

Representation of the People Act 1980

1980 CHAPTER 3

An Act to make further provision with respect to the registration for electoral purposes of persons having a service qualification and the correction of registers of electors; and for purposes connected with those matters.
[31st January 1980]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Registration of persons having a service qualification.
1949 c. 68.

1.—(1) In section 8 of the Representation of the People Act 1949 (right to be registered) there shall be inserted after subsection (2) the following subsections—

" (2A) A person who on the qualifying date has a service qualification shall not be entitled to be registered as mentioned in subsection (1) or (2) above except in pursuance of an appropriate service declaration; and in this subsection and subsection (2B) below " appropriate service declaration " means—

(*a*) in the case of a person who on the qualifying date is a member of the forces or the wife or husband of such a member, a service declaration made in accordance with section 10 of this Act and in force on that date; and

(*b*) in any other case, a service declaration made in accordance with that section with reference to that date.

(2B) Subsection (2A) above does not apply to any person who on the qualifying date is the wife or husband of a member of the forces if on that date—

(*a*) that person has no other service qualification;

(*b*) that person is resident in the United Kingdom; and

(*c*) no appropriate service declaration is in force in respect of that person."

(2) In section 10 of the said Act of 1949 (service qualification)—

(*a*) in subsection (5) there shall be inserted immediately before the words " shall be attested " the words " , except where the declarant is a member of the forces or the wife or husband of such a member," ; and

(*b*) in subsection (7) there shall be inserted immediately before the word " attested " the words " (where required) ".

(3) In the said section 8—

(*a*) the provisos to subsections (1) and (2); and

(*b*) subsection (3) as inserted by section 3(3) of the Representation of the People (Armed Forces) Act 1976, 1976 c. 29.

(which are superseded by subsection (1) above) shall cease to have effect.

Correction of registers of electors. 1949 c. 68.

2.—(1) In section 9 of the Representation of the People Act 1949 (preparation of registers) there shall be inserted at the end the following subsections—

" (3) Where a register of electors as published does not carry out the intention of the registration officer—

(*a*) to include the name of any person shown in the electors lists as a person entitled to be registered; or

(*b*) to give or not to give in a person's entry a date as that on which he will attain voting age, or as to the date to be given; or

(*c*) to give effect to a decision on a claim or objection made with respect to the electors lists,

then (subject to the decision on any appeal from a decision on a claim or objection) the registration officer on becoming aware of the fact shall make the necessary correction in the register.

(4) Where subsection (3)(*a*) above does not apply but the registration officer is satisfied by such evidence as he may require that any person whose name is not included in a register of electors as published is entitled to be registered in that register, he shall make the necessary correction in the register.

(5) An alteration made in a register of electors under subsection (3) or (4) above on or after the date on which notice of an election is given shall not have effect for the purposes of that election.

(6) No alteration shall be made in a register of electors as published otherwise than under subsection (3) or (4) above or the provisions of section 45 of this Act relating to appeals."

(2) In section 45(1) of the said Act of 1949 (registration appeals) there shall be inserted after paragraph (*c*) the following paragraph—

"(*d*) from any decision under this Act of the registration officer to make or not to make an alteration in a register as published;".

1969 c. 15.

(3) Subsection (2) of section 7 of the Representation of the People Act 1969 (which is superseded by subsection (1) above) shall cease to have effect.

Citation, repeals and commencement.

3.—(1) This Act may be cited as the Representation of the People Act 1980, and shall be included among the Acts which may be cited as the Representation of the People Acts.

(2) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(3) The provisions of this Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be appointed for different provisions or different purposes.

SCHEDULE

Section 3(2).

ENACTMENTS REPEALED

Chapter	Short title	Extent of repeal
12 & 13 Geo. 6. c. 68.	The Representation of the People Act 1949.	In section 8, the provisos to subsections (1) and (2) and subsection (3).
1969 c. 15.	The Representation of the People Act 1969.	Section 7(2). In Schedule 4, the entry relating to section 7(2).
1976 c. 29.	The Representation of the People (Armed Forces) Act 1976.	Section 3(2) and (3).