
Changes to legislation: Elections Act 2022, Schedule 3 is up to date with all changes known to be in force on or before 20 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 3

Section 3

RESTRICTION OF PERIOD FOR WHICH PERSON CAN APPLY FOR POSTAL VOTE

Representation of the People Act 2000

- 1 Schedule 4 to the Representation of the People Act 2000 (absent voting in Great Britain) is amended as follows.

Commencement Information

- I1** Sch. 3 para. 1 not in force at Royal Assent, see [s. 67\(1\)](#)
I2 [Sch. 3 para. 1](#) in force at 31.10.2023 by [S.I. 2023/1145](#), [reg. 2\(e\)](#)

- 2 (1) Paragraph 3 (absent vote at elections for definite or indefinite period) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) in the opening words, omit “(whether for an indefinite period or for a particular period specified in his application)”;
- (b) in paragraph (b), after “requirements” insert “and, in the case of an application to vote by post at local government elections in Scotland or Wales for a particular period, specifies the period.”
- (3) After sub-paragraph (1) insert—
- “(1A) Any grant of an application under sub-paragraph (1) to vote by post at parliamentary elections, or at local government elections in England, is to be for—
- (a) the period ending with the third 31 January following the date on which the application is granted, or
- (b) any shorter period specified in the application.
- (1B) But where the person is or will be registered in the register of parliamentary electors in pursuance of an overseas elector’s declaration, [sub-paragraph \(1A\)](#) does not apply and instead any grant of an application to vote by post at parliamentary elections is to be for—
- (a) the period ending with the 1 November until which, by virtue of [section 1D\(1\)\(a\)](#) or [\(3\)\(a\)](#) of the Representation of the People Act 1985, the person is entitled to remain registered in that register, or
- (b) any shorter period specified in the application.”
- (4) In sub-paragraph (4)—
- (a) in paragraph (a)—
- (i) omit the “and” at the end of sub-paragraph (i), and

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- (ii) omit sub-paragraph (ii);
- (b) after paragraph (a) insert—
 - “(aa) in the case of those who may vote by post at parliamentary elections or at local government elections in England (or both), the period for which they may do so,
 - (ab) in the case of—
 - (i) those who may vote by post at local government elections in Scotland or Wales, or
 - (ii) those who may vote by proxy,
 whether their applications were to vote by post or proxy for an indefinite or a particular period (specifying that period).”
- (5) In sub-paragraph (5)—
 - (a) omit the “or” at the end of paragraph (c);
 - (b) after paragraph (c) insert—
 - “(ca) in the case of a person shown in the record as voting by post at parliamentary elections or at local government elections in England (or both), once the period for which the person is entitled to vote by post at elections of the kind in question has expired, or”;
 - (c) in paragraph (d)—
 - (i) for “or proxy” substitute “at local government elections in Scotland or Wales”, and
 - (ii) after “particular period,” insert “or who applied to vote by proxy for a particular period.”
- (6) In sub-paragraph (7)—
 - (a) omit “(whether for an indefinite period or for a particular period specified in his application)”;
 - (b) after “requirements” insert “and, in the case of an application to vote by post at local government elections in Scotland or Wales for a particular period, specifies the period”.
- (7) After sub-paragraph (7) insert—
 - “(7A) Sub-paragraph (1A) applies to an application under sub-paragraph (7) to vote by post at parliamentary elections, or at local government elections in England, as it applies to an application under sub-paragraph (1) (but this is subject to sub-paragraph (7B)).
 - (7B) Where an application under sub-paragraph (7) to vote by post at parliamentary elections is made by a person who is or will be entitled to be registered in the register of parliamentary electors in pursuance of an overseas elector’s declaration, sub-paragraph (1B) applies to the application as it applies to an application under sub-paragraph (1).”
- (8) In the heading before paragraph 3, for “definite or indefinite” substitute “a”.

Commencement Information

I3 Sch. 3 para. 2 not in force at Royal Assent, see **s. 67(1)**

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I4 Sch. 3 para. 2 in force at 31.10.2023 by S.I. 2023/1145, reg. 2(e)

- 3 (1) Paragraph 7 (voting as proxy) is amended as follows.
- (2) In sub-paragraph (4), in paragraph (a) omit “(whether for an indefinite period or for a particular period specified in his application)”.
- (3) In sub-paragraph (5), in paragraph (c) after “requirements” insert “and, in the case of an application to vote by post as proxy at local government elections in Scotland or Wales for a particular period, specifies the period”.
- (4) After sub-paragraph (5) insert—
- “(5A) Any grant of an application under sub-paragraph (4)(a) to vote by post as proxy at parliamentary elections, or at local government elections in England, is to be for—
- (a) the period ending with the third 31 January following the date on which the application is granted, or
- (b) any shorter period specified in the application.”
- (5) In sub-paragraph (6)—
- (a) in paragraph (a)—
- (i) omit the “and” at the end of sub-paragraph (i), and
- (ii) omit sub-paragraph (ii) (including the “and” at the end);
- (b) after paragraph (a) insert—
- “(aa) in the case of those who may vote by post as proxy at parliamentary elections or at local government elections in England (or both), the period for which they may do so,
- (ab) in the case of those who may vote by post as proxy at local government elections in Scotland or Wales, whether their applications were to vote by post as proxy for an indefinite or a particular period (specifying that period), and”.
- (6) In sub-paragraph (9)—
- (a) omit the “or” at the end of paragraph (c);
- (b) after paragraph (c) insert—
- “(ca) in the case of a person shown in the record as voting by post as proxy at parliamentary elections or at local government elections in England (or both), once the period for which the person is entitled to vote by post as proxy at elections of the kind in question has expired, or”;
- (c) in paragraph (d), after “as proxy” insert “at local government elections in Scotland or Wales”.

Commencement Information

I5 Sch. 3 para. 3 not in force at Royal Assent, see s. 67(1)

I6 Sch. 3 para. 3 in force at 31.10.2023 by S.I. 2023/1145, reg. 2(e)

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Transitional provision

- 4 (1) This paragraph applies where, immediately before the day specified for the purposes of [this paragraph](#) (“the specified day”), a person has a relevant postal vote entitlement lasting for—
- (a) an indefinite period, or
 - (b) a period that would expire after the end of 3 years beginning with the specified day.
- (2) A “relevant postal vote entitlement” means an entitlement, resulting from the grant of a pre-commencement application, to vote by post (whether as elector or proxy) at parliamentary elections in England and Wales or Scotland or at local government elections in England (or both).
- (3) The person’s relevant postal vote entitlement ends on the applicable 31 January (unless it ends sooner).
- (4) “The applicable 31 January” means—
- (a) the third 31 January following the specified day, or
 - (b) if sooner, the signature refresh date.
- (5) “The signature refresh date” means the 31 January by which the registration officer would be required to send the person a regulation 60A notice (assuming no change in the person’s entitlement or entitlements to vote by post or by proxy after the specified day, and disregarding [sub-paragraph \(9\)](#)).
- (6) As soon as practicable after the specified day, the registration officer must alter the record kept under paragraph 3(4) or 7(6) of Schedule 4 to RPA 2000 (as the case may be) so as to reflect any change resulting from [sub-paragraph \(3\)](#) in the period for which the person’s relevant postal vote entitlement lasts.
- (7) The registration officer must, before the applicable 31 January, send the person—
- (a) a notice informing the person of the date on which the person’s relevant postal vote entitlement is to end, and
 - (b) information about how to make a fresh application to vote by post (as elector or, as the case may be, as proxy).
- (8) [Sub-paragraph \(9\)](#) applies where, as a result of [sub-paragraph \(3\)](#), a person’s relevant postal vote entitlement is to end on the signature refresh date.
- (9) Any requirement to send the person a regulation 60A notice by the signature refresh date does not apply, unless—
- (a) the person has an entitlement (or entitlements) due to continue beyond that date—
 - (i) to vote by post (whether as elector or proxy) at local government elections in Scotland or Wales,
 - (ii) to vote by proxy at parliamentary elections in England and Wales or Scotland or at local government elections in England (or both), or
 - (iii) to vote by proxy at local government elections in Scotland or Wales, and
 - (b) regulation 60A applies in relation to that entitlement (or those entitlements).
- (10) Expressions used in [this paragraph](#) and in Schedule 4 to RPA 2000 have the same meaning as in that Schedule.

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(11) This paragraph does not apply in relation to a person who is registered in a register of parliamentary electors in pursuance of an overseas elector’s declaration made at any time before the day on which section 14 comes fully into force (see instead [Part 2](#) of [Schedule 7](#)).

(12) In [this paragraph](#)—

“pre-commencement application” means an application made under paragraph 3(1) or 7(4)(a) of Schedule 4 to RPA 2000 before the specified day;

“register of parliamentary electors” means a register of parliamentary electors maintained under section 9 of RPA 1983;

“regulation 60A” means regulation 60A (requirement to provide fresh signatures) of the Representation of the People (England and Wales) Regulations 2001 ([S.I. 2001/341](#)) or the Representation of the People (Scotland) Regulations 2001 ([S.I. 2001/497](#)) ([S. 2](#));

“regulation 60A notice” means a notice under regulation 60A;

“RPA 2000” means the Representation of the People Act 2000;

“specified” means specified by the Secretary of State in regulations made by statutory instrument.

Subordinate Legislation Made

P1 [Sch. 3 para. 4](#): 31.10.2023 specified for the purposes of [Sch. 3 para. 4](#) by [S.I. 2023/1145](#), [reg. 6\(3\)](#)

Commencement Information

I7 [Sch. 3 para. 4](#) not in force at Royal Assent, see [s. 67\(1\)](#)

I8 [Sch. 3 para. 4](#) in force at 31.10.2023 by [S.I. 2023/1145](#), [reg. 2\(e\)](#)

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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):

- Sch. 8 para. 12(4)(da) inserted by [2023 c. 55 Sch. 4 para. 230](#)
- Sch. 9 para. 35(ea) inserted by [2023 c. 47 s. 3\(3\)](#)