
Changes to legislation: Representation of the People Act 1985, Part I is up to date with all changes known to be in force on or before 01 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 2

MANNER OF VOTING

PART I

CONSEQUENTIAL AMENDMENTS OF PRINCIPAL ACT

- 1 In section 56 (registration appeals: England and Wales) in subsection (1)(b), for the words “be treated as an absent voter” there shall be substituted the words “vote by proxy or by post as elector”.
- 2 In section 61 (voting offences)—
 - (a) in subsection (1)(a) for the words from “be treated” to the end there shall be substituted the words “vote by proxy or by post as elector, at a parliamentary or local government election, or at parliamentary or local government elections, knowing that he is subject to a legal incapacity to vote at the election or, as the case may be, at elections of that kind; or”;
 - (b) in subsection (1)(b) for the words from “parliamentary” to the end there shall be substituted the words “any parliamentary or local government election or at parliamentary or local government elections knowing that he or the person to be appointed is subject to a legal incapacity to vote at the election or, as the case may be, at elections of that kind; or”;
 - (c) in subsection (1)(c) the words “or applies to vote by post” shall cease to have effect;
 - (d) in subsection (2)(d) the words “not being a service voter” shall cease to have effect, after the word “elections” there shall be inserted the words “in any constituency” and after the word “force” and the words “an appointment” there shall be inserted the words “in respect of that or another constituency”;
 - (e) subsection (3)(c) shall cease to have effect; and
 - (f) in subsection (4) after the word “constituency” there shall be inserted the words “or at a local government election in any electoral area”.
- 3 In section 202 (interpretation)—
 - (a) before the definition of “Attorney General” there shall be inserted the following definition—

““the absent voters list” means, in relation to any election, the list kept under section 7 of the Representation of the People Act 1985 for that election”; and
 - (b) after the definition of “legal incapacity” there shall be inserted the following definition—

““the list of proxies” has, in relation to any election, the meaning given by section 7 of the Representation of the People Act 1985”.

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4 In Schedule 1 in rule 5(2)(a) (notice of election to specify time for applying for an absent vote) for the words from “be” to “voter” there shall be substituted the words “vote by post or by proxy”.

F15

Textual Amendments
F1 Sch. 2 para. 5 repealed (16.2.2001) by 2000 c. 2, s. 15(2), Sch. 7 Pt. I; S.I. 2001/116, art. 2(1) (subject to transitional provisions in art. 2(3)-(5))

6 In Schedule 1 in rule 28 (issue of poll cards) in paragraph (1)(b) for the words from “his application” to the end there shall be substituted the words “he is entitled to vote by post as proxy at the election”.

7 In Schedule 1 in rule 40 (tendered ballot papers) in paragraph (1)(b) the words “named in the list of persons” shall cease to have effect.

8 In Schedule 2 (regulations as to registration) paragraph 5(4) shall cease to have effect and at the end of that paragraph there shall be inserted—

- “5A (1) Provision requiring applications under section 6 or 7 of the Representation of the People Act 1985 to be attested and limiting the number of such applications that a person may attest.
- (2) Provision requiring a person applying under section 7 of the Representation of the People Act 1985 to do so in person, producing a document of a prescribed description.
- (3) Provision as to the evidence which shall or may be required, or be deemed sufficient or conclusive evidence, in connection with a person’s application to vote by proxy or to vote by post as elector or as proxy.
- (4) Provision authorising or requiring registration officers—
 - (a) to make inquiries of persons included in the record kept under section 6(3) of the Representation of the People Act 1985 for the purpose of determining whether there has been a material change of circumstances, and
 - (b) to treat failure to respond to such inquiries as sufficient evidence of such a change.”

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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\(4\)](#)