

SCHEDULE OF ELECTION AND REFERENDUM RELATED CRIMES AND PENALTIES

Table A - Offences under Representation of the People Act 1983 (RPA 1983), Electoral Administration Act 2006 (EAA) and case law

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
13D(1) as amended by EAA Section 15(7)	<p>False registration information Providing, for any purpose connected with the registration of electors, false information to a registration officer</p> <p>A person does not commit an offence if they did not know, and had no reason to suspect, that the information was false.</p>	Any person		Six Months imprisonment and/or a fine not exceeding level 5 on the standard scale (currently £5,000)
13D(1A) as amended by EAA Section 15(7)	<p>False information in relation to postal/proxy voting Providing false information in connection with an application to which any of the following apply:</p> <ul style="list-style-type: none"> a. Where a person applies to the registration officer to vote by post at Parliamentary elections, at local government elections or at both (whether for an indefinite period or for a particular period specified in their application), or b. Where a person applies to the registration officer to vote by proxy at Parliamentary elections, at local government elections or at both (whether for an indefinite period or for a particular period specified in their application), paragraph 3(1) or (2), Schedule 4, RPA 2000 c. Where a person applies to the registration officer to vote by post at a particular Parliamentary or local government election or where a person applies to the registration officer to vote by proxy at a particular Parliamentary or local government election, paragraph 4(1) or (2), Schedule 4, RPA 2000 d. Where a person applies to the registration officer to vote by post: <ul style="list-style-type: none"> i. as proxy at Parliamentary elections, at local government elections or at both (whether for an indefinite period or for a particular period specified in their application), or ii. as proxy at a particular Parliamentary or local government election, paragraph 7(4), Schedule 4 <p>A person does not commit an offence if they did not know, and had no reason to suspect, that the information was false.</p>	Any person		Six months imprisonment and/or a fine not exceeding level 5 on the standard scale (currently £5,000)

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
60	Personation Votes in person or by post as some other person, or votes in person or by post as proxy for a person they know/have reasonable grounds to assume is dead/fictitious or their proxy is no longer in force	Any person (who commits, aids, abets, counsels or procures the commission of the offence of personation)	Corrupt practice	On summary conviction: statutory maximum fine or Six months imprisonment. On indictment: fine or two years imprisonment
61(1)	Voting whilst under a legal incapacity a. Voting, or applying to vote, knowing that they are subject to a legal incapacity b. Applying to appoint a proxy knowing that either the elector or proxy is subject to a legal incapacity c. Voting as a proxy for a person they know is subject to a legal incapacity	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
61(2)(a)	Multiple voting Voting as elector other than by proxy either: i. more than once in the same constituency at any Parliamentary election, or more than once in the same electoral area at any local government election, or ii. in more than one constituency at a Parliamentary general election, or in more than one electoral area at an ordinary election of councillors for a local government area which is not a single electoral area, or iii. in any constituency/electoral area (which is not a single electoral area) when there is in force an appointment of a person to vote as their proxy at the election in some other constituency/electoral area	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
61(2)(b)	Multiple voting Voting as elector in person at a Parliamentary or local government election at which you are entitled to vote by post.	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
61(2)(c)	Multiple voting Voting as elector in person at a Parliamentary or local government election, knowing that a person appointed to vote as your proxy at the election either has already voted in person or is entitled to vote by post.	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
61(2)(d)	<p>Multiple voting Applying for a person to be appointed as a proxy to vote for you at Parliamentary elections without applying for the cancellation of a previous appointment of a third person then in force or without withdrawing a pending application for such an appointment</p>	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
61(3)	<p>Multiple voting</p> <ul style="list-style-type: none"> a. Voting as a proxy for the same elector either: <ul style="list-style-type: none"> i. more than once in the same constituency at any Parliamentary election, or more than once in the same electoral area at any local government election, or ii. in more than one constituency at a general election, or in more than one electoral area at an ordinary election of councillors for a local government area which is not a single electoral area, or b. Voting in person as a proxy for an elector at a Parliamentary or local government election at which they are entitled to vote as a proxy by post, or d. Voting in person as a proxy for an elector at a Parliamentary or local government election knowing that the elector has already voted in person at the election. 	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
61(4)	<p>Multiple voting Voting at a Parliamentary election in any constituency (or local government election in any electoral area) as proxy for more than two persons of whom they are not the husband, wife, parent, grandparent, brother, sister, child or grandchild</p>	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
61(5)	<p>Multiple voting Knowingly inducing or procuring some other person to do an act which is, or but for that other person's want of knowledge would be, an offence by that person under the relevant subsection of Section 61</p>	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
62(1)	<p>Offences as to declarations Making a declaration of local connection or a service declaration:</p> <ul style="list-style-type: none"> i. when a person is not authorised to do so by Section 7B(1) or Section 15(10) ii. except as permitted by this Act, when they know that they are subject to legal incapacity to vote, or iii. when they know that it contains a statement which is false, or <p>Attesting a service declaration when a person knows:</p> <ul style="list-style-type: none"> i. that they are not authorised to do so, or ii. that it contains a false statement as to any particulars required by regulations under Section 16 	Any person		A fine not exceeding level 5 on the standard scale (currently £5,000)
62A added by EAA Section 40	<p>Offences relating to applications for postal and proxy votes Engaging in one of the following acts with the intention, by doing so, to deprive another of an opportunity to vote or to make for themselves or another a gain of a vote, to which they or the other are not otherwise entitled, or a gain of money or property:</p> <ul style="list-style-type: none"> a. applying for a postal or proxy vote as some other person (whether that other person is living or dead or is a fictitious person) b. otherwise making a false statement in, or in connection with, an application for a postal or proxy vote c. inducing the Registration Officer or Returning Officer to send a postal ballot paper or any communication relating to a postal or proxy vote to an address which has not been agreed to by the person entitled to the vote d. causing a communication relating to a postal or proxy vote or containing a postal ballot paper not to be delivered to the intended recipient 	Any person (who commits, aids, abets, counsels or procures the commission of the offence)	Corrupt practice	Up to two years imprisonment and/or an unlimited fine
63(1)	<p>Breach of official duty Any person to whom this section applies, acting without reasonable cause, will be in breach of his official duty by any act or omission</p>		This section applies to: Clerk of the Crown or their deputy; Registration Officer, Returning Officer or Presiding Officer; any person whose	A fine not exceeding level 5 on the standard scale (currently £5,000)

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			duty it is to be responsible after a local government election for used ballot papers and other documents (including return and declarations as to expenses); any official designated by the universal postal service provider or their deputy	
65(1)	<p>Tampering with nomination papers, ballot papers etc. At a Parliamentary or local government election:</p> <ol style="list-style-type: none"> a. fraudulently defacing or fraudulently destroying any nomination papers, or b. fraudulently defacing or fraudulently destroying any ballot paper, or the official mark or any ballot paper, or any declaration of identity or official paper, or any declaration of identity or official envelope used in connection with voting by post, or c. without due authority supplying any ballot paper to any person, or d. fraudulently putting any paper into any ballot box, other than the ballot paper authorised by law to be put in, or e. fraudulently taking out of the polling station any ballot paper, or f. without due authority destroying, taking, opening, or otherwise interfering with the ballot box or packet of ballot papers then in use for the purpose of the election, or g. fraudulently or without due authority attempting to do any of the previously mentioned acts. 	<p>Any person</p> <p>Returning Officer, Presiding Officer or a clerk appointed to assist in taking the poll</p>	Offence	<p>On summary conviction: a fine not exceeding the statutory maximum and/or imprisonment for a term not exceeding six months</p> <p>On indictment, a fine and/or imprisonment for a term not exceeding two years</p> <p>On summary conviction: a fine not exceeding the statutory maximum and/or imprisonment for a term not exceeding six months</p>
65A(1)	<p>False statements in nomination papers etc. At a Parliamentary election, or any local government election in England or Wales, a person causing or permitting to be included in a document delivered or otherwise furnished to the Returning Officer for use in connection with the election:</p> <ol style="list-style-type: none"> a. a statement of the name or home address of a candidate at the election which they know to be false in any particular, or 	Any person	Corrupt practice	<p>On summary conviction: statutory maximum fine or six months imprisonment. On indictment: fine or one year's imprisonment</p>

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
	<p>b. anything which purports to be the signature of an elector who proposes, seconds or assents to the nomination of such a candidate which they know:</p> <ul style="list-style-type: none"> i. was not written by the elector ii. if written by the elector, was not written by them for the purpose of signifying that they were proposing, seconding or assenting to the nomination. 			
65A(1A)	<p>False statements by candidates on nomination papers In any Parliamentary election, or any local government election in England or Wales, a candidate makes a false statement in any document in which their consent is given for nomination, regarding:</p> <ul style="list-style-type: none"> a. their date of birth b. their qualification (that they are or will be qualified for being elected, and to the best of their knowledge or belief, they are not disqualified from being elected), or c. that they are not a candidate at an election for any other constituency where the poll is to be held on the same day as the poll at the election to which the consent relates 	Any candidate	Corrupt practice	<p>On summary conviction: statutory maximum fine or six months imprisonment</p> <p>On indictment: fine or one year's imprisonment</p>
66(1)	<p>Requirement of secrecy Every Returning Officer and Presiding Officer or clerk and every candidate, election agent or polling agent attending a polling station shall maintain and aid in maintaining the secrecy of voting and unless authorised by law shall not communicate to any person before the poll is closed information as to:</p> <ul style="list-style-type: none"> i. the name of any elector or proxy who has or has not applied for a ballot paper or voted at the polling station ii. the number on the register of electors of any electors who or whose proxy has or has not applied for a ballot paper or voted at the polling station, or iii. the official mark 	Any person		A fine not exceeding level 5 on the standard scale (currently £5,000), or a term of imprisonment not exceeding six months
66(2)	<p>Requirement of secrecy Every person attending a polling station at the counting of the votes shall maintain and aid in maintaining the secrecy of voting and shall not:</p>	Any person		A fine not exceeding level 5 on the standard scale (currently £5,000), or a term of imprisonment not

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
	<ul style="list-style-type: none"> a. ascertain or attempt to ascertain at the counting of the votes the number on the back of any ballot paper b. communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on a particular ballot paper 			exceeding six months
66(3)	<p>Requirement of secrecy No person shall:</p> <ul style="list-style-type: none"> a. interfere with or attempt to interfere with a voter when recording their vote b. otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted c. communicate at any time to any person any information obtained in a polling station as to the candidate for whom the voter is about to vote or has voted, or as to the number on the back of the ballot paper given to that voter at that station d. directly or indirectly induce a voter to display their ballot paper after they have marked it so as to make known to any person the name of the candidate for whom they have or have not voted 	Any person		A fine not exceeding level 5 on the standard scale (currently £5,000), or a term of imprisonment not exceeding six months
66(4)	<p>Requirement of secrecy Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post shall maintain and aid in maintaining the secrecy of the voting and shall not:</p> <ul style="list-style-type: none"> a. unless authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark, or b. unless authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number on the back of the ballot paper sent to any person c. unless authorised by law, ascertain or attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number on the back of any ballot paper, or 	Any person		A fine not exceeding level 5 on the standard scale (currently £5,000), or a term of imprisonment not exceeding six months

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
	<p>d. attempt to ascertain at the proceedings in connection with the receipt of ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings</p>			
66(5)	<p>Requirement of secrecy No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number on the back of the ballot paper</p>	Any person		A fine not exceeding level 5 on the standard scale (currently £5,000), or a term of imprisonment not exceeding six months
66A(1)	<p>Prohibition on publication of exit polls At a Parliamentary election, or any local government election in England or Wales, no person shall publish before the poll is closed:</p> <p>a. any statement relating to the way in which voters have voted at the election where a statement is (or could reasonably be taken to be) based on the information given by voters after they have voted, or</p> <p>b. any forecast as to the result of the election which is (or could reasonably be taken to be) based on information so given</p>	Any person		A fine not exceeding level 5 on the standard scale (currently £5,000), or a term of imprisonment not exceeding six months
66B	<p>Failure to comply with conditions relating to supply etc. of certain documents Failure to comply with election document retention conditions under Rule 57 of the Parliamentary Elections Rules (hold all election documents for one year and then have them destroyed) by:</p> <p>a. any person, unless they have an appropriate supervisor and have complied with the requirements set by their supervisor, or</p> <p>b. an appropriate supervisor who has failed to take appropriate steps</p> <p>Any other person is not guilty of an offence if they take all reasonable steps to comply with the conditions</p>	Electoral Registration Officer or supervisor	Offence	On summary conviction: a fine not exceeding level 5 on the standard scale

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
94(1)	Imitation poll cards No person shall for the purposes of promoting or procuring the election of a candidate at a Parliamentary election issue any poll card or document so closely resembling an official poll card as to be calculated to deceive	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
97(1)	Disturbances at election meetings Acting or inciting others to act in a disorderly manner for the purpose of preventing the transaction of business for which the meeting was called	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
99(1)	Officials not to act for candidates Acting as a candidate's agent in the conduct or management of an election	Returning Officers at a Parliamentary or local government election, an officer or clerk appointed under the Parliamentary Rules, or the Rule under Section 36	An offence	A fine not exceeding level 4 on the standard scale (currently £2,500)
100(1)	Illegal canvassing by police officers No member of the police force shall by word, message in writing or in any other manner endeavour to persuade any person to give or dissuade any person from giving their vote by proxy or as an elector at any Parliamentary election for a constituency or local government election for any electoral area wholly or partly within the police area	Members of the police force		A fine not exceeding level 3 on the standard scale (£1,000)
106(1)	False statements of fact as to candidates Making or publishing false statements of fact in relation to the candidate's personal character or conduct, unless there are reasonable grounds for believing the statement is true	Any Person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
107	Corrupt withdrawal from candidature Corruptly inducing or procuring any other person to withdraw from being a candidate at an election, in consideration of any payment or promise of payment, and any person in pursuance of the inducement or procurement	Any person	Illegal payment	A fine not exceeding level 5 on the standard scale (currently £5,000)

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
109	<p>Payments for exhibition of election notices No payment or contract for payment shall for the purposes of promoting or procuring the election of a candidate at an election be made to an elector or their proxy on account of the use of any house, land, building or premises for the exhibition of any address, bill or notice unless:</p> <ul style="list-style-type: none"> a. it is the ordinary business of the elector, and b. the payment is made in the ordinary course of that business 	Any person	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
110	Printer's name and address on election publications	A candidate or election agent	Illegal practice	A fine not exceeding level 5 on the standard scale (currently £5,000)
111	<p>Prohibition of paid canvassers The person engaging or employing them and the person so engaged or employed for payment or promise of payment as a canvasser</p>	Any person	Illegal employment	
112	Providing money for illegal purposes	Any person	Illegal payment	
113(2)	<p>Bribery Directly or indirectly, by themselves or by any other person on their behalf:</p> <ul style="list-style-type: none"> a. gives any money or procures any office to or for any voter or to or for any other person on behalf of any voter or to or for any other person in order to induce any voter to vote or refrain from voting, or b. corruptly does any such act as mentioned above on account of any voter having voted or refrained from voting, or c. makes any such gift or procurement as mentioned above to or for any person in order to induce that person to procure, or endeavour to procure, the return of any person at an election or the vote of any voter, <p>or if upon or in consequence of any such gift or procurement they procure or engage, promise or endeavour to procure the return of any person at an election or the vote of any voter.</p>	Any person	Corrupt practice	<p>On summary conviction: statutory maximum fine or six months imprisonment.</p> <p>On indictment: fine or one year's imprisonment</p>

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
113(3)	Bribery If they advance or pay or cause to be paid any money to or for the use of any other person with the intent that that money or any part of it shall be expended in bribery at any election, or knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election	Any person	Corrupt practice	On summary conviction: statutory maximum fine or six months imprisonment. On indictment: fine or one year's imprisonment
113(5)	Bribery If before or during an election they directly or indirectly by themselves or by any other person on their behalf receive, agree, or contract for any money, gift or loan of valuable consideration, office, place or employment for themselves or for any other person for voting or agreeing to vote or for refraining or agreeing to refrain from voting	Any voter	Corrupt practice	On summary conviction: statutory maximum fine or six months imprisonment. On indictment: fine or one Year's imprisonment
113(6)	Bribery If after an election they directly or indirectly by themselves or by any other person on their behalf receive any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting	Any person	Corrupt practice	On summary conviction: statutory maximum fine or six months imprisonment. On indictment: fine or one year imprisonment
RPA 113(7)	Bribery A person's ineligibility to vote does not necessarily prevent an act being bribery	Any person	Corrupt practice	On summary conviction: statutory maximum fine or six months imprisonment. On indictment: fine or one year imprisonment
Case law <i>R v Vaughan</i> (1769) 4 Burr 2494	Bribery A common law offence of bribery as extends to attempt to bribe at an election	Any person	Corrupt practice	
RPA 202(1)	Bribery The RPA defines a 'voter' as a person voting at an election and includes a person voting by proxy. This means the definition of bribery extends to proxy voting	Any person	Corrupt practice	On summary conviction: statutory maximum fine or six months imprisonment. On indictment: fine or one year's imprisonment

RPA 1983 Section	Offence	Person or persons liable	Type of offence	Penalty
114(2)	<p>Treating If they corruptly, by themselves or by any other person, either before, during or after an election, directly or indirectly give or provide, or pay wholly or in part the expense of giving or providing, any meat, drink, entertainment or provision to or for any person:</p> <p>a. for the purpose of corruptly influencing that person or any other person to vote or refrain from voting, or</p> <p>b. on account of that person or any other person having voted or refrained from voting, or being about to vote or refrain from voting</p>	Any person	Corrupt practice	<p>On summary conviction: statutory maximum fine or six months imprisonment.</p> <p>On indictment: fine or one year's imprisonment</p>
114(3)	<p>Treating Every elector who corruptly accepts or takes any meat, drink or entertainment or provision</p>	Any elector or their proxy	Corrupt practice	<p>On summary conviction: statutory maximum fine or six month imprisonment.</p> <p>On indictment: fine or one year's imprisonment</p>
115	<p>Undue influence Where they directly or indirectly make use of or threaten to make use of force, violence or restraint, or inflict or threaten to inflict any temporal or spiritual injury, damage or harm in order to induce or compel any voter to vote or refrain from voting.</p> <p>Impeding or preventing the free exercise of the franchise of an elector. Interfering with a voter when they are recording their vote.</p>	Any person	Corrupt practice	<p>On summary conviction: statutory maximum fine or six months imprisonment.</p> <p>On indictment: fine or one year imprisonment</p>

Table B - Offences under Representation of the People Act 2000 (RPA 2000)

RPA 2000	Offence	Person or persons liable	Type of offence	Penalty
Schedule 4(8)	<p>Absent voting offences</p> <p>a. making a false statement within any relevant declaration or form, or</p> <p>b. attesting an application (under paragraph 3 or 4, Schedule 4) when they know they are not authorised to do so or that it contains a statement which is false</p>			A fine not exceeding level 5 on the standard scale (currently £5,000)