



# Representation of the People Act 1985

## CHAPTER 50

### REPRESENTATION OF THE PEOPLE ACT 1985

#### *Extension of franchise to British citizens overseas*

- 1 Extension of parliamentary franchise.
- 1A Qualification as an overseas elector in respect of a constituency
- 1B British citizens overseas: entitlement to be registered
- 1C Overseas elector's declaration
- 1D Duration of entitlement to be registered
- 1E Renewal declaration
- 2 Registration of British citizens overseas.
- 3 Extension of franchise for European Parliamentary elections.
- 4 Extension of franchise: consequential amendments.

#### *Voting at parliamentary elections in the United Kingdom and local government elections in Great Britain*

- 5 Manner of voting at parliamentary and local government elections.
- 6 Absent vote at elections for an indefinite period.
- 7 Absent vote at a particular election and absent voters list.
- 8 Proxies at elections.
- 9 Voting as proxy.
- 10 Voting at special polling stations in Northern Ireland.
- 11 Manner of voting: supplementary provision.

#### *Offences as to declarations, etc.*

- 12 Offences as to declarations, etc.

#### *Deposits and expenses at elections*

- 13 Deposit by candidates at parliamentary elections.

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14 Election expenses.

*Combination and timing of polls*

- 15 Combination of polls at parliamentary, ... and local elections.  
 16 Postponement of poll at parish or community council elections.  
 17 Combination of polls at local elections.  
 18 Ordinary day of local elections.  
 19 Timing of elections.

*Miscellaneous and supplemental*

- 20 Demise of the Crown and parliamentary elections etc  
 21 Ordinary elections of parish and community councillors: insufficient nominations.  
 22 Welsh forms  
 23 Increase in penalties for offences under principal Act, etc.  
 24 Miscellaneous amendments of principal Act.  
 25 Amendments of other enactments.  
 26 Expenses.  
 27 Interpretation.  
 28 Repeals.  
 29 Citation, commencement and extent.

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SCHEDULES

SCHEDULE 1 — Special Polling Stations in Northern Ireland

Part I — RIGHT TO VOTE AT SPECIAL POLLING STATIONS

- 1 (1) Where, in the case of a person entitled to...

Part II — RULES RELATING TO SPECIAL POLLING STATIONS

- 2 The following paragraphs in this Part of this Schedule shall...  
 3 The official mark on the ballot paper of those voting...  
 4 (1) The electoral officer shall provide each presiding officer at...  
 5 (1) The electoral officer may, after such consultation as appears...  
 6 (1) When the electoral officer has received the ballot boxes...  
 7 (1) On the completion of the counting at a contested...

Part III — MODIFICATIONS OF PARLIAMENTARY ELECTIONS RULES

- 8 Subject to the rules in Part II of this Schedule,...  
 9 References to the election shall in the case of a...  
 10 References to a candidate's polling agent appointed to attend at...  
 11 References to the register of parliamentary electors for an election...  
 12 Rule 5(2) shall apply to applications to vote at a...  
 13 Rule 20(2) and (3) shall not apply.  
 14 Rules 23, 24 and 25(1) to (4) shall not apply....  
 15 Rules 28 and 29(3)(c) and (d) shall not apply.  
 16 Rule 30(1) to (9) shall not apply.  
 17 Rule 31 shall have effect as if—  
 18 In rule 32— (a) paragraph (1)(a) and (e), and  
 19 Rule 35(1) shall have effect as if the question that...  
 20 Rule 36(1) shall have effect as if the reference to...  
 21 Rule 39 shall not apply.  
 22 Rule 40(1) shall apply as if, for sub-paragraphs (a) and...  
 23 Rules 44 and 45 shall not apply.

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Part IV — MODIFICATIONS OF REPRESENTATION OF THE PEOPLE ACTS

- 24 The Representation of the People Acts shall have effect as...
- 25 The reference in section 53(1)(c) of the principal Act to...
- 26 Section 65(3) of the principal Act shall have effect as...
- 27 Section 66 of the principal Act shall have effect as...
- 28 Paragraph 5A of Schedule 2 to the principal Act shall...
- 29 The second reference in section 5(5) of this Act to...
- 30 The references in section 12(3) of this Act to section...

SCHEDULE 2 — Manner of Voting

Part I — CONSEQUENTIAL AMENDMENTS OF PRINCIPAL ACT

- 1 In section 56 (registration appeals: England and Wales) in subsection...
- 2 In section 61 (voting offences)— (a) in subsection (1)(a) for...
- 3 In section 202 (interpretation)— (a) before the definition of “Attorney...
- 4 In Schedule 1 in rule 5(2)(a) (notice of election to...
- 5 .....
- 6 In Schedule 1 in rule 28 (issue of poll cards)...
- 7 In Schedule 1 in rule 40 (tendered ballot papers) in...
- 8 In Schedule 2 (regulations as to registration) paragraph 5(4) shall...

Part II — TRANSITIONAL PROVISION FOR ABSENT VOTERS

- 9 (1) In relation to any person who, immediately before the...
- 10 In relation to any person who, immediately before the commencement...
- 11 (1) Where an appointment of a person to vote as...
- 12 In this Part of this Schedule— “commencement date” means the...

Part III — VOTING AT MUNICIPAL ELECTIONS IN THE CITY

- 13 (1) The City of London (Various Powers) Act 1957 shall...

SCHEDULE 3 — Penalties

- 1 .....
- 2 In section 65 (tampering with nomination papers, ballot papers etc.)...
- 3 In section 66 (requirement of secrecy) in subsection (6) after...
- 4 In section 99 (officials not to act for candidates) for...
- 5 In section 100 (illegal canvassing by police officers) in subsection...
- 6 .....
- 7 .....
- 8 In section 168 (prosecutions for corrupt practices) for subsections (1)...
- 9 In section 169 (prosecutions for illegal practices) for the words...
- 10 In section 175 (illegal payments etc.) in subsection (1) for...
- 11 .....

SCHEDULE 4 — Miscellaneous Amendments of the Principal Act

*Part I (parliamentary and local government franchise and its exercise)*

- 1 In section 3(1) (disfranchisement of person detained in penal institution...
- 2 .....
- 3 .....
- 4 (1) In section 18 (polling districts and places at parliamentary...
- 5 At the end of section 26 (returning officer: Northern Ireland)...
- 6 In section 28 (discharge of returning officer’s functions in England...
- 7 Section 38 (nominations and candidate’s death in local election in...
- 8 Subsection (8) of section 39 (two copies of every order...

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- 9 Section 44 (candidate's death in local election in Scotland) shall...
- 10 In section 49 (effect of registers) subsections (1)(d) and (2)(c)...
- 11 Section 51 (corrupt and illegal practices lists) shall cease to...
- 12 In section 52 (discharge of registration duties)—
- 13 In section 53 (power to make regulations as to registration...
- 14 In section 54 (payment of expenses of registration)—
- 15 Section 55 (ascertainment of amount of registration expenses) shall cease...
- 16 In section 56 (registration appeals: England and Wales)—
- 17 .....
- 18 .....
- 19 For section 63 (breach of official duty in parliamentary elections)...

### *Part II (the election campaign)*

- 20 In subsection (4) of section 67 (appointment of election agent)...
- 21 In subsection (3) of section 68 (nomination of sub-agent at...
- 22 In subsection (1)(a) of section 69 (office of election agent...
- 23 In section 70 (effect of default in election agent's appointment)...
- 24 In section 75 (prohibition of expenses not authorised by election...
- 25 Section 76(3) (power to vary maximum amount of candidates' election...
- 26 In section 78(1) (claims for election expenses which are not...
- 27 In section 81 (return as to election expenses)—
- 28 In section 82 (declaration as to election expenses)—
- 29 In section 85 (penalty for sitting or voting where no...
- 30 In section 86 (authorised excuses for failures as to return...
- 31 In section 87 (court's power to require information from election...
- 32 In section 88 (publication of time and place for inspection...
- 33 In section 89 (inspection of returns and declarations) for the...
- 34 For subsection (1) of section 91 (candidate's right to send...
- 35 .....
- 36 (1) In section 94 (imitation poll cards) after the words...
- 37 In section 95 (schools and rooms for parliamentary election meetings) —...
- 38 For section 96 (schools and rooms for local election meetings)...
- 39 In section 97 (disturbances at election meetings) in subsection (2)(b)...
- 40 Section 103(2) (which exempts carriages used only for the conveyance...
- 41 In section 106 (false statements as to candidates) subsection (4)...
- 42 In section 108 (premises not to be used as committee...
- 43 In section 118 (interpretation of Part II) in the definition...

### *Part III (legal proceedings)*

- 44 In section 122 (time for presentation or amendment of parliamentary...
- 45 In section 124 (judges' expenses and reception: England and Wales...
- 46 In section 125 (judges' expenses and reception: Scotland) paragraph (a)...
- 47 In section 126(3) (expenses of shorthand writers) for the words...
- 48 In section 136 (security for costs)— (a) in subsection (2)(a)...
- 49 In section 140 (witnesses)— (a) subsection (5) (duty of Director...
- 50 Sections 141(3) and (4) and 142 (certificates of indemnity given...
- 51 In section 156 (costs of election petition)—

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- 52 In section 160 (persons reported personally guilty of corrupt or...
- 53 In section 161 (justice of the peace)—
- 54 In section 162 (member of legal and certain other professions)—...
- 55 In subsection (1)(b) of section 163 (holder of licence or...
- 56 In section 167 (applications for relief) after subsection (1) there...
- 57 In section 168 (prosecutions for corrupt practices) subsections (5) and...
- 58 Section 171 (prosecution of election petition offences in England and...
- 59 Section 172 (prosecution of election petition offences in Scotland)  
shall...
- 60 In section 173(a) (incapacities which arise on conviction of a...
- 61 In section 176 (time limit for prosecutions)—
- 62 For section 178 (prosecution of offences committed outside United  
Kingdom)...
- 63 In section 181— (a) in subsection (1) (duty of Director...

*Part IV (special provisions as to certain local elections)*

- 64 In section 187 (application of Act to certain local elections)—...
- 65 Section 190 (voting offences at election of councillors in Scotland)...
- 66 In section 191 (municipal elections in the City) in subsection...
- 67 In section 197 (candidate's expenses: ward, and liverymen in common...

*Part V (general and supplemental)*

- 68 For subsection (1) of section 200 (public notices) there shall...
- 69 For subsection (2) of section 201 (regulations) there shall be...
- 70 In section 203 (interpretation) the definition of “registration duties”  
shall...
- 71 In section 203 (local government provisions as to England and...
- 72 In section 205 (general application to Northern Ireland) for paragraph...

*Schedule 1 (parliamentary elections rules)*

- 73 In Schedule 1 in rule 1 (timetable)—
- 74 In Schedule 1 in rule 5— (a) in paragraph (1)...
- 75 In Schedule 1 at the end of rule 9 (deposit)...
- 76 In Schedule 1 in rule 19(2)(d) (under which the counterfoil...
- 77 In Schedule 1 in rule 23 (notice of the poll)—...
- 78 .....
- 79 In Schedule 1 in rule 29(5) (alternative forms of notice...
- 80 In Schedule 1 for rule 31 there shall be substituted—...
- 81 In Schedule 1 in rule 37(1)(b) for the words “name...
- 82 In Schedule 1 in rule 45 (the count) for paragraph...
- 83 In Schedule 1 in rule 53— (a) in paragraph (2)...
- 84 In Schedule 1 in the Appendix of forms the form...
- 85 In Schedule 1 in the Appendix of forms in the...
- 86 In Schedule 1 in the Appendix of forms, for the...

*Other Schedules*

- 87 In Schedule 2 (regulations as to registration)—
- 88 In Schedule 3 (return and declarations as to election expenses)...
- 89 In Schedule 4 (election expenses at certain local elections in...
- 90 .....

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## SCHEDULE 5 — Repeals

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**Changes and effects yet to be applied to :**

- s. 15 heading words inserted by [2012 c. 11 s. 2\(6\)](#) (this amendment not applied to [legislation.gov.uk](#). 2012 c. 11, s. 2 omitted (18.5.2017) without ever being in force by virtue of [Scotland Act 2016 \(c. 11\)](#), ss. 10(6), 72(4)(a); S.I. 2017/608, reg. 2(1)(h))
- s. 67 power to amend by [2022 c. 37 Sch. 2 para. 12\(1\)\(b\)](#)
- s. 13(b) repealed by [2011 c. 1 Sch. 12 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 12 Pt. 1 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(c))
- s. 15(1) word omitted by [2012 c. 11 s. 2\(2\)\(a\)](#)
- s. 15(3) words inserted by [2012 c. 11 s. 2\(3\)](#)
- s. 15(5C) inserted by [2012 c. 11 s. 2\(5\)](#)

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

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

- s. 15(1)(d)(e) inserted by [2012 c. 11 s. 2\(2\)\(b\)](#)
- s. 15(3ZA) inserted by [2012 c. 11 s. 2\(4\)](#)