



# Representation of the People Act 1985

## 1985 CHAPTER 50

### *Voting at parliamentary elections in the United Kingdom and local government elections in Great Britain*

#### **[<sup>F1</sup>6 Absent vote at elections for an indefinite period.**

- (1) Where a person applies to the registration officer to vote by post, or to vote by proxy, at parliamentary elections, <sup>F2</sup> . . . for an indefinite period, the registration officer shall grant the application (subject to subsection (6) below) if—
- (a) he is satisfied that the applicant is eligible for an absent vote at [<sup>F3</sup>parliamentary elections] for an indefinite period,
  - (b) he is satisfied that the applicant is or will be registered in the register for such elections, <sup>F4</sup> . . .
- <sup>F5</sup>(ba) [ the application states the applicant's date of birth and the registration officer is satisfied that the date stated corresponds with the date supplied as the date of the applicant's birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the principal Act,
- (bb) [<sup>F6</sup>in the case of an applicant other than one who is or will be digitally registered,] the application is signed and (unless section 10(4B), 10A(1B) or 13A(2B) of the principal Act applies) the registration officer is satisfied that the signature on the application corresponds with the signature supplied as the applicant's signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of the principal Act,
- <sup>F7</sup>(bba) [ in the case of an applicant who is or will be digitally registered, the registration officer is satisfied that the application—
- (i) is signed, and
  - (ii) includes the digital registration number allocated to the applicant by the officer,]
- (bc) the application either states the applicant's national insurance number or states that he does not have one, and the registration officer is satisfied as mentioned in subsection (1A) below, and]
  - (c) the application meets the prescribed requirements.

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[ In the case of an applicant who is or will be digitally registered, if the registration officer is satisfied that it is not reasonably practicable for the applicant to sign in a consistent and distinctive way because of blindness or any other disability of that person or because that person is unable to read, the officer may make a determination to that effect.]

[ For the purposes of subsection (1)(bc) above, the registration officer must be satisfied—

- (a) if the application states a national insurance number, that the requirements of subsection (1B) below are met, or
- (b) if the application states that the applicant does not have a national insurance number, that no such number was supplied as his national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the principal Act.

(1B) The requirements of this subsection are met if—

- (a) the number stated as mentioned in subsection (1A)(a) above is the same as the one supplied as the applicant’s national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the principal Act, or
- (b) no national insurance number was supplied under any of those provisions, but the registration officer is not aware of any reason to doubt the authenticity of the application.]

(2) For the purposes of this section, a person is eligible for an absent vote at parliamentary elections for an indefinite period—

[ if he has an anonymous entry,]

<sup>F11</sup>(za)

(a) if he is or will be registered as a service voter,

<sup>F12</sup>(aa)

(b) if he cannot reasonably be expected—

- (i) to go in person to the polling station allotted or likely to be allotted to him under the appropriate rules, or
- (ii) to vote unaided there,

by reason of blindness or other [<sup>F13</sup>disability] ,

(c) if he cannot reasonably be expected to go in person to that polling station by reason of the general nature of his occupation, service or employment or that of his spouse [<sup>F14</sup>or civil partner], [<sup>F15</sup>or by reason of his attendance on a course provided by an educational institution or that of his spouse [<sup>F14</sup>or civil partner]] or

(d) if he cannot go in person from his qualifying address to that polling station without making a journey by air or sea,

and is also eligible for an absent vote at parliamentary elections for an indefinite period if he is or will be registered in pursuance of an overseas elector’s declaration.

<sup>F16</sup>(2A) .....

(3) The registration officer shall keep a record of those whose applications under this section have been granted showing—

<sup>F17</sup>(a) .....

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- (b) in the case of those who may vote by post, the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent, and
  - (c) in the case of those who may vote by proxy, the names and addresses of those appointed as their proxies.
- (4) The registration officer shall remove a person from the record kept under subsection (3) above—
  - (a) if he applies to the registration officer to be removed,
  - (b) in the case of any registered person, if he ceases to be registered or registered at the same qualifying address or ceases to be, or becomes, registered as a service voter or in pursuance of [<sup>F18</sup>a declaration of local connection or] an overseas elector’s declaration, or
    - [ if he ceases to have an anonymous entry, or]
  - <sup>F19</sup>(ba) (c) if the registration officer gives notice that he has reason to believe there has been a material change of circumstances.
- (5) A person shown in the record kept under subsection (3) above as voting by post or, as the case may be, voting by proxy may subsequently alter his choice (subject to subsection (6) below) on an application to the registration officer that meets the prescribed requirements and the registration officer shall amend the record accordingly.
- (6) A person applying to vote by post must provide an address in the United Kingdom as the address to which his ballot paper is to be sent.
- [<sup>F20</sup>(7) For the purposes of this section, a person is to be treated as a person who is or will be digitally registered if the person meets the condition in subsection (7A) or the condition in subsection (7B).]
- [ A person meets the condition in this subsection if—
  - <sup>F20</sup>(7A) (a) the person’s registration in the register of parliamentary electors is or will be pursuant to an application submitted through the UK digital service, and
  - (b) where, since the submission of that application, any form has been completed in respect of the person in connection with a canvass under section 10 of the principal Act, the last such form was submitted through the UK digital service.]
- [ A person meets the condition in this subsection if—
  - <sup>F20</sup>(7B) (a) the last form to be completed in respect of the person in connection with a canvass under section 10 of the principal Act was submitted through the UK digital service, and
  - (b) where, since the submission of that form, any application for registration in the register of parliamentary electors has been made in respect of the person, the last such application was submitted through the UK digital service.]
- (8) In this section—
  - “digital registration number” has the same meaning as in section 10B(1) of the principal Act;
  - “the UK digital service” has the same meaning as in section 10ZF of the principal Act, and [<sup>F21</sup>references to a form or application] submitted through

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the UK digital service shall be construed in accordance with subsection (4) of that section.]

#### Textual Amendments

- F1** S. 6 repealed (E.W.S.) (16.2.2001) by 2000 c. 2, s. 15(2), **Sch. 7 Pt. II**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F2** Words in s. 6(1) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 14(2)(a), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F3** Words in s. 6(1)(a) substituted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 14(2)(b)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F4** S. 6(1)(b): Word "and" omitted (1.12.2002) by virtue of 2002 c. 13, s. 3(2)(a); S.I. 2002/1648, **art. 4(1)** (with **art. 4(2)**)
- F5** S. 6(1)(ba)-(bc) inserted (1.12.2002) by 2002 c. 13, s. 3(2)(a); S.I. 2002/1648, **art. 4(1)** (with **art. 4(2)**)
- F6** Words in s. 6(1)(bb) inserted (31.5.2018) by The Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2018 (S.I. 2018/699), regs. 1(2), **3(2)(a)**
- F7** S. 6(1)(bba) inserted (31.5.2018) by The Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2018 (S.I. 2018/699), regs. 1(2), **3(2)(b)**
- F8** S. 6(1ZA) inserted (31.5.2018) by The Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2018 (S.I. 2018/699), regs. 1(2), **3(3)**
- F9** S. 6(1A)(1B) inserted (1.12.2002) by 2002 c. 13, s. 3(2)(b); S.I. 2002/1648, **art. 4(1)** (with **art. 4(2)**)
- F10** Words in s. 6(2) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 14(3)(a), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F11** S. 6(2)(za) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), **5(3)(a)**
- F12** S. 6(2)(aa) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 14(3)(b), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F13** Words in s. 6(2)(b) substituted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 10, 11, 18, 20, 47, 61, 74, 77, **Sch. 1 para. 134**; S.I. 2008/1316, arts. 2(3), 5(f)(iv)
- F14** Words in s. 6(2)(c) inserted (5.12.2005) by The Civil Partnership Act 2004 (Overseas Relationships and Consequential, etc. Amendments) Order 2005 (S.I. 2005/3129), art. 4(4), **Sch. 4 para. 7(2)**
- F15** Words in s. 6(2)(c) inserted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 14(3)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F16** S. 6(2A) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 14(4), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F17** S. 6(3)(a) repealed (16.2.2001) by 2000 c. 2, s. 15, Sch. 6 para. 14(5), **Sch. 7 Pt. III**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F18** Words in s. 6(4)(b) inserted (16.2.2001) by 2000 c. 2, s. 15(1), **Sch. 6 para. 14(6)**; S.I. 2001/116, **art. 2(1)** (subject to transitional provisions in **art. 2(3)-(5)**)
- F19** S. 6(4)(ba) inserted (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), **5(3)(b)**
- F20** S. 6(7)-(7B) substituted for s. 6(7) (6.7.2020) by The Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2020 (S.I. 2020/581), regs. 1(2), **9(2)**
- F21** Words in s. 6(8) substituted (6.7.2020) by The Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2020 (S.I. 2020/581), regs. 1(2), **9(3)**

#### Modifications etc. (not altering text)

- C1** S. 6 applied with modifications by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. III**

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**C2** S. 6(2)(b) modified by [S.I. 1986/1111, reg. 62\(5\)](#) (as substituted 6.4.1992 by [S.I. 1992/834, reg. 3\(3\)](#)) subject as mentioned in reg. 2 of that Instrument)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(1)(d)(e) inserted by [2012 c. 11 s. 2\(2\)\(b\)](#)
- s. 15(3ZA) inserted by [2012 c. 11 s. 2\(4\)](#)