

---

STATUTORY INSTRUMENTS

---

**1990 No. 520**

**REPRESENTATION OF THE PEOPLE**

**The Representation of the People  
(Amendment) Regulations 1990**

*Made* - - - - *8th March 1990*

*Coming into force  
in accordance with  
regulation 2*

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament; Now, therefore, in exercise of the powers conferred upon me by those provisions of the Representation of the People Act 1983<sup>(1)</sup> and the Representation of the People Act 1985<sup>(2)</sup> which are specified in Schedule 1 to these Regulations, I hereby make the following Regulations:

1.—(1) These Regulations may be cited as the Representation of the People (Amendment) Regulations 1990.

(2) These Regulations do not extend to Scotland or Northern Ireland.

2. These Regulations shall come into force forthwith, except that:

- (a) regulations 4, 8, 10 to 14, 16 and 37 shall come into force when sections 1 to 4 of the Representation of the People Act 1989<sup>(3)</sup> come into force;
- (b) regulations 5, 7, 17 to 20 and 33 to 36 shall come into force on the expiry of the period of one month commencing with the day on which these Regulations are made, except that regulations 5 and 33 to 36 shall not apply in respect of an election if the date by which notice of election for that election is required to be published preceded the expiry of that period;
- (c) regulations 21 and 22(1), (2) and (3)(a) shall come into force on 1st July 1990, except in respect of an election if the date by which notice of election for that election is required to be published preceded that day; and
- (d) regulations 24, 26, 28(1), 29, 30(1) and (3)(a) and 31(1) shall come into force on 1st April 1990.

---

(1) 1983 c. 2  
(2) 1985 c. 50  
(3) 1989 c. 28

3. In these Regulations, “the Regulations of 1986” mean the Representation of the People Regulations 1986<sup>(4)</sup>.

4. In regulation 4(1) of the Regulations of 1986 (interpretation), the definition of “overseas attesting officer” shall be omitted.

5. In regulation 5 of the Regulations of 1986 (constituencies not wholly within a district or London borough)—

(a) for paragraph (1)(b) there shall be substituted the following—

“(b) at a parliamentary election, if the registration officer for any part of the constituency is not the acting returning officer for the constituency, he shall forthwith supply to the acting returning officer a copy of the lists compiled under sections 7(4) and 9(9) of the Act of 1985 on completion of the compilation of them.”; and

(b) paragraph (2) shall be omitted.

6. In regulation 8(2) of the Regulations of 1986 (copies of documents made available for inspection), for the words “of, or take extracts from,” there shall be substituted the words “(whether in handwriting or by other means) of the whole or any part of”.

7. In regulation 12 of the Regulations of 1986 (return and declaration of election expenses) there shall be substituted—

(a) the words “£1.50” for the words “£1.20” in paragraph (2), and

(b) the words “15p” for the words “12p” in paragraph (3).

8. In regulation 14 of the Regulations of 1986 (registration of European Parliamentary overseas electors)<sup>(5)</sup>—

(a) at the end of paragraph (2) there shall be added the words “or as the case may be, at which he was resident”; and

(b) at the end of paragraph (3) there shall be added the following—

“The entry in that Schedule in respect of section 2 of the Act of 1985 is to that section as amended by sections 3 and 4 of the Representation of the People Act 1989<sup>(6)</sup>.”.

9. In regulation 16(2) of the Regulations of 1986 (service declaration ceasing to be in force on change of circumstances), for the words from “as (a) a member” to “as the case may be” there shall be substituted the words “by virtue of the category set out in section 14(1) of the Act of 1983 giving that qualification when he made the declaration”.

10.—(1) In paragraph (1) of regulation 23 of the Regulations of 1986 (content of an overseas elector’s declaration), there shall be substituted—

(a) for the words “paragraphs (a) to (e)” the words “paragraphs (a) to (d)”, and

(b) for the words “paragraphs (2) and (3)” the words “paragraphs (2) to (7)”.

(2) After paragraph (3) of that regulation, there shall be added the following paragraphs—

“(4) Where a declarant has on a previous occasion made an overseas elector’s declaration in pursuance of which he was registered in a register of parliamentary electors and, since being so registered, he has not been registered in a register of parliamentary electors by virtue of being resident or treated for the purposes of registration as resident at an address

---

(4) S.I. 1986/1081

(5) Regulation 14 was amended by section 3 of the European Communities (Amendment) Act 1986 (c. 58) on the coming into force of the Single European Act (Cmnd. 9758) on 1st July 1987.

(6) 1989 c. 28

in the United Kingdom, his overseas elector's declaration shall state those facts and give the date of the last register in which he was registered in pursuance of an overseas elector's declaration.

For the purposes of the application of this regulation by regulation 14(5) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words "local government" are substituted for the word "parliamentary" in the second place where it occurs.

(5) Where a declarant has not made an overseas elector's declaration in pursuance of which he was registered in a register of parliamentary electors since being included in a register of parliamentary electors by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom, or has never made such a declaration, his overseas elector's declaration shall state—

- (a) in the case of a declarant who is the bearer of a British passport which describes his national status as "British citizen", the number of that passport together with its date and place of issue; or
- (b) in the case of a declarant who is not the bearer of such a passport, but who was born in the United Kingdom before 1st January 1983, those facts; or
- (c) in the case of a declarant who is not the bearer of such a passport and who was not born in the United Kingdom before 1st January 1983, when and how he acquired the status of British citizen, together with the date, place and country of his birth.

For the purposes of the application of this regulation by regulation 14(5) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words "local government" are substituted for the word "parliamentary" in the second place where it occurs.

(6) Where, in the case of a declarant to whom regulation 24 below applies (and who is accordingly required to transmit a copy of his birth certificate together with his declaration), his name on his birth certificate is not the same as his name as given in his overseas elector's declaration, that declaration shall state the reason for the change of name.

(7) Where, in the case of a declarant to whom regulation 24 below applies, he relies on the registration of either—

- (a) a parent whose name in the register referred to in section 1(3A)(c) of the Act of 1985(7) is not the same as the name of that parent as given in either the declarant's birth certificate or overseas elector's declaration in accordance with section 2(4)(c)(iii) of the Act of 1985(8), or
- (b) a guardian whose name in the register referred to in section 1(3A)(c) of the Act of 1985 is not the same as the name of that guardian as given in the declarant's overseas elector's declaration in accordance with section 2(4)(c)(iii) of the Act of 1985,

that declaration shall state the name of the parent or, as the case may be, guardian as given in the register referred to in section 1(3A)(c) and, where known, the reason for the change or, as the case may be, changes of name or, where such reason (or reasons) is not known, a statement to that effect.

For the purposes of the application of this regulation by regulation 14(5) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words "section 3(4A)(c)" (9) are substituted for the words "section 1(3A)(c)", in each place where those words occur."

**11.** For regulation 24 of the Regulations of 1986 (officers authorised to attest overseas electors' declarations) there shall be substituted the following regulation—

---

(7) Section 1(3A) was inserted by section 2 of the Representation of the People Act 1989.

(8) Section 2(4)(c) was substituted by section 3 of the Representation of the People Act 1989.

(9) Section 3(4A) was inserted by section 2 of the Representation of the People Act 1989.

**“Certain declarants to supply copy of birth certificates**

24.—(1) This regulation applies to a person who has made an overseas elector’s declaration in which he claims to be qualified as an overseas elector by virtue of the conditions set out in section 1(3A) of the Act of 1985, and who has not on a previous occasion made an overseas elector’s declaration in pursuance of which he was registered in a register of parliamentary electors.

For the purposes of the application of this regulation by regulation 14(5) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words “section 3(4A)” are substituted for the words “section 1(3A)”.

(2) Where this regulation applies, a declarant shall transmit together with his overseas elector’s declaration a copy of his birth certificate which shows the names of either or both of his parents as well as his date of birth.”.

12. For regulation 25 of the Regulations of 1986 (attestation of an overseas elector’s declaration) there shall be substituted the following regulation—

**“Attestation of certain overseas electors' declarations**

25.—(1) An overseas elector’s declaration shall be attested in accordance with the following paragraphs of this regulation except where the declarant has on a previous occasion made such a declaration in pursuance of which he was registered in a register of parliamentary electors and, since being so registered, he has not been included in any register of parliamentary electors by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom.

For the purposes of the application of this regulation by regulation 14(5) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words “local government” are substituted for the word “parliamentary” in the second place where it occurs.

(2) An overseas elector’s declaration shall be attested by the bearer of a British passport which describes his national status as a “British citizen” who—

- (a) is not resident in the United Kingdom;
- (b) is aged 18 years or over, and
- (c) knows the declarant, but is not the husband, wife, parent, grandparent, brother, sister, child or grandchild of the declarant.

(3) A person shall not attest an overseas elector’s declaration unless he is satisfied, to the best of his knowledge and belief, that the declarant is a British citizen who is not resident in the United Kingdom on the date of the declaration.

(4) A person attesting an overseas elector’s declaration shall record on it—

- (a) his full name and address;
- (b) that he is the bearer of a British passport which describes his national status as “British citizen” and the number of that passport together with its date and place of issue;
- (c) that he is aged 18 years or over;
- (d) that he is not resident in the United Kingdom on the date of the declaration;
- (e) that he knows the declarant but is not the husband, wife, parent, grandparent, brother, sister, child or grandchild of the declarant; and
- (f) that, to the best of his knowledge and belief, the declarant is a British citizen who is not resident in the United Kingdom on the date of the declaration;

and he shall sign the declaration.”.

13. In regulation 27 of the Regulations of 1986 (evidential value of an overseas elector’s declaration), paragraph (1) shall be omitted.

14. For paragraphs (2) and (3) of regulation 28 of the Regulations of 1986 (notification about registration as an overseas elector) there shall be substituted the following paragraphs—

“(2) Where the registration officer rejects an application for registration in pursuance of an overseas elector’s declaration because—

- (a) in the opinion of the registration officer he does not qualify as an overseas elector under section 1 of the Act of 1985~~(10)~~, or
- (b) the declaration does not satisfy the requirements of section 2 of the Act of 1985~~(11)~~ or regulation 23 or 25 above, or
- (c) in the case of a person to whom regulation 24 above applies, the requirement in that regulation has not been complied with,

he shall return the declaration to the declarant and set out his reasons for rejecting the application for registration.

(3) For the purposes of the application of this regulation by regulation 14(5) above, paragraphs (1) and (2) above shall have effect as if, in addition to the modifications made by that regulation—

- (a) in paragraph (1), for the words “sections 1 and 2” there are substituted the words “sections 2 and 3”~~(12)~~, and
- (b) in paragraph (2), for the words “section 1” there are substituted the words “section 3”.”.

15. After regulation 28 of the Regulations of 1986, there shall be inserted the following regulation—

**“Reminders to overseas electors**

**28A.**—(1) Subject to paragraph (3) below, the registration officer shall, not earlier than 1st June and not later than 31st July in any year, send to a person registered in pursuance of an overseas elector’s declaration in the current register of parliamentary electors a reminder of the need to make a fresh declaration in order to be so registered in the subsequent register.

(2) A reminder under paragraph (1) above shall be sent to the address given in accordance with regulation 23(1) above in the overseas elector’s declaration by virtue of which the overseas elector is currently registered or, where he has subsequently notified the registration officer that he has changed his address to some other address outside the United Kingdom, to that address.

- (3) Paragraph (1) above does not apply in respect of a person there described where—
- (a) the registration officer has already received from him an overseas elector’s declaration made with reference to the next qualifying date, or
  - (b) that person has notified the registration officer that he is resident in the United Kingdom, or
  - (c) the period of twenty years referred to in section 1(3)(c) of the Act of 1985~~(13)~~ has expired.

---

**(10)** Section 1 has been amended by sections 1 to 3 of the Representation of the People Act 1989.

**(11)** Section 2 has been amended by sections 3 and 4 of the Representation of the People Act 1989.

**(12)** Section 3 has been amended by sections 1 to 3 of the Representation of the People Act 1989.

**(13)** Section 1(3)(c) was amended by section 1 of the Representation of the People Act 1989 (c. 28)

For the purposes of the application of this regulation by regulation 14(5) above, this paragraph shall have effect as if, in addition to the modifications made by that regulation, the words “section 3(4)(c)” (14) are substituted for the words “section 1(3)(c)”.

- 16.** In regulation 30(1) of the Regulations of 1986 (declarations as to age and nationality)—
- (a) for the words “, an overseas elector’s declaration or” there shall be substituted the word “or”;
  - (b) at the beginning of sub-paragraph (b) there shall be inserted the words “except in the case of a person who has made an overseas elector’s declaration,”; and
  - (c) after that sub-paragraph there shall be added the words—
    - “or
    - (c) in the case of a person who has made an overseas elector’s declaration, to produce further evidence of his status as a British citizen including a certificate of naturalisation or a document showing that he has become such a citizen by virtue of registration”.

**17.** In regulation 53 of the Regulations of 1986 (free copies of register), there shall be inserted after paragraph (4) the following paragraph—

“(4A) The registration officer shall, on publication, supply free of charge to the returning officer for a non-metropolitan county one copy of so much of the register as relates to electoral divisions of that county.”

**18.—(1)** In regulation 54 of the Regulations of 1986 (sale of lists and register), for the words “20p” and “£2”, in each place where those words occur, there shall be substituted, respectively, the words “25p” and “£2.50”.

(2) At the end of that regulation, there shall be added the following paragraph:

“(4) Where prior to 1st November in any year the registration officer has received from any person a notice in which that person—

- (a) requests that a specified number of copies of the register of electors which is required to be published not later than 15th February in the next following year be supplied to him, and
- (b) undertakes to pay the fee at the rate set out in paragraph (3)(b) above which applies at the time of the publication of the register,

the registration officer shall, on publication of the register and on payment of that fee for each copy to be supplied, supply to that person the number of copies of the register requested.”

**19.—(1)** In paragraph (6) of regulation 55 of the Regulations of 1986 (supply of data), after the word “(4)”, there shall be inserted the word “(4A)”.

(2) In paragraph (8) of that regulation, for the words “£1.50” and “£25” there shall be substituted, respectively, the words “£1.80” and “£30”.

(3) In paragraph (9) of that regulation, for the words “£15” there shall be substituted the words “£18”.

**20.—(1)** In paragraph (4) of regulation 56 of the Regulations of 1986 (supply of labels)—

- (a) for the words “£10” there shall be substituted the words “£12”, and

(b) after the word “(3)” there shall be inserted the word “(4A)”.

(2) In paragraph (5) of that regulation for the words “ £10” there shall be substituted the words “£12”.

(3) In paragraph (6) of that regulation for the words “£20” there shall be substituted the words “£25”.

**21.** For paragraphs (2) to (5) of regulation 66 of the Regulations of 1986 (additional requirements for applications in respect of a particular election), there shall be substituted the following paragraphs—

“(2) Such an application—

(a) which is received by the registration officer after noon on the thirteenth day (calculated in accordance with regulation 69(6) below) before the date of the poll at the election in question (“the standard closing date for applications”) but before noon on the sixth day (so calculated) before the date of that poll, and

(b) in which the circumstances set out in accordance with paragraph (1) above relate to the applicant’s health,

shall—

(i) include a statement to the effect that, before the standard closing date for applications, the applicant could not have reasonably foreseen that those circumstances would, or would be likely to, exist on the date of the poll, and

(ii) be attested in accordance with paragraph (3) below and signed by one of the persons specified in sub-paragraphs (a), (b) and (c) of regulation 64(2) above.

(3) The person attesting an application under paragraph (2) above shall state—

(a) his name and address and the qualification by virtue of which he is authorised to attest it; and

(b) that, so far as he is aware, the statement included in the application in pursuance of paragraph (2)(i) above is true.

(4) An application under section 7(1) of the Act of 1985—

(a) which is received by the registration officer between the times specified in paragraph (2)(a) above, and

(b) in which the circumstances set out in accordance with paragraph (1) above relate to the applicant’s employment either as a constable or by a returning officer on the date of the poll at the election for which the application is made for a purpose connected with that election or some other parliamentary, European Parliamentary or local government election the poll for which is held on the same day,

shall—

(i) state the employment in question, and

(ii) in addition to the applicant’s signature, be signed, in the case of a constable, by an officer of a police force of or above the rank of inspector or, in the case of a person employed by a returning officer who is not also the registration officer, by that returning officer.”.

**22.—**(1) In paragraph (2) of regulation 69 of the Regulations of 1986 (closing dates for applications), for the words “paragraphs (3) and (4)” there shall be substituted the words “paragraph (3)”.

(2) For paragraphs (3) and (4) of that regulation, there shall be substituted the following paragraph—

“(3) Paragraph (2) above shall not apply to an application which satisfies the requirements of either paragraphs (2) and (3) or paragraph (4) of regulation 66 above; and such an application shall be disallowed if it is received by the registration officer after noon on the sixth day before the date of the election for which it was made.”.

(3) In paragraph (6) of that regulation—

- (a) for the words “this Regulation” there shall be substituted the words “regulation 66 and this regulation”;
- (b) before the words “general election”, in both places where those words occur, there shall be inserted the word “parliamentary”;
- (c) before the word “by-election” there shall be inserted the word “parliamentary”; and
- (d) at the end of that paragraph there shall be added the words “; and in relation to a local government election, a day which is a bank holiday under that Act in England and Wales”.

**23.** In regulation 73 of the Regulations of 1986 (inquiries by registration officer)—

- (a) in paragraph (1)(b) for the words “paragraph (b)(i), (c), (g) or (h)” there shall be substituted the words “paragraph (b)(i), (c) or (h)” and for the words “paragraph (b)(i), (c), (f) or (g)” there shall be substituted the words “paragraph (b)(i), (c) or (g)”; and
- (b) in paragraph (2)(b) for the words “(b)(i), (g) or (h)” there shall be substituted the words “(b)(i) or (h)” and for the words “(b)(i), (f) or (g)” there shall be substituted the words “(b)(i) or (g)”.

**24.** In regulation 78(b) of the Regulations of 1986 (combination of polls), the words “or (3AA)” shall be omitted.

**25.** In regulation 79(c) of the Regulations of 1986 (form of declaration of identity), for the words “1983 or section 36(3) or (3AA) of that Act of 1983” there shall be substituted the words “1985”.

**26.** In regulation 83(4) of the Regulations of 1986 (notice of issue of postal ballot papers) and regulation 85(3) of those Regulations (envelopes), the words “or (3AA)” shall be omitted.

**27.** In regulation 92(3) of the Regulations of 1986 (opening of covering envelopes), after the word “signed” there shall be inserted the words “by the voter” and after the word “authenticated” there shall be inserted the words “by a witness who has signed the declaration and given his name and address”.

**28.—**(1) Paragraph (2)(b) of regulation 96 of the Regulations of 1986 (forwarding of documents), and the word “and” immediately preceding it shall be omitted.

(2) In paragraph (3) of that regulation, after the words “such packet” there shall be inserted the words “and endorse”.

(3) For paragraph (4) of that regulation there shall be substituted the following paragraph—

“(4) Rules 56 and 57 of the elections rules shall apply to any packet or document forwarded under this regulation.”.

**29.** Regulation 97(6) of the Regulations of 1986 (combined polls at Inner London Education Authority and London borough council elections) is hereby revoked.

**30.—**(1) In paragraph (1) of regulation 99 of the Regulations of 1986 (modification of provisions about expenses in the Act of 1983), the words “(4A)” shall be omitted.

(2) In paragraph (3) of that regulation after the words “98 above” there shall be inserted the words “and in respect of the remuneration of presiding officers and clerks”.

(3) In paragraph (4) of that regulation—

- (a) the words “or (3AA)” and sub-paragraphs (b) and (ii) shall be omitted, and
- (b) after the words “98 above” there shall be inserted the words “and in respect of the remuneration of presiding officers and clerks”.

**31.**—(1) In the provision substituted by paragraph (6) of regulation 100 of the Regulations of 1986 (modification of parliamentary elections rules), the words “or in the case of the Inner London Education Authority, that Authority” shall be omitted.

(2) In the provision added by paragraph (9) of that regulation after the words “paragraph (1)(d) above” there shall be inserted the words “or in the list of proxies under paragraph (1)(e) above” and before the words “so as to identify” there shall be inserted the words “or, as the case may be, list”.

(3) In paragraph (1)(g) of the provisions substituted by paragraph (18) of that regulation after the word “deliver” there shall be inserted the words “or cause to be delivered”.

(4) In paragraph (1B)(a) of the provisions substituted by paragraph (18) of that regulation, before the words “open each” there shall be inserted the words “in the presence of the counting agents”.

(5) In paragraph (22)(b) of that regulation, for the words “it occurs” there shall be substituted the words “they occur”.

**32.** For form A in Schedule 2 to the Regulations of 1986 (return by occupier as to residents), there shall be substituted the form set out in Schedule 2 to these Regulations.

**33.** In form E in Schedule 2 to the Regulations of 1986 (elector’s official poll card), for the first paragraph on the back of the card there shall be substituted the following paragraph—

“This card is for information only. You can vote without it, but it will save time if you take it to the polling station and show it to the clerk there.”.

**34.**—(1) In the front of form H in Schedule 2 to the Regulations of 1986 (declaration of identity referred to in regulation 79(a))—

- (a) the words “or mark” and “(or marked)” shall be omitted; and
- (b) for the words “(CAPITAL LETTERS)” in both places where they occur, there shall be substituted the words “(WRITE CLEARLY)”.

(2) In the back of that form—

- (a) in paragraph 1, the words “(or mark)” shall be omitted, and
- (b) in paragraph 4, the words “, in order to be counted,” shall be omitted.

**35.**—(1) In the front of form J in Schedule 2 to the Regulations of 1986 (declaration of identity referred to in regulation 79(b))—

- (a) the words “or mark” shall be omitted;
- (b) before the words “Name of witness” there shall be inserted the words “The voter, who is personally known to me, has signed this declaration in my presence.”; and
- (c) for the words “(CAPITAL LETTERS)” in both places where they occur, there shall be substituted the words “(WRITE CLEARLY)”.

(2) In the back of that form—

- (a) in paragraph 1, the words “(or mark)” shall be omitted;
- (b) in the final sentence of paragraph 2, for the words “paper, or your vote” there shall be substituted the words “papers, or your votes”;

- (c) in the first sentence of paragraph 3, for the words “the ballot” there shall be substituted the words “each ballot”; and
- (d) in the final sentence of paragraph 4, the words “, in order to be counted,” shall be omitted.

**36.**—(1) In the front of form K in Schedule 2 to the Regulations of 1986 (declaration of identity referred to in regulation 79(c))—

- (a) the words “(or mark)” and “(or marked)” shall be omitted, and
- (b) for the words “(CAPITAL LETTERS)” in both places where they occur, there shall be substituted the words “(WRITE CLEARLY)”.

(2) In the back of the form—

- (a) in paragraph 1 the words “(or mark)” and “(or marked)” shall be omitted, and
- (b) for paragraph 4 there shall be substituted the following paragraph—

“4. Different colours are used for the ballot papers for each election. Each ballot paper has its own ballot paper envelope (the smaller envelope marked “A”), declaration of identity and covering envelope (the larger envelope marked “B”). The covering envelope and declaration of identity for a particular ballot paper are those which refer to the colour of that ballot paper. It is important that you use the correct envelopes and declaration of identity, otherwise your vote may not be counted. You may find it helpful to sort the documents into separate sets, each consisting of a ballot paper, ballot paper envelope, declaration of identity and covering envelope. Then proceed as follows—

- (a) place each ballot paper in the correct smaller envelope and seal it;
- (b) put that envelope, together with the correct declaration of identity, in the correct covering envelope and seal it;
- (c) return the covering envelopes without delay. Ballot papers must be received by the returning officer not later than the close of the poll.”

**37.** In Schedule 3 to the Regulations of 1986 (application with modifications of provisions of the Acts of 1983 and 1985 for registration of European Parliamentary overseas electors)(15)—

- (a) the modification in column 2 of that Schedule in respect of the entry in column 1 relating to section 11 of the Representation of the People Act 1983 shall be omitted, and
- (b) after that entry there shall be inserted in column 1 of the Schedule the words “In section 12 (right to be registered), subsection (5)”.

8th March 1990

*David Waddington*  
One of Her Majesty’s Principal Secretaries of  
State Home Office

---

(15) Schedule 3 has been amended by section 3 of the European Communities (Amendment) Act 1986.

## SCHEDULE 1

### ENABLING POWERS

These Regulations are made under the following provisions of the Representation of the People Act 1983 (“the Act of 1983”) and, having regard to section 27(2) of the Representation of the People Act 1985 (“the Act of 1985”), the following provisions of that Act, namely—

(a) sections 15(2) and (4), 36(3C)(**16**), 53(**17**) and 201(1) of, and Schedule 2(**18**) to, the Act of 1983, and

(b) sections 3(5), (6) and (7) and 15(5) of the Act of 1985, and

having regard to the definition of “prescribed” in section 202(1) of the Act of 1983, the following further provisions of those Acts, namely—

(i) section 89(1) of, and rules 24(**19**) and 28(3) in Schedule 1 to, the Act of 1983, and

(ii) sections 2(3) and 7(1) of the Act of 1985.

## SCHEDULE 2

Regulation 32

Form to be substituted for form A in Schedule 2 to the Regulations of 1986

Form A: mRETURN BY OCCUPIER AS TO RESIDENTS YOUR RIGHT TO VOTE

You can vote in elections only if your name appears in the register of electors. A new register is published each year and the [insert relevant year] register is being prepared now.

### **About this form**

The law requires the householder to give the information requested in this form. So please fill it in, sign it and return it to the electoral registration officer as quickly as possible.

Remember to include the names of those in your household who will be eligible – their right to vote is important too.

The qualifying date for the new register is [insert relevant qualifying date]. But you need not wait until then to fill in the form. And you should still give the information even if you intend to move home after 10th October.

Inside this form there are details of who is eligible to vote and instructions on how to answer the questions.

If there is anything you don't understand or if you would like more information, contact your electoral registration officer at the address shown on the form. He will be pleased to help.

### **Checking the register**

The draft register is published on 28th November, and between then and 16th December you should check at your local council offices to make sure that your name has been included. If for some reason you have been missed off, you should apply immediately to have your name added to the register.

---

(16) Section 36(3C) was substituted by section 17 of the Act of 1985.

(17) Section 53 has been amended, but the amendment is not relevant in the context of these Regulations.

(18) The amendments to Schedule 2 which are relevant in the context of these Regulations are those made by section 4(7) of, paragraph 8 of Schedule 2 to, and paragraph 87 of Schedule 4 to, the Act of 1985 and section 5 of the Representation of the People Act 1989 (c. 28)

(19) Rule 24 has been amended, but the amendment is not relevant in the context of these Regulations.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**Unable to vote in person?**

People who are blind, physically disabled or whose work regularly takes them away from home are entitled to apply for a postal or proxy vote at all elections. You can also apply for a postal or proxy vote if there is a good reason why you cannot vote in person at a particular election, e.g. because you are away on holiday. Ask the electoral registration officer for further details.

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Please read the notes below before filling in using <b>BLOCK LETTERS</b>		<b>DON'T LOSE YOUR RIGHT TO VOTE X</b>	
<b>1 Address</b>			
No. of flat, bedsit or floor (where applicable)	No. of house (or name if not numbered) followed by name of street, road, etc. followed by remainder of address		Postcode
<b>2 Names</b>		<b>3 16/17 year olds</b>	<b>4 Jury Service</b>
Please read the notes below about who to include and who not to include. Then write here the names of all those, including yourself, living in your household on <i>[insert relevant qualifying date]</i> who are British, other Commonwealth or Irish citizens and are aged 16 or over on that date.		Please give dates of birth of 16/17 year olds	If 70 or over by <i>[insert date when the relevant register comes into force]</i> enter ✓ (see note on jury service below)
Mr, Mrs, Miss etc	Surname (BLOCK LETTERS PLEASE)	Full forenames (BLOCK LETTERS PLEASE)	Day    Month    Year
<b>5 No one eligible</b>		<b>7 Declaration</b>	
If no one (including yourself) in your household should be included in part 2 above, please write 'NO ONE' in part 2 and give the reason		It is an offence to give false information in completing this form.	
<b>6 Other households</b>		<b>I declare that to the best of my knowledge and belief the particulars given in this form are true and accurate and all those whose names are entered are British citizens, other Commonwealth citizens, or citizens of the Republic of Ireland.</b>	
Is where you live part of a house or other property that has been converted into flats or bedsits? If so, please state how many individual flats or bedsits there are so that the electoral registration officer can make sure that the people living there are given a form.	How many flats or bedsits? <input style="width: 40px; height: 20px;" type="text"/>	Signature	date

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**REGISTER OF ELECTORS**  
*[insert relevant year]*

You are required by law to give the information requested in this form.

**Be sure to include**

**16 and 17 year olds** – they can vote as soon as they are 18. Please give their dates of birth in part 3. The electoral registration officer will ensure that only those who reach 18 during the life of the register will be included in it.

**Those who normally live in your household but are temporarily away** – for example on holiday, as students, in hospital (including voluntary patients in psychiatric hospitals).

**Anyone who is away working**, unless his or her absence will total more than six months.

**Any other residents, lodgers or guests** (but not short-stay visitors) in your household, whether this is a private address, a hostel or a club, including merchant seamen who live there when not at sea.

**Jury Service**

Please put a tick in part 4 for **anyone who is eligible to vote and who will be 70 and over** by *[insert date when the relevant register comes into force]*.

People 70 and over are not eligible for jury service. Those who are not eligible for other reasons, or who can decline to serve, will be able to say so if they receive a jury summons.

**Don't include**

**Foreign nationals** – for example, citizens of other European Community member states are foreign nationals and (except for citizens of the Republic of Ireland) are not eligible to vote.

**People under 16.**

**Members of HM Forces.\***

**Crown servants and British Council staff serving abroad.\***

**Wives or husbands of members of HM Forces \*** who have made a service declaration which they have not cancelled.

**Wives or husbands of Crown servants and British Council staff serving abroad\*** if living abroad to be with their husbands or wives.

**Convicted persons**, detained on *[insert relevant qualifying date]*.

\*Special voting arrangements are made for these people (see also part 5).

**How to return this form**

First, please check that you have read and completed the form. Then see the instructions overleaf (to the right of the return address panel).

These Regulations amend the Representation of the People Regulations 1986 (“the Regulations of 1986”). They extend to England and Wales only.

Regulation 12 of these Regulations replaces the provisions in regulation 25 of the Regulations of 1986 about the attestation of declarations made by overseas electors. In place of the requirement for such declarations to be attested by an overseas attesting officer (as to these officers, see regulation 24 of the Regulations of 1986), the provision substituted by regulation 12 requires such declarations as need to be attested (as to which, see regulation 25(1), as substituted) to be attested by a British citizen who satisfies the conditions in regulation 25(2), as substituted. Regulation 11 of these Regulations substitutes a provision (for the redundant regulation 24) whereby overseas electors who by reason only of age were incapable of being included in a register of electors before leaving the United Kingdom are required to send a copy of their birth certificates with their overseas electors' declarations prior to their first registration. The franchise was extended to such persons by sections 2 and 3 of the Representation of the People Act 1989. By virtue of the Representation of the People Act 1989 (Commencement No. 2) Order 1990 (S.I.1990/519), sections 1 to 4 of that Act come into force on 1st April 1990. Regulations 4, 8, 10, 13, 14, 16 and 37 of these Regulations make amendments to the Regulations of 1986 which are consequential on, or ancillary to, the changes made by those sections and the regulations explained in this paragraph.

Regulation 15 of these Regulations inserts a provision into the Regulations of 1986 whereby a registration officer is obliged to send reminders to persons registered in pursuance of overseas electors' declarations of the need to make a fresh declaration in order to be registered in the next register of electors.

The effect of the changes made by regulation 21 of these Regulations is to abolish the general requirement that applications for a postal or proxy vote for a particular parliamentary or local government election must be attested. However, the requirement for attestation is retained in respect of one of the two categories of persons for whom a later deadline for the receipt of such applications by the registration officer is set (as to which, see the amendments made by regulation 21 and regulation 22(2) of these Regulations). Attestation is required in respect of persons whose claim for a postal or proxy vote relates to their health on polling day when the relevant circumstances could not have been reasonably foreseen earlier.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 5 of these Regulations abolishes the requirement under the Regulations of 1986 whereby, during the period of a parliamentary election, the duties of a registration officer who is not the acting returning officer were discharged by the registration officer who is the acting returning officer. It replaces the requirement with an obligation to supply the lists referred to therein.

Regulations 7, 18(1), 19(2) and (3) and 20(1)(a), (2) and (3) of these Regulations increase the fees therein referred to.

Regulation 17 of these Regulations, together with regulations 19(1) and 20(1)(b), concern the supply of the register of electors (and data etc. derived from it) to the returning officer at county council elections. Regulation 18(2) of these Regulations adds a provision whereby registration officers are obliged to supply, on payment of a fee, copies of the register to persons who satisfy the conditions therein set out.

Paragraphs (2) and (3)(b) of regulation 30 of these Regulations extend the matters in respect of which special provision can be made in the scale of charges for returning officers at an election where the poll is taken together with the poll at some other election. Regulation 32 of these Regulations substitutes the form set out in Schedule 2 for the form of return by an occupier as to residents (form A in Schedule 2 to the Regulations of 1986).

Regulations 6, 9, 22(3)(b), (c) and (d), 23, 25, 27, 28(2) and (3), 31(2) to (5) and 33 to 36 of these Regulations either seek to clarify the drafting of the Regulations of 1986 or the wording of certain forms (the official poll card and declarations of identity) in Schedule 2 to those Regulations or correct errors or omissions in those Regulations.

Regulations 24, 26, 28(1), 29, 30(1) and (3)(a) and 31(1) of these Regulations are consequential on the repeal of the provisions in primary legislation relating to elections to the Inner London Education Authority (see Part I of Schedule 13 to the Education Reform Act 1988 (c. 40)).