
Changes to legislation: Elections Act 2022, Paragraph 2 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

RESTRICTION OF PERIOD FOR WHICH PERSON CAN APPLY FOR POSTAL VOTE

- 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
 - (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,

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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

- 11** Sch. 3 para. 2 not in force at Royal Assent, see **s. 67(1)**
- 12** Sch. 3 para. 2 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\(3\)](#)