STATUTORY INSTRUMENTS

1983 No. 548 (S. 52)

REPRESENTATION OF THE PEOPLE

The Representation of the People (Scotland) Regulations 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, and of all other powers enabling me in that behalf, 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 (Scotland) 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 shall extend to Scotland only.

Revocation and savings

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

Provided that regulations 34 and 72 of the Representation of the People (Scotland) Regulations 1975(b) 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—

"the 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;

(a) 1983 c. 2.
(b) S.I. 1975/850.

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

"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 rule in the elections rules shall be construed as a reference to a rule in the parliamentary elections rules in Schedule 1 to the Act of 1983 or, as the case may be, to the corresponding rule in the Scottish Local Elections Rules 1974(**a**).

(3) A claim or objection includes a claim or objection that a letter or date should or should not be placed against a person's name in the electors lists and the register in accordance with regulation 15(1) as respects a letter and regulation 15(2) and section 12(5) of the Act of 1983 as respects a date.

(4) A reference in these regulations to a regulation shall be construed as a reference to a regulation contained in these regulations.

(5) 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.

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

Contents of a 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

(**a**) S.I. 1974/82, amended by S.I. 1977/120, 1979/656.

(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 ground 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 person who satisfies the conditions set out in paragraph (2) below and that person shall certify that to the best of his knowledge and belief the statements contained in the declaration are true.

(2) A person may attest a patient's declaration if he is—

(a) a 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

(b) authorised for that purpose by the board of management (within the meaning of section 111(1) of the Mental Health (Scotland) Act 1960(**a**)) of that hospital.

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

(4) Subject to regulation 10, the registration officer on receipt of a patient's declaration shall notify the declarant that 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.

(**a**) 1960 c. 61; the definition of "board of management" was amended by the National Health Service (Scotland) Act 1972 (c. 58), section 64(1) and Schedule 6, paragraph 117.

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 and Electors Lists

Separate part of electors lists and register for each registration unit

12.—(1) The electors lists and the register shall be framed in separate parts for each registration unit.

(2) The registration unit shall be each parliamentary polling district, if wholly contained in an electoral area or, where a parliamentary polling district is contained in more than one electoral area, each part of the polling district contained in a separate electoral area.

Order of names in register

13.—(1) Subject to paragraph (2), below, the names in each registration unit in the register shall be arranged in street order unless the council which appointed the registration officer determines for any unit that street order is not reasonably practicable in which case the names shall be arranged in alphabetical order or partly in street order and partly in alphabetical order as the council may determine.

(2) Where it appears to the registration officer that—

(a) a service voter in his service declaration, or

(b) a voluntary mental patient (within the meaning of section 7(2) of the Act of 1983) in his patient's declaration,

has given an address—

(i) at which that service voter or patient has resided, but

(ii) which is not an address at which that service voter or patient would now reside but for the circumstances entitling him to make the relevant declaration,

he shall group together the names of each such service voter and patient in

alphabetical order at the end of that part of the register which relates to that address beneath the heading "Other electors".

Registration number in register

14.—(1) The names in the register shall be numbered consecutively so far as is reasonably practicable with a separate series of numbers (beginning with the number one) for each registration unit.

(2) There shall be a separate letter or letters in the register for each registration unit, and such letter or letters shall be deemed to form part of an elector's number on the register.

Marking of names to indicate at which elections person entitled to vote

15.—(1) To indicate that an elector is not entitled to vote at a parliamentary election the letter "L" shall be placed against his name in the electors lists and the register.

(2) If an elector will attain voting age before the end of the twelve months following the day by which a register is required to be published but will not be of voting age on the first day of those twelve months, 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.

Form of the electors lists

16.—(1) The electors lists for a registration unit shall consist of—

List A—a copy of the register in force for the unit;

List B—a list of newly qualified electors, that is to say, persons who are qualified for registration as parliamentary or as local government electors in respect of qualifying addresses for which they are not registered in the register in force; and

List C—a list of persons who have ceased to be qualified as electors or whose qualification has been altered, that is to say, persons who, being registered in respect of qualifying addresses in the register in force, have ceased to be qualified for registration as parliamentary or as local government electors in respect of these addresses:

Provided that where the area of a registration unit differs from the area of that unit as constituted for the purposes of the register in force, the registration unit may be treated as having the same area as it had for the purposes of the register in force.

(2) The names in List B need not be numbered.

(3) The names in List C shall have opposite them their numbers in the register in force.

(4) Notwithstanding the provisions of paragraphs (1), (2) and (3) of this regulation, the electors lists for a registration unit may be prepared as a draft register so as to show only the persons appearing to the registration officer to be

entitled to be registered, together with their qualifying addresses, and to comply with the provisions of the preceding regulations:

Provided that the names in the draft register need not be numbered.

Publication of the electors lists

17.—(1) The registration officer shall publish the electors lists by—

(a) making a copy of them available for inspection at his office;

(b) as soon as practicable making copies of the part of the electors lists relating to each electoral area available for inspection at a specified place in or near that electoral area to which the public have access;

(c) publishing a notice (to be combined with the notice of claims and objections referred to in regulation 18) specifying that place.

(2) The electors lists shall be published on or before 28th November and shall be kept published till the publication of the register prepared from those lists.

Claims and Objections

Notice of claims and objections

18.—(1) The registration officer shall at the time of publishing the electors lists publish a notice in Form C or, in the case of electors lists to which regulation 16(4) applies, in Form B specifying the manner in which and the time within which claims and objections in respect of the electors lists may be made.

(2) The notice referred in paragraph (1) above shall be published in the way the registration officer thinks best calculated to bring it to the attention of the electors.

Time for making claims and objections

19.—(1) A claim or objection in respect of the electors lists which is delivered to the registration officer after 16th December shall be disregarded:

Provided that an objection to a claim shall not be disregarded if it is delivered to the registration officer within three days after the claim has been entered in the list of claims.

(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, or

(c) a patient's declaration made 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 regulation 33 applies and as though it were made under paragraph (1) of that regulation.

Forms of claims and objections

20.—(1) A claim shall be in Form J and may be made by a person either on his own behalf or on behalf of another person.

(2) An objection shall be in Form K.

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

Entry and preliminary disposal of claims and objections

21.—(1) The registration officer shall keep separate lists of claims and objections and shall, on receipt of a claim or objection, forthwith enter in the appropriate list the name and qualifying address of the claimant or the person in respect of whom the objection is made.

(2) If the registration officer is of opinion—

(a) that the particulars given in a claim or objection are insufficient, he may ask for further information and take no further action until such information is supplied;

(b) that a claim may be allowed without a hearing, he may allow the claim, provided that no objection is made to it, and shall so inform the person making the claim;

(c) that the objector is not entitled to object, he may disallow the objection and shall so inform the objector;

(d) that a claim or objection cannot be allowed because—

(i) that matter has been concluded by the decision of a court, or

(ii) the particulars given in a claim or objection do not entitle the claimant or objector to succeed,

he may send to the person making the claim or objection a notice stating his opinion, the grounds for it and that he intends to disallow the claim or objection unless that person gives the registration officer notice within three days from the date of the registration officer's notice that he requires the claim or objection to be heard, and, if he receives no such notice within that time, he may disallow the claim or objection.

(3) The registration officer shall, unless he allows or disallows the claim or objection under paragraph (2) above, send a notice, in the case of a claim, to the person making the claim and, in the case of an objection, to the objector and the person objected to, stating the time and place at which he proposes to

hear the claim or objection; and the notice sent to a person objected to shall also state the name and address of the objector and the grounds of the objection.

(4) The time fixed for the hearing of a claim or objection shall not be earlier than the third day after the date of the notice referred to in paragraph (3) above.

(5) The registration officer shall make available for inspection at his office till completion of the hearing of claims and objections the lists of claims and objections together with the time and place at which he proposes to hear any claim or objection.

Hearing of claims and objections

22.—(1) On the hearing of a claim, the person making the claim and any person who has duly made an objection and, on the hearing of an objection, the objector and the person objected to and, on the hearing of either, any other person who appears to the registration officer to be interested shall be entitled to appear and be heard.

(2) The right to appear and be heard includes the right to make written representations.

(3) Any person entitled to appear and be heard may do so either in person or by any other person on his behalf.

(4) The registration officer may, at the request of any person entitled to appear and be heard or, if he thinks fit, without such a request, require that the evidence tendered by any person shall be given on oath and may administer an oath for the purpose.

Corrections to the electors lists

23. Any alteration to the electors lists which is required—

(a) to carry out the registration officer's decision with respect to any claim or objection,

(b) to correct any clerical error,

(c) to correct any misnomer or inaccurate description, or

(d) to delete the name of any person who the registration officer is satisfied is dead,

shall be made by the registration officer.

Other corrections to the electors lists

24.—(1) Where it appears to the registration officer that it is necessary to make any alteration (other than an alteration under regulation 23) to the electors lists in order to ensure that no person shall be incorrectly registered, or registered when not entitled, he shall send to the person affected by the alteration a notice stating the proposed alteration and shall give him an opportunity within five days from the date of such notice of objecting to the

alteration and, if necessary, of appearing and being heard in accordance with the provisions of regulation 22.

(2) After those five days the registration officer shall make such alteration (if any) as seems to him to be necessary.

Publication and Sale of the Register

Publication of register

25.—(1) The registration officer shall publish the register by making a copy available for inspection at his office and by making copies of the part of the register relating to each electoral area available for inspection as soon as practicable at the place at which copies of the part of the electors lists relating to that electoral area have been made available for inspection.

(2) The register shall be kept published until the coming into force of the next register.

Information about electors

26.—(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) to (4) below.

(2) The document referred to in paragraph (1) above shall state the name of the constituency (and, if only part of the constituency is situated in the area for which the registration officer acts, that fact) and shall list the following total numbers of electors in that constituency or part thereof, namely—

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

(b) local government electors (including those referred to in sub-paragraph *(d)* below);

(c) those local government electors who, as peers, are ineligible to vote at parliamentary elections; and

(d) 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 *(d)* 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 under regulation 30 as being merchant seamen.

(4) The document referred to in paragraph (1) above shall in respect of each ward (or part thereof) of a district situated in the constituency state—

(a) its name or number,

(b) the polling district code, and

(c) if only part of the ward is situated in the constituency, that fact;

and shall list the following total numbers of electors in that ward (or part thereof), namely—

(i) parliamentary electors (including those referred to in sub-paragraph (ii) below);

(ii) those registered by virtue of section 12(5) of the Act of 1983; and

(iii) those local government electors who, as peers, are ineligible to vote at parliamentary elections.

Free copies of register

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

(a) one copy of the register for any constituency or part of a constituency included in the registration area to the Member of Parliament for that constituency;

(b) four copies of the register (which may be printed on one side only) for any constituency or part of a constituency included in the registration area and four copies of Lists B and C of the electors lists therefor, or, in the case of electors lists to which regulation 16(4) applies, of the draft register therefor, 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 any constituency or part of the constituency included in the registration area to each candidate at a parliamentary election for that constituency or his election agent;

(d) one copy of so much of the register as relates to an electoral area to the councillor for that area;

(e) one copy of so much of the register as relates to an electoral area to each candidate at a local government election for that area or his election agent;

(f) one copy of so much of the register as relates to the area of a community council to the secretary of that community council.

(2) A copy of the register shall, on publication, be supplied free of charge by the registration officer to the Secretary of State, to the returning officer for parliamentary elections, to the British Library and to the National Library for Scotland.

Sale of register

28. 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 27), the registration officer shall supply to any person copies of any part or parts of the register in force, or of any electors lists, on payment—

(a) in the case of a person who has been supplied in pursuance of regulation 27 with a copy of the register or electors lists or any part thereof or who is a returning officer or a local authority of a fee at the rate of 15p for each one 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

29.—(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

30.—(1) 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.

(2) Form A may be used as a means of obtaining such information.

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

31.—(1) Where the Secretary of State directs a returning officer to make or himself makes any alteration of parliamentary polling districts, he may also direct that—

(a) the register in force be adapted to the alteration;

(b) if the alteration takes place between the publication of any electors lists and the coming into force of the register prepared from those lists, the form of that register be framed in accordance with the alterations.

(2) Where any alteration of parliamentary polling districts is made otherwise than by virtue of section 18(5) of the Act of 1983 (which relates to powers exercisable by the Secretary of State), the registration officer shall, if required by the returning officer, make the adaptations set out in paragraph (1) above.

(3) Except as otherwise provided by this regulation, an alteration of parliamentary 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 lists

32.—(1) The registration officer shall, at the same time as he publishes the electors lists, prepare and publish the corrupt and illegal practices lists (if any) required by section 51(1) and (2) of the Act of 1983 by making a copy of them available for inspection at the same places as he makes available copies of the electors lists or any part of them.

(2) A person named in either of these corrupt and illegal practices lists may claim to be omitted from it and any person may object to the omission of any person from such list, and regulations 19(1), 20(3), 21 and 22 shall apply to any such claim or objection as they apply to a claim or objection in respect of the electors lists.

(3) A claim may be made by a person either on his own behalf or on behalf of another person and shall give particulars of the grounds on which the person concerned should be omitted, and an objection to the omission of any person shall give the name and address of the objector and the person in respect of whom the objection is made and the grounds on which such person should be entered in the corrupt and illegal practices lists including particulars of the alleged conviction by a court or of the alleged report of any election court.

(4) The registration officer shall make such alterations to the corrupt and illegal practices lists as are required to carry out his decisions on any claims or objections or to correct any clerical error, misnomer or inaccurate description.

(5) Where it appears to the registration officer that a person not named in the said corrupt and illegal practices lists or either of them should be entered in one or both of those lists, he shall send to that person a notice that he intends to enter him therein and shall give him an opportunity within five days from the date of such notice of objecting and being heard in accordance with the provisions of regulation 22, and after those five days he shall make such alteration as seems to him to be necessary.

(6) The registration officer shall publish the corrected corrupt and illegal practices lists (if any) at the same time as he publishes the register and in the same manner as he publishes each part of the register.

(7) A copy of each of the corrected corrupt and illegal practices lists shall, on publication, be supplied free of charge by the registration officer to the returning officer for parliamentary elections, to the British Library and to the National Library of Scotland.

(8) The corrupt and illegal practices lists as first published and as corrected shall be kept published for the same length of time as the electors lists and the register.

Alterations to Published Register

Claims for inclusion in the register of electors and objections thereto

33.—(1) A claim to be included in the register of electors, other than a claim in respect of the electors lists, shall be in Form L and may be made by a person either on his own behalf or on behalf of another person.

(2) Where the claim is made by a person who is not entitled to be registered except in pursuance of an appropriate service declaration (as defined in section 12(3) of the Act of 1983) or by a patient's declaration it shall be accompanied by whichever of those declarations is appropriate unless the registration officer already has possession of it.

(3) The registration officer shall keep a list of claims made under paragraph (1) above and shall—

(a) on receipt of a claim, forthwith enter in that list the name and qualifying address of the claimant together with the date of that entry;

(b) at the first opportunity having regard to the provisions of paragraph (5)*(b)* below (and subject to paragraph (4) below) publish a notice stating that a new name has been added to that list, and

(c) record in that list against the name of any claimant the date when the notice in respect of this claim was published.

(4) Where a claim made under paragraph (1) above is received by the registration officer after 16th December but before 16th February in the next following year, he shall, unless it appears that the claim relates to the existing register of electors, treat the claim as one relating to the register of electors which will come into force on the next 16th February and shall not publish a notice under paragraph (3)*(b)* above in respect of such a claim until that register is published.

(5) A notice under paragraph (3) above—

(a) shall be published in the way the registration officer thinks best calculated to bring it to the attention of the electors and may be published in respect of one or more claims;

(b) shall be published on any day between the eleventh and twentieth day of any month, or in February between the eleventh and twenty second day; but only one notice shall be published in any month;

(c) shall state that any claim in respect of which the notice was published is available for inspection at the registration officer's office; and

(d) shall specify the manner in which any objection to the claim may be made and that any such objection must be delivered to the registration officer not later than the last day of the month in which the notice is published.

(6) An objection shall be in Form K and may be made by any person who is included in the register of electors.

(7) Claims and objections shall be made available for inspection in the registration officer's office till such time as the claim has been disposed of, or, in the case of an objection which has been disallowed before disposal of the claim to which it relates, the time when it is disallowed.

Preliminary disposal of claims and objections made under regulation 33

34.—(1) The registration officer shall keep a separate list of objections made under regulation 33 and shall, on receipt of an objection, forthwith enter in that list the name and qualifying address of the claimant in respect of whom the objection is made.

(2) If the registration officer is of opinion—

(a) that the particulars given in a claim or objection are insufficient, he may ask for further information and take no further action until such information is supplied;

(b) that the objector is not entitled to object or that the objection was delivered after the expiry of the month in which the claims notice in respect of the claim objected to was published, he may disallow the objection and shall so inform the objector;

(c) that a claim relates to a register which is no longer in force, he shall disallow the claim and shall so inform the person making the claim;

(d) that a claim or objection cannot be allowed because—

(i) the matter has been concluded by the decision of a court, or

(ii) the particulars given in a claim or objection do not entitle the claimant or objector to succeed,

he may send to the person making the claim or objection a notice stating his opinion, the grounds for it and that he intends to disallow the claim or objection unless that person gives the registration officer notice within three days from the date of the registration officer's notice that he requires the claim or objection to be heard and, if he receives no such notice within that time, he may disallow the claim or objection.

(3) If after the expiry of the month in which the claims notice in respect of a claim has been published the registration officer is of opinion that the claim may be allowed without a hearing, he may allow the claim provided that no objection has been duly made to it, and shall so inform the person making the claim.

(4) Except where the registration officer allows or disallows a claim or objection under paragraph (2) or (3) above, he shall, as soon as practicable after the expiry of the month in which the claims notice in respect of a claim was published, send a notice, in the case of a claim, to the person making the claim and, in the case of an objection, to the objector and the person objected to, stating the time and place at which he proposes to hear the claim or objection; and the notice sent to a person objected to shall also state the name and address of the objector and the grounds of the objection.

(5) The time fixed for the hearing of a claim or objection shall not be earlier than the third day nor later than the fourteenth day after the date of the notice of hearing referred to in paragraph (4) above.

(6) The registration officer shall make available for inspection at his office the lists of claims and objections together with (when available) the time and place at which he proposes to hear any claim or objection.

(7) When a claim has been disposed of, the name and qualifying address of

the claimant shall be deleted from the list of claims referred to in regulation 33(3) and the list of objections referred to in paragraph (1) above;

Provided that, where an objection has been disallowed before the disposal of the claim to which it relates, the name and qualifying address of the claimant shall be deleted from the list of objections at the time when the objection is disallowed.

(8) For the purposes of this regulation:—

(a) the expression "claims notice" means a notice published under regulation 33, and

(b) a particular claims notice is published in respect of a particular claim where the date of that notice is recorded against the name of that claimant in the list of claims kept by the registration officer in accordance with regulation 33(3).

Hearing of claims and objections made under regulation 33

35. Regulation 22 shall apply for the hearing of claims to be included in a register of electors and objections to them as it applies for the hearing of claims and objections in respect of the electors lists.

Correction of register

36.—(1) When a registration officer makes an alteration in a register 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;

(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 27 or paragraph *(a)* of regulation 28.

(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

37.—(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 M in any case where the application is made for a particular election only;

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

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

(d) in Form P 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 Q in any case where the application 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 R 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—

(a) the applicant has been registered as a blind person by a local authority under section 29(4)*(g)* of the National Assistance Act 1948(**a**); or

(b) the application is accompanied by a certificate signed by a registered medical practitioner certifying, or a declaration signed by a Christian Science practitioner stating, that the applicant is unable, or likely to be unable, by reason either of blindness or any other physical incapacity to go in person to the polling station or, if able to go, to vote unaided, and estimating for how long the applicant is likely to be 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)* or 33(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

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

(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 T.

Appointment of proxy

39.—(1) For the purpose of ascertaining in pursuance of section 21(5) of the

(**a**) 1948 c. 29.

Act of 1983 and of that subsection as applied by section 34(6) of that Act 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 of 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

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

(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

41.—(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 or that subsection as applied by section 34(6) of that Act, 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

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

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

Disregard of applications

43.—(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 any parliamentary or local government 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 any parliamentary or local government 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

44.—(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

45. To indicate that an elector or his proxy is entitled to vote by post and is for that reason not entitled to vote in person, there shall be placed in any copy of the register or part of it provided for a polling station the letter "A" against the name of that elector.

Certificate of employment

46. 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 G and signed, in the case of a constable, by a member of a police force of or above the rank of inspector.

PART V

ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

Interpretation

Interpretation of Part V

47. 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

48. 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

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

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

50.—(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

51.—(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 proper officer of a local authority, 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

52.—(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 50(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 50(2) to attend such issue.

Marking of postal ballot paper

53.—(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

54. 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

55. 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

56.—(1) 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.

(2) First class postage of all such envelopes and all covering envelopes shall be prepaid by the returning officer.

Provision of postal voters' ballot box

57.—(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 or the electoral area 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

58.—(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

59.—(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 50 and regulation 52, 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

60. 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 57.

Opening of postal voters' ballot box

61.—(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 50(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 name of the constituency or the electoral area 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

62.—(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 receptable (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 of 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 64.

Sealing up of rejected votes and declarations of identity

63. On the conclusion of the proceedings under regulation 62 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

64.—(1) After sealing up the packets referred to in regulation 63 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 envelopes 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

65.—(1) 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 63 or 64, treat all unopened covering envelopes and the contents of those which have been opened as if they were counted ballot papers.

Forwarding of documents

66.—(1) The returning officer shall forward, in the case of a parliamentary election, to the sheriff clerk and, in the case of a local government election, to the proper officer of the authority to which councillors are to be elected, at the same time as he forwards the documents mentioned in rule 55 of the elections rules—

(a) any packets referred to in regulations 58, 59, 63 or 64, subject to the provisions of regulation 65, endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the constituency or electoral area for which the election was held, and

(b) at a parliamentary election, a completed statement in Form X 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

67.—(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 fourteen days thereafter, specifying the grounds of appeal.

(2) The registration officer shall forward any such notice to the sheriff 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, and of his decision upon the whole case and on any point which may be specified as a ground of appeal, and shall also give to the sheriff any further information which the sheriff may require and which he is able to give.

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

Official poll card at parliamentary elections

68. At parliamentary elections—

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

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

Return and declaration of election expenses

69.—(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 V and W.

(2) The fee for inspecting a return or declaration (including any accompany-

ing documents) specified in section 89(1) of the Act of 1983 (which relates to returns 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

70.—(1) The registration officer shall supply free of charge such number of copies of Forms J to U 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

71.—(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

72.—(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

73. No misnomer or inaccurate description of any person or place in any notice, electors list, list of claims or objections, corrupt and illegal practices list, 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

74.—(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 extracted until the next following day which is not one of the days before mentioned.

(2) In computing for the purposes of regulation 43 the period of eleven 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, except that in paragraph (1) of this regulation a bank holiday means a bank holiday in Scotland under the Banking and Financial Dealings Act 1971(**a**).

Penalties

75.—(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 30, 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 summary conviction to a fine not exceeding £100.

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh,
8th March 1983.

(**a**) 1971 c. 80.

Preamble

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), 33(3), 56(1) and (5), 75(3) and 89(1), and

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

Regulation 2(1)

SCHEDULE 2

REVOCATIONS

Regulations revoked	References
The Representation of the People (Scotland) Regulations 1975	S.I. 1975/850
The Representation of the People (Scotland) Amendment Regulations 1977	S.I. 1977/111
The Representation of the People (Scotland) Amendment Regulations 1978	S.I. 1978/205
The Representation of the People (Scotland) Amendment Regulations 1979	S.I. 1979/1770
The Representation of the People (Scotland) Amendment Regulations 1980	S.I. 1980/1133

SCHEDULE 3

FORMS

ARRANGEMENT OF FORMS

Form A: Return by householder as to residents.
Form B: Notice as to publication of a draft register of electors and making of claims and objections.
Form C: Notice as to publication of the electors lists and making of claims and objections.
Form D: Proxy paper.
Form E: Elector's official poll card.
Form F: Proxy's official poll card.
Form G: Certificate of employment.
Form H: Declaration of identity.
Form J: Claim to be registered as an elector.
Form K: Form of objection to an entry in the draft register or to a claim for inclusion in the published register.
Form L: Claim to have the published register of electors corrected by the insertion of a name.
Form M: Application to be treated as an absent voter for a particular election.
Form N: Application by a service voter in the United Kingdom to vote by post.
Form O: Application to vote by post owing to change of residence.
Form P: Application to be treated as an absent voter for an indefinite period owing to air or sea journey necessary from qualifying address.
Form Q: Application by a person who is registered by virtue of a patient's declaration to be treated as an absent voter.
Form R: Application to be treated as an absent voter for an indefinite period owing to occupation or physical incapacity.
Form S: Appointment of proxy by service voter.
Form T: Application by absent voter for appointment of proxy.
Form U: Application by a proxy to vote by post.
Form V: Return of expenses required by section 75 of the Representation of the People Act 1983 to be authorised by an election agent.
Form W: Declaration as to expenses required by section 75 of the Representation of the People Act 1983 to be authorised by an election agent.
Form X: Statement as to postal ballot papers.

Regulation 30

FORM A: RETURN BY HOUSEHOLDER AS TO RESIDENTS

REPRESENTATION OF THE PEOPLE ACTS

REGISTER OF ELECTORS 19

Qualifying date: 10th October 19 . Register in force for twelve months from 16th February 19

I have to compile and publish an up-to-date Register of Electors for 19 . To do so, I need information which you, as Householder, are obliged by law to supply. Please complete this form accurately and return it to me now—there is no need to wait until the qualifying date before doing so. You should also complete the form even though you intend to move house some time after the qualifying date.

Registers of Electors are needed so that everyone who is entitled to vote at parliamentary, European Assembly or local elections may do so. A person whose name does not appear in the Register cannot vote.

The notes within tell you how to fill up the form, but if you need any further help I shall be glad to give it.

The Electoral Registration Officer.

Please complete Parts 1, 2 and 3 and sign the declaration (Part 4)

Part 1. Address

Full postal address (where applicable state street, name and number of house and postcode) .....

.....

Part 2. Residents eligible to be included (see Notes 1 and 2)
If there are none, please write "None"

Surname (BLOCK LETTERS) (Enter Householder's name first, if resident)	Full Christian names or forenames (BLOCK LETTERS)	If 18 or over on 16th February 19 enter a √ in this column	16/17 year olds If 18th birthday is after 16th February 19 and on or before the following 15th February give date of birth (see note 1(*a*))	If a merchant seaman enter "M" (see note 1(*f*))

Part 3. Other Residents

(1) Is any part of your house or flat separately occupied by persons whose names are not entered in Part 2? State "YES" or "NO" .....

(2) If "YES" give full names of separate occupiers .....

.....

.....

Part 4. Declaration

I declare to the best of my knowledge and belief the particulars given above are true and accurate, that all those whose names are entered in Part 2 above are British citizens, other Commonwealth citizens or citizens of the Republic of Ireland and that they are over 18 or will attain their 18th birthday on or before 15th February, 19 .

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

NOTES

1. You should enter every British citizen, British Dependant Territories citizen, British Overseas citizen, British subject, citizen of other Commonwealth countries or citizen of the Republic of Ireland who will be resident at your address on 10th October 19 and who is 18 or over on 16 February or will become 18 while the register is in force, i.e. until 15 February 19

2. You should include—

(a) Those who are only 16 or 17 now but who will become 18 on or before 15 February 19 ;
(b) Those who normally live at your address but are temporarily away, e.g. on holiday, as a student or in hospital (including voluntary patients in mental hospitals);
(c) Resident guests, other than short-stay visitors;
(d) Lodgers and resident domestics;
(e) Any person who is away working, unless his absence will be for more than six months;
(f) Merchant seamen. Enter "M" against the name of a merchant seaman. He will then be invited to appoint a proxy to vote for him, or to vote by post. A merchant seaman may be included if he would have been resident at an address (including a hostel or club for merchant seamen) but for the nature of his occupation;
(g) Reservists called up for service or training;
(h) Wives or husbands (or members of H.M. Forces) who have not made a service declaration.

Do not enter—

(a) Members of H.M. Forces;
(b) Wives or husbands of members of H.M. Forces *who have made a service declaration which they have not cancelled;*
(c) Crown servants employed outside the United Kingdom;
(d) British Council staff employed outside the United Kingdom;
(e) Wives or husbands of Crown servants or of British Council staff employed outside the United Kingdom if living abroad to be with their husbands or wives;
(f) Aliens.

} Their names will be included in the Register if they have made the necessary service declaration; to do this they should apply to their Service or Department or to the British Council.

3. Electors lists can be checked at council offices, etc, from 28th November. Claims in respect of names not included in the lists should be lodged by 16th December.

Regulation 18

FORM B: NOTICE AS TO PUBLICATION OF A DRAFT REGISTER OF ELECTORS AND MAKING OF CLAIMS AND OBJECTIONS

REPRESENTATION OF THE PEOPLE ACTS

DRAFT REGISTER OF ELECTORS

WHAT THE DRAFT REGISTER IS FOR

1. The register of electors for the twelve months beginning on 16th February next will be based on the draft register. Unless your name is on the register of electors you will not be able to vote at parliamentary, European Assembly or local government elections. To make sure that you will be on the new register and able to vote you should therefore look at the draft register to see that your name is included on it.

HOW TO FIND YOUR NAME IN THE DRAFT REGISTER

2. Before you can trace your name in the draft register you must know in which polling district you live. If you do not know, ask whether an index of streets is available showing where your address appears in the register.

WHAT TO DO IF YOU FIND THAT YOUR NAME IS NOT ON THE DRAFT REGISTER

3. If your name is not on the draft register and you think it ought to be, you should submit a claim to the electoral registration officer by 16th December on the form which he will give you.

4. Your name ought to be on the register if you are over 18 now, or your 18th birthday is not later than 15th February in the year after next, and

either (i) you were resident at an address in the constituency on 10th October last,

or (ii) you had, as a service voter, made a service declaration on or before 10th October last in respect of an address in the constituency,

or (iii) you had, as a voluntary mental patient, made a patient's declaration on or before 10th October last in respect of an address in the constituency.

OBJECTIONS TO OR ALTERATION OF ENTRIES

5. A request for the alteration of any entry, or an objection to the inclusion of any other person's name, should be submitted to the electoral registration officer by 16th December on a form which he will give you.

Signature .....

Electoral Registration Officer

Address .....

.....

.....

Date.....

Regulation 18

FORM C: NOTICE AS TO PUBLICATIONS OF THE ELECTORS LISTS AND MAKING OF CLAIMS AND OBJECTIONS

REPRESENTATION OF THE PEOPLE ACTS

Electors Lists

WHAT THE LISTS ARE FOR

1. The register of electors for the twelve months beginning on 16th February next will be based on these electors lists. Unless your name is on the register of electors you will not be able to vote at parliamentary, European Assembly or local government elections. To make sure that you will be on the new register and able to vote you should therefore look at these lists.

HOW TO FIND YOUR NAME IN THE LISTS

2. Before you can trace your name in the lists you must know in which polling district you live. If you do not know, ask whether an index of streets is available showing where your address appears in the register.

3. There are three lists, marked A, B and C.

List A is the register for the present year.

List B shows the names which will be added to it next year.

List C shows the names which will be removed from it next year.

(i) Look at List A first.
(ii) If your name is in List A, look at List C. If your name is not in List C, then it will be included in the new register, and you will be able to vote.
(iii) If your name is not in List A, look at List B, if your name is in List B, then it will be included in the new register, and you will be able to vote.

WHAT TO DO IF YOU FIND THAT YOUR NAME WILL NOT BE ON THE REGISTER

4. If you think your name ought to be on the register, you should submit a claim to the electoral registration officer by 16th December on a form which he will give you.

5. Your name ought to be on the register if you are over 18 now, or your 18th birthday is not later than 15th February in the year after next, and

either (i) you were resident at an address in the constituency on 10th October last,

or (ii) you had, as a service voter, made a service declaration on or before 10th October last in respect of an address in the constituency,

or (iii) you had, as a voluntary mental patient, made a patient's declaration on or before 10th October last in respect of an address in the constituency.

OBJECTIONS TO OR ALTERATION OF ENTRIES

6. A request for the alteration of any entry, or an objection to the inclusion of any other person's name, should be submitted to the electoral registration officer by 16th December on a form which he will give you.

Signature .....
Electoral Registration Officer

Address .....
.....
.....

Date.....

Regulation 40

FORM D: PROXY PAPER

REPRESENTATION OF THE PEOPLE ACTS

Constituency .....

Polling district .....

Local government electoral area(s) .....

(Name of Proxy) .....

(Address) .....

.....

is hereby appointed as proxy for

(Name of elector) .....

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 election for the above parliamentary constituency or local government electoral area(s) (*see* Note 1)

*Delete whichever is inapplicable.

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 parliamentary and local government elections for the constituency and local government electoral area(s) named above.

If the elector is shown on this form as a service voter, your appointment will be valid for all parliamentary and local government elections for the constituency and local government electoral area(s) named above unless the elector applies to vote by post at a particular parliamentary 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) in the case of a parliamentary election only, your address is not in the same electoral division as the address for which the elector is registered.

Any application to vote by post as proxy should be made on Form U 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 68

FORM E: ELECTOR'S OFFICIAL POLL CARD

Front of card

REPRESENTATION OF THE PEOPLE ACTS

OFFICIAL POLL CARD

Constituency

.....

Polling Day .....

Your polling station will be

.....

Polling hours
7 a.m. to 10 p.m.

Number on Register .....

Name .....

Address .....
.....
.....
.....

Back of card

PARLIAMENTARY ELECTION

You need not take this card with you when you go to the polling station, but it will save time if you take it and show it to the clerk there.

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.

If you have appointed a proxy to vote in person for you, you may nevertheless vote at this election if you do so before your proxy has voted on your behalf.

If you have been granted a postal vote, you will *not* be entitled to vote in person at this election; so please ignore this poll card.

ISSUED BY THE RETURNING OFFICER

Regulation 68

FORM F: PROXY'S OFFICIAL POLL CARD

REPRESENTATION OF THE PEOPLE ACTS

Front of card

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.

The person who appointed you as proxy may himself vote in person at this election if he is able, and wishes, to do so and if he votes before you vote on his behalf.

ISSUED BY THE RETURNING OFFICER

Regulation 46

FORM G: 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 is inapplicable.

Signature .....

*Returning Officer/Police Officer (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 49

FORM H: 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 (or mark) .....

The voter, who is personally known to me, has signed (or marked) this declaration in my presence.

Witness's signature .....

Witness's address .....

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

Back of form

INSTRUCTIONS TO THE VOTER

1. You must sign (or mark) the declaration of identity in the presence of a person known to you, who will then add his signature and address.

2. You may vote for not more than ..... candidate[s].

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

4. Put the ballot paper in the small envelope marked "A" and seal it. Then put the envelope marked "A", together with this declaration of identity, in the larger envelope marked "B". Return it without delay. The ballot paper, in order to be counted, must be received by the returning officer not later than the close of the poll.

5. If you receive more than one ballot paper, remember that it is illegal to vote more than once (otherwise than as proxy) at the same election.

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

7. 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 envelopes marked "A" and "B". Remember that there is little time available if a fresh postal ballot paper is to be counted.

Regulation 20

FORM J: CLAIM TO BE REGISTERED AS AN ELECTOR
Form RPF5 (Scotland)

REPRESENTATION OF THE PEOPLE ACTS

(This form is sent to the Electoral Registration Officer by 16th December and if it is sent by post, postage must be prepaid)

Constituency of .....

To the Electoral Registration Officer

1. Surname (BLOCK LETTERS) .....
2. Other names (BLOCK LETTERS) .....
3. *(a)* Will claimant be 18 years of age or over on 16th February next?
   (Yes or No) .....
   (b) If not, give date of birth of claimant .....
4. Full postal address of claimant's usual residence as at 10th October
   .....
5. *(a)* Was claimant resident at the said address on 10th October?
   (Yes or No) .....
   (b) Had claimant made a service declaration by 10th October?
   (Yes or No) .....
   (c) Was claimant a merchant seaman on 10th October? (Yes or No)
   .....
   (d) Had claimant made a patient's declaration by 10th October? (Yes or No)
   .....

DECLARATION

The above particulars are true and correct in all respects, and in accordance with them the claimant, who is a British citizen, other Commonwealth citizen or citizen of the Republic of Ireland, claims to be registered as a parliamentary and local government elector.

Signature of claimant or person signing on behalf of claimant .....

Address of person signing (if not the claimant) .....

.....

Date.....

The qualifications for registration are:
For parliamentary and local government elections, residence on 10th October; A person claiming to be registered by virtue of a patient's declaration (as defined by section 7(2) of The Representation of the People Act 1983) must have made that declaration on or before 10th October; a service voter must have made a service declaration on or before that date.

The person must be a British citizen, other Commonwealth citizen or citizen of the Republic of Ireland; and he must be 18 years of age or over by 15th February in the year after next.

Note.—Any false declaration made by a person for the purpose of this claim will render such person liable to a penalty.

Regulations 20 and 33(6)

FORM K: FORM OF OBJECTION TO AN ENTRY IN THE DRAFT REGISTER OR TO A CLAIM FOR INCLUSION IN THE PUBLISHED REGISTER

REPRESENTATION OF THE PEOPLE ACTS

(If this form is sent to the Electoral Registration Officer by post, postage must be prepaid.)

To the Electoral Registration Officer

*Here insert extract from Draft Register or state name and address as given in claim

I hereby give you notice that I object to the entry of* .....

.....

.....

.....

†Delete if inapplicable

as an elector (in accordance with the claim made in that behalf)†

The grounds of my objection are .....

.....

.....

.....

‡Here insert extract from Draft Register or Published Register

I am entered in the Draft Register or Published Register as an elector as follows‡:—

.....

.....

Signature .....

Address .....

Date.....

Regulation 33(1)

FORM L: CLAIM TO HAVE THE PUBLISHED REGISTER OF ELECTORS CORRECTED BY THE INSERTION OF A NAME

REPRESENTATION OF THE PEOPLE ACTS

This form is for use only in the making of a claim for the correction of the register of electors as published and *must not* be used in place of Form RPF5 (Scotland) in the making of a claim in respect of the draft register.

If the form is sent to the electoral registration officer by post, postage must be prepaid.

QUALIFICATIONS FOR REGISTRATION

An electoral register has effect from 16th February in one year until 15th February in the following year. In order to qualify for inclusion in a particular register, a person must have been resident at the qualifying address on 10th October in the year before the register came into effect. A service voter must have made a service declaration on or before that 10th October: a person claiming to be registered by virtue of a patient's declaration (as defined by section 7(2) of the Representation of the People Act 1983) must have made the declaration on or before that 10th October.

The person must be a British citizen, other Commonwealth citizen or citizen of the Republic of Ireland and must be 18 years of age or over by 15th February in the year when the register, in which that person wishes to be included, expires.

You may be asked to produce evidence to support any information you give below.

To the Electoral Registration Officer:—

1. Effective year of the register to which the claim relates (see above) — 16th February 19.... to 15th February 19.... (Insert year)
2. Surname of claimant (BLOCK LETTERS) — Other names (BLOCK LETTERS)
3. Full postal address (in BLOCK LETTERS) of premises for which claimant claims to be qualified to be registered.

4. Give date when claimant took up residence at the above address .....
5. Previous address (if any) of claimant (BLOCK LETTERS)

6. (a) Is claimant 18 years of age or over now? (YES or NO) .....
   (b) If not, give date of birth .....
7. Was claimant a member of the Armed Forces on 10th October in the year before that stated at 1. above? (YES or NO) .....

DECLARATION

The particulars above are true and correct in all respects. The claimant is a British citizen, other Commonwealth citizen or citizen of the Republic of Ireland and claims to be included in the register of electors as published.

Signature of claimant or person making claim on behalf of claimant .....

Present address of claimant
(BLOCK LETTERS)

Name and present address of person making claim on behalf of claimant
(BLOCK LETTERS)

Date.....

Regulation 37(1)(*a*)

FORM M: 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/local government election (*see* Note 1)

in .....
constituency/local government electoral area 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/local government electoral area;

*Delete whichever is inapplicable.

*(*c*) my being bound to the following religious observances (*see* Note 3)

.....

*(*d*) my acting as returning officer for .....
constituency/local government electoral area;

*(*e*) my/my husband's/my wife's candidature

in .....constituency

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 or local government election. Where *(d)* applies, the application may be made for a parliamentary general election or ordinary local government election. Where *(e)* applies, the application may be made only for a 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 T 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 must be completed by a minister of your religious denomination.

4. If you have been appointed proxy for an elector in the same constituency or local government electoral area, you may apply on Form U 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 37(1)(*b*)

FORM N: 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 .....

or

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

*Delete whichever is inapplicable.

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 at the address for which you are registered as an elector.

Regulation 37(1)(*c*)

FORM O: 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 electoral division as the address for which you are registered.

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

Regulation 37(1)(*d*)

FORM P: APPLICATION TO BE TREATED AS AN ABSENT VOTER FOR AN INDEFINITE PERIOD OWING TO AIR OR SEA JOURNEY NECESSARY FROM QUALIFYING ADDRESS

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 and local government 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 and local government 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 or local government electoral area, you may apply on Form U to vote as such by post, but not if you yourself have a proxy appointed for you.

Form U 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 oficer. If you wait until an election occurs, you may be too late.

Regulation 37(1)(*e*)

FORM Q: 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/local government election to be sent to me at the following address in the United Kingdom (GIVE FULL POSTAL ADDRESS IN BLOCK LETTERS).

.....

.....

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

NOTE

This application may be made for any parliamentary or local government election. It must be sent to the electoral registration officer for the address for which you are registered as an elector.

Regulation 37(1)(*f*)

FORM R: APPLICATION TO BE TREATED AS AN ABSENT VOTER FOR AN INDEFINITE PERIOD OWING TO OCCUPATIONAL 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 and local government elections because I am likely to be unable to go in person to the polling station (or, where *(c)* or *(d)* below applies, to vote unaided)—

*Delete whichever is inapplicable.

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

**(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

†If the applicant is not registered as a blind person, the words in brackets should be deleted and the certificate or declaration below should be completed

**(c)* by reason of blindness† (in respect of which I have been registered as a blind person by the .....
.....Council)

**(d)* by reason of 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

*Delete whichever is inapplicable.

I, a registered medical practitioner, certify that the statement at 2*(c)*/*(d)** above is correct, and that the applicant's inability is likely to continue for ..... months/indefinitely*.

Signed .....
Registered medical practitioner

Address .....
.....

Date.....

DECLARATION

*Delete whichever is inapplicable.

I declare that to the best of my knowledge and belief the statement at 2*(c)*/*(d)** above is correct, and the applicant's inability is likely to continue for ..... months/indefinitely*.

Signed .....

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 and local government 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 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. It *may* be allowed if the declaration is made by anyone else.

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 the election, you may apply to have a proxy appointed to vote for you. If so, apply on Form T which may be obtained from the electoral registration officer.

4. If you have been appointed proxy for an elector in the same parliamentary constituency or local government electoral area, you may apply on Form U to vote as such by post, but not if you yourself have a proxy appointed for you.

Form U 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 38(1)

FORM S: 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, European Assembly and local government 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 38(2)

FORM T: APPLICATION BY ABSENT VOTER 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 as an elector for (address in full in block letters)

.....

.....

.....

I have applied to be treated as an absent voter—

(a) at parliamentary and local government 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;

*Delete whichever is inapplicable.

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

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 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 will be entitled to vote for you at all parliamentary, European Assembly and local government elections. He or she will be entitled to do so until you cancel the appointment; or until you cease to be registered for your present qualifying address; or until you become registered in a different capacity; or until the electoral registration officer gives you notice to the contrary. You can cancel the proxy's 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.

Regulation 42(1)

FORM U: 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

(†Name) ..... †As shown on proxy paper.
(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—

*(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) *Delete whichever is inapplicable.

.....

.....

*(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 any parliamentary or local government election 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 be valid only for parliamentary elections and 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 electoral division as the address for which the elector is registered.

Regulation 69

FORM V: 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/LOCAL GOVERNMENT ELECTORAL AREA

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 thereto.

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

Regulation 69

FORM W: 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/LOCAL GOVERNMENT ELECTORAL AREA

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 66(1)(*b*).

FORM X: 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 59(2)). 2. Number of postal ballot papers issued under Regulation 59(2). 3. Number of ballot papers returned as part of sets of documents under Regulation 59(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 59(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 59(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 sheriff clerk a copy must be sent to the Secretary of State for Scotland.

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 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 37(1)*(e)* and Form Q 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 19) has been amended so that a service declaration or patient's 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 under the procedure set out in regulation 33.

The provision requiring electoral registration officers to supply information about the number of electors registered by them (regulation 26) 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 43) has been altered so that the time by which such applications must be received is noon on the eleventh day before the day of the poll at the election. This applies to both parliamentary and local government elections. However, in calculating that period of eleven days, Saturdays are now to be disregarded under regulation 74(2) (as well as Sundays and 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 74(1)).

The regulations increase certain fees and fines. Those fees prescribed by regulation 28 are increased from 10p and £1 to 15p and £1.50 respectively; and those prescribed by regulation 69 are increased from 25p and 5p to £1 and 10p respectively. The fines which may be imposed under regulation 75 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 "R" and "T" in Schedule 3 to these regulations.

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