



The Elections Act

As you will be aware, the Elections Act introduced the requirement for electors voting at the polling station to show an approved type of photo ID from May 2023. The second tranche of changes from the Elections Act are now being implemented which include changes relating to postal and proxy voting.

Changes to postal and proxy voting

1. Identity Checking Requirements

- All absent vote applications (except emergency proxy applications) made on or after 31 October 2023 must contain a **National Insurance Number (NINo)** or a reason why one cannot be provided.
- The personal identifiers contained on the application (name, address, date of birth and NINo) must initially be **verified against Department of Works and Pension (DWP) data**.
- Where an application fails to match with DWP data – electors will be required to provide **documentary evidence** to verify their identity. Where this is not possible, electors must submit an **attestation** to confirm their identity.
- This is the same requirement as currently in use for an application to be added to the electoral register.

2. Online absent vote applications

- From 31 October 2023 electors (except for anonymous electors) will be able to apply for most types of **absent vote online** via www.gov.uk/apply-postal-vote or www.gov.uk/apply-proxy-vote
- Electors will be able to apply for the following absent votes both online and through a paper application:
 - Postal vote
 - Postal vote (signature waiver)
 - Proxy vote for a particular election or referendum
 - Proxy vote for definite or indefinite period for overseas and service electors
- Electors will **not** be able to apply for the following absent votes online but can continue to apply using a paper application:
 - Postal proxy application
 - Proxy application for definite or indefinite period due to disability
 - Proxy application for definite or indefinite period due to employment, service etc.
 - Emergency proxy application

3. Maximum period for absent vote applications

- From 31 October 2023, a **postal vote** can be in place for:
 - a particular poll (poll held on a specific date)
 - a definite period of not more than 3 years
 - A maximum period of 3 years
- Electors applying for a postal vote from 31 October 2023 onwards will only be able to hold their postal vote until the third 31 January following the date on which their application was granted. Different rules will apply to overseas electors.
- For electors with a long-term postal vote (in place before 31 October 2023) there will be transitional arrangements. Existing domestic electors will be able to vote by post for relevant polls until 31 January 2026. They will need to reapply at this point.
- **Proxy voters** can continue to put a proxy arrangement in place for an indefinite period (subject to a three yearly eligibility check and five yearly signature refresh). However, all existing proxy voters who have an arrangement in place before 31 October 2023 must reapply and make a fresh application by 31 January 2024. We will contact these electors after 31 October 2023 to make them aware of this requirement.

4. Changes to proxy limits

- The number of people a person can act as proxy for has also been restricted.
- From 31 October 2023, a **person is not entitled to vote as a proxy in any electoral area on behalf of more than four electors. Within the four electors, no more than two electors can be domestic electors.** Domestic electors are those electors who are neither service voters or overseas electors.
- For by-elections where the Notice of Election is published between 31 October 2023 and 30 January 2024 – transitional provisions will be in place. Further information will be provided to candidates and agents should this scenario arise.

5. What does this mean for you?

- For future election campaigns you may wish to direct electors to the online absent vote website to apply for a postal vote (www.gov.uk/apply-postal-vote) rather than providing them with a paper application. The web link could also be included in campaign literature that is sent out.
- All application forms provided from 31 October 2023 must contain the newly required information. For postal vote applications this includes:
 - NINo (or a reason why it cannot be provided)
 - Whether the request is for a particular poll, a definite period that does not exceed 3 years or for the maximum period of up to 3 years.
- Postal vote applications allow electors to provide a telephone number or email address should they wish. While it is not a legal requirement to provide this information, it would be helpful for electors to include this to allow for more efficient processing.