

## SCHEDULES

### SCHEDULE 2

#### Absent voting in PCC elections

### PART 2

#### Applications for absent vote

##### General requirements for applications for absent vote

- 11.—(1) An application under Part 1 of this Schedule must state—
- (a) the full name of the applicant,
  - (b) except in a case within paragraph (c), the address in respect of which the applicant is registered or has applied to be (or is treated as having applied to be) registered in the register,
  - (c) in the case of an application under paragraph 7(4) or 7(6) (applications relating to postal proxy voting), the proxy's address, together with the name of the elector for whom the applicant will act as proxy and the elector's address for the purposes of paragraph (b),
  - (d) in the case of a person applying to vote by post, the address to which the ballot paper should be sent,
  - (e) in the case of an application to vote by proxy, the grounds on which the elector claims to be entitled to an absent vote,
  - (f) in the case of a person who is unable to provide a signature (or a consistent or distinctive signature), the reasons for requesting the waiver of any requirement under paragraph 3 or 7 to provide a signature and the name and address of any person who has assisted in the completion of the application, and
  - (g) where the applicant has, or has applied for, an anonymous entry, that fact.
- (2) The application must be made in writing and must be dated.
- (3) Where an application is required to contain a signature and date of birth, the information must be set out in a manner that is sufficiently clear and unambiguous as to be capable of electronic scanning into the record by configuring the information as follows—
- (a) the signature must appear against a background of white unlined paper of at least five centimetres long and two centimetres high, and
  - (b) the applicant's date of birth must be set out numerically configured in the sequence of date, month and year, namely [d][d][m][m][y][y][y][y].
- (4) Sub-paragraph (3)(a) does not apply where the application contains a request that the registration officer waive the requirement for a signature.
- (5) An application under Part 1 of this Schedule must—
- (a) state that it is made for a particular PCC election, and
  - (b) identify the election in question.

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(6) An application to vote by proxy must also include an application for the appointment of a proxy which meets the requirements of paragraph 14 <sup>F1</sup>and (where applicable) paragraph 14A].

(7) An application under Part 1 of this Schedule may be combined with an application for an absent vote made under the 2001 Regulations, including those Regulations as applied by regulations made under sections 9HE and 105, 9MG and 105, 44 and 105 or 45 and 105 of the Local Government Act 2000 <sup>M1</sup> or sections 52ZQ and 113 of the Local Government Finance Act 1992 <sup>M2</sup>.

#### Textual Amendments

**F1** Words in Sch. 2 para. 11(6) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), 59(2)(a) (with reg. 1(6)(7))

#### Marginal Citations

**M1** 2000 c.22. Sections 9HE and 9MG were inserted by section 21 of, and Schedule 2 to, the Localism Act 2011 (c.20). Section 45 was amended by section 22 of, and paragraph 66 of Schedule 3 to, that Act. Section 105 was amended by section 22 of, and paragraph 70 of Schedule 3 to, that Act.

**M2** 1992 c.14. Section 52ZQ was inserted by Schedule 5 to the Localism Act 2011 and section 113 was amended by section 72 of, and paragraph 32 of Schedule 6 to, that Act.

#### *Additional requirements for certain applications*

#### **Additional requirements: applications where address for ballot papers differs from address in application**

**12.**—(1) Sub-paragraph (2) applies where—

- (a) in the case of an application to vote by post under paragraph 3(1), the addresses stated in accordance with paragraph 11(1)(b) and (d) are different;
- (b) in the case of an application by a proxy to vote by post under paragraph 7(4), the proxy's address stated in accordance with paragraph 11(1)(c) and the address stated in accordance with paragraph 11(1)(d) are different.

(2) The application must set out why the applicant's circumstances will be or are likely to be such that the applicant requires the ballot paper to be sent to the address stated in accordance with paragraph 11(1)(d).

(3) Sub-paragraph (2) does not apply where an applicant has, or has applied for, an anonymous entry.

#### **Additional requirements: applications for ballot papers to be sent to different address from address in record**

**13.**—(1) Sub-paragraph (2) applies to an application—

- (a) under paragraph 3(5)(a) of this Schedule by a person shown as voting by post in the record kept under paragraph 3 of Schedule 4 to the Representation of the People Act 2000 <sup>F2</sup>..., or
- (b) under paragraph 7(6) of this Schedule by a person shown as voting by post in the record kept under paragraph 7(6) of Schedule 4 to the Representation of the People Act 2000 <sup>F3</sup>...,

for the ballot paper to be sent to a different address from that shown in the record.

(2) The application must set out why the applicant's circumstances will be or are likely to be such that the applicant requires the ballot paper to be sent to that address.

(3) Sub-paragraph (2) does not apply where an applicant has, or has applied for, an anonymous entry.

#### Textual Amendments

- F2** Words in Sch. 2 para. 13(1)(a) revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** Table (as amended by S.I. 2019/1389, regs. 1, **2(2)**)
- F3** Words in Sch. 2 para. 13(1)(b) revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** Table (as amended by S.I. 2019/1389, regs. 1, **2(2)**)

#### Additional requirements: applications for the appointment of a proxy in respect of a particular PCC election

**14.**—(1) Sub-paragraph (2) applies to an application for the appointment of a proxy under paragraph 3.

(2) The application must state the full name and address of the person whom the applicant (“P”) wishes to appoint as proxy, together with the person's family relationship (if any) with P and—

- (a) if it is signed only by P, must contain a statement that P has consulted the person so named and that that person is capable of being and willing to be appointed to vote as P's proxy, or
- (b) if it is also signed by the person to be appointed as proxy, must contain a statement that the person is capable of being and willing to be appointed to vote as P's proxy.

(3) The application must set out why the applicant's circumstances on the date of the poll for the election in respect of which it is made will be or are likely to be such that the applicant cannot reasonably be expected to vote in person at the applicant's allotted polling station.

(4) Where an application under [<sup>F4</sup>paragraph 3(2)]—

- (a) is made on the grounds of the applicant's disability, and
- (b) is made after 5 pm on the sixth day before the date of the poll at the PCC election for which it is made,

the requirements of paragraph 15 apply to the matters to be specified and as to the attestation.

(5) Where an application mentioned in sub-paragraph (4) is made, the person attesting the application must state, in addition to the matters specified in paragraph 15, to the best of the attester's knowledge and belief, the date upon which the applicant became disabled.

[<sup>F5</sup>(5ZA) For the purposes of sub-paragraphs (4) and (5), an application on grounds of the applicant's disability does not include an application on grounds relating to coronavirus within the meaning of paragraph 16(2A)(a), (b) or (c).]

[<sup>F6</sup>(5A) Where an application under paragraph 3(2)—

- (a) is made on grounds relating to the applicant's occupation, service or employment; and
- (b) is made after 5 p.m. on the sixth day before the date of the poll at the PCC election for which it is made,

the requirements of paragraph 15A apply to the matters to be specified and as to attestation.]

(6) Where an application under [<sup>F7</sup>paragraph 3(2)] is made by a person to whom paragraph 1(6) applies after 5pm on the sixth day before the date of the poll at the election for which it is made, the requirements of sub-paragraph (7) apply to the matters to be specified and as to attestation.

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- (7) Where an application mentioned in sub-paragraph (6) is made—
- (a) the application must additionally state the name and address of the hospital at which the applicant is liable to be detained, and
  - (b) the application must be attested by or on behalf of a manager, within the meaning of section 145(1) of the Mental Health Act 1983 <sup>M3</sup>, of the hospital at which the applicant is liable to be detained, and the attestation must state—
    - (i) the name of the person attesting the application,
    - (ii) that the person is authorised to make the attestation,
    - (iii) the person's position in the hospital at which the applicant is liable to be detained, and
    - (iv) the statutory provision under which the applicant is liable to be detained in the hospital.
- (8) This paragraph does not apply where an applicant has an anonymous entry.
- (9) In this paragraph and in paragraph 15, references to an “allotted polling station”, in relation to an elector, are to the polling station to which the elector is, or is likely to be, allotted under the PCC elections rules.

#### Textual Amendments

- F4** Words in Sch. 2 para. 14(4) substituted (6.4.2014) by [The Police and Crime Commissioner Elections \(Amendment\) Order 2014 \(S.I. 2014/921\)](#), arts. 1(5), **11(2)** (with art. 1(5))
- F5** Sch. 2 para. 14(5ZA) inserted (temp.) (24.3.2021) by virtue of [The Representation of the People \(Proxy Vote Applications\) \(Coronavirus\) Regulations 2021 \(S.I. 2021/391\)](#), regs. 1(1), **5(2)** (with reg. 2)
- F6** Sch. 2 para. 14(5A) inserted (6.4.2014) by [The Police and Crime Commissioner Elections \(Amendment\) Order 2014 \(S.I. 2014/921\)](#), arts. 1(5), **11(3)** (with art. 1(5))
- F7** Words in Sch. 2 para. 14(6) substituted (6.4.2014) by [The Police and Crime Commissioner Elections \(Amendment\) Order 2014 \(S.I. 2014/921\)](#), arts. 1(5), **11(4)** (with art. 1(5))

#### Marginal Citations

- M3** 1983. c.20. The definition of “managers” was amended by paragraph 24(9) of Schedule 9 to the [National Health Service and Community Care Act 1990 \(c.19\)](#), **section 1** of the [Mental Health \(Amendment\) Act 1994 \(c.6\)](#), **paragraph 107(14)** of Schedule 1 to the [Health Authorities Act 1995 \(c.17\)](#), **Schedule 5** to the [Health Act 1999 \(c.8\)](#), **paragraphs 42** and 49 of Schedule 2 to the [National Health Service Reform and Health Care Professions Act 2002 \(c.17\)](#), **paragraphs 50** and 57 of Schedule 4 to the [Health and Social Care \(Community Health and Standards\) Act 2003 \(c.43\)](#), **paragraphs 62** and 70(d) of Schedule 1 to the [National Health Service \(Consequential Provisions\) Act 2006](#) and section 46(1) and (3)(b) of the [Mental Health Act 2007 \(c.12\)](#); and by [S.I. 2000/90](#) 2002/2469, 2007/961 and 2010/813.

#### [<sup>F8</sup>Additional requirements: applications for the appointment of a proxy on grounds relation to voter identification

- 14A.—**(1) This paragraph applies where—
- (a) an application under paragraph 5(4) for the appointment of a proxy for the purposes of voting by proxy at a particular PCC election is made by a person (“A”);
  - (b) A has previously appointed a person (“B”) as A’s proxy for those purposes;
  - (c) at the time of making the application, B’s appointment remains in force; and
  - (d) A’s application is made on grounds relating to voter identification which relate to B.
- (2) A’s application must—

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- (a) state that this paragraph applies, and
  - (b) state, to the best of A's knowledge and belief, which of the conditions set out in paragraph 16A apply in respect of B.
- (3) In sub-paragraph (1)—
- (a) in paragraph (a), the reference to an application under paragraph 5(4) includes such an application which is included in an application under paragraph 3(2);
  - (b) in paragraph (d), “grounds relating to voter identification” has the meaning given in paragraph 16A.]

#### Textual Amendments

**F8** Sch. 2 para. 14A inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **59(2)(b)** (with reg. 1(6)(7))

#### Additional requirements referred to in paragraph 14(4)

**15.**—(1) This paragraph applies to an application to vote by proxy which is made in the circumstances set out in paragraph 14(4).

(2) The application must specify the disability by reason of which it is made and must be attested and signed by—

- (a) a registered medical practitioner,
- (b) a registered nurse,
- (c) a registered dentist as defined by section 53(1) of the Dentists Act 1984 <sup>M4</sup>,
- (d) a registered dispensing optician or a registered optometrist within the meaning of the Opticians Act 1989 <sup>M5</sup>,
- (e) a registered pharmacist as defined in article 3(1) of the Pharmacy Order 2010 <sup>M6</sup>,
- (f) a registered osteopath as defined by section 41 of the Osteopaths Act 1993 <sup>M7</sup>,
- (g) a registered chiropractor as defined by section 43 of the Chiropractors Act 1994 <sup>M8</sup>,
- (h) a Christian Science practitioner,
- (i) a person registered as a member of a profession to which the Health Professions Order 2002 <sup>M9</sup> for the time being extends,
- (j) the person carrying on a care home registered under Part 2 of the Care Standards Act 2000 <sup>M10</sup> where the applicant states that he or she is resident in that care home,
- [<sup>F9</sup>(ja) the person registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 in respect of a care home service (within the meaning of that Act) provided wholly or mainly to persons aged 18 or over where the applicant states that he or she is resident at a place where that service is provided;]
- (k) the warden of premises forming one of a group of premises provided for persons of pensionable age or disabled persons for which there is a resident warden, where the applicant states that he or she is resident in the premises where the warden works,
- (l) a manager within the meaning of section 145(1) of the Mental Health Act 1983 (interpretation), or on behalf of such a manager, <sup>F10</sup>...
- (m) a person registered in the register for social workers maintained in accordance with section 56 of the Care Standards Act 2000 <sup>M11</sup>[<sup>F11</sup>, or

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- (n) a person registered in the register for social workers maintained in accordance with section 80 of the Regulation and Inspection of Social Care (Wales) Act 2016.]
- (3) A person who qualifies—
  - (a) by virtue of any of paragraphs (a) to (i) of sub-paragraph (2), may not attest an application for these purposes unless—
    - (i) that person is treating the applicant for the disability specified in the application, or
    - (ii) the applicant is receiving care from that person in respect of that disability, or
  - (b) by virtue of [F12]paragraph (m) or (n)] of sub-paragraph (2), may not attest an application for these purposes unless—
    - (i) that person is treating the applicant for the disability specified in the application,
    - (ii) the applicant is receiving care from that person in respect of that disability, or
    - (iii) that person has arranged care or assistance for the applicant in respect of that disability.
- (4) The person (“A”) attesting the application must state—
  - (a) A's name and address and the qualification by virtue of which A attests the application;
  - (b) where A is a person referred to in sub-paragraph (3)(a), that—
    - (i) A is treating the applicant for the disability specified in the application, or
    - (ii) the applicant is receiving care from A in respect of that disability,
  - (c) where A is a person referred to in sub-paragraph (3)(b), that—
    - (i) A is treating the applicant for the disability specified in the application,
    - (ii) the applicant is receiving care from A in respect of that disability, or
    - (iii) A has arranged care or assistance for the applicant in respect of that disability,
  - (d) that, to the best of A's knowledge and belief, the applicant has the disability specified in the application and that the applicant cannot reasonably be expected to go in person to the allotted polling station or to vote unaided there by reason of that disability, and
  - (e) that, to the best of A's knowledge and belief, the disability specified in the application is likely to continue either indefinitely or for a period specified by A.
- (5) Where A is a person referred to in sub-paragraph (2)(l), A must (instead of the matters specified in sub-paragraph (4)(a)) state in the attestation—
  - (a) A's name,
  - (b) that A is authorised to attest the application,
  - (c) A's position in the hospital at which the applicant is liable to be detained or is receiving treatment, and
  - (d) if applicable, the statutory provision under which the applicant is detained, or liable to be detained, at the hospital.
- (6) Sub-paragraphs (2) to (5) do not apply where—
  - (a) the application is based on the applicant's [F13]severe sight-impairment] and the applicant is registered [F14]by the local authority which is specified in the application as—
    - (i) a blind person under section 29(4)(g) of the National Assistance Act 1948; or
    - (ii) a person who is severely sight-impaired under section 77(1) of the Care Act 2014 (registers of sight-impaired adults),]
  - (b) the application states that the applicant is in receipt of the higher rate of the mobility component of a disability living allowance (payable under section 73 of the Social

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Security Contributions and Benefits Act 1992) because of the disability specified in the application<sup>F15</sup>, <sup>F16</sup> ...

- (c) the application states that the applicant is in receipt of the enhanced rate of the mobility component of personal independence payment (payable under section 79(2) of the Welfare Reform Act 2012) because of the disability specified in the application<sup>F17</sup>, <sup>F18</sup> ...
- (d) the application states that the applicant is in receipt of armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 because of the disability specified in the application<sup>F19</sup>or,
- (e) the application states that the applicant is in receipt of one of the following benefits (payable in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018) because of the disability specified in the application—
  - (i) the higher rate of the mobility component of disability assistance for children and young people, or
  - (ii) the enhanced rate of the mobility component of disability assistance for working age people.]

(7) The fact that an applicant is registered <sup>F20</sup>... [<sup>F21</sup>as severely sight-impaired by a local authority under section 77(1) of the Care Act 2014 (registers of sight-impaired adults)]<sup>F22</sup>or in a register kept by a local authority in Wales under section 18(1) of the Social Services and Well-being (Wales) Act 2014] is sufficient evidence that the applicant is eligible to vote by proxy on the grounds set out in paragraph 3(3)(c).

#### Textual Amendments

- F9** Sch. 2 para. 15(2)(ja) inserted (E.W.) (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments to Secondary Legislation\) Regulations 2018 \(S.I. 2018/48\)](#), reg. 1(2), [Sch. 1 para. 27\(2\)](#)
- F10** Word in Sch. 2 para. 15(2)(l) omitted (W.) (3.4.2017) by virtue of [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments to Secondary Legislation\) Regulations 2017 \(S.I. 2017/52\)](#), reg. 1(2), [Sch. 1 para. 28\(2\)\(a\)\(i\)](#)
- F11** Sch. 2 para. 15(2)(n) and word inserted (W.) (3.4.2017) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments to Secondary Legislation\) Regulations 2017 \(S.I. 2017/52\)](#), reg. 1(2), [Sch. 1 para. 28\(2\)\(a\)\(ii\)](#)
- F12** Words in Sch. 2 para. 15(3)(b) substituted (W.) (3.4.2017) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments to Secondary Legislation\) Regulations 2017 \(S.I. 2017/52\)](#), reg. 1(2), [Sch. 1 para. 28\(2\)\(b\)](#)
- F13** Words in Sch. 2 para. 15(6)(a) substituted (E.W.) (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Regulations 2016 \(S.I. 2016/211\)](#), reg. 1(2), [Sch. 3 para. 128\(2\)](#)
- F14** Words in Sch. 2 para. 15(6)(a) substituted (1.4.2015) by [The Care Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Order 2015 \(S.I. 2015/643\)](#), art. 1(2), [Sch. para. 34\(a\)](#) (with art. 4)
- F15** Sch. 2 para. 15(6)(c) and preceding word inserted (6.5.2013) by [The Personal Independence Payment \(Supplementary Provisions and Consequential Amendments\) Regulations 2013 \(S.I. 2013/388\)](#), reg. 3, [Sch. para. 49\(b\)](#)
- F16** Word in Sch. 2 para. 15(6)(b) omitted (6.5.2013) by virtue of [The Armed Forces and Reserve Forces Compensation Scheme \(Consequential Provisions: Subordinate Legislation\) Order 2013 \(S.I. 2013/591\)](#), art. 2(3)(e), [Sch. para. 46\(2\)\(a\)](#)
- F17** Sch. 2 para. 15(6)(d) and preceding word inserted (6.5.2013) by [The Armed Forces and Reserve Forces Compensation Scheme \(Consequential Provisions: Subordinate Legislation\) Order 2013 \(S.I. 2013/591\)](#), art. 2(3)(e), [Sch. para. 46\(2\)\(b\)](#)

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- F18** Word in Sch. 2 para. 15(6) omitted (6.12.2022) by virtue of The Police and Crime Commissioner Elections (Amendment) Order 2022 (S.I. 2022/1275), arts. 1(2), **2(4)(a)** (with art. 3(3))
- F19** Sch. 2 para. 15(6)(e) and word inserted (6.12.2022) by The Police and Crime Commissioner Elections (Amendment) Order 2022 (S.I. 2022/1275), arts. 1(2), **2(4)(b)** (with art. 3(3))
- F20** Words in Sch. 2 para. 15(7) omitted (E.W.) (6.4.2016) by virtue of The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) (Secondary Legislation) Regulations 2016 (S.I. 2016/211), reg. 1(2), **Sch. 3 para. 128(3)(a)**
- F21** Words in Sch. 2 para. 15(7) inserted (1.4.2015) by The Care Act 2014 (Consequential Amendments) (Secondary Legislation) Order 2015 (S.I. 2015/643), art. 1(2), **Sch. para. 34(b)** (with art. 4)
- F22** Words in Sch. 2 para. 15(7) inserted (E.W.) (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) (Secondary Legislation) Regulations 2016 (S.I. 2016/211), reg. 1(2), **Sch. 3 para. 128(3)(b)**

#### Marginal Citations

- M4** 1984 c.24.
- M5** 1989 c.44, as amended by S.I. 2005/848.
- M6** S.I. 2010/231.
- M7** 1993 c.21.
- M8** 1994 c.17.
- M9** S.I. 2002/254.
- M10** 2000 c.14.
- M11** Section 56 has been amended by SI 2007/3101.

#### <sup>F23</sup>Additional requirements referred to in paragraph 14(5A)

**15A.—**(1) This paragraph applies to an application to vote by proxy which is made in the circumstances set out in paragraph 14(5A).

(2) The application must (in addition to providing the information required by paragraph 14(2) and (3)) state—

- (a) where the applicant is self-employed, that fact;
- (b) where the applicant is employed, the name of the applicant’s employer;
- (c) that the reason provided in accordance with paragraph 14(3) relates to the applicant’s occupation, service or employment; and
- (d) the date on which the applicant became aware of that reason.

(3) Sub-paragraphs (4), (5) and (6) apply unless the applicant is or will be registered as a service voter.

(4) The application must be attested and signed—

- (a) where the applicant is self-employed, by a person who—
  - (i) is aged 18 years or over;
  - (ii) knows the applicant; and
  - (iii) is not related to the applicant,
- (b) where the applicant is not self-employed, by the applicant’s employer or by another employee to whom this function is delegated by the employer.

(5) The person attesting an application under sub-paragraph (4) (the “attestor”) must certify that the statements required by sub-paragraph (2) and the information required by paragraph 14(3) are true to the best of the attestor’s knowledge and belief.

(6) The attestor must also state—

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- (a) the attester’s name and address; and
  - (b) if the attester is attesting where the applicant is self-employed, that the attester is aged 18 years or over, and that the attester knows, but is not related to, the applicant; or
  - (c) if the attester is attesting as or on behalf of the employer of the applicant, that the attester is the employer or the position the attester holds in the employment of that employer.
- (7) For the purposes of this paragraph—
- (a) one person (‘A’) is related to another (‘B’) if A is the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of B;
  - (b) “service voter” means a person who has made a service declaration in accordance with section 15 of the 1983 Act and is registered or entitled to be registered in pursuance of it.]

**Textual Amendments**

**F23** Sch. 2 para. 15A inserted (6.4.2014) by [The Police and Crime Commissioner Elections \(Amendment\) Order 2014 \(S.I. 2014/921\)](#), arts. 1(5), **12** (with art. 1(5))

**[<sup>F24</sup>Additional requirements for an application under paragraph 3(2) for a proxy vote: grounds related to voter identification**

**15B.**—(1) Subject to sub-paragraph (2), this paragraph applies to an application under paragraph 3(2) to which paragraph 16(2C) applies.

- (2) This paragraph does not apply where—
- (a) the application under paragraph 3(2) includes an application under paragraph 5(4), and
  - (b) paragraph 14A(2) applies to that application under paragraph 5(4).
- (3) Where this paragraph applies, the application under paragraph 3(2) must (in addition to any other information required by this Part)—
- (a) state that it is made on grounds relating to voter identification, and
  - (b) states which of the conditions set out in paragraph 16A apply to the applicant.

(4) In this paragraph, “grounds relating to voter identification” has the meaning given in paragraph 16A.]

**Textual Amendments**

**F24** Sch. 2 para. 15B inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **59(2)(c)** (with reg. 1(6)(7))

*Determination of applications*

**Closing date for applications**

**16.**—(1) Subject to sub-paragraph (2) [<sup>F25</sup>and (2C)], an application under paragraph 3(2) <sup>F26</sup>... or 5(4) is to be refused if it is received by the registration officer after 5 pm on the sixth day before the date of the poll at the PCC election for which it is made.

- (2) Where an application made under paragraph 3(2) <sup>F27</sup>...is made—
- (a) on the grounds of the applicant's disability and the applicant became disabled after 5pm on the sixth day before the date of the poll at the PCC election for which it is made, or

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[<sup>F28</sup>(aza) on grounds relating to coronavirus, or]

[<sup>F29</sup>(aa) on grounds relating to the applicant's occupation, service or employment and the applicant became aware of those grounds after 5 p.m. on the sixth day before the date of the poll at the election for which it is made, or]

(b) by a person to whom paragraph 1(6) applies,

the application, or an application under paragraph 5(4) made by virtue of that application, is to be refused if it is received after 5pm on the day of the poll at the PCC election for which it is made.

[<sup>F30</sup>(2A) For the purposes of sub-paragraph (2)(aza), an application is made on grounds relating to coronavirus if it is made—

(a) because the applicant (“A”) considers that attendance at the allotted polling station would not be permitted due to A's need to comply with a legal requirement to self-isolate;

[<sup>F31</sup>(b) because A considers that attendance at the allotted polling station would be contrary to coronavirus advice given to A;]

(c) because A considers that, due to A's particular circumstances, attendance at the allotted polling station would give rise to a risk of transmission of coronavirus by A to another person;

(d) where A already has a person appointed as proxy under paragraph 5 (“P”), on the ground that P considers that they are, or are likely to be, unable to attend the allotted polling station because any of paragraphs (a), (b) or (c) applies (reading references in those paragraphs to A as references to P).

(2B) In this paragraph—

“coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“coronavirus advice” means advice relating to coronavirus given by a registered medical practitioner or a registered nurse.]

[<sup>F32</sup>(2C) Where an application is made under paragraph 3(2) or 5(4) on grounds relating to voter identification, the application is to be refused if it is received after 5pm on the day of the poll at the PCC election for which it is made.

(2D) In sub-paragraph (2C), “grounds relating to voter identification” has the meaning given in paragraph 16A.]

(3) An application under paragraph 3(1)[<sup>F33</sup>, 3(5)] or 7(6) is to be refused if it is received by the registration officer after 5 pm on the eleventh day before the date of the poll at the PCC election for which it is made.

(4) A notice under paragraph 5(6) by an elector cancelling a proxy's appointment is to be disregarded for the purposes of a particular PCC election if it is received by the registration officer after 5 pm on the eleventh day before the date of the poll at that election.

[<sup>F34</sup>(4A) Sub-paragraph (4B) applies to—

(a) any application or notice mentioned in sub-paragraphs (1) to (4);

(b) any application or notice mentioned in regulation 56 of the 2001 Regulations <sup>F35</sup>..., that would otherwise have effect in relation to a PCC election by virtue of paragraphs 2 and 4(2)(a) or 4(3)(a).

(4B) An application or notice to which this sub-paragraph applies must be disregarded for the purposes of the particular PCC election if, before the application or notice is considered by the registration officer, the elector or proxy has returned a postal ballot paper to the local returning officer (except where it has been returned in accordance with paragraph 41 or 42 (spoilt and lost postal ballot papers)).]

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- (5) In computing a period of days for the purposes of this paragraph—
- (a) a Saturday or Sunday,
  - (b) Christmas Eve, Christmas Day, Good Friday or a bank holiday, or
  - (c) a day appointed for public thanksgiving or mourning,

is to be disregarded.

#### Textual Amendments

- F25** Words in Sch. 2 para. 16(1) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **59(2)(d)(i)** (with reg. 1(6)(7))
- F26** Words in Sch. 2 para. 16(1) omitted (6.4.2014) by virtue of The Police and Crime Commissioner Elections (Amendment) Order 2014 (S.I. 2014/921), arts. 1(5), **13(2)** (with art. 1(5))
- F27** Words in Sch. 2 para. 16(2) omitted (6.4.2014) by virtue of The Police and Crime Commissioner Elections (Amendment) Order 2014 (S.I. 2014/921), arts. 1(5), **13(3)** (with art. 1(5))
- F28** Sch. 2 para. 16(2)(aza) inserted (temp.) (24.3.2021) by virtue of The Representation of the People (Proxy Vote Applications) (Coronavirus) Regulations 2021 (S.I. 2021/391), regs. 1(1), **5(3)(a)** (with reg. 2)
- F29** Sch. 2 para. 16(2)(aa) inserted (6.4.2014) by The Police and Crime Commissioner Elections (Amendment) Order 2014 (S.I. 2014/921), arts. 1(5), **13(4)** (with art. 1(5))
- F30** Sch. 2 para. 16(2A)(2B) inserted (temp.) (24.3.2021) by virtue of The Representation of the People (Proxy Vote Applications) (Coronavirus) Regulations 2021 (S.I. 2021/391), regs. 1(1), **5(3)(b)** (with reg. 2)
- F31** Sch. 2 para. 16(2A)(b) substituted (temp.) (27.2.2022) by virtue of The Representation of the People (Proxy Vote Applications) (Coronavirus) (Amendment) Regulations 2022 (S.I. 2022/175), regs. 1(1), **5** (with regs. 1(3), 2)
- F32** Sch. 2 para. 16(2C)(2D) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **59(2)(d)(ii)** (with reg. 1(6)(7))
- F33** Word in Sch. 2 para. 16(3) inserted (6.4.2014) by The Police and Crime Commissioner Elections (Amendment) Order 2014 (S.I. 2014/921), arts. 1(5), **13(5)** (with art. 1(5))
- F34** Sch. 2 para. 16(4A)(4B) inserted (6.4.2014) by The Police and Crime Commissioner Elections (Amendment) Order 2014 (S.I. 2014/921), arts. 1(5), **13(6)** (with art. 1(5))
- F35** Words in Sch. 2 para. 16(4A)(b) revoked (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 2** Table 1 (as amended by S.I. 2019/1389, regs. 1, **2(2)**)

#### [<sup>F36</sup>Grounds relating to voter identification

**16A.—**(1) For the purposes of this Part, an application is made on grounds relating to voter identification if it is made because the following apply to B—

- (a) condition 1, 2, 3 or 4, and
  - (b) except where B has an anonymous entry on the register of electors, condition 5.
- (2) In this paragraph, “B” means—
- (a) the applicant, where—
    - (i) the application is made under paragraph 3(2), and
    - (ii) paragraph 14A(2) does not apply to the application made under paragraph 5(4) which is included in that application under paragraph 3(2);
  - (b) otherwise, the person already appointed as the applicant’s proxy at the time the application is made.

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- (3) Condition 1 is that—
- (a) immediately before the deadline, B has a specified document which B intends to use to vote in person at a PCC election, and
  - (b) after that deadline, that document is—
    - (i) lost, stolen, destroyed or damaged so as to be no longer usable as a specified document for the purposes of that election, or
    - (ii) sent by B to another person to prove B’s identity and B considers that it is unlikely to be returned to B on or before the day of poll at that election.
- (4) Condition 2 is that—
- (a) at a time during the period of 3 months ending with the deadline, B has applied for a specified document,
  - (b) immediately before the deadline, B has not received that document, and
  - (c) the application for the specified document has not been refused or withdrawn.
- (5) Condition 3 is that—
- (a) B has an anonymous entry on the register of electors, and
  - (b) either—
    - (i) B has not been issued with an anonymous elector’s document, or
    - (ii) B has been issued with an anonymous elector’s document, and after the deadline B is allocated an electoral number which is different from the one shown on that document other than as a result of an application under section 9B of the 1983 Act (anonymous registration).
- (6) Condition 4 is that—
- (a) B has a temporary electoral identity document which is valid for use on the day of poll at a PCC election, and
  - (b) before B is able to vote in person at such an election using that document, proceedings at B’s polling station are adjourned in accordance with rule 46 of Part 3 of Schedule 3 (adjournment of poll in case of riot).
- (7) Condition 5 is that B does not have access to another specified document.
- (8) In this paragraph—
- (a) “anonymous elector’s document” and “temporary electoral identity document” have the meanings given in regulation 3(1) of the Voter Identification Regulations 2022;
  - (b) the “deadline” means 5 pm on the sixth day before the date of the poll at the PCC election for which an application is made, and paragraph 16(5) applies for the purposes of computing the sixth day as it applies for the purposes of computing a period of days for the purposes of paragraph 16;
  - (c) “specified document” has the meaning given in rule 39(2I) of Part 3 of Schedule 3.]

**Textual Amendments**

**F36** Sch. 2 para. 16A inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **59(2)(e)** (with reg. 1(6)(7))

## Grant or refusal of applications

17.—(1) Where the registration officer grants an application to vote by post, the officer must notify the applicant.

(2) Where the registration officer grants an application for the appointment of a proxy, the officer must confirm in writing to the elector that the proxy has been appointed, the proxy's name and address, and the duration of the appointment.

(3) Where the registration officer refuses an application under Part 1 of this Schedule, the officer must notify the applicant, stating the reason for the refusal.

(4) Where the registration officer grants an application made under—

(a) paragraph 3(5)(a) by a person shown as voting by post in the record kept under paragraph 3 of Schedule 4 to the Representation of the People Act 2000<sup>F37</sup> ..., or

(b) paragraph 7(6) by a person shown as voting by post in the record kept under paragraph 7(6) of Schedule 4 to the Representation of the People Act 2000<sup>F38</sup> ...,

the officer must notify the applicant.

(5) The registration officer must, where practicable, notify the elector of the following, in each case stating the reason—

(a) where the appointment of a proxy is cancelled by the elector, that the appointment has been cancelled, or

(b) where the appointment otherwise ceases to be in force, that the appointment has ceased.

(6) Where, under paragraph 16, a registration officer refuses an application or disregards a notice for the purposes of any PCC election, the officer must notify the applicant of this.

### Textual Amendments

**F37** Words in Sch. 2 para. 17(4)(a) revoked (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, Sch. 1 Pt. 2 (as amended by S.I. 2019/1389, regs. 1, 2(2))

**F38** Words in Sch. 2 para. 17(4)(b) revoked (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, Sch. 1 Pt. 2 (as amended by S.I. 2019/1389, regs. 1, 2(2))

## Changes affecting proxy votes

### Cancellation of proxy appointment

18.—(1) Sub-paragraph (2) applies where the appointment of a proxy—

(a) is cancelled by notice given to the registration officer under paragraph 5(6),

(b) otherwise ceases to be in force under paragraph 5(7).

(2) The registration officer must notify the person whose appointment as proxy has been cancelled, has expired or is no longer in force, unless the registration officer has previously been notified by that person that the person no longer wishes to act as proxy.

## Evidence of entitlement to absent vote

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### **Marked register for polling stations**

**19.** To indicate that an elector or the elector's proxy is entitled to vote by post and is for that reason not entitled to vote in person, the letter “A” is to be placed against the entry of that elector in any copy of the register, or part of it, provided for a polling station.

### **Absent voting lists: supply of copies etc**

**20.**—(1) Any person who, in accordance with any of the provisions listed in sub-paragraph (2), is entitled to be supplied with copies of the full register is also a person entitled to request that the registration officer supply the relevant part (within the meaning of the listed provisions) of a copy of any of the following information which the registration officer keeps—

- (a) the current version of the information which would, in the event of a particular PCC election, be included in the postal voters list, the list of proxies or the proxy postal voters list;
- (b) the current or final version of the postal voters list, the list of proxies or the proxy postal voters lists.

(2) The listed provisions are—

- (a) paragraph 3 of Schedule 1 (supply of full register etc to police and crime commissioner and restrictions on use);
- (b) paragraph 5 of Schedule 1 (supply of full register etc to certain candidates and restrictions on use);
- (c) regulation 105 of the 2001 Regulations (supply of full register etc to local constituency parties and restrictions on use);
- (d) regulation 106 of the 2001 Regulations (supply of full register etc to registered political parties and restrictions on use).

(3) A request under sub-paragraph (1) must be made in writing and must specify—

- (a) the information (or the relevant parts of the information) requested,
- (b) whether the request is made only in respect of the current lists or whether it includes a request for the supply of any final list, and
- (c) whether a printed copy is requested or a copy in data form.

(4) In response to a request under sub-paragraph (1) that has been duly made, the registration officer must—

- (a) as soon as practicable after receipt of the request, supply the current version of information requested;
- (b) as soon as practicable after 5pm on the eleventh day before the day of the poll, supply a copy of any postal voters list or proxy postal voters list requested.

(5) As soon as practicable after 5pm on the sixth day before the day of the poll the registration officer must—

- (a) make a copy of the postal voters list, the list of proxies or the proxy postal voters list available for inspection at the registration officer's office in accordance with paragraph 21;
- (b) send a copy of those lists to each relevant returning officer (within the meaning of paragraph 1 of Schedule 1); and
- (c) supply a final copy of the postal voters list, the list of proxies or the proxy postal voters list in response to every request under sub-paragraph (1) that has been duly made.

[<sup>F39</sup>(5A) The registration officer must, on a request made at any time, supply a relevant returning officer (within the meaning of paragraph 1 of Schedule 1) with a copy of the postal voters list, the list of proxies or the proxy postal voters list.]

(6) As soon as practicable after 5pm on the day of the poll, the registration officer must supply to every person who received a copy of the list of proxies under sub-paragraph (5)(c) a further copy of that list which is updated to include any additions to the list that were made in consequence of any application within paragraph 16(2)<sup>F40</sup> ... which was granted before 5pm on the day of the poll.

(7) Any information or lists supplied under this paragraph are to be supplied free of charge.

(8) A person who obtains any information under this paragraph may use it only for—

- (a) [<sup>F41</sup>purposes mentioned in Article 89(1) of the [<sup>F42</sup>UK GDPR] (archiving in the public interest, scientific or historical research and statistics);] or
- (b) electoral purposes,

and such use is also subject to the restrictions specified in paragraphs 23 and 24 or, where the request to the registration officer is made by reference to a provision listed in sub-paragraph (2), subject to any restrictions which would apply to the use of the full register under whichever of the listed provisions entitled the person to obtain the information.

(9) Any person who has obtained or is entitled to obtain a copy of information covered by sub-paragraph (1) may—

- (a) supply a copy of the information to a processor for the purpose of processing the information, or
- (b) procure that a processor processes and supplies to that person any copy of the information which the processor has obtained under this paragraph,

for use in respect of the purposes for which that person is entitled to obtain such information.

(10) A processor may not disclose information covered by sub-paragraph (1) except to the person who supplied it to the processor or to any other person, or an employee of such a person, who is entitled to obtain a copy of that information under this paragraph.

[<sup>F43</sup>(11) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.]

#### Textual Amendments

- F39** Sch. 2 para. 20(5A) inserted (6.4.2014) by [The Police and Crime Commissioner Elections \(Amendment\) Order 2014 \(S.I. 2014/921\)](#), arts. 1(5), **14(1)** (with art. 1(5))
- F40** Words in Sch. 2 para. 20(6) omitted (6.4.2014) by virtue of [The Police and Crime Commissioner Elections \(Amendment\) Order 2014 \(S.I. 2014/921\)](#), arts. 1(5), **14(2)** (with art. 1(5))
- F41** Sch. 2 para. 20(8)(a) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 368(2)(a)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F42** Words in Sch. 2 para. 20(8)(a) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 3 para. 93(2)(a)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F43** Sch. 2 para. 20(11) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 3 para. 93(2)(b)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

#### Absent voting lists: inspection

**21.—**(1) Any person is entitled to request that the registration officer make available for inspection a copy of any of the information specified in paragraph 20(1).

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- (2) A request under sub-paragraph (1) must be made in writing and must specify—
- (a) the information (or relevant parts of the information) requested,
  - (b) whether the request is made only in respect of the current lists or whether it includes a request for the inspection of any final list,
  - (c) who will inspect the information,
  - (d) the date on which they wish to inspect the information, and
  - (e) whether they would prefer to inspect the information in printed or data form.

(3) The registration officer must make a copy of the information available for inspection under supervision as soon as practicable after the date of receipt of a request under sub-paragraph (1) that has been duly made.

(4) Where inspection takes place by providing a copy of the information on a computer screen or otherwise in data form, the registration officer shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

- (a) search it by electronic means by reference to the name of any person, or
- (b) copy or transmit any part of that copy by electronic, or any other means.

(5) A person who inspects a copy of information provided under sub-paragraph (3), whether in printed or in data form, may not—

- (a) make copies of any part of it, or
- (b) record any particulars in it,

otherwise than by means of hand-written notes.

(6) Subject to any direction by the [<sup>F44</sup>Secretary of State] under article 6, any duty on a registration officer to supply a copy or make information available for inspection under this paragraph imposes only a duty to provide that information in the form in which the registration officer holds it.

#### Textual Amendments

**F44** Words in [Sch. 2 para. 21\(6\)](#) substituted (8.12.2021) by [The Transfer of Functions \(Secretary of State for Levelling Up, Housing and Communities\) Order 2021 \(S.I. 2021/1265\)](#), art. 1(2), [Sch. 2 para. 30\(3\)](#) (f) (with art. 12)

### Supply and inspection of absent voting lists: general provisions

**22.—**(1) For the purposes of paragraphs 20 and 21—

- (a) a “current copy” of records or lists is a copy of the records or lists as kept by the registration officer at 9 a.m. on the date it is supplied,
- (b) “processor” means a person who provides a service which consists of putting information into a data form and any reference to a processor includes a reference to a processor’s employees, and
- (c) any period of days is to be calculated in accordance with paragraph 16(5).

(2) The registration officer must ensure that, in supplying or disclosing information covered by paragraph 20(1)(a) in accordance with paragraph 20 or 21, the registration officer does not supply or disclose any record relating to—

- (a) a person who has an anonymous entry, or
- (b) the proxy of a person who has an anonymous entry.

### Restrictions on supply and disclosure of absent voter records or lists

23.—(1) This paragraph applies to—

- (a) the registration officer,
- (b) any deputy registration officer, and
- (c) any person appointed to assist a registration officer or who in the course of that person's employment is assigned to assist any such officer in that officer's registration duties.

(2) Where the registration officer is also the local returning officer at a PCC election (and thereby has access to the information covered by paragraph 20(1) without being supplied with a copy of it), this paragraph also applies to—

- (a) the registration officer acting in the capacity of local returning officer, and
- (b) any person appointed to assist the local returning officer or who in the course of that person's employment is assigned to assist that officer in that officer's duties in respect of the PCC election.

(3) No person to whom this paragraph applies may—

- (a) supply to any person a copy of the information covered by paragraph 20(1), or
- (b) disclose any of that information,

otherwise than in accordance with an enactment, including this Order.

(4) Nothing in sub-paragraph (3) applies to the supply or disclosure by a person to whom this paragraph applies to another such person in connection with that other person's registration duties or for the purposes of an election or referendum.

### Restriction on use of absent voter records or lists or the information contained in them

24.—(1) This paragraph applies to any person who has obtained access to the information covered by paragraph 20(1) by any means.

(2) No person to whom this paragraph applies may—

- (a) supply a copy of the information or any part of that information,
- (b) disclose any of that information, or
- (c) make use of any such information,

other than for a permitted purpose specified in sub-paragraph (3).

(3) The permitted purposes are—

- <sup>[F45]</sup>(a) purposes mentioned in Article 89(1) of the <sup>[F46]</sup>UK GDPR] (archiving in the public interest, scientific or historical research and statistics),] or
- (b) electoral purposes.

<sup>[F47]</sup>(4) In this paragraph, “the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018.]

#### Textual Amendments

**F45** Sch. 2 para. 24(3)(a) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\), s. 212\(1\), Sch. 19 para. 368\(3\)\(a\)](#) (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)

**F46** Words in Sch. 2 para. 24(3)(a) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\), reg. 1\(2\), Sch. 3 para. 93\(3\)\(a\)](#) (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

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**F47** Sch. 2 para. 24(4) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 93(3)(b)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

### Supply and inspection of absent voting lists: offences

- 25.**—(1) A person is guilty of an offence—
- (a) if the person contravenes paragraph 20(8) or (10), 21(5), 23(3) or 24(2), or
  - (b) if the person is an appropriate supervisor of a person (“P”) who contravenes any of those provisions and the supervisor failed to take appropriate steps.
- (2) P is not guilty of an offence under sub-paragraph (1) if—
- (a) P had an appropriate supervisor, and
  - (b) P has complied with all the requirements imposed on P by P's appropriate supervisor.
- (3) A person who is not P or an appropriate supervisor is not guilty of an offence under sub-paragraph (1) if the person takes all reasonable steps to ensure that he or she complies with the provisions specified in sub-paragraph (1)(a).
- (4) In sub-paragraphs (1)(b), (2) and (3)—
- (a) an appropriate supervisor is a person who is a director of a company or concerned in the management of an organisation in which P is employed or under whose direction or control P is;
  - (b) appropriate steps are such steps as it was reasonable for the appropriate supervisor to take to secure the operation of procedures designed to prevent, so far as reasonably practicable, the occurrence of a failure to comply with the provisions specified in sub-paragraph (1)(a).
- (5) A person guilty of an offence as mentioned in sub-paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

### The personal identifiers record

- 26.**—(1) The registration officer must maintain a record (“the personal identifiers record”), apart from the other records and lists which the officer is required to keep under Part 1 of this Schedule, of the signatures and dates of birth provided by persons whose applications under paragraph 3(1) or (2) or paragraph 7(4) were granted, until the expiry of twelve months from the date of the poll for the purposes of which the person's application for an absent vote was granted under paragraph 3(1) or (2) or paragraph 7(4).
- (2) The personal identifiers record must contain the following information in respect of each absent voter on the postal voters list, list of proxies or proxy postal voters list—
- (a) name,
  - (b) date of birth, and
  - (c) signature, or a record of the waiver by the registration officer of the requirement for a signature.
- (3) The registration officer may disclose information held in the personal identifiers records to—
- (a) any candidate or agent attending proceedings on receipt of postal ballot papers, in accordance with and for the purposes referred to in [F48 paragraph 51];
  - (b) any person attending proceedings on receipt of postal ballot papers, who is entitled to do so by virtue of any of sections 6A to 6D of the 2000 Act<sup>M12</sup>, but only to the extent required to permit them to observe the proceedings.

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#### Textual Amendments

**F48** Words in Sch. 2 para. 26(3)(a) substituted (6.4.2014) by [The Police and Crime Commissioner Elections \(Amendment\) Order 2014 \(S.I. 2014/921\)](#), arts. 1(5), **15** (with art. 1(5))

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#### Marginal Citations

**M12** [2000 c.41](#). Sections 6A to 6D were inserted by section 29 of the Electoral Administration Act 2006 and section 6A(5) was amended by paragraphs 89 and 92 of [S.I. 2007/1388](#) and by paragraph 10 of Schedule 10 to the [Police Reform and Social Responsibility Act 2011 \(c.13\)](#).

### Applications requiring applicants' signature

**27.—(1)** In order to be satisfied that an application complies with any requirements of this Schedule for the application to contain the applicant's signature and a statement of the applicant's date of birth, the registration officer may refer to—

- (a) any signature and date of birth previously provided by the applicant to the registration officer or a returning officer, or
- (b) any signature and date of birth previously provided by the applicant to the council by which the registration officer was appointed which the officer is authorised to inspect under regulation 35 of the 2001 Regulations for the purposes of the officer's registration duties.

(2) The registration officer may take such steps as appear necessary in order to be satisfied as to whether the applicant is unable to provide a signature (or a consistent or distinctive signature) due to any disability or inability to read or write.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Police and Crime Commissioner Elections Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations.

View outstanding changes

**Changes and effects yet to be applied to :**

- Sch. 2 para. 14A heading word substituted by [S.I. 2023/1147 reg. 17\(5\)\(g\)](#)

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

- Order applied by [2022 c. 37 Sch. 11 para. 6\(3\)](#)

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

- Sch. A1 para. 4 applied by [S.I. 2023/1150 reg. 23](#)
- Sch. A1 inserted by [S.I. 2023/1150 Sch. 1](#)
- Sch. 2 para. 3(10) amendment to earlier affecting provision [S.I. 2023/1147, reg. 17\(5\)\(a\)\(iii\)](#) by [S.I. 2023/1406 reg. 19\(2\)\(a\)\(ii\)](#)
- Sch. 2 para. 3(10) inserted by [S.I. 2023/1147 reg. 17\(5\)\(a\)\(iii\)](#)
- Sch. 2 para. 4(6) inserted by [S.I. 2023/1147 reg. 17\(5\)\(b\)\(iii\)](#)
- Sch. 2 para. 10A inserted by [S.I. 2023/1147 reg. 17\(5\)\(d\)](#)
- Sch. 2 para. 11(1)(aa) inserted by [S.I. 2023/1147 reg. 17\(5\)\(e\)\(i\)](#)
- Sch. 2 para. 11(5A)(5B) inserted by [S.I. 2023/1147 reg. 17\(5\)\(e\)\(ii\)](#)
- Sch. 2 para. 11(8)-(10) inserted by [S.I. 2023/1147 reg. 17\(5\)\(e\)\(iii\)](#)
- Sch. 2 para. 14(7A)(7B) inserted by [S.I. 2023/1147 reg. 17\(5\)\(f\)\(ii\)](#)
- Sch. 2 para. 16(2)(ab) inserted by [S.I. 2023/1147 reg. 17\(5\)\(h\)\(i\)](#)
- Sch. 2 para. 16(2E) inserted by [S.I. 2023/1147 reg. 17\(5\)\(h\)\(ii\)](#)
- Sch. 2 para. 16B-16D inserted by [S.I. 2023/1147 reg. 17\(5\)\(i\)](#)
- Sch. 2 para. 17(4A)-(4E) inserted by [S.I. 2023/1147 reg. 17\(5\)\(j\)\(ii\)](#)
- Sch. 2 para. 9A inserted by [S.I. 2023/1225 reg. 8\(6\)\(a\)](#)
- Sch. 2 para. 29(1A) inserted by [S.I. 2023/1225 reg. 8\(6\)\(b\)\(ii\)](#)
- Sch. 2 para. 43(3A) inserted by [S.I. 2023/1225 reg. 8\(6\)\(d\)\(ii\)](#)
- Sch. 2 para. 43A-43D inserted by [S.I. 2023/1225 reg. 8\(6\)\(e\)](#)
- Sch. 2 para. 46A-46E inserted by [S.I. 2023/1225 reg. 8\(6\)\(g\)](#)
- Sch. 2 para. 55(6)-(9) inserted by [S.I. 2023/1225 reg. 8\(6\)\(h\)\(ii\)](#)
- Sch. 2 para. 57(1)(g) and word inserted by [S.I. 2023/1225 reg. 8\(6\)\(i\)\(ii\)](#)
- Sch. 2 para. 59A(1)(a)(ii)(iii) inserted by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iii\)\(bb\)](#)
- Sch. 2 para. 59A(1)(c)(ii) inserted by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iv\)\(bb\)](#)
- Sch. 2 para. 16C(7)(ca) inserted by [S.I. 2024/43 reg. 24\(2\)](#)
- Sch. 2 para. 7(14) inserted by [S.I. 2023/1147, reg. 17\(5\)\(ca\)\(iii\)](#) (as inserted) by [S.I. 2023/1406 reg. 19\(2\)\(b\)](#)
- Sch. 2 para. 16C(6) omitted by [S.I. 2023/1406 reg. 12\(b\)](#)
- Sch. 2 para. 16C(5) substituted by [S.I. 2023/1406 reg. 12\(a\)](#)
- Sch. 2 para. 6(5)-(7) substituted for Sch. 2 para. 6(5) by [S.I. 2023/1147 reg. 17\(5\)\(c\)](#)
- Sch. 2 para. 16C(7) word substituted by [S.I. 2023/1406 reg. 12\(c\)\(i\)](#)
- Sch. 2 para. 59A(1)(a)(i) words in Sch. 2 para. 59A(1)(a) renumbered as Sch. 2 para. 59A(1)(a)(i) by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iii\)\(aa\)](#)
- Sch. 2 para. 59A(1)(c)(i) words in Sch. 2 para. 59A(1)(c) renumbered as Sch. 2 para. 59A(1)(c)(i) by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iv\)\(aa\)](#)
- Sch. 2 para. 16C(7)(b) words substituted by [S.I. 2023/1406 reg. 12\(c\)\(ii\)](#)
- Sch. 2 para. 16C(7)(c) words substituted by [S.I. 2023/1406 reg. 12\(c\)\(ii\)](#)
- Sch. 2 para. 16C(7)(d) words substituted by [S.I. 2023/1406 reg. 12\(c\)\(iii\)](#)
- Sch. 3 rule 11(2)(c) inserted by [S.I. 2023/1141 reg. 4\(4\)\(b\)](#)
- Sch. 3 rule 34(1)(ba) inserted by [S.I. 2023/1225 reg. 8\(7\)\(b\)](#)
- Sch. 3 rule 49(2)(e) and word inserted by [S.I. 2023/1225 reg. 8\(7\)\(c\)\(ii\)](#)

- Sch. 3 rule 37 Table modified (temp.) by S.I. 2023/1147 Sch. 2 para. 21(2)(3)
- Sch. 3 rule 70 Form 11 modified (temp.) by S.I. 2023/1147 Sch. 2 para. 23(2)
- Sch. 3 rule 70 Form 13 modified (temp.) by S.I. 2023/1147 Sch. 2 para. 23(2)
- Sch. 3 rule 70 Form 12 modified (temp.) by S.I. 2023/1147 Sch. 2 para. 23(3)
- Sch. 3 rule 70 Form 14 modified (temp.) by S.I. 2023/1147 Sch. 2 para. 23(3)
- Sch. 3 rule 5(3) substituted by S.I. 2023/1141 reg. 4(4)(a)(ii)
- Sch. 3 rule 70 Form 11 substituted by S.I. 2023/1147 Sch. 8 Pt. 2
- Sch. 3 rule 70 Form 13 substituted by S.I. 2023/1147 Sch. 8 Pt. 2
- Sch. 3 rule 70 Form 12 substituted by S.I. 2023/1225 Sch. 6 Pt. 2
- Sch. 3 rule 70 Form 14 substituted by S.I. 2023/1225 Sch. 6 Pt. 2
- Sch. 3 rule 49(2)(c) word omitted by S.I. 2023/1225 reg. 8(7)(c)(i)
- Sch. 3 rule 37(1)(b) words inserted by S.I. 2023/1147 reg. 17(7)(a)
- Sch. 3 rule 5(1) words omitted by S.I. 2023/1141 reg. 4(4)(a)(i)
- Sch. 3 rule 37 table words omitted by S.I. 2023/1147 reg. 17(7)(b)(ii)
- Sch. 3 rule 13(3) words substituted by S.I. 2023/1141 reg. 4(4)(c)(i)
- Sch. 3 rule 13(3) words substituted by S.I. 2023/1141 reg. 4(4)(c)(ii)
- Sch. 3 rule 37 table words substituted by S.I. 2023/1147 reg. 17(7)(b)(i)
- Sch. 3 rule 32(1)(a) words substituted by S.I. 2023/1225 reg. 8(7)(a)(i)
- Sch. 3 rule 32(1)(b) words substituted by S.I. 2023/1225 reg. 8(7)(a)(ii)
- Sch. 4 para. 27(1)(a) words substituted by S.I. 2023/1225 reg. 8(8)(a)(i)
- Sch. 4 para. 27(1)(b) words substituted by S.I. 2023/1225 reg. 8(8)(a)(ii)
- Sch. 4 para. 27(2) words substituted by S.I. 2023/1225 reg. 8(8)(b)
- Sch. 7 para. 14A inserted by S.I. 2024/428 reg. 4(3)
- Sch. 10 para. 3(1)(b)(v) inserted by S.I. 2023/1225 reg. 8(10)(b)
- art. 3A inserted by S.I. 2023/1150 reg. 36(3)
- art. 13(1)(ea) art. 13(1)(ee) renumbered as art. 13(1)(ea) by S.I. 2024/131 reg. 22(2)(a)
- art. 13(1)(ea) words inserted by S.I. 2024/131 reg. 22(2)(b)
- art. 18(1A) inserted by S.I. 2023/1147 reg. 17(3)(a)
- art. 18A inserted by S.I. 2023/1141 reg. 4(2)
- art. 22(5A)-(5F) inserted by S.I. 2023/1225 reg. 8(3)
- art. 87(5) inserted by S.I. 2023/1147 reg. 17(4)