

LORDS AMENDMENTS TO THE
ELECTIONS BILL

[The page and line references are to HL Bill 96, the bill as first printed for the Lords]

Clause 7

- 1 Page 9, leave out lines 21 to 24
- 2 Page 9, leave out lines 25 to 28 and insert—
- “(d) obtain or attempt to obtain information, in the circumstances mentioned in subsection (3AA), as to the candidate for whom a person voting by post at a relevant election (“V”) is about to vote or has voted;
 - (e) communicate at any time to any other person information obtained in contravention of paragraph (d).
- (3AA) The circumstances referred to in subsection (3A)(d) are where V is about to mark, is in the process of marking, or has just marked, a ballot paper sent to V for voting by post at the election.”
- 3 Page 9, line 33, leave out “any of paragraphs (a), (c) and (d)” and insert “paragraph (a) or (d)”
- 4 Page 9, line 37, leave out “any of paragraphs (a), (c) and (d)” and insert “paragraph (a) or (d)”
- 5 Page 9, line 38, at end insert—
- “(3BA) Subsection (3A)(d) and (e) does not apply where the purpose (or main purpose) for which the information is sought or communicated is its use for the purposes of—
- (a) a published statement relating to the way in which voters intend to vote or have voted at the relevant election, or
 - (b) a published forecast as to the result of that election which is based on information given by voters.
- (3BB) In subsection (3BA)—
- (a) “forecast” includes estimate;
 - (b) “published” means made available to the public at large or to any section of the public, in whatever form and by whatever means;

- (c) the reference to the result of the relevant election is a reference to the result of the election either as a whole or so far as any particular candidate or candidates at the election is or are concerned.”

6 Page 10, line 16, leave out “a local government election in Scotland or Wales” and insert “an election in Scotland or Wales under the local government Act”

7 Page 10, line 21, leave out “a local government election in England” and insert “an election in England under the local government Act”

Clause 8

8 Page 10, leave out line 30 and insert –

“(1) After section 114 of RPA 1983 insert –

“114A Undue influence

(1) A person is guilty of a corrupt practice if the person is guilty of undue influence.”

9 Page 10, line 31, leave out “is guilty of undue influence if the person” and insert “(“P”) is guilty of undue influence if P”

10 Page 10, line 33, leave out “an elector or proxy for an elector” and insert “a person”

11 Page 11, line 1, leave out “an elector or proxy for an elector” and insert “a person”

12 Page 11, line 3, leave out “an elector or proxy for an elector” and insert “a person”

13 Page 11, line 23, at end insert –

“(7) This section does not have effect in relation to an election in Scotland or Wales under the local government Act.”

14 Page 11, line 23, at end insert –

“(1A) In section 115 of RPA 1983 (undue influence) –

- (a) in subsection (1), after “influence” insert “in relation to an election in Scotland or Wales under the local government Act”;
- (b) in subsection (2), after “influence” insert “in relation to an election in Scotland or Wales under the local government Act”;
- (c) in the heading, after “influence” insert “: local government elections in Scotland and Wales”.

Clause 9

15 Page 11, line 33, after “vote” insert “independently”

16 Page 11, line 34, after “37” insert “(including in relation to voting secretly)”

17 Page 11, line 36, leave out “paragraph (3A)(b)” and insert “this rule”

18 Page 11, line 40, at end insert –

“(c) after paragraph (7) insert –

“(8) The Electoral Commission must give guidance to returning officers in relation to the duty imposed by paragraph (3A)(b).

(9) Before giving guidance under paragraph (8), the Commission must consult such persons, including bodies representing the interests of relevant persons, as they consider appropriate.

(10) In performing the duty imposed by paragraph (3A)(b), a returning officer must have regard to guidance given under paragraph (8).”

19 Page 12, line 9, at end insert –

“(5) In section 5 of PPERA (reports on elections etc), after subsection (2A) insert –

“(2AA) Subsection (2AB) applies where a report under this section relates to –

- (a) a parliamentary general election,
- (b) a parliamentary by-election,
- (c) an ordinary election of police and crime commissioners,
- (d) an election held under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner), or
- (e) a Northern Ireland Assembly general election.

(2AB) The report must include a description of the steps taken by returning officers to assist relevant persons (within the meaning of rule 29 of Schedule 1 to the Representation of the People Act 1983) to vote at the election.”

After Clause 9

20 Insert the following new Clause –

“Candidate nomination paper: commonly used names

- (1) Schedule 1 to RPA 1983 (Parliamentary elections rules) is amended as follows.
- (2) In rule 6 (nomination of candidates), for paragraph (2A) substitute –

“(2A) If a candidate –

- (a) commonly uses a surname that is different from any other surname the candidate has,
- (b) commonly uses a forename that is different from any other forename the candidate has, or
- (c) otherwise commonly uses one or more forenames or a surname in a different way from the way in which the candidate’s names are stated in accordance with paragraph (2)(a) (for example, where the commonly used names are in a different order from the names as so stated, include only some of those names, or include additional names),

the nomination paper may state the commonly used name or names in addition to the names as stated in accordance with paragraph (2)(a).”

- (3) In rule 14 (publication of statement of persons nominated), in paragraph (2A)–
- (a) for “in addition to another name” substitute “in accordance with rule 6(2A)”;
 - (b) for “any other name” substitute “the other surname or forename”.
- (4) In the form of nomination paper in the Appendix of forms, for note 2A substitute–
- “2A Where a candidate commonly uses a name or names –
- (a) that are different from the candidate’s full names as stated on the nomination paper, or
 - (b) in a different way from the candidate’s full names as stated on the nomination paper,
- the commonly used name or names may also appear on the nomination paper; but if they do so, the commonly used name or names (instead of any other name) will appear on the ballot paper.”

21 Insert the following new Clause –

“Home address form: statement of local authority area

- (1) Schedule 1 to RPA 1983 (Parliamentary elections rules) is amended as follows.
- (2) In rule 6 (nomination of candidates)–
- (a) in paragraph (5)(b), for the words from “state” to the end substitute “–
 - (i) where the candidate’s home address is in the United Kingdom, state the constituency or the relevant area within which that address is situated;
 - (ii) where the candidate’s home address is outside the United Kingdom, state the country within which that address is situated.”; - (b) after paragraph (5) insert –
- “(6) In paragraph (5)(b)(i), “relevant area” means –
- (a) in relation to a home address in England –
 - (i) if the address is within a district for which there is a district council, that district;
 - (ii) if the address is within a county in which there are no districts with councils, that county;
 - (iii) if the address is within a London borough, that London borough;
 - (iv) if the address is within the City of London (including the Inner and Middle Temples), the City of London;
 - (v) if the address is within the Isles of Scilly, the Isles of Scilly;
 - (b) in relation to a home address in Wales –
 - (i) if the address is within a county, that county;
 - (ii) if the address is within a county borough, that county borough;

- (c) in relation to a home address in Scotland, the local government area in which the address is situated;
- (d) in relation to a home address in Northern Ireland, the local government district in which the address is situated.”

- (3) In the Appendix of forms, in the Form of Front of Ballot Paper, for the address after “Catherine Angelina Smith” substitute “(address in [*relevant area*])”.”

Clause 14

- 22 Leave out Clause 14

Clause 15

- 23 Leave out Clause 15

Clause 18

- 24 Page 28, line 7, after “(1)(b),” insert “except as it applies in relation to an election in Scotland or Wales under the local government Act,”
- 25 Page 28, line 13, after “(1)(b),” insert “as it applies for the purposes of a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 9 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly),”
- 26 Page 28, line 23, after “(1)(b),” insert “as it applies for the purposes of a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly),”
- 27 Page 28, line 30, leave out from “(8A)” to “only” in line 31 and insert “Where the period is one in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly), property, services or facilities are made use of on behalf of a third party for the purposes of subsection (8)(b)”

Clause 19

- 28 Page 29, line 25, leave out subsection (2)
- 29 Page 29, line 36, leave out “or paragraph 3(7) of Schedule 8A”
- 30 Page 29, line 37, after “8A” insert “, other than an order of the Welsh Ministers”
- 31 Page 29, line 37, at end insert –
 “(4) In subsection (4C) of that section, for “(3)” substitute “(3)(a) or (b)”.”

Clause 20

- 32 Page 30, line 7, after “incurred” insert “, otherwise than in relation to an election in Wales under the local government Act,”
- 33 Page 30, line 10, leave out subsection (2)

Clause 21

- 34 Page 30, line 37, leave out “party’s assets/liabilities figure does not exceed £500” and insert “assets/liabilities condition is met in relation to the party”
- 35 Page 31, line 2, leave out “party’s assets/liabilities figure exceeds £500” and insert “assets/liabilities condition is not met in relation to the party”
- 36 Page 31, leave out lines 4 to 10 and insert –
- “(3C) The assets/liabilities condition is met in relation to a party if–
- (a) the total value of the party’s assets does not exceed £500, and
- (b) the total amount of the party’s liabilities does not exceed £500.”

Clause 24

- 37 Page 33, line 26, after “during a” insert “reserved”
- 38 Page 33, line 32, after “during a” insert “reserved”
- 39 Page 34, leave out lines 7 to 15
- 40 Page 34, leave out lines 25 and 26 and insert –
- ““reserved regulated period” means a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly).”
- 41 Page 34, line 36, after “to” insert “reserved”
- 42 Page 34, line 38, leave out subsection (4) and insert –
- “(4) In subsection (3), “reserved regulated period” means a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 to PPERA (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly).”

Clause 25

- 43 Page 35, line 4, after “(2)” insert “, as it applies for the purposes of a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly),”
- 44 Page 35, line 7, at end insert –
- “(10) An order under subsection (9)(b) or (c) may be made only where the order gives effect to a recommendation of the Commission.”
- 45 Page 35, leave out lines 8 to 10

Clause 26

- 46 Page 36, line 15, after “period” insert “in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly)”

47 Page 36, line 24, after “or” insert “, where the regulated period is one in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10,”

48 Page 37, line 22, at end insert –

“(13) The amendments made by the preceding provisions of this section have effect only in relation to reserved regulated periods beginning on or after the day on which this section comes fully into force.

(14) In subsection (13), “reserved regulated period” means a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 to PPERA (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly).”

After Clause 26

49 Insert the following new Clause –

“Code of practice on controls relating to third parties

(1) After section 100 of PPERA insert –

“Code of practice relating to controlled expenditure

100A Code of practice on controlled expenditure

(1) The Commission must prepare a code of practice about the operation of this Part in relation to a reserved regulated period.

(2) The code must in particular set out –

(a) guidance on the kinds of expenses which do, or do not, fall within Part 1 of Schedule 8A (qualifying expenses);

(b) guidance on determining whether the condition in section 85(2)(b) (promoting or procuring electoral success) is met in relation to expenditure;

(c) guidance on determining whether anything provided to or for the use of a third party falls to be dealt with in accordance with section 86 (notional controlled expenditure) or with section 95 and Schedule 11 (donations);

(d) examples of when expenditure falls to be dealt with in accordance with section 94(6) (expenditure of a third party in pursuance of an arrangement with one or more other third parties);

(e) guidance about the operation of sections 94D to 94H (targeted controlled expenditure).

(3) The Commission may from time to time revise the code.

(4) In exercising their functions under this Part, the Commission must have regard to the code.

- (5) It is a defence for a third party charged with an offence under any provision of this Part, where the offence relates to expenditure incurred or treated as incurred by a third party during a reserved regulated period, to show –
 - (a) that the code, in the form for the time being issued under section 100B, was complied with by the third party in determining whether the expenditure is controlled expenditure for the purposes of this Part, and
 - (b) that the offence would not have been committed on the basis of the controlled expenditure as determined in accordance with the code.
- (6) In this section, “reserved regulated period” means a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (regulated periods for parliamentary general elections or general elections to the Northern Ireland Assembly).
- (7) Section 100B sets out consultation and procedural requirements relating to the code or any revised code.

100B Code of practice: consultation and procedural requirements

- (1) The Commission must consult the following on a draft of a code under section 100A –
 - (a) the Speaker’s Committee;
 - (b) the Levelling Up, Housing and Communities Committee;
 - (c) such other persons as the Commission consider appropriate.
- (2) After the Commission have carried out the consultation required by subsection (1), they must –
 - (a) make whatever modifications to the draft code the Commission consider necessary in light of responses to the consultation, and
 - (b) submit the draft to the Secretary of State for approval by the Secretary of State.
- (3) The Secretary of State may approve a draft code either without modifications or with such modifications as the Secretary of State may determine.
- (4) Once the Secretary of State has approved a draft code, the Secretary of State must lay before each House of Parliament a copy of the draft, whether –
 - (a) in its original form, or
 - (b) in a form which incorporates any modifications determined under subsection (3).
- (5) If the draft code incorporates any such modifications, the Secretary of State must at the same time lay before each House a statement of the Secretary of State’s reasons for making them.
- (6) If, within the 40-day period, either House resolves not to approve the draft, the Secretary of State must take no further steps in relation to the draft code.
- (7) Subsection (6) does not prevent a new draft code from being laid before Parliament.

- (8) If no resolution of the kind mentioned in subsection (6) is made within the 40-day period –
- (a) the Secretary of State must issue the code in the form of the draft laid before Parliament,
 - (b) the Commission must arrange for the code to be published in such manner as they consider appropriate, and
 - (c) the code comes into force on such day as the Secretary of State may by order appoint.
- (9) References in this section (other than in subsection (1)) to a code or draft code include a revised code or draft revised code.
- (10) In this section, “the 40-day period”, in relation to a draft code, means –
- (a) if the draft is laid before one House on a day later than the day on which it is laid before the other House, the period of 40 days beginning with the later of the two days, and
 - (b) in any other case, the period of 40 days beginning with the day on which the draft is laid before each House, no account being taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (11) If the name of the Levelling Up, Housing and Communities Committee is changed, the reference in subsection (1)(b) to that Committee is to be read (subject to subsection (12)) as a reference to the Committee by its new name.
- (12) If the functions of the Levelling Up, Housing and Communities Committee at the passing of this Act with respect to electoral matters (or functions corresponding substantially to such matters) become functions of a different committee of the House of Commons, the reference in subsection (1)(b) to that Committee is to be read as a reference to the committee which for the time being has those functions.”
- (2) In section 156 of PPERA (orders and regulations), in subsection (3), before paragraph (a) insert –
- “(za) an order under section 100B(8);”
- (3) In Schedule 8A to PPERA (controlled expenditure: qualifying expenses), in paragraph 3, after sub-paragraph (10) insert –
- “(11) This paragraph does not apply in relation to expenses incurred during a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (regulated periods for parliamentary general elections or general elections to the Northern Ireland Assembly) (see sections 100A and 100B as regards expenses incurred during such a period).”

Clause 27

50 Leave out Clause 27

Clause 30

51 Page 42, line 23, after “office” insert “or a relevant Scottish elective office”

- 52 Page 42, line 27, leave out “for a relevant elective office”
- 53 Page 42, line 30, after “office” insert “or a relevant Scottish elective office”
- 54 Page 42, line 34, leave out “relevant elective”

Clause 31

- 55 Page 44, line 2, after “office” insert “or a relevant Scottish elective office”
- 56 Page 44, line 4, after “office” insert “or a relevant Scottish elective office”

Clause 32

- 57 Page 45, line 37, after “office” insert “or a relevant Scottish elective office”

Clause 35

- 58 Page 46, line 24, leave out paragraph (b)
- 59 Page 46, line 27, after “authority” insert “in England, Wales or Northern Ireland”
- 60 Page 46, line 35, at end insert –
 ““relevant Scottish elective office” means the office of –
 (a) member of the Scottish Parliament, or
 (b) member of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994.”

- 61 Page 47, line 1, leave out paragraph (b)

Clause 38

- 62 Page 48, line 1, after “office” insert “or a relevant Scottish elective office”
- 63 Page 48, line 5, after “office” insert “or a relevant Scottish elective office”

Clause 40

- 64 Page 49, line 25, leave out subsection (2) and insert –
 “(2) The first condition is that the sole or primary purpose that the electronic material can reasonably be regarded as intended to achieve is a purpose within section 41.”
- 65 Page 49, line 30, at end insert “as an advertisement”
- 66 Page 49, line 33, at end insert –
 “(5) Where the material is published on a website or mobile application of the promoter or the person on behalf of whom the material is published, the reference in subsection (3) to a person paying for material to be published does not include the person making payments related to setting up, operating or maintaining the website or mobile application.

 (6) In subsection (5) “mobile application” means application software designed and developed for use by the general public on mobile devices such as smartphones and tablets.”

Clause 41

- 67 Page 50, line 1, after “future candidates” insert “, in their capacity as such,”
- 68 Page 50, line 11, at end insert “in their capacity as such”
- 69 Page 50, line 17, at end insert “in their capacity as such”
- 70 Page 50, line 19, after “office-holders” insert “, in their capacity as such,”
- 71 Page 50, line 36, leave out subsection (11)

Clause 42

- 72 Page 51, line 14, at end insert –
- “(4) The third condition is that neither the promoter of the material, nor the person on behalf of whom the material is published, has paid for the material to be published as an advertisement.
- (5) Subsections (4) to (6) of section 40 apply in relation to subsection (4) as they apply in relation to subsection (3) of that section.”

Clause 45

- 73 Page 53, line 20, leave out “by a person (“A”)”
- 74 Page 53, line 22, leave out paragraph (a)
- 75 Page 53, line 23, leave out “published by B” and insert “previously published”
- 76 Page 53, line 26, leave out “by A”
- 77 Page 53, line 31, leave out “publication by B” and insert “previous publication”

Clause 46

- 78 Page 54, line 25, at end insert –
- “(4A) It is a defence for a person charged with an offence under subsection (1) in relation to the republication of electronic material to prove that –
- (a) the electronic material had previously been published,
- (b) the person reasonably believed that when it was previously published –
- (i) section 39 applied to it, and
- (ii) it was published in compliance with that section, and
- (c) it was not materially altered when it was republished.
- (4B) In subsection (4A)(c) the reference to electronic material not being materially altered includes a reference to the electronic material retaining –
- (a) the information within section 39(3), or
- (b) the access to such information,
- as a result of which the person reasonably believed its previous publication complied with section 39.”

Clause 48

- 79 Page 55, line 32, after “(referendums)” insert “where the referendum in question is a referendum to which Part 7 of PPERA applies and the electronic material is published during the referendum period (within the meaning of that Part) for that referendum”

Before Clause 60

- 80 Insert the following new Clause –

“Review of operation of Act

- (1) The Secretary of State must, within the review period –
 - (a) prepare a report on the operation of this Act,
 - (b) publish the report, and
 - (c) lay a copy of the report before Parliament.
- (2) In subsection (1), “the review period” is the period –
 - (a) beginning with the fourth anniversary of the day on which this Act is passed, and
 - (b) ending with the fifth anniversary of that day.”

Clause 63

- 81 Page 64, line 29, after “24” insert “, 27”

Schedule 1

- 82 Page 72, line 12, leave out from “to” to end of line 19 and insert “a relevant provision.

- (1A) For the purposes of paragraph (1)(b), “relevant provision” means –
- (a) where the person is or will be registered in a register of parliamentary electors in Northern Ireland, section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b), and
 - (b) where the person is or will be registered in a register of parliamentary electors in Great Britain and does not also fall within sub-paragraph (a), section 8(7A) of the Representation of the People Act 1985.”

- 83 Page 74, leave out lines 23 and 24 and insert –
- “the form must include details of the documents the voter needs to bring to the polling station, namely –
- (i) in the case of an elector (other than an elector with an anonymous entry) or a proxy, any of the forms of identification for the time being referred to in rule 37(1H);
 - (ii) in the case of an elector with an anonymous entry, the elector’s official poll card and an anonymous elector’s document showing the same electoral number as the electoral number shown on the official poll card.”

- 84 Page 74, leave out lines 39 and 40 and insert—
- “(a) details of the documents the voter needs to produce when applying for a ballot paper, namely—
- (i) in the case of an elector (other than an elector with an anonymous entry) or a proxy, any of the forms of identification for the time being referred to in rule 37(1H);
 - (ii) in the case of an elector with an anonymous entry, the elector’s official poll card and an anonymous elector’s document showing the same electoral number as the electoral number shown on the official poll card, and”.
- 85 Page 77, line 24, after “Britain” insert “and does not also fall within sub-paragraph (a)”
- 86 Page 79, line 44, at end insert—
- “(1HA) In this rule a “specified document” also means any of the following documents (in whatever form issued to the holder)—
- (a) a driving licence;
 - (b) a birth certificate;
 - (c) a marriage or civil partnership certificate;
 - (d) an adoption certificate;
 - (e) the record of a decision on bail made in respect of the voter in accordance with section 5(1) of the Bail Act 1976;
 - (f) a bank or building society cheque book;
 - (g) a mortgage statement dated within 3 months of the date of the poll;
 - (h) a bank or building society statement dated within 3 months of the date of the poll;
 - (i) a credit card statement dated within 3 months of the date of the poll;
 - (j) a council tax demand letter or statement dated within 12 months of the date of the poll;
 - (k) a P45 or P60 form dated within 12 months of the date of the poll;
 - (l) a standard acknowledgement letter (SAL) issued by the Home Office for asylum seekers;
 - (m) a trade union membership card;
 - (n) a library card;
 - (o) a pre-payment meter card;
 - (p) a National Insurance card;
 - (q) a workplace ID card;
 - (r) a student ID card;
 - (s) an 18+ student Oyster photocard;
 - (t) a National Rail Railcard;
 - (u) a Young Scot National Entitlement Card.”
- 87 Page 80, line 37, leave out “current”

Schedule 5

- 88 Page 109, leave out lines 23 to 32
- 89 Page 109, line 35, leave out “115” and insert “114A”

- 90 Page 110, line 4, leave out paragraph 3
- 91 Page 110, line 36, leave out “115” and insert “114A”
- 92 Page 110, line 41, leave out from beginning to end of line 7 on page 111
- 93 Page 111, line 10, leave out “115” and insert “114A”
- 94 Page 111, line 15, leave out paragraph 5
- 95 Page 113, leave out lines 15 to 25
- 96 Page 113, line 29, leave out “115” and insert “114A”
- 97 Page 114, line 2, leave out paragraph 8
- 98 Page 114, leave out lines 14 to 23
- 99 Page 114, line 26, leave out “115” and insert “114A”
- 100 Page 115, leave out lines 4 to 9
- 101 Page 115, line 13, leave out “115” and insert “114A”
- 102 Page 115, line 24, leave out paragraph 11

Schedule 6

- 103 Page 116, line 17, leave out “8” and insert “6A”
- 104 Page 116, line 17, at end insert –
- “6A In rule 5 (nomination of candidates), for paragraph (2A) substitute –
- “(2A) If a candidate –
- (a) commonly uses a surname that is different from any other surname the candidate has,
- (b) commonly uses a forename that is different from any other forename the candidate has, or
- (c) otherwise commonly uses one or more forenames or a surname in a different way from the way in which the candidate’s names are stated in accordance with paragraph (2)(a) (for example, where the commonly used names are in a different order from the names as so stated, include only some of those names, or include additional names),
- the nomination paper may state the commonly used name or names in addition to the names as stated in accordance with paragraph (2)(a).
- 6B In rule 12 (publication of statement of persons nominated), in paragraph (2A) –
- (a) for “in addition to another name” substitute “in accordance with rule 5(2A)”;
- (b) for “any other name” substitute “the other surname or forename”.

- 105 Page 116, line 30, leave out from “to” to end of line 40 and insert “a relevant provision.”
- (1A) For the purposes of paragraph (1)(b), “relevant provision” means –
- (a) where the person is or will be registered in a register of local electors in Northern Ireland, section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the Representation of the People Act 1983 (as applied by Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989), and
- (b) where the person is or will be registered in a register of local government electors in Great Britain and does not also fall within sub-paragraph (a), paragraph 9(1) of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985.”
- 106 Page 117, line 40, after “vote” insert “independently”
- 107 Page 117, line 40, after “34” insert “(including in relation to voting secretly)”
- 108 Page 118, line 2, leave out “paragraph (3A)(b)” and insert “this rule”
- 109 Page 118, line 6, at end insert--
- “(3C) The Electoral Commission must give guidance to returning officers in relation to the duty imposed by paragraph (3A)(b).
- (3D) Before giving guidance under paragraph (3C), the Commission must consult such persons, including bodies representing the interests of relevant persons, as they consider appropriate.
- (3E) In performing the duty imposed by paragraph (3A)(b), a returning officer must have regard to guidance given under paragraph (3C).”
- 110 Page 120, line 21, after “Britain” insert “and does not also fall within sub-paragraph (a)”
- 111 Page 121, line 39, at end insert –
- “18A In form 1 in the Appendix of Forms (form of nomination paper), for note 3 substitute –
- “3 Where a candidate commonly uses a name or names –
- (a) that are different from the candidate’s full names as stated on the nomination paper, or
- (b) in a different way from the candidate’s full names as stated on the nomination paper,
- the commonly used name or names may also appear on the nomination paper; but if they do so, the commonly used name or names (instead of any other name) will appear on the ballot paper.”
- 112 Page 126, leave out lines 23 to 26
- 113 Page 126, leave out lines 27 to 30 and insert –
- “(d) obtains or attempts to obtain information, in the circumstances mentioned in sub-paragraph (3AA), as to the candidate for whom a person voting by post at a local election (“V”) is about to vote or has voted; or
- (e) communicates at any time to any other person information obtained in contravention of paragraph (d).

(3AA) The circumstances referred to in sub-paragraph (3A)(d) are where V is about to mark, is in the process of marking, or has just marked, a ballot paper sent to V for voting by post at the election.”

114 Page 126, line 35, leave out “any of paragraphs (a), (c) or (d)” and insert “paragraph (a) or (d)”

115 Page 126, line 40, leave out “any of paragraphs (a), (c) or (d)” and insert “paragraph (a) or (d)”

116 Page 126, line 41, at end insert –

“(3BA) Sub-paragraph (3A)(d) and (e) does not apply where the purpose (or main purpose) for which the information is sought or communicated is its use for the purposes of –

- (a) a published statement relating to the way in which voters intend to vote or have voted at the election, or
- (b) a published forecast as to the result of that election which is based on information given by voters.

(3BB) In sub-paragraph (3BA) –

- (a) “forecast” includes estimate;
- (b) “published” means made available to the public at large or to any section of the public, in whatever form and by whatever means;
- (c) the reference to the result of the election is a reference to the result of the election either as a whole or so far as any particular candidate or candidates at the election is or are concerned.”

117 Page 131, line 11, at end insert –

“34A In the table, for the entry relating to section 115 of RPA 1983 substitute –

“Section	114A	(undue	
influence)””			

118 Page 131, line 13, leave out “(1)(b)(ii)” and insert “(1A)(b)”

119 Page 131, line 31, after “Britain” insert “and does not also fall within sub-paragraph (a)”

120 Page 131, line 36, after “1985” insert “or section 8(7) of the Representation of the People Act 1985”

Schedule 8

121 Page 151, line 5, leave out “or Northern Ireland”

122 Page 151, line 14, after “authority” insert “in England”

123 Page 151, line 15, leave out “in relation to England, a county council” and insert “a county council in England”

124 Page 151, line 18, leave out paragraph (b)

Schedule 10

125 Page 160, line 33, leave out paragraph 4

126 Page 161, line 19, leave out paragraph 6

LORDS AMENDMENTS TO THE
Elections Bill

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