration may at any time be cancelled by the declarant and (subject to subsection (6) above) a service declaration bearing a later date shall without any express cancellation cancel a declaration bearing an earlier date [<sup>F1</sup>unless the declarations are made with reference to different qualifying dates].

### Textual Amendments

**F1** Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, [Sch. 4 para. 3](#)

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

- C2 Ss. 12–17 extended (N.I) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989](#) (c. 3, SIF 42), ss. 2, 13(6), [Sch. 1 Pt. I](#)
- C3 Ss. 15-17 applied (with modifications) (17.2.1994) by [S.I. 1994/342](#), [regs. 1\(2\)\(3\)](#), 2(2), 13(3)

**16 Contents of service declaration.**

A service declaration shall state—

- (a) the date of the declaration.
- (b) where the declarant is a member of the forces or the wife or husband of such a member, that on that date the declarant is, or but for the circumstances entitling him to make the declaration would have been, residing in the United Kingdom,
- (c) in the case of any other declarant, that on that date and, unless it is a qualifying date, on the qualifying date next following he is or will be, or but for those circumstances would have been, residing in the United Kingdom,
- (d) the address where the declarant is or, as the case may be, will be or would have been residing in the United Kingdom or, if he cannot give any such address, an address at which he has resided in the United Kingdom,
- (e) that on the date of the declaration the declarant is a Commonwealth citizen or a citizen of the Republic of Ireland,
- (f) whether the declarant had on the date of the declaration attained the age of 18 years, and, if he had not, the date of his birth, and
- (g) such particulars (if any) as may be prescribed of the declarant’s identity and service qualifications,

and (except where the declarant is a member of the forces or the wife or husband of such a member) shall be attested in the prescribed manner.

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

- C4 Ss. 12–17 extended (N.I) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989](#) (c. 3, SIF 42), ss. 2, 13(6), [Sch. 1 Pt. I](#)
- C5 Ss. 15-17 applied (with modifications) (17.2.1994) by [S.I. 1994/342](#), [regs. 1\(2\)\(3\)](#), 2(2), 13(3)

**17 Effect of service declaration.**

- (1) A member of the forces or the wife or husband of such a member whose service declaration is in force on the qualifying date shall be treated for the purposes of registration, and any other person whose service declaration is made with reference to the qualifying date for any register shall be so treated in relation to that register—
  - (a) as resident on the qualifying date at the address specified in the declaration;
  - (b) in the case of registration in Northern Ireland, as resident in Northern Ireland during the whole of the period of three months ending on the qualifying date; and
  - (c) in any case, until the contrary is proved, as being a Commonwealth citizen or a citizen of the Republic of Ireland of the age appearing from the declaration and as not being subject to any legal incapacity except as so appearing.
- (2) Where a service declaration appearing to be properly made out and (where required) attested is transmitted to the registration officer in the proper manner, the declarant

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shall, until the contrary is proved, be treated for the purposes of registration as having had from the date of the declaration or such later date, if any, as appears from it, and as continuing to have, a service qualification.

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

- C6** Ss. 12–17 extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989](#) (c. 3, SIF 42), ss. 2, 13(6), **Sch. 1 Pt. I**
- C7** Ss. 15-17 applied (with modifications) (17.2.1994) by [S.I. 1994/342](#), **regs. 1(2)(3), 2(2), 13(3)**

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