
STATUTORY INSTRUMENTS

2013 No. 2876

**The European Parliamentary Elections
(Amendment) Regulations 2013**

Amendments to Schedule 2 to the 2004 Regulations

39. In Schedule 2, after paragraph 31 (requirement to provide fresh signatures at five-yearly intervals) insert—

“Notification of a rejected postal voting statement

31A.—(1) Where an absent voter (whether an elector or proxy) appears on the list created under paragraph 67(4) then—

- (a) the registration officer responsible for the personal identifiers record that contains information in respect of the absent voter must notify the absent voter (and the elector if the absent voter is a proxy) that the ballot paper concerned was rejected because the returning officer was not satisfied that the postal voting statement was duly completed;
 - (b) the registration officer must send the notification within the period of three months beginning with the date of the poll at which the ballot paper was rejected; and
 - (c) the notification must include information as to which of the specified reasons referred to in paragraph 67(5) applied to the postal voting statement.
- (2) The registration officer is not obliged to send a notification—
- (a) to any person who is no longer shown as voting by post in the relevant record at the time the registration officer proposes to send the notification; or
 - (b) where the registration officer suspects that an offence may have been committed in relation to the postal ballot paper, the postal voting statement or the absent voter’s registration as an elector.

(3) A notification issued under paragraph (1) may also include any other information that the registration officer considers appropriate, but a notification must not include information held on the personal identifiers record.

Requirement to provide fresh signatures following rejection of a postal voting statement

31B.—(1) Where an absent voter is notified under paragraph 31A that the signature does not match the example held on the personal identifiers record, and the absent voter continues to be shown on the relevant record as voting by post, the registration officer may require the absent voter to provide a fresh signature for the personal identifiers record.

- (2) In doing so, the registration officer must—
- (a) issue a notice in writing to the absent voter, requiring the provision of a fresh signature; and

- (b) inform the absent voter of the date (six weeks from the sending of the notice) on which the absent voter would cease to be entitled to vote by post in the event of a failure or refusal to provide a fresh signature.
- (3) The registration officer must, if the absent voter has not responded to the notice within three weeks from the date on which the notice was sent, as soon as practicable send a copy of the notice to the absent voter.
- (4) The notice and any copy must be sent by the registration officer to the current or last known address of the absent voter.
- (5) Where a notice or copy of a notice is sent by post, the registration officer may use—
 - (a) a universal postal service provider; or
 - (b) a commercial delivery firm,and postage must be prepaid.
- (6) A notice or copy of a notice sent to an absent voter in accordance with sub-paragraph (2) or (3) must be accompanied by a pre-addressed reply envelope and, in the case of any notice or copy of a notice sent to an address in the United Kingdom or Gibraltar, return postage must be prepaid.
- (7) Following the date specified in the notice sent to the absent voter, the registration officer must determine whether the absent voter has failed or refused to provide a fresh signature.
- (8) Where the registration officer determines that the absent voter has refused or failed to provide a fresh signature, the registration officer must remove that person’s entry from the records kept pursuant to paragraph 3(4) or 7(6) and from the postal voters list or proxy postal voters list (as the case may be) kept under paragraph 5(2) or 7(8).
- (9) Where a registration officer removes an absent voter’s entry in the circumstances to which sub-paragraph (8) refers—
 - (a) the registration officer must inform the absent voter, where appropriate, of the location of the absent voter’s allotted polling station or the polling station to which the absent voter is likely to be allotted (as determined in accordance with the European Parliamentary elections rules);
 - (b) paragraph 27(3) and paragraph 28 shall apply as if the registration officer were refusing an application under this Schedule; and
 - (c) in the case of an entry removed from the proxy postal voters list, the registration officer must also notify the elector who appointed the proxy whose entry has been removed.
- (10) The registration officer must include in the notice to be sent to an absent voter regarding the removal from the records kept pursuant to paragraph 3(4) or 7(6) and from the postal voters list or proxy postal voters list (as the case may be) kept under paragraph 5(2) or 7(8), information—
 - (a) explaining the effect of such removal; and
 - (b) reminding the absent voter that they may make a fresh application under Part 2 to vote by post or by proxy (as the case may be).
- (11) Where an absent voter has provided a registration officer with a fresh signature in response to a notice issued by the registration officer under this paragraph, or in response to a notice issued by the registration officer under any other enactment following the rejection of the absent voter’s postal voting statement at an election or referendum, the registration officer may use that signature and enter it in the records kept in accordance with paragraphs 3(9), 4(7), 7(13) and 18.”