STATUTORY INSTRUMENTS

1983 No. 436

REPRESENTATION OF THE PEOPLE

The Representation of the People (Northern Ireland) Regulations 1983

Approved by both Houses of Parliament

Made - - - -	15*th February* 1983
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In exercise of the powers conferred upon me by the provisions of the Representation of the People Act 1983(a) specified in Schedule 1 to these Regulations, I hereby make the following Regulations:—

PART I

GENERAL

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Representation of the People (Northern Ireland) Regulations 1983.

(2) These Regulations shall, subject to their having been approved by resolution of each House of Parliament, come into operation on 1st April 1983.

(3) These Regulations extend to Northern Ireland only.

Revocation and savings

2. The Regulations specified in Schedule 2 to these Regulations are hereby revoked:

Provided that Regulations 16(3) and (4), 21(3) and (4), 23(2) and (4) and 61 of the Representation of the People (Northern Ireland) Regulations 1969(b)

(a) 1983 c. 2.
(b) S.I. 1969/905.

shall continue to have effect in relation to an election notice of which is published before the coming into operation of these Regulations.

Interpretation

3.—(1) For the purpose of these Regulations, unless the context otherwise requires:—

"Act of 1962" means the Electoral Law Act (Northern Ireland) 1962(**a**);

"Act of 1983" means the Representation of the People Act 1983;

"British Council employee" means a person employed by the British Council in a post outside the United Kingdom;

"Crown servant" means a person who is employed in a post falling within the class or description set out in Regulation 4;

"elections rules" means the parliamentary elections rules in Schedule 1 to the Act of 1983;

"patient's declaration" means a declaration made under section 7 of the Act of 1983 by a voluntary mental patient (as defined in section 7(2) of that Act);

"postal proxy" means a person entitled to vote by post as proxy at an election;

"registration officer" means an electoral registration officer;

"service declaration" means a declaration made in accordance with section 15 of the Act of 1983.

(2) A reference in these Regulations to a Regulation shall be construed as a reference to a Regulation contained in these Regulations.

(3) A reference in these Regulations to a form identified by means of a letter shall be construed as a reference to the form so identified in Schedule 3 to these Regulations.

(4) A reference in these Regulations to the record or list of absent voters, proxies or postal proxies shall be taken as referring to the records or lists required to be kept under Part I of the Act of 1983.

PART II

VOTERS REGISTERED BY VIRTUE OF A SERVICE OR PATIENT'S DECLARATION

Qualification for Crown servant

4. A person employed in the service of the Crown in a post outside the United Kingdom has a service qualification if he is required to devote his whole

(**a**) 1962 c. 14 (N.I.).

working time to the duties of that post and the remuneration of it is paid wholly out of money provided by Parliament.

Contents of service declaration

5.—(1) In addition to the matters specified in paragraphs (*a*) to (*f*) of section 16 of the Act of 1983, a service declaration shall state—

(*a*) the declarant's full name and present address;

(*b*) the grounds on which the declarant claims a service qualification; and

(*c*) such of the particulars specified in paragraphs (2), (3) or (4) below as are relevant to the service qualification claimed by the declarant.

(2) Where the declarant claims a service qualification on the grounds that he is a member of the forces (as defined in section 59(1) of the Act of 1983) or the spouse of such a member, the service declaration shall state—

(*a*) the service (whether naval, military or air forces) in which that member serves,

(*b*) the rank or rating of that member, and

(*c*) the service number of that member;

and where that member serves in the military forces, the service declaration shall in addition state the regiment or corps in which he serves.

(3) Where the declarant claims a service qualification on the grounds that he is a Crown servant or the spouse of such a servant, the service declaration shall state—

(*a*) the name of the Government department in which that servant works, and

(*b*) a description of the post of that servant.

(4) Where the declarant claims a service qualification on the grounds that he is a British Council employee or the spouse of such an employee, the service declaration shall state a description of the post of that employee.

Service declaration by Crown servants, British Council employees and spouses

6.—(1) A service declaration made by a person who is or will be a Crown servant or by his or her spouse shall be attested by an officer of, or designated by, the Government department under which that person or his or her spouse is or will be employed or by another person himself having a service qualification through being employed in the service of the Crown in a post outside the United Kingdom.

(2) A service declaration made by a person who is or will be a British Council employee or by his or her spouse shall be attested by an officer of the British Council or by another person himself having a service qualification through being employed in the service of the Crown in a post outside the United Kingdom.

(3) An officer attesting a declaration under this Regulation shall certify that to the best of his knowledge and belief the statements contained in the declaration are true.

Transmission of service declaration

7.—(1) A service declaration made by a member of the forces or his or her spouse shall be transmitted by or on behalf of the declarant to the appropriate registration officer.

(2) A service declaration made by a person who is or will be a Crown servant or by his or her spouse shall be transmitted by the declarant to the Government department under which that person or his or her spouse is or will be employed or to an officer designated by that department and transmitted by that department or officer to the appropriate registration officer.

(3) A service declaration made by a person who is or will be a British Council employee or by his or her spouse shall be transmitted by the declarant to the British Council and transmitted by the British Council to the appropriate registration officer.

(4) Subject to Regulation 10, the registration officer on receipt of a service declaration shall notify the declarant that it has been received.

Service declaration by a person about to leave the United Kingdom

8. A service declaration made by a person about to leave the United Kingdom in such circumstances as to acquire a service qualification shall be made not more than six weeks before the date on which he expects to leave the United Kingdom.

Patient's declaration

9.—(1) A patient's declaration shall be attested by a duly authorised member of the staff of the mental hospital in which the person making the declaration is a voluntary mental patient on the date of the declaration and that member of staff shall certify that to the best of his knowledge and belief the statements contained in the declaration are true.

(2) A patient's declaration shall be transmitted by or on behalf of the declarant to the appropriate registration officer.

(3) Subject to Regulation 10, the registration officer on receipt of a patient's declaration shall notify the declarant it has been received.

Invalid service declaration or patient's declaration

10. Where a service declaration or a patient's declaration does not appear—

(*a*) to be properly made or (where required) attested, or

(*b*) in the case of a service declaration to which paragraph (2) or (3) of Regulation 7 applies, to have been transmitted in the proper manner to the registration officer,

the registration officer shall return the declaration to the declarant and explain his reasons for so doing.

Service declaration ceasing to be in force

11.—(1) Where a person ceases to be a member of the forces and becomes a Crown servant or a British Council employee, his or her service declaration and that of his or her spouse shall cease to be in force.

(2) In the case of a service declarant other than a member of the forces, the registration officer shall treat a notice from—

(*a*) the Government department under which the declarant or his or her spouse is or was employed or claimed to be employed, or

(*b*) an officer designated by that department, or

(*c*) the British Council

stating that that person's service declaration has ceased to be in force as conclusive evidence of its having ceased to be in force.

PART III

REGISTRATION

The Register

Preparation of the register and electors lists

12.—(1) The register of parliamentary electors and electors lists therefor shall, so far as practicable, be combined with the register of local government electors and electors for elections of members to the Northern Ireland Assembly prepared under Part V of, and the Registration Rules in Schedule 3 to, the Act of 1962(**a**).

(2) Subject to Regulations 13 and 14, the register of parliamentary electors and electors lists therefor shall be prepared and published in the same time, place and manner as the register and electors lists prepared under the Act of 1962.

Marking of electors lists

13. If an elector will attain voting age before the end of the period of twelve months beginning with 16th February during which a register is to be used, but will not be of voting age on the first day of that period, the date on which he will attain that age shall be placed against his name in the electors lists as well as in the register.

(**a**) Part V of, and Schedule 3 to, the Act of 1962 were applied by Article 3(5) of the Northern Ireland Assembly Elections Order 1982 (S.I. 1982/1135) to the registration of electors for elections of members to the Northern Ireland Assembly.

Claims and objections

14.—(1) Subject to paragraph (2) below and to the provisions relating to registration appeals in section 56 of the Act of 1983, as applied to Northern Ireland by section 58 of that Act, all claims for registration and all objections to any person's registration shall be made within the time and in the manner prescribed by the Registration Rules in Schedule 3 to the Act of 1962 and shall be dealt with in accordance with the provisions of those Rules.

(2) Where—

(*a*) a service declaration made by a member of the forces or the spouse of such a member which is in force on the qualifying date, or

(*b*) a service declaration made by any other person with reference to the qualifying date and made during the twelve months ending with that date,

is received by the registration officer too late for inclusion of the declarant's name in the electors lists, the declaration shall, if it is received by that officer—

(i) not later than the last day for making claims, be treated as a claim, or

(ii) after that last day, be treated as a claim to which paragraph (4) of rule 24B of the Registration Rules in Schedule 3 to the Act of 1962(**a**) applies and as though it were made under paragraph (1) of that rule.

Information about electors

15.—(1) The registration officer shall, as soon as practicable after publication of the register supply to the Secretary of State a document setting out the information about electors which is required by paragraphs (2) and (3) below.

(2) The document referred to in paragraph (1) above shall state the name of the constituency and shall list the following total numbers of electors in that constituency, namely—

(*a*) parliamentary electors (including those referred to in sub-paragraph *(b)* below); and

(*b*) those registered by virtue of section 12(5) of the Act of 1983.

(3) The document referred to in paragraph (1) above shall set out separately as respects those electors referred to in sub-paragraphs (*a*) and (*b*) of paragraph (2) above the following totals, namely—

(*a*) those registered by virtue of residence at a qualifying address on the qualifying date;

(*b*) those registered by virtue of a service declaration;

(*c*) those registered by virtue of a patient's declaration;

(*d*) those whose names were marked on the forms completed by householders as being merchant seamen.

(**a**) Rule 24B was inserted by Article 3(2) of the Electoral Law (Registration Rules) (Variation No. 2) Order (Northern Ireland) 1980 (S.R. (N.I.) 1980 No. 354).

Free copies of register

16.—(1) The registration officer shall on request supply free of charge—

(*a*) one copy of the register for the constituency to the Member of Parliament for that constituency;

(*b*) four copies of the register (which may be printed on one side only) for the constituency and four copies of the electors lists for it so long as the lists are kept published, to any person who satisfies the registration officer that he requires them for use in connection with his own or some other person's prospective candidature at a parliamentary election for that constituency;

Provided that not more than one person in respect of the same candidature shall be so supplied;

(*c*) two copies of the register for the constituency to each candidate at a parliamentary election for that constituency or his election agent except where he has already received copies of it under sub-paragraph (*b*) above.

(2) A copy of the register (including the corrupt and illegal practices list appended to it) shall, on publication, be supplied free of charge by the registration officer to the Secretary of State and the British Library.

Sale of register

17. So long as there are sufficient copies available after allowing for the number which may be required for the purposes of any election (including the purposes of Regulation 16), the registration officer shall supply to any person copies of any part or parts of the register, or of any electors lists on payment—

(*a*) in the case of a person who has been supplied in pursuance of Regulation 16 with a copy of the register or the electors lists of a fee at the rate of 15p for each thousand (or part of one thousand) names in such copy;

(*b*) in the case of any other person, of a fee at the rate of £1.50 for each one thousand (or part of one thousand) names in such copy.

Supplementary

Declaration as to age and nationality

18.—(1) The registration officer before registering any person (other than a service voter or person who has made a patient's declaration) may, if he thinks it necessary—

(*a*) require that person either to produce a birth certificate or to make a statutory declaration as to the date of his birth;

(*b*) require that person either to produce a certificate of naturalisation or a document showing that he has become a Commonwealth citizen by virtue of registration, or to make a statutory declaration that he was a Commonwealth citizen or citizen of the Republic of Ireland on the qualifying date.

(2) Where a declaration is so made, any fee payable in connection with it shall be paid by the registration officer as part of his registration expenses.

(3) Any such declaration shall be made available for inspection in the registration officer's office till completion of the hearing of claims and objections.

Information from householders

19. The registration officer may require any householder or person owning or occupying any premises within the area for which he acts or the agent of any such person to give information required for the purposes of his registration duties.

Adaptation of electors lists and register in consequence of altered polling districts

20. Where an alteration of the polling districts is made, the registration officer may—

(*a*) adapt the register to the alteration;

(*b*) if the alteration is made between the publication of any electors lists and the coming into force of the register prepared from those lists, frame the form of that register in accordance with the alterations,

but, except where he does so, an alteration of polling districts shall not be effective until the coming into force of the first register prepared from the electors lists published after the alteration is made.

Corrupt and illegal practices list

21.—(1) The corrupt and illegal practices list required by section 51(1) of the Act of 1983 shall, so far as practicable, be combined with the corrupt and illegal practices list prepared and published under section 32 of the Act of 1962(**a**).

(2) Subsections (3) to (7) of section 32 of the Act of 1962 shall apply for the time and manner of preparation and publication and form of, and the making and determination of claims or objections with respect to, the corrupt and illegal practices list of parliamentary electors as they apply to the list of local government electors.

Correction of register

22.—(1) When a registration officer makes an alteration in a register of parliamentary electors pursuant to subsection (1) or (2) of section 11 of the Act of 1983, he shall—

(*a*) send to the person affected by the alteration and, if he gives effect to a decision on an objection, to the objector a notice stating the alteration;

(*b*) make a copy of the alteration available for inspection at his office;

(*c*) make copies of the alteration available for inspection at the place at which copies of the part of the register to which the alteration relates have been made available for inspection;

(**a**) Section 32 was amended by the Electoral Law (Northern Ireland) Order 1972 (S.I. 1972/1264 (N.I. 13)), Art. 16(1) and Sch. 2 and Art. 18 and Sch. 3.

(*d*) supply free of charge a copy of the alteration to each person to whom he has supplied a copy of the part of the register to which the alteration relates in pursuance of Regulation 16 or paragraph (*a*) of Regulation 17.

(2) Copies of alterations made available for inspection under this Regulation shall be kept available for the same length of time as the register is kept published.

PART IV

ABSENT VOTERS, PROXIES AND POSTAL PROXIES

Application to be treated as an absent voter

23.—(1) An application to be treated as an absent voter shall be made in respect of each qualifying address and shall be—

(*a*) in Form F in any case where the application is made for a particular election only;

(*b*) in Form G in any case where the applicant is a service voter and wishes to vote by post;

(*c*) in Form H in any case where the applicant no longer resides at his qualifying address;

(*d*) in Form J in any case where the applicant is unable or likely to be unable to go in person from his qualifying address to the polling station without making a journey by air or sea;

(*e*) in Form K in any case where the applicant is registered by virtue of a patient's declaration and wishes to be treated as an absent voter at a particular election;

(*f*) in Form L in any other case.

(2) An application to be treated as an absent voter based on the ground of religious observance shall not be allowed by the registration officer unless it is accompanied by a certificate signed by a minister of the applicant's religious denomination certifying the nature and times of the religious observances and that the applicant is bound to observe them.

(3) An application to be treated as an absent voter based on the ground of physical incapacity shall be allowed by the registration officer if the application is accompanied by a certificate signed by a registered medical practitioner certifying, or a declaration signed by a Christian Science practitioner declaring—

(*a*) that the applicant is unable, or likely to be unable, by reason of blindness or other physical incapacity to go in person to the polling station or, if able to go, to vote unaided; and

(*b*) that the applicant is either registered with him as the applicant's general practitioner, or that he has examined the applicant immediately before making the certificate or, as the case may, declaration;

and the certificate shall include an estimate as to the period for which the applicant is likely to remain so unable.

(4) The registration officer shall notify the applicant if he disallows his application to be treated as an absent voter.

(5) Where under section 20(3)*(c)* of the Act of 1983 the registration officer gives notice to an absent voter that he has reason to believe there has been a material change of circumstances, that person shall cease to be treated as an absent voter seven days after the date on which the registration officer sends such notice.

Application to vote by proxy

24.—(1) An application by a service voter for the appointment of a proxy to vote on his behalf shall be in Form M.

(2) An application by an absent voter who is not a service voter for the appointment of a proxy to vote on his behalf shall be in Form N.

Appointment of proxy

25.—(1) For the purpose of ascertaining in pursuance of section 21(5) of the Act of 1983 that a proxy is capable of being, and willing to be, appointed, the registration officer shall, unless he is satisfied that the person nominated in the application as first choice is not capable of being, or willing to be, appointed, notify him that a proxy paper will be issued to him unless within five days from the date of such notice the registration officer receives notice from him that he is not capable of being, or willing to be, appointed.

(2) If the person nominated as first choice is not capable of being, or willing to be, appointed, the registration officer shall, if another person is nominated as second choice, deal in like manner with such person:

Provided that if the application is received by the registration officer after publication of notice of an election, the registration officer need not do so until after the day of the poll for that election.

(3) If for any reason the registration officer does not issue a proxy paper in pursuance of an application made to him, he shall notify the person making the application why he has not done so.

Proxy paper

26.—(1) The proxy paper to be issued by the registration officer shall be in Form A.

(2) As soon as may be after issue of the proxy paper the registration officer shall send a notice of the fact to the elector stating the name of the person to whom the paper has been issued.

Cancellation of proxy appointment

27.—(1) Where the appointment of a proxy is cancelled by notice given to the registration officer or ceases to be or no longer remains in force under section 21(6) of the Act of 1983, the registration officer shall forthwith notify

the person whose appointment as proxy has been cancelled or is no longer in force of the fact and remove his name from the record of proxies.

(2) Where a service voter is entitled in pursuance of an application made under section 19(4) of the Act of 1983 to vote by post at an election, the registration officer shall forthwith notify his proxy (if any) of the fact and that his appointment will not have effect for that election.

Application by proxy to vote by post

28.—(1) An application by a proxy to vote by post shall be in Form O.

(2) The registration officer shall notify the applicant if he disallows such an application.

Disregard of applications

29.—(1) An application to be treated as an absent voter, by a proxy to vote by post, or for the issue of a proxy paper shall be disregarded for the purposes of a parliamentary election if it is received by the registration officer after noon on the eleventh day before the day of the poll at that election; except that an application to be treated as an absent voter on the grounds of employment on the day of the poll by a returning officer or as a constable may be allowed after that time.

(2) An application to be no longer treated as an absent voter, or a notice cancelling the appointment of a proxy, may be disregarded for the purposes of a parliamentary election if it is received by the registration officer after noon on the eleventh day before the day of the poll at that election.

(3) An application under section 22(7)(*a*) of the Act of 1983 whereby a proxy ceases to be entitled to vote by post may be disregarded for the purposes of a parliamentary election if it is received by the registration officer after noon on the eleventh day before the day of the poll at that election.

Records and lists of absent voters, proxies and postal proxies

30.—(1) Subject to the provisions of this Regulation, the records and lists of absent voters, proxies and postal proxies shall be in such form as the registration officer may decide.

(2) In the absent voters list the address to which the ballot paper is to be sent to an absent voter shall be placed opposite his name and number in the register unless a proxy has been appointed to vote on his behalf, in which case the letter "P" shall be placed opposite his name.

(3) In the proxies list the name and address of the proxy shall be placed opposite the elector's name and number in the register.

(4) In the postal proxies list the name of the proxy and the address to which a ballot paper is to be sent to the postal proxy shall be placed opposite the elector's name and number in the register.

(5) As soon as the lists of absent voters, proxies and postal proxies have been prepared, the registration officer shall publish them by making a copy of them

available for inspection at his office, and as soon as practicable after that he shall, on request and free of charge, supply a copy of them to each candidate or his election agent:

Provided that if such a request is made before any issue of postal ballot papers, he shall before that issue supply a copy of the lists of absent voters and postal proxies or a copy of so much of them as relates to that issue.

(6) The registration officer shall make a copy of the records of absent voters, proxies and postal proxies available for inspection at his office.

Marked register of electors for polling stations

31. In any copy of the register or part of it that is provided for a polling station there shall be placed—

(*a*) against the name of any elector who is, or whose proxy is, entitled to vote by post the letter "A"; and

(*b*) against the name of any elector on behalf of whom a proxy has been appointed the letter "P".

Certificate of employment

32. The certificate as to the employment of constables and persons employed by the returning officer on the day of the poll at a parliamentary election (to enable such a constable or person to vote elsewhere than at his own polling station) shall be in Form D and signed, in the case of a constable, by an officer of the Royal Ulster Constabulary of or above the rank of Chief Inspector.

PART V

ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

Interpretation

Interpretation of Part V

33. For the purpose of this Part of these Regulations, unless the context otherwise requires—

"agent" includes the election agent and a person appointed to attend in the election agent's place;

"issue" includes the original and any subsequent issue;

"postal ballot paper" means a ballot paper issued to a postal voter;

"postal voter" means a voter who is entitled to vote by post at an election (and includes a postal proxy).

Issue of Postal Ballot Papers

Form of postal ballot paper

34. Except as provided by rule 20(3) of the elections rules with respect to the

official mark, the ballot papers to be sent to postal voters shall be in the same form as, and indistinguishable from, the ballot papers delivered to other voters.

Form of declaration of identity

35. The declaration of identity sent with the ballot paper to a postal voter shall be in Form E.

Persons entitled to be present at issue and receipt of postal ballot papers

36.—(1) No person other than—

(*a*) the returning officer and his clerks,

(*b*) a candidate,

(*c*) an election agent or any person appointed by a candidate to attend in his election agent's place,

(*d*) any agents appointed under paragraph (2) below,

may be present at the proceedings on the issue or receipt of postal ballot papers.

(2) Where postal ballot papers are to be issued, or the envelopes contained in the postal voters' ballot boxes are to be opened, simultaneously in two or more batches, each candidate may appoint one or more agents up to the number he may be authorised by the returning officer to appoint not exceeding the number of such batches so, however, that the number authorised shall be the same in the case of each candidate.

(3) Notice of the appointment stating the names and addresses of the persons appointed shall be given by the candidate to the returning officer before the time fixed for the issue of the postal ballot papers or the opening of the said postal voters' ballot boxes, as the case may be.

(4) If an agent dies or becomes incapable of acting, the candidate may appoint another agent in his place and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.

(5) Agents may be appointed and notice of appointment given to the returning officer by the candidate's election agent instead of by the candidate.

(6) In this Part of these Regulations references to agents shall be taken as reference to agents whose appointments have been duly made and notified and, in the case of agents appointed under paragraph (2) above, who are within the number authorised by the returning officer.

(7) A candidate may himself do any act or thing which any agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.

(8) Where in this Part of these Regulations any act or thing is required or authorised to be done in the presence of the candidates or their agents, the non-attendance of any such persons or person at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Declaration of secrecy

37.—(1) Every person attending the proceedings on the issue or receipt of postal ballot papers shall make a declaration of secrecy in the form in paragraph (3) below, or in a form as near to it as circumstances admit, before the issue of postal ballot papers:

Provided that if any person attends only the proceedings on the receipt of postal ballot papers, he need not make the declaration before the issue but shall make it before he is permitted to attend the proceedings on the receipt of postal ballot papers.

(2) The returning officer shall make the declaration in the presence of a justice of the peace and any other person shall make the declaration in the presence either of a justice of the peace or of the returning officer or of a person who is the clerk of a district council and subsections (4) and (6) of section 66 of the Act of 1983 shall be read to the declarant by the person taking the declaration or shall be read by the declarant in the presence of that person.

(3) The declaration shall be as follows:—

"I solemnly promise and declare that I will not do anything forbidden by subsections (4) and (6) of section 66 of the Representation of the People Act 1983, which have been read [to] [by] me".

Notice of issue of postal ballot papers

38.—(1) The returning officer shall give each candidate not less than 48 hours' notice in writing of the time and place at which he will issue postal ballot papers and of the number of agents he may appoint under Regulation 36(2) to attend that issue.

(2) Where any subsequent issue of postal ballot papers is made, the returning officer shall notify each candidate as soon as practicable of the time and place at which he will make such subsequent issue and of the number of agents the candidate may appoint under Regulation 36(2) to attend such issue.

Marking of postal ballot paper

39.—(1) Each postal ballot paper issued shall be stamped with the official mark which shall perforate the ballot paper, and the name and number of the elector as stated in the register of electors shall be called out, and such number shall be marked on the counterfoil, and a mark shall be placed in the absent voters list or the list of postal proxies against the number of the elector to denote that a ballot paper has been issued to the elector or his proxy but without showing the particular ballot paper issued.

(2) The number of a postal ballot paper shall be marked on the declaration of identity sent with that paper.

Refusal to issue postal ballot paper

40. Where a returning officer is satisfied that two or more entries in the absent voters list or the list of postal proxies relate to the same elector or that a postal proxy has been appointed for a person entered in the absent voters list, he shall not issue more than one ballot paper in respect of the same elector.

Ballot paper envelope

41. The returning officer shall, in addition to the ballot paper, declaration of identity and envelope for their return (referred to as a "covering envelope") which he is required by rule 24 of the elections rules to send to a postal voter, send a smaller envelope marked "ballot paper envelope" bearing the number of the ballot paper.

Delivery of postal ballot papers to post office

42. Envelopes addressed to postal voters shall be counted and forthwith delivered by the returning officer to the nearest head post office, or such other office as may be arranged with the head postmaster, and the postmaster shall stamp with the post office date stamp a form of receipt to be presented by the returning officer stating the number of envelopes so delivered, and shall immediately forward such envelopes for delivery to the persons to whom they are addressed.

Provision of postal voters' ballot box

43.—(1) The returning officer shall, at the proceedings on the original issue of postal ballot papers, provide a ballot box or ballot boxes for the reception of the covering envelopes when returned by the postal voters.

(2) Every such ballot box shall be shown open and empty to the agents present and shall then be locked by the returning officer and sealed with the seal of the returning officer and the seals of such of the agents as desire to affix their seals in such manner as to prevent its being opened without breaking the seal.

(3) Every such ballot box shall be marked "postal voters' ballot box" and with the name of the constituency for which the election is held.

(4) The returning officer shall make provision for the safe custody of every such ballot box.

Sealing up of special lists and counterfoils

44.—(1) The returning officer, as soon as practicable after the completion of the issue of the postal ballot papers, and in the presence of the agents, shall make up in separate packets—

(*a*) the marked copies of the absent voters list and of the list of postal proxies, and

(*b*) the counterfoils of those ballot papers which were issued,

and shall seal such packets.

(2) The sealed packet containing the marked copies of the absent voters list and of the list of postal proxies may be opened by the returning officer for the purposes of a subsequent issue, and on completion of that issue the copies shall be again made up and sealed in accordance with paragraph (1) above.

Spoilt postal ballot paper

45.—(1) If a postal voter has inadvertently dealt with his postal ballot paper in such manner that it cannot be conveniently used as a ballot paper (referred to as "a spoilt postal ballot paper") he may return (either by hand or by post) to the returning officer the spoilt postal ballot paper, the declaration of identity, the ballot paper envelope and the covering envelope.

(2) The returning officer, on receipt of those documents, shall, unless the documents are received too late for another postal ballot paper to be returned before the close of the poll, issue another postal ballot paper and the above provisions of this Part of these Regulations, except sub-paragraphs (*b*), (*c*) and (*d*) of paragraph (1) and paragraphs (2) to (8) of Regulation 36 and Regulation 38, shall apply accordingly.

(3) The spoilt postal ballot paper, the declaration of identity and the ballot paper envelope shall be immediately cancelled.

(4) The returning officer, as soon as practicable after cancelling those documents, shall make up those documents in a separate packet and shall seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall then be again made up and sealed.

Receipt of Postal Ballot Papers

Receipt of covering envelope

46. The returning officer shall, immediately on receipt (whether by hand or by post) of a covering envelope before the close of the poll, place it unopened in a postal voters' ballot box locked and sealed in accordance with Regulation 43.

Opening of postal voters' ballot box

47.—(1) Each postal voters' ballot box shall be opened by the returning officer in the presence of the agents.

(2) So long as the returning officer ensures that there is at least one postal voters' ballot box for the reception of covering envelopes up to the time of the close of the poll, the other postal voters' ballot boxes may previously be opened by him.

(3) The returning officer shall give each candidate not less than 48 hours' notice in writing of the time and place of the opening of each postal voters' ballot box and the envelopes contained in it and of the number of agents the candidate may appoint under Regulation 36(2) to be present at each opening.

(4) The returning officer shall provide a ballot box as a receptacle for postal ballot papers (referred to as "receptacle for postal ballot papers") and every

such ballot box shall be shown open and empty to the agents present and shall then be locked by the returning officer and sealed with the seal of the returning officer and the seals of such of the agents as desire to affix their seals in such manner as to prevent its being opened without breaking the seal.

(5) Every ballot box referred to in paragraph (4) above shall be marked "postal voters' ballot papers" and with the constituency for which the election is held.

(6) The returning officer shall make provision for the safe custody of every such ballot box.

(7) The ballot box shall be opened at the counting of the votes under rule 45 of the elections rules.

Opening of covering envelopes

48.—(1) When a postal voters' ballot box has been opened, the returning officer shall count and note the number of covering envelopes, and shall then open each covering envelope separately.

(2) Where a covering envelope does not contain both a declaration of identity and a ballot paper envelope or, if there is no ballot paper envelope, a ballot paper, he shall mark the covering envelope "rejected", attach to it the contents (if any) of the covering envelope and place it in a separate receptacle (referred to as "the receptacle for rejected votes"); and if the covering envelope does not contain the declaration separately, the returning officer shall open the ballot paper envelope to ascertain if the declaration is inside that envelope.

(3) On opening a covering envelope, other than one to which paragraph (2) above applies, the returning officer shall first satisfy himself that the declaration of identity has been duly signed and authenticated and, if he is not so satisfied, he shall mark the declaration "rejected", attach to it the ballot paper envelope or, if there is no such envelope, the ballot paper, and place it in the receptacle for rejected votes:

Provided that before so doing he shall show the declaration to the agents and, if any objection is made by any agent to his decision, he shall add the words "rejection objected to".

(4) Where the number on the declaration of identity duly signed and authenticated agrees with the number on the ballot paper envelope, he shall place the declaration in a separate receptacle (referred to as "the receptacle for declarations of identity") and the ballot paper envelope in another separate receptacle (referred to as "the receptacle for ballot paper envelopes").

(5) Where there is no ballot paper envelope or the ballot paper envelope has been opened under paragraph (2) above, he shall—

(*a*) where the number on the declaration of identity duly signed and authenticated agrees with the number on the ballot paper, place the declaration in the receptacle for declarations of identity and the ballot paper in the receptacle for postal ballot papers;

(*b*) where the number on that declaration does not agree with the number on

the ballot paper, mark the declaration "rejected", attach to it the ballot paper and place it in the receptacle for rejected votes.

(6) Where the number on the declaration of identity duly signed and authenticated does not agree with the number on the ballot paper envelope or that envelope has no number on it, he shall open the envelope and shall—

(*a*) where the number on the declaration agrees with the number on the ballot paper, place the declaration in the receptacle for declarations of identity and the ballot paper in the receptacle for postal ballot papers;

(*b*) where the number on the declaration does not agree with the number on the ballot paper or there is no ballot paper, mark the declaration "rejected", attach to it the ballot paper (if any) and place it in the receptacle for rejected votes.

(7) Except for the purposes of ascertaining under paragraph (2) above whether a ballot paper envelope contains a declaration of identity or under paragraph (6) above whether the number on the declaration agrees with the number on the ballot paper, the returning officer shall not open the ballot paper envelopes before they are opened under Regulation 50.

Sealing up of rejected votes and declarations of identity

49. On the conclusion of the proceedings under Regulation 48 the returning officer shall put the contents of the receptacle for rejected votes and the contents of the receptacle for declarations of identity into two separate packets and shall seal up such packets.

Opening of ballot paper envelopes

50.—(1) After sealing up the packets referred to in Regulation 49 the returning officer shall open separately each ballot paper envelope placed in the receptacle for ballot paper envelopes.

(2) Where a ballot paper envelope does not contain a ballot paper, he shall mark the envelope "rejected".

(3) Where the number on the ballot paper envelope agrees with the number on the ballot paper contained in it, he shall place the ballot paper in the receptacle for postal ballot papers.

(4) Where the number on the ballot paper envelope does not agree with the number on the ballot paper contained in it, he shall mark the ballot paper "rejected" and attach the ballot paper envelope to it.

(5) He shall put into a separate packet the envelopes and the ballot papers marked "rejected" under the provisions of this Regulation and shall seal up such packet.

Abandoned poll

51. Where a poll is abandoned or countermanded after postal ballot papers have been issued, by reason of the death of a candidate, the returning officer—

(*a*) shall not take any step or further step to open covering envelopes or deal

with their contents in accordance with the provisions of this Part of these Regulations, and

(*b*) shall, notwithstanding Regulation 49 or 50, treat all unopened covering envelopes and the contents of those which have been opened as if they were counted ballot papers.

Forwarding of documents

52.—(1) The returning officer shall forward to the Clerk of the Crown for Northern Ireland at the same time as he forwards the documents mentioned in rule 55 of the elections rules—

(*a*) any packets referred to in Regulation 44, 45, 49 or 50, subject to the provisions of Regulation 51, endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the constituency for which the election was held, and

(*b*) a completed statement in Form R of the number of postal ballot papers issued.

(2) Where any covering envelopes are received by the returning officer after the close of the poll or any envelopes addressed to postal voters are returned as undelivered too late to be readdressed, or any spoilt ballot papers are returned too late to enable other postal ballot papers to be issued, he shall put them unopened into a separate packet, seal up such packet and forward it at a subsequent date in the manner described in paragraph (1) above.

(3) Any packet or statement forwarded under this Regulation shall be deemed to have been forwarded in pursuance of the elections rules.

(4) A copy of the statement referred to in paragraph (1)*(b)* above shall be provided by the returning officer to the Secretary of State.

PART VI

SUPPLEMENTARY

Appeals

53.—(1) A person desiring to appeal against the decision of a registration officer must give notice of appeal to the registration officer and to the opposite party (if any) when the decision is given, or within 14 days thereafter, specifying the grounds of appeal.

(2) The registration officer shall forward any such notice to the county court in the manner directed by rules of court together in each case with a statement of the material facts which in his opinion have been established in the case, of his decision upon the whole case and on any point which may be specified as a ground of appeal.

(3) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the county court of

the fact for the purpose of enabling the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

Official poll card at parliamentary elections

54. At parliamentary elections—

(*a*) the official poll card issued to an elector shall be in Form B;

(*b*) the official poll card issued to the proxy of an elector shall be in Form C.

Return and declaration of election expenses

55.—(1) The return and declaration of expenses required by section 75 of the Act of 1983 to be authorised by an election agent shall be in Forms P and Q.

(2) The fee for inspecting a return or declaration (including any accompanying documents) specified in section 89(1) of the Act of 1983 (which relates to the return and declarations of election expenses) shall be £1.

(3) The price of a copy of any such return, declaration or document shall be at the rate of 10p for each side of each page.

Forms

56.—(1) The registration officer shall supply free of charge such number of copies of Forms F to O as appear to that officer reasonable in the circumstances to any person who satisfies that officer of his intention to use the forms in connection with an election.

(2) The forms set out in Schedule 3 to these Regulations or forms substantially to the like effect may be used with such variations as the circumstances may require.

Sending of notices, etc.

57.—(1) Any application, notice, claim or objection which is required by these Regulations to be made to the registration officer or returning officer shall be made in writing and sent by post or delivered to his office or to the address specified by him for the purpose.

(2) Where the registration officer or returning officer is required by these Regulations to notify any person, such notification shall be in writing and may be sent by post—

(*a*) in the case of a person other than a service voter, to the address provided by that person for the purpose of such notification or of any record or, if there is no such address, to the last known place of abode of that person;

(*b*) in the case of a service voter, to any address provided by him for the purpose of such notification or of any record or to the address provided for the purpose by the appropriate Government department or, as the case may be, the British Council.

Publication of documents

58.—(1) Any failure to publish a document in accordance with these Regulations shall not invalidate the document, but this provision shall not relieve the registration officer from any penalty for such a failure.

(2) A document which is made available for inspection in pursuance of these Regulations shall be made available during ordinary business hours.

(3) Where a document is made available for inspection, any person may make a copy of, or take extracts from, such document.

Misnomers

59. No misnomer or inaccurate description of any person or place in any notice, electors list, list of claims or objections, special list or register shall affect the full operation of that document with respect to that person or place in any case where the description of the person or place is such as to be commonly understood.

Time

60.—(1) Subject to the provisions of the following paragraphs of this Regulation, where the last day of the time allowed by these Regulations for any matter falls on a Saturday or Sunday, or a day of the Christmas break, of the Easter break or of a bank holiday break, that time shall be extended until the next following day which is not one of the days before mentioned.

(2) In computing for the purposes of Regulation 29 the period of 11 days before the day of the poll, a Saturday or Sunday, or a day of the Christmas break, of the Easter break or of a bank holiday break shall be disregarded.

(3) In this Regulation "the Christmas break", "the Easter break" and "a bank holiday break" have the same meanings as in rule 2 of the elections rules.

Penalties

61.—(1) If any person fails to comply with or gives false information in pursuance of any such requisition of the registration officer as is mentioned in Regulation 19, he shall be liable on summary conviction to a fine not exceeding £100.

(2) If any person without lawful authority destroys, mutilates, defaces or removes any notice published by the registration officer in connection with his registration duties or any copies of a document which have been made available for inspection in pursuance of those duties, he shall be liable on a summary conviction to a fine not exceeding £100.

James Prior,
One of Her Majesty's Principal Secretaries of State.

Northern Ireland Office.
15th February 1983.

SCHEDULE 1

ENABLING POWERS

These Regulations are made under the following powers—

(*a*) sections 15(2), 18(8), 53 and 201(1) of, and Schedule 2 to, the Representation of the People Act 1983, and

(*b*) having regard to the definition of "prescribed" in section 202(1) of that Act, the following provisions of it, namely—

(i) sections 7(4), 14(1), 15(1), 16, 20(3), 56(1) and (5), 75(3), 89(1) and 201(1), and

(ii) rules 24, 28(3) and 32(3) in Schedule 1 to it.

Regulation 2.

SCHEDULE 2

REVOCATIONS

Regulations revoked	References
The Representation of the People (Northern Ireland) Regulations 1969	S.I. 1969/905.
The Representation of the People (Northern Ireland) (Amendment) Regulations 1976.	S.I. 1977/96.
The Representation of the People (Northern Ireland) (Amendment) Regulations 1978.	S.I. 1978/198.
The Representation of the People (Northern Ireland) (Amendment) Regulations 1979.	S.I. 1979/1657.
The Representation of the People (Northern Ireland) (Amendment) Regulations 1980.	S.I. 1980/1033.

SCHEDULE 3

FORMS

ARRANGEMENT OF FORMS

Form A: Proxy paper.
Form B: Elector's official poll card.
Form C: Proxy's official poll card.
Form D: Certificate of employment.
Form E: Declaration of identity.
Form F: Application to be treated as an absent voter for a particular election.
Form G: Application by a service voter in the United Kingdom to vote by post.
Form H: Application to vote by post owing to change of residence.
Form J: Application to be treated as an absent voter for an indefinite period owing to air or sea journey.
Form K: Application by a person who is registered by virtue of a patient's declaration to be treated as an absent voter.
Form L: Application to be treated as an absent voter for an indefinite period owing to occupation or physical incapacity.
Form M: Appointment of proxy by service voter.
Form N: Application for appointment of proxy.
Form O: Application by a proxy to vote by post.
Form P: Return of expenses required by section 75 of the Representation of the People Act 1983 to be authorised by an election agent.
Form Q: Declaration as to expenses required by section 75 of the Representation of the People Act 1983 to be authorised by an election agent.
Form R: Statement as to postal ballot papers.

Regulation 26.

FORM A: PROXY PAPER

REPRESENTATION OF THE PEOPLE ACTS

Constituency .....
Polling district .....
(Name of proxy) .....
(Address) .....
.....
.....

is hereby appointed as proxy for
(Name of elector) .....

*Delete whichever is inapplicable.

who is qualified as a *service voter / resident to be registered for
(Qualifying address) .....
.....

to vote for *him/her at *the parliamentary election for the above constituency on .....
*any parliamentary election for the above constituency (*see* Note 1)

This proxy appointment is not valid until .....
Signature ..... Date .....
(Electoral Registration Officer)
Address .....
.....

NOTES

1. If your appointment as proxy is for a particular parliamentary election, it will be valid for that election only. In other cases your appointment will continue in force until the electoral registration officer informs you to the contrary (e.g. because the elector cancels it).

If the elector is shown on this form as a resident, your appointment will be valid for all elections for the constituency named above.

If the elector is shown on this form as a service voter, your appointment will be valid for all such elections unless the elector applies to vote by post at a particular election. If he does this, your appointment will be suspended for that election only and you will be so informed.

If a ballot paper is issued to the elector at the polling station before you apply for a ballot paper on his behalf, you will not be entitled to vote as proxy.

2. To vote as proxy at an election you must go in person to the polling station for the elector's qualifying address, except that you may apply to vote by post as proxy if either—

(a) you are entitled to vote by post in respect of your own vote at the election or

(b) your address is not in the same ward as the address for which the elector is registered.

Any application to vote by post as proxy should be made on Form O which may be obtained from the electoral registration officer.

3. It is an offence to vote, whether in person or by post, as proxy for some other person if you know that that person is subject to a legal incapacity to vote, e.g. if that person has been convicted and is detained in a penal institution in pursuance of his sentence.

Regulation 54.

FORM B: ELECTOR'S OFFICIAL POLL CARD

Front of card

REPRESENTATION OF THE PEOPLE ACTS

OFFICIAL POLL CARD

Constituency ..... Polling Day ..... Your polling station will be 	Number on Register ..... Name ..... Address ....

Back of card

PARLIAMENTARY ELECTION

The poll will be open from 7 a.m. to 10 p.m.

The address of your polling station is shown on the front of this card.

When you go to the polling station tell the clerk your name and address, as shown on the front of this card. The presiding officer will give you a ballot paper; see that he stamps the official mark on it before he gives it to you.

Mark your vote on the ballot paper secretly in one of the voting compartments. Put one X in the space to the right opposite the name of the candidate for whom you wish to vote. You may vote for only one candidate. If you put any other mark on the ballot paper, your vote may not be counted.

Then fold the ballot paper so as to conceal your vote, show the official mark on the back to the presiding officer and put the paper into the ballot box.

If you spoil the ballot paper by mistake do not destroy it; give it back to the presiding officer and ask for another.

ISSUED BY THE RETURNING OFFICER

Regulation 54.

FORM C: PROXY'S OFFICIAL POLL CARD

Front of card

REPRESENTATION OF THE PEOPLE ACTS

PROXY'S OFFICIAL POLL CARD

Proxy's name .....

Proxy's address .....

.....

Back of card

PARLIAMENTARY ELECTION

..... CONSTITUENCY

Polling day .....

The poll will be open from 7 a.m. to 10 p.m.

The elector named below whose proxy you are is entitled to vote at the polling station—

.....

.....

To vote as proxy you must go to that polling station. Tell the clerk that you wish to vote as proxy; give the name and qualifying address of the elector, as follows:—

Number on Register .....

Name .....

Address .....

.....

The presiding officer will give you the elector's ballot paper. The method of voting as proxy is the same as for casting your own vote.

It is an offence to vote as proxy for some other person if you know that that person is subject to a legal incapacity to vote, e.g. if that person has been convicted and is detained in a penal institution in pursuance of his sentence.

ISSUED BY THE RETURNING OFFICER

Regulation 32.

FORM D: CERTIFICATE OF EMPLOYMENT

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE

.....

CONSTITUENCY

I certify that (name) .....
who is numbered .....in the register of electors for the constituency named above, is likely to be unable to go in person to the polling station allotted to him at the election on (date of poll) .....
.....by reason of the particular circumstances of his employment on that date—

*(a) as a constable,

*(b) by me for a purpose connected with the election.

*Delete whichever i inapplicabl

Signature .....
*Returning Officer/Police Officer (Chief Inspector or above)

Date .....

Note.—The person named above is entitled to vote at any polling station of the above constituency on production and surrender of this certificate to the presiding officer.

Regulation 35.

FORM E: DECLARATION OF IDENTITY

Front of form

REPRESENTATION OF THE PEOPLE ACTS

Ballot Paper No .....

I hereby declare that I am the person to whom the ballot paper numbered as above was sent.

Voter's signature .....

CERTIFICATION BY WITNESS

The voter who is personally known to me has signed this declaration in my presence.

Witness's signature .....

Name of Witness .....
(BLOCK CAPITALS)
Address .....
(BLOCK CAPITALS)
.....

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

Back of form

INSTRUCTIONS TO THE VOTER

1. You may vote for only one candidate.

2. Place a cross (X) on the right-hand side of the ballot paper opposite the name of the candidate for whom you vote. Do this secretly: if you cannot vote without assistance, the person assisting you must not disclose how you have voted.

3. In no circumstances write anything else on the paper; if you do your vote may be invalid.

4. Immediately after voting you must place the marked ballot paper in the enclosed small envelope on which are printed the words "Ballot paper envelope" and seal it.

5. Then take the sealed ballot paper envelope and the voter's declaration to another person known to you as a witness and sign the declaration in his presence. He should then certify your signature on the declaration by signing the certification, adding his name and address. Without this, the declaration will be invalid.

6. Enclose the signed and witnessed declaration and the sealed ballot paper envelope in the larger enclosed envelope addressed to the returning officer and return it without delay. Unless you return the ballot paper at once it may be recieved by the returning officer too late to be counted.

7. If you receive more than one ballot paper it must be remembered that you can vote only once on your own behalf at this election.

8. If you lose or destroy the stamped addressed envelope provided for the return of

your vote you may use another envelope but any such envelope should be addressed and marked as nearly as possible in the same way as the printed envelope provided.

9. In no circumstances should you share your return envelope with another voter nor share his. If more than one voter's declaration or more than one ballot paper are received together in one covering envelope, the whole contents of the envelope will be disregarded by the returning officer and your vote will be void.

10. At this election you cannot vote in person at a polling station, even if you receive an official poll card.

11. If you inadvertently spoil your postal ballot paper, you can apply to the returning officer for another one. With your application you must return (in a fresh envelope) the spoilt ballot paper, the declaration of identity and the envelope sent to you with your ballot paper. Remember that there is little time available if a fresh ballot paper is to be issued to you for completion and return before the close of the poll.

Regulation 23(1)*(a)*.

FORM F: APPLICATION TO BE TREATED AS AN ABSENT VOTER FOR A PARTICULAR ELECTION

REPRESENTATION OF THE PEOPLE ACTS

I, (Surname) .....
(BLOCK LETTERS)
(Other names) .....
(BLOCK LETTERS)
am qualified to be registered as an elector for (address in full in block letters)
.....
.....
and I apply to be treated as an absent voter at the coming parliamentary election (*see* Note 1)
in .....
constituency because I am likely to be unable to go in person to the polling station allotted to me, owing to—

**(a)* my service in one of Her Majesty's reserve or auxiliary forces (*see* Note 2) .....;
**(b)* my employment on polling day
* (i) as a constable;
*(ii) by the returning officer in connection with the election in .....constituency;
**(c)* my being bound to the following religious observances (*see* Note 3) .....,
**(d)* my acting as returning officer for .....constituency;
**(e)* my/my husband's/my wife's candidature in .....constituency.

*Delete whichever is inapplicable.

Signature ..... Date .....
Address in the United Kingdom (in block letters) to which ballot paper is to be sent (if different from address given above)
.....
.....

CERTIFICATE

To be completed where (c) above applies

I certify that the statement at *(c)* above is correct.
Signature .....
(Minister of the elector's religious denomination)
Address .....
.....
Date .....

NOTES

1. Where *(a)*, *(b)* or *(c)* applies, the application may be made for any parliamentary election. Where *(d)* or *(e)* applies, the application may be made for any parliamentary general election.

2. Where *(a)* applies, the application must state the name of the reserve or auxiliary force concerned. If the application is for a particular parliamentary election and you are likely to be at sea or out of the United Kingdom on polling day, you may apply on Form N to have a proxy appointed to vote for you.

3. Where *(c)* applies, the application must state the nature and times of the religious observances. The certificate above must be completed by a minister of your religious denomination.

4. If you have been appointed proxy for an elector in the same constituency, you may apply on Form O to vote as such by post, but not if you yourself have a proxy appointed for you.

The forms referred to may be obtained from the electoral registration officer.

Regulation 23(1)*(b)*.

FORM G: APPLICATION BY A SERVICE VOTER IN THE UNITED KINGDOM TO VOTE BY POST

REPRESENTATION OF THE PEOPLE ACTS

Surname .....
(BLOCK LETTERS)

Other names .....
(BLOCK LETTERS)

Other names of *husband/wife .....

*(a) Service (R.N., Army, R.A.F., etc.) ..... Regt./ Corps .....

Rank or Rating ..... Service Number.....

or

*(b) Name of Government Department in which employed .....
.....
Description of post .....

*Delete whichever is inapplicable.

or

*(c) British Council
Description of post .....

I am registered as a service voter for .....
.....
(Give the qualifying address which you gave on your service declaration)
and I apply for a ballot paper for the coming parliamentary election to be sent to me at .....
.....
(Give full postal address in block letters)

Signature ..... Date .....

NOTES

1. When this form is completed by the spouse of a member of the forces or of a member of a Government Department or of the British Council, the service particulars or other particulars of that member should be entered.
2. If you have changed your name since completing your service declaration, put your former name in brackets after your present name.
3. You should send this application to the electoral registration officer for the address for which you are registered as an elector.

Regulation 23(1)*(c)*.

FORM H: APPLICATION TO VOTE BY POST OWING TO CHANGE OF RESIDENCE

REPRESENTATION OF THE PEOPLE ACTS

I, (Surname) .....
(BLOCK LETTERS)

(Other names) .....
(BLOCK LETTERS)

am qualified to be registered as an elector for (old address in full in block letters)

.....

.....

.....

I apply to be treated as an absent voter at parliamentary elections because I no longer reside there. My new address is (new address in full in block letters)

.....

Signature ..... Date .....

NOTES

1. This application, if allowed, will continue in force for all parliamentary elections so long as you remain registered for your old address.

2. Temporary absence, e.g. on holiday, does NOT constitute a change of residence.

3. This application cannot be allowed if the address at which you now reside is in the same ward as the address for which you are registered.

4. If you have been appointed proxy for an elector you may apply on Form O to vote as such by post at parliamentary elections. Form O may be obtained from the electoral registration officer.

Regulation 23(1)*(d)*.

FORM J: APPLICATION TO BE TREATED AS AN ABSENT VOTER FOR AN INDEFINITE PERIOD OWING TO AIR OR SEA JOURNEY

REPRESENTATION OF THE PEOPLE ACTS

I, (Surname) .....
(BLOCK LETTERS)

(Other names) .....
(BLOCK LETTERS)

am qualified to be registered as an elector for (address in full in block letters)

.....

.....

and I apply to be treated as an absent voter at parliamentary elections (*see* Note 1) because I am likely to be unable to go in person from the above address to the polling station without making a journey by air or sea.

Signature ..... Date .....

Address in the United Kingdom (in block letters) to which ballot paper is to be sent (if different from address given above)

.....

.....

NOTES

1. The journey in question is the journey necessary to go to the polling station from your qualifying address, not from where you may happen to be at the time of an election.

2. This application, if allowed, will continue in force until you cancel it or cease to be registered for your present qualifying address or become registered in a different capacity or until the electoral registration officer gives you notice to the contrary. It will be valid for all parliamentary elections at which you are entitled to vote. A separate application should be made for each qualifying address.

3. If you have been appointed proxy for an elector in the same parliamentary constituency, you may apply on Form O to vote as such by post, but not if you yourself have a proxy appointed for you. Form O may be obtained from the electoral registration officer.

4. Any change of the address to which ballot papers are to be sent should be notified promptly to the electoral registration officer. If you wait until an election occurs, you may be too late.

Regulation 23(1)*(e)*.

FORM K: APPLICATION BY A PERSON WHO IS REGISTERED BY VIRTUE OF A PATIENT'S DECLARATION TO BE TREATED AS AN ABSENT VOTER

REPRESENTATION OF THE PEOPLE ACTS

TO THE ELECTORAL REGISTRATION OFFICER FOR .....CONSTITUENCY

Applicant's Surname .....
(BLOCK LETTERS)

Other names .....
(BLOCK LETTERS)

I am registered by virtue of a patient's declaration. I gave the following address in that declaration as the address at which I would be resident but for being a patient *OR* as an address at which I have resided in the United Kingdom. (GIVE FULL POSTAL ADDRESS IN BLOCK LETTERS).

.....

.....

I apply for a ballot paper for the forthcoming parliamentary election to be sent to me at the following address in the United Kingdom. (GIVE FULL POSTAL ADDRESS IN BLOCK LETTERS).

.....

.....

Signature ..... Date .....

NOTES

1. This application may be made for a parliamentary election only.

2. This application must be sent to the electoral registration officer for the address for which you are registered as an elector.

Regulation 23(1)*(f)*.

FORM L: APPLICATION TO BE TREATED AS AN ABSENT VOTER FOR AN INDEFINITE PERIOD OWING TO OCCUPATION OR PHYSICAL INCAPACITY

REPRESENTATION OF THE PEOPLE ACTS

(1) I, (Surname) .....
(BLOCK LETTERS)
(Other names) .....
(BLOCK LETTERS)
am qualified to be registered as an elector for (address in full in block letters)
.....
.....
.....

(2) I apply to be treated as an absent voter at parliamentary elections because I am likely to be unable to go in person to the polling station (or, where *(c)* below applies, to vote unaided):

**(a)* by reason of the general nature of my occupation, service or employment as .....
(Give full reasons for application)

**Delete whichever is inapplicable.*

**(b)* by reason of the general nature of the occupation, service or employment of my *husband/wife as
.....
and my resulting absence from my qualifying address to be with my *husband/wife

**(c)* by reason of blindness or other physical incapacity (*see* Note 2).

Signature ..... Date .....

Address in the United Kingdom (in block letters) to which ballot paper is to be sent (if different from address given above)
.....
.....

MEDICAL CERTIFICATE

I, a registered medical practitioner certify that the statement at 2*(c)* above is correct and that *the applicant is registered with me as the applicant's medical practitioner *or* *I have examined the applicant immediately before making this certificate. The applicant's inability is likely to continue for.....

**Delete whichever is inapplicable.*

Signed .....
Registered medical practitioner
Name .....
(BLOCK LETTERS)
Address .....
.....
Date .....

DECLARATION BY CHRISTIAN SCIENCE PRACTITIONER

I declare that I have examined the applicant immediately before making this declaration and that to the best of my knowledge and belief the statement at *2(c)* above is correct. The applicant's inability is likely to continue for.....

Signed .....
Name .....
(BLOCK LETTERS)
Occupation .....
Address .....
.....
Date .....

NOTES

1. This application, if allowed, will continue in force until you cancel it or cease to be registered for your present qualifying address or become registered in a different capacity or until the electoral registration officer gives you notice to the contrary. This application will be valid for all parliamentary elections at which you are entitled to vote. A separate application should be made for each qualifying address.

2. Where the application is made on the ground of blindness or other physical incapacity, it will be allowed by the electoral registration officer if the medical certificate is given by a registered medical practitioner or if the declaration is made by a Christian Science practitioner.

3. If the ground of the application is the nature of your occupation, service or employment (or that of your husband or wife) and you are likely to be at sea or out of the United Kingdom at the time of an election, you may apply to have a proxy appointed to vote for you. If so, apply on Form N which may be obtained from the electoral registration officer.

4. If you have been appointed proxy for an elector in the same parliamentary constituency you may apply on Form O to vote as such by post, but not if you yourself have a proxy appointed for you. Form O may be obtained from the electoral registration officer.

5. Any change of the address to which ballot papers are to be sent should be notified promptly to the electoral registration officer. If you wait until an election occurs, you may be too late.

Regulation 24(1).

FORM M: APPOINTMENT OF PROXY BY SERVICE VOTER

REPRESENTATION OF THE PEOPLE ACTS

Note:—The form below may be appended to a service declaration. If it is not, the form should require the applicant to give his or her name and address and details of his or her service qualification. If that qualification rests on his or her spouse, the form should require the name and address of that spouse to be given together with details of the spouse's service qualification.

APPOINTMENT OF PROXY

I hereby cancel any previous proxy appointment and apply for the appointment as my proxy of:

Names of first choice .....
(BLOCK LETTERS)

Full postal address .....
(BLOCK LETTERS)

.....

Relationship, if any, to me .....

OR, IF HE OR SHE IS UNABLE OR UNWILLING TO BE APPOINTED AS PROXY

Names of second choice .....
(BLOCK LETTERS)

Full postal address .....
(BLOCK LETTERS)

.....

Relationship, if any, to me .....

Signature ..... Date .....

NOTES

1. Your proxy must be a British citizen, other Commonwealth citizen or a citizen of the Republic of Ireland, of voting age and not subject to any legal incapacity to vote. A proxy appointed in consequence of this application will be entitled to vote for you at all parliamentary and European Assembly elections.

2. *If you are in the United Kingdom at the time of an election:* you may vote in person if you go to the polling station before your proxy, or you may apply for a postal vote in a parliamentary or European Assembly election.

3. If at any time you wish to cancel the appointment of your proxy, you should notify the electoral registration officer.

4. A proxy may not vote at the same election as proxy for more than two electors of whom that person is not the husband, wife, parent, grandparent, brother, sister, child or grandchild.

Regulation 24(2).

FORM N: APPLICATION FOR APPOINTMENT OF PROXY

REPRESENTATION OF THE PEOPLE ACTS

(Not to be used by service voters)

I, (Surname) .....
(BLOCK LETTERS)
(Other names) .....
(BLOCK LETTERS)
am qualified to be registered an an elector for (address in full in block letters)
.....
.....
.....

I have applied to be treated as an absent voter—

(a) at parliamentary elections owing to—

* (i) the general nature of my occupation, service or employment;

*(ii) the general nature of the occupation, service, or employment of my *husband/wife and my resulting absence from my qualifying address to be with *him/her;

**(b)* at the coming parliamentary election in ..... constituency owing to my service in Her Majesty's reserve or auxiliary forces;

*Delete whichever is inapplicable.

and I declare that I am likely to be at sea or outside the United Kingdom on polling day.

I therefore apply for the person named below as first choice (or, if he or she is unwilling or unable to be appointed, the person named as second choice) to be appointed as proxy to vote for me.

PROXY APPOINTMENT

1. First choice (the elector must fill this up)

Full names .....
(BLOCK LETTERS)
Postal address .....
(BLOCK LETTERS)
.....
Relationship if any, to elector
.....

2. Second choice (the elector should fill this up as the first choice may be unwilling or unable to be appointed)

Full names .....
(BLOCK LETTERS)
.....
Postal address .....
(BLOCK LETTERS)
.....
Relationship, if any, to elector
.....
Signature ..... Date .....

NOTES

1. A person to vote as proxy must be a British citizen, other Commonwealth citizen or a citizen of the Republic of Ireland, of voting age and not subject to any legal incapacity to vote.

2. Where *(a)* applies, a proxy appointed in consequence of your application to be treated as an absent voter will be entitled to vote for you at all parliamentary

and European Assembly elections. You can cancel the appointment by giving notice to the electoral registration officer.

3. Where *(b)* applies, the proxy's appointment will be for a particular parliamentary election only.

4. A proxy may not vote at the same election as proxy for more than two electors of whom that person is not the husband, wife, parent, grandparent, brother, sister, child or grandchild.

Regulation 28.

FORM O: APPLICATION BY A PROXY TO VOTE BY POST

REPRESENTATION OF THE PEOPLE ACTS

I, (Surname) .....
(BLOCK LETTERS)

(Other names) .....
(BLOCK LETTERS)

have been appointed proxy for

†As shown on proxy paper.

(†Name) .....
(BLOCK LETTERS)

who is registered as an elector for

(†Qualifying address) .....
(BLOCK LETTERS)

.....

and I apply to vote by post as proxy for the above-named elector because

*Delete whichever is inapplicable.

**(a)* I am entitled to vote by post as an absent voter: the address for which I am registered as an elector is
(address in full in block letters)

.....

.....

**(b)* the address entered below is in a different area from the address for which the above-named elector is registered (*see* Note 2).

A ballot paper should be sent to me at the following address (block letters) in the United Kingdom

.....

.....

.....

Signature ..... Date .....

NOTES

1. Where *(a)* applies, this application, if allowed, will be valid for all parliamentary elections for which your application to be treated as an absent voter is valid so long as your appointment as proxy continues. Where *(b)* applies, the application will remain in force until you cancel it or cease to be proxy for the elector.

2. Where *(b)* applies, the application cannot be allowed if your address is in the same ward as the address for which the elector is registered.

Regulation 55.

FORM P: RETURN OF EXPENSES REQUIRED BY SECTION 75 OF THE REPRESENTATION OF THE PEOPLE ACT 1983 TO BE AUTHORISED BY AN ELECTION AGENT

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE

.....CONSTITUENCY

Date of publication of notice of election .....

The expenses incurred at the above election in support of .....
.....a candidate thereat, by .....

.....
(insert name of person or association or body of persons incurring the expenses)
being expenses required by section 75 of the Representation of the People Act 1983 to be authorised by the election agent, amounted to £ .....

The written authority of the election agent is annexed hereto.

Signature ..... Date .....

Regulation 55.

FORM Q: DECLARATION AS TO EXPENSES REQUIRED BY SECTION 75 OF THE REPRESENTATION OF THE PEOPLE ACT 1983 TO BE AUTHORISED BY AN ELECTION AGENT

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE

.....CONSTITUENCY

Date of publication of notice of election .....

I hereby declare that—

1. I am the person *or* a director, general manager, secretary or similar officer of the association or body of persons named as incurring expenses in the accompanying return, marked....., of expenses required by section 75 of the Representation of the People Act 1983 to be authorised by an election agent.

2. To the best of my knowledge and belief the said return is complete and correct.

3. The matters for which the expenses referred to in the said return were incurred were as follows .....

.....

.....

Signature .....

Office held .....
(In the case of an association or body of persons)

Date.....

Regulation 52(1)*(b)*.

FORM R: STATEMENT AS TO POSTAL BALLOT PAPERS

REPRESENTATION OF THE PEOPLE ACTS

PARLIAMENTARY ELECTION

.....Constituency

Date of Poll ..... 19.....

A. *Issue and receipt of postal ballot papers*	*Number*
1. Total number of postal ballot papers issued (including papers issued under Regulation 45(2)).	
2. Number of postal ballot papers issued under Regulation 45(2).	
3. Number of ballot papers returned as part of sets of documents under Regulation 45(1) too late for another ballot paper to be issued.	
4. Number of covering envelopes received by the Returning Officer before the close of the poll, excluding any returned either as undelivered or under Regulation 45(1).	
5. Number of covering envelopes received by the Returning Officer after the close of the poll, excluding any returned as undelivered.	
6. Number of covering envelopes returned as undelivered up to the date of this statement.	
7. Number of covering envelopes which have not been received by the Returning Officer at the date of this statement.	

B. *Count of ballot papers*	*Number*
1. Number of covering envelopes received by the Returning Officer before the close of the poll, excluding any returned either as undelivered or under Regulation 45(1).	
2. Number of ballot papers returned by postal voters which were included in the count of ballot papers.	
3. Number of cases in which the covering envelope or its contents were marked "rejected".	

Date ..... *Signed* .....
Returning Officer

Address .....

.....

NOTES

1. In columns A and B the figure entered against the first item should equal the sum of the figures entered against the remaining items in the column.

2. At the same time as this statement is sent to the Clerk of the Crown for Northern Ireland, a copy must be sent to the Secretary of State for Northern Ireland.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate, with amendments, the Regulations revoked by Regulation 2. The amendments take account of the consolidation of the Representation of the People Acts which was effected by the Representation of the People Act 1983. In addition to a re-arrangement of the order of the regulations, the omission of spent provisions and minor drafting amendments, the following changes of substance are made.

Regulation 9 provides for the attestation and transmission of a patient's declaration. This new provision is consequent on the change to the provisions about the registration of voluntary mental patients in mental hospitals which was made by section 62 of, and Schedule 2 to, the Mental Health (Amendment) Act 1982 (c. 51) (now repealed and consolidated in the Representation of the People Act 1983). Regulation 23(1)*(e)* and Form K in Schedule 3 prescribe the form by which persons registered in pursuance of a patient's declaration may apply to vote by post. Amendments consequential on the introduction of a patient's declaration are made elsewhere in the Regulations.

The provision prescribing the time by which claims to be included in the register must be made (Regulation 14) has been amended so that a service declaration that is not received by the registration officer until after the time for inclusion in the register as published is treated as a claim to be added to that register.

The provision requiring electoral registration officers to supply information about the number of electors registered by them (Regulation 15) has been expanded so that the Regulation itself provides what information is required.

The provision prescribing the time by which applications in connection with absent voting must be received (Regulation 29) has been altered so that the time by which applications must be received is noon on the eleventh day before the day of the poll at the election. However, in calculating that period of eleven days, Saturdays are now to be disregarded under Regulation 60(2) (as well as Sundays and bank holidays which are already disregarded). In addition, where the last day of the time allowed under the Regulations for the doing of anything falls on a Saturday, the time is extended to the next working day (Regulation 60(1)).

The Regulations increase certain fees and fines. Those fees prescribed by Regulation 17 are increased from 10p and £1 to 15p and £1.50 respectively; and those prescribed by Regulation 55 are increased from 25p and 5p to £1 and 10p respectively. The fines which may be imposed under Regulation 61 have been increased from £50 and £20 to £100 in both cases.

The Regulations no longer prescribe the forms for service declarations. The contents of such declarations are set out in paragraphs *(a)* to *(f)* of section 16 of the Representation of the People Act 1983. However, Regulation 5 requires that certain particulars as to a declarant's identity and service qualification shall be stated in such declarations. These Regulations also omit as unnecessary the form by which the spouse of a British Council employee or Crown servant who is posted abroad could apply for the appointment of a proxy prior to registration as a service voter; such an appointment can be made by the spouse in the same way as the British Council employee or Crown servant who is

posted abroad, that is by the forms marked "L" and "N" in Schedule 3 to these Regulations.

The Regulations no longer include a form by which the registration officer may obtain information from householders. Under Regulation 12, the register of parliamentary electors is prepared under the provisions of the Electoral Law Act (Northern Ireland) 1962 and a form under that Act which refers to both parliamentary and local government electors is used to obtain information from householders.

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