

Changes to legislation: There are currently no known outstanding effects for the Representation of the People Act 2000, Cross Heading: The 1983 Act. (See end of Document for details)

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

The 1983 Act

3 The 1983 Act is amended as follows.

Commencement Information

II Sch. 6 para. 3 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, art. 2(1) (subject to art 2(3-5))

4 In section 29(4C) (orders governing charges by returning officers), at the end add “; and any such order may make different provision for different cases, circumstances or areas and may contain such incidental, supplemental, saving or transitional provisions as the Secretary of State thinks fit.”

Commencement Information

I2 Sch. 6 para. 4 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, art. 2(1) (subject to art 2(3-5))

5 After section 65 insert—

“65A False statements in nomination papers etc.

(1) A person is guilty of a corrupt practice if, in the case of any relevant election, he causes or permits to be included in a document delivered or otherwise furnished to a returning officer for use in connection with the election—

- (a) a statement of the name or home address of a candidate at the election which he knows to be false in any particular; or
- (b) anything which purports to be the signature of an elector who proposes, seconds or assents to, the nomination of such a candidate but which he knows—

(i) was not written by the elector by whom it purports to have been written, or

(ii) if written by that elector, was not written by him for the purpose of signifying that he was proposing, seconding, or (as the case may be) assenting to, that candidate’s nomination.

(2) In this section “relevant election” means—

- (a) any parliamentary election, or
- (b) any local government election in England or Wales.”

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I3 Sch. 6 para. 5 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, art. 2(1) (subject to art 2(3-5))

6 After section 66 insert—

“66A Prohibition on publication of exit polls.

(1) No person shall, in the case of an election to which this section applies, publish before the poll is closed—

- (a) any statement relating to the way in which voters have voted at the election where that statement is (or might reasonably be taken to be) based on information given by voters after they have voted, or
- (b) any forecast as to the result of the election which is (or might reasonably be taken to be) based on information so given.

(2) This section applies to—

- (a) any parliamentary election; and
- (b) any local government election in England or Wales.

(3) If a person acts in contravention of subsection (1) above, he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding six months.

(4) In this section—

“forecast” includes estimate;

“publish” means make available to the public at large, or any section of the public, in whatever form and by whatever means;

and any reference to the result of an 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.”

7 In section 95(7) (schools for parliamentary election meetings not to include private dwelling house), omit “house”.

Commencement Information

I4 Sch. 6 para. 7 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, art. 2(1) (subject to art 2(3-5))

8 In section 108(4) (premises not to be used as committee rooms), omit “house”.

Commencement Information

I5 Sch. 6 para. 8 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, art. 2(1) (subject to art 2(3-5))

9 In section 202(1) (general interpretation)—

- (a) in the definition of “the absent voters list”, after “kept under” insert “paragraph 5 of Schedule 4 to the Representation of the People Act 2000 or, as respects Northern Ireland, under”; and

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- (b) in the definition of “the list of proxies”, after “given by” insert “ paragraph 5(3) of Schedule 4 to the Representation of the People Act 2000 or, as respects Northern Ireland, by ”.

Commencement Information

I6 Sch. 6 para. 9 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, art. 2(1) (subject to art 2(3-5))

- 10 (1) Schedule 1 (parliamentary elections rules) is amended as follows.
- (2) In rule 5(2) (notice of election to state date by which applications for postal votes etc. are to be made), after “by which” insert “ (except in such circumstances as may be prescribed) ”.
- (3) For rule 24 substitute—
- “24 The returning officer shall, in accordance with regulations, issue to those entitled to vote by post a ballot paper and a declaration of identity in the prescribed form, together with such envelopes for their return (whether free of charge or otherwise) as may be prescribed.”
- (4) In rule 45 (the count)—
- (a) after paragraph (1A) insert—
- “(1B) A postal ballot paper shall not, in England, Wales or Scotland, be taken to be duly returned unless—
- (a) it is returned in the prescribed manner and reaches the returning officer or a polling station in the constituency before the close of the poll, and
- (b) the declaration of identity, duly signed and authenticated, is also returned in the prescribed manner and reaches him or such a polling station before that time.”; and
- (b) in paragraph (2), after “shall not” insert “, in Northern Ireland, ”.

Commencement Information

I7 Sch. 6 para. 10 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, art. 2(1) (subject to art 2(3-5))

- 11 (1) Schedule 2 (provisions which may be contained in regulations as to registration) is amended as follows.
- (2) In paragraph 5A (applications for postal voting etc.)—
- (a) in sub-paragraph (1), after “applications under” insert “ paragraph 3 or 4 of Schedule 4 to the Representation of the People Act 2000 or ”;
- (b) in sub-paragraph (2), after “applying under” insert “ paragraph 4 of Schedule 4 to the Representation of the People Act 2000 or ”; and
- (c) in sub-paragraph (4), after “kept under” insert “ paragraph 3(4) of Schedule 4 to the Representation of the People Act 2000 or ”.
- (3) In paragraph 12 (voting by post), for the words from “the proceedings” to “and provisions” substitute “the arrangements to be made in relation to the issue and receipt of, and for subsequently dealing with, ballot papers for postal voting, including provisions—

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- (a) authorising replacement ballot papers to be issued in any prescribed circumstances;
- (b) as to the proceedings in connection with the issue and receipt of ballot papers and, in particular—
 - (i) the persons who are to be entitled, or may be allowed, to attend, and
 - (ii) the rights and obligations of persons attending;
- (c)”.
 - (4) In paragraph 13(1) (offences)—
 - (a) for the words from “imposing” to “convicted—” substitute “ making it an offence (punishable on summary conviction by a fine not exceeding level 3 on the standard scale) for a person— ”; and
 - (b) for “of having” (in both places) substitute “ to have ”.

Commencement Information

18 Sch. 6 para. 11 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, art. 2(1) (subject to art 2(3-5))

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