
Changes to legislation: Representation of the People Act 1983 is up to date with all changes known to be in force on or before 21 September 2025. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- C1067S.** 158 applied (with modifications) (30.12.2010 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2010 \(S.I. 2010/2999\)](#), arts. 1(1), 84(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)(3))
- C1068S.** 158 applied (with modifications) (25.7.2012) by [The Police and Crime Commissioner Elections Order 2012 \(S.I. 2012/1917\)](#), arts. 1(2), 50(6), **Sch. 9 para. 1(5)**
- C1069S.** 158 applied (with modifications) (S.) (16.12.2015) by [The Scottish Parliament \(Elections etc.\) Order 2015 \(S.S.I. 2015/425\)](#), arts. 1(1), 82(1)(3), **Sch. 6 Pt. 1** (with art. 1(2))

159 Candidate reported guilty of corrupt or illegal practice.

- (1) If a candidate who had been elected is reported by an election court personally guilty or guilty by his agents of any corrupt or illegal practice his election shall be void.

^{F943}(2)

- [^{F944}(3) A candidate at a local government election in Scotland who is reported personally guilty or guilty by his agents of any corrupt or illegal practice shall also be incapable from the date of the report of holding the office of councillor of any local authority in Scotland—

- (a) for ten years, if reported personally guilty of a corrupt practice,
- (b) for three years, if reported guilty by his agents of a corrupt practice, or
- (c) during the period for which the candidate was elected to serve or for which if elected he might have served, if reported personally guilty or guilty by his agents of an illegal practice,

and if at the date of the report he holds any such office, then the office shall be vacated as from that date.]

- (4) The provisions of this section as to the consequences of the report that a candidate was guilty by his agents of a corrupt or illegal practice have effect subject to the express provisions of this Act relating to particular acts which are declared to be corrupt or illegal practices.

Textual Amendments

- F943** S. 159(2) repealed (16.2.2001) by [2000 c. 41, ss. 137, 158\(2\), Sch. 17 para. 7\(a\), Sch. 22](#) (with ss. [156\(6\), 158\(3\)](#)); [S.I. 2001/222, art. 2, Sch. 1 Pt. 1](#), Annex (with [Sch. 1 Pt. II para. 6](#))
- F944** S. 159(3) substituted (16.2.2001) by [2000 c. 41, s. 137, Sch. 17 para. 7\(b\)](#), (with [s. 156\(6\)](#)); [S.I. 2001/222, art. 2, Sch. 1 Pt. I](#) (with [Sch. 1 Pt. II para. 6](#))

Modifications etc. (not altering text)

- C1070S.** 159 applied (with modifications) (E.W.S.) by [S.I. 1986/2209, regs. 2, 3, 5\(1\)\(6\)-\(8\), Sch. 1 Pt. I](#)
- S. 159 applied (with modifications) (N.I.) by [S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. I](#)
- S. 159 applied (with modifications) (N.I.) (4.5.1996) by [Elections \(Northern Ireland\) Order 1996 \(S.I. 1996/1220\)](#), art. 3(1)(5)-(8), **Sch. 1**
- S. 159 applied (with modifications) (11.3.1999) by [The Scottish Parliament \(Elections etc.\) Order 1999 \(S.I. 1999/787\)](#), art. 85(1)(3), **Sch. 6 Pt. I** (which S.I. was revoked (21.11.2002 except for specified purposes) by [S.I. 2002/2779, arts. 1, 2](#) (which S.I. was revoked (15.3.2007) by [S.I. 2007/937, art. 2\(a\)](#)))
- S. 159 applied (with modifications) (21.11.2002 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2002 \(S.I. 2002/2779\)](#), arts. 1, 81, **Sch. 6 Pt. I** (which S.I. was revoked (15.3.2007) by [S.I. 2007/937, art. 2\(a\)](#))

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- S. 159 applied (with modifications) (15.3.2007 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2007 \(S.I. 2007/937\)](#), arts. 1, 83, **Sch. 6 Pt. 1**
- C1071S.** 159 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), art. 3, **Sch. 1** (as substituted (10.2.2009) by [S.I. 2009/256](#), arts. 1(2), 3, **Sch. 1**)
- C1072S.** 159 applied (with modifications) (30.12.2010 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2010 \(S.I. 2010/2999\)](#), arts. 1(1), 84(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)(3))
- C1073S.** 159 applied (with modifications) (S.) (16.12.2015) by [The Scottish Parliament \(Elections etc.\) Order 2015 \(S.S.I. 2015/425\)](#), arts. 1(1), 82(1)(3), **Sch. 6 Pt. 1** (with art. 1(2))
- C1074S.** 159(1)(4) applied (with modifications) (25.7.2012) by [The Police and Crime Commissioner Elections Order 2012 \(S.I. 2012/1917\)](#), arts. 1(2), 50(6), **Sch. 9 para. 1(5)**

160 Persons reported personally guilty of corrupt or illegal practices.

- (1) The report of the election court under section 144 or section 145 above shall state the names of all persons (if any) who have been proved at the trial to have been guilty of any corrupt or illegal practice^{F945} . . . , but in the case of someone—
- (a) who is not a party to the petition, or
 - (b) who is not a candidate on behalf of whom the seat or office is claimed by the petition,

the election court shall first cause notice to be given to him, and if he appears in pursuance of the notice shall give him an opportunity of being heard by himself and of calling evidence in his defence to show why he should not be so reported.

^{F946}(2)

[^{F947}(3) The report shall be laid before the Director of Public Prosecutions.]

[^{F948}(4) Subject to the provisions of subsection (4A) and section 174 below, a candidate or other person reported by an election court personally guilty of a corrupt or illegal practice—

- (a) shall during the relevant period specified in subsection (5) below be incapable of—
 - (i) being registered as an elector or voting at any parliamentary election in the United Kingdom or at any local government election in Great Britain,
 - (ii) being elected to the House of Commons, or
 - (iii) holding any elective office; and
- (b) if already elected to a seat in the House of Commons, or holding any such office, shall vacate the seat or office as from the date of the report.

(4A) The incapacity imposed by subsection (4)(a)(i) above applies only to a candidate or other person reported personally guilty of a corrupt practice under section 60 [^{F949}, 62A [^{F950}, 62B or 112A]] above or of an illegal practice under section 61 above.

[Subject to section 113(2) to (6) of the Electoral Law Act (Northern Ireland) 1962, ^{F951}(4B) a person reported by an election court personally guilty of a corrupt practice under paragraph 3 of Schedule 9 to that Act (undue influence)—

- (a) is, during the relevant period specified in subsection (5), incapable of being elected to the House of Commons, and
- (b) if already elected to a seat in the House of Commons, must vacate the seat as from the date of the report.

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- (4C) In subsection (4B) “election court” has the same meaning as in the Electoral Law Act (Northern Ireland) 1962 (see section 130 of that Act); and section 94(2) of that Act (persons treated as reported personally guilty) applies also for the purposes of subsection (4B).]
- (5) For the purposes of [^{F952}subsections (4) and (4B)] above the relevant period is the period beginning with the date of the report and ending—
- (a) in the case of a person reported personally guilty of a corrupt practice, five years after that date, or
 - (b) in the case of a person reported personally guilty of an illegal practice, three years after that date.
- (5A) Subject ^{F953} . . . to the provisions of section 174 but in addition to any incapacity arising by virtue of subsection (4) above, a candidate or other person reported by an election court personally guilty of a corrupt practice—
- (a) shall for the period of five years beginning with the date of the report, be incapable of holding any public or judicial office in Scotland, and
 - (b) if already holding such an office, shall vacate it as from that date.]
- ^{F954}(5B)
- (6) Without prejudice to the generality of the provisions of section 205(2) below, nothing in subsection (4) or subsection (5) above affects matters relating to the Northern Ireland Assembly or local elections or holding office in Northern Ireland.
- (7) The provisions of this section as to the consequences of the report that a candidate was guilty by his agents of a corrupt or illegal practice have effect subject to the express provisions of this Act relating to particular acts which are declared to be corrupt or illegal practices.

Textual Amendments

- F945** Words repealed by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, **Sch. 5**
- F946** S. 160(2) repealed by Representation of the People Act 1985 (c. 50, SIF 42), ss. 24, 28, Sch. 4 para. 52(a), **Sch. 5**
- F947** S. 160(3) substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 52(b)**
- F948** Ss. 160(4)-(5A) substituted (16.2.2001) for s. 160(4)(5) by 2000 c. 41, s. 137, **Sch. 17 para. 8**, (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (with Sch. 1 Pt. II para. 6)
- F949** Words in s. 160(4A) substituted (3.5.2007) by The Local Electoral Administration and Registration Services (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/931), **art. 2(3)(a)**
- F950** Words in s. 160(4A) substituted (12.12.2023) by Elections Act 2022 (c. 37), **ss. 4(3)**, 67(1); S.I. 2023/1234, reg. 2(a) (with reg. 3)
- F951** S. 160(4B)(4C) inserted (1.11.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 5 para. 4(2)(a)**; S.I. 2023/1145, reg. 3(g) (with Sch. paras. 9(2)(4))
- F952** Words in s. 160(5) substituted (1.11.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 5 para. 4(2)(b)**; S.I. 2023/1145, reg. 3(g)
- F953** Words in s. 160(5A) repealed (29.1.2007 for S. and 3.5.2007 for E.W.N.I.) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 34(2)(a)**, 63; S.S.I. 2007/26, **art. 2(1)(m)**; S.I. 2007/931, arts. 1, **2(3)(b)**
- F954** S. 160(5B) repealed (S.) (29.1.2007) by Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14), **ss. 34(2)(b)**, 63; S.S.I. 2007/26, **art. 2(1)(m)**

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Modifications etc. (not altering text)

- C1075S.** 160 applied (with modifications) (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
 S. 160 applied (with modifications) (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
 S. 160 applied (with modifications) (N.I.) (4.5.1996) by Elections (Northern Ireland) Order 1996 (S.I. 1996/1220), art. 3(1)(5)-(8), **Sch. 1**
 S. 160 applied (with modifications) (11.3.1999) by The Scottish Parliament (Elections etc.) Order 1999 (S.I. 1999/787), art. 85(1)-(3), **Sch. 6 Pts. I, II** (which S.I. was revoked (21.11.2002 except for specified purposes) by S.I. 2002/2779, **arts. 1, 2** (which S.I. was revoked (15.3.2007) by S.I. 2007/937, **art. 2(a)**))
 S. 160 applied (with modifications) (21.11.2002 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2002 (S.I. 2002/2779), arts. 1, 81, **Sch. 6 Pts. I, II** (which S.I. was revoked (15.3.2007) by S.I. 2007/937, art. 2(a))
- C1076S.** 160 applied (with modifications) (15.3.2007 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2007 (S.I. 2007/937), arts. 1, 83, **Sch. 6 Pts. I, II**
- C1077S.** 160 applied (with modifications) (1.8.2001) by The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599), art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)
- C1078S.** 160 applied (with modifications) (30.12.2010 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2010 (S.I. 2010/2999), arts. 1(1), 84(2)(3), **Sch. 6 Pt. 2** (with art. 1(2)(3))
- C1079S.** 160 applied (with modifications) (30.12.2010 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2010 (S.I. 2010/2999), arts. 1(1), 84(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)(3))
- C1080S.** 160 modified (25.7.2012) by The Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917), arts. 1(2), **75**
- C1081S.** 160 applied (with modifications) (S.) (16.12.2015) by The Scottish Parliament (Elections etc.) Order 2015 (S.S.I. 2015/425), arts. 1(1), 82(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)) (which amendment is continued (18.5.2017) by S.I. 2017/602, regs. 1, **9**)
- C1082S.** 160(1)(3) applied (with modifications) (2.4.2001) by The Local Authorities (Conduct of Referendums) (England) Regulations 2001 (S.I. 2001/1298), reg. 19(8), **Sch. 6**
 S. 160(1)(3) applied (with modifications) (W.) (24.3.2004) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2004 (S.I. 2004/870), reg. 15(8), **Sch. 5** (which S.I. was revoked (24.7.2008) by S.I. 2008/1848)
- C1083S.** 160(1)(3) applied (with modifications) (E.) (28.7.2007) by The Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089), reg. 15, **Sch. 16**
- C1084S.** 160(1)(3) applied (with modifications) (W.) (24.7.2008) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 (S.I. 2008/1848), reg. 11, **Sch. 5**
- C1085S.** 160(1)(3) applied (with modifications) (E.W.) (9.2.2012) by The Local Authorities (Conduct of Referendums)(England) Regulations 2012 (S.I. 2012/323), reg. 1, **Sch. 6**
- C1086S.** 160(1)(3) applied (with modifications) (E.W.S.) (18.2.2012) by The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012 (S.I. 2012/444), reg. 1, **Sch. 6** (with reg. 27)
- C1087S.** 160(4)(5)(7) applied (with modifications) (31.7.1997) by Referendums (Scotland and Wales) Act 1997 (c. 61), s. 3, **Sch. 3 para. 13** Table 1

Director of Public Prosecutions' duty to report corrupt practice

161 Justice of the Peace.

Where a justice of the peace is reported by an election court to have been guilty of any corrupt practice in reference to an election, ^{F955}. . . [^{F956}the court shall] report the case to the Lord Chancellor [^{F957}and the Lord Chief Justice][^{F958}or, in the case of a

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justice of the peace for any area in Scotland, [^{F959}to] the Secretary of State] with such evidence as may have been given of the corrupt practice.

Textual Amendments

- F955** Words repealed by Representation of the People Act 1985 (c. 50, SIF 42), s. 28, **Sch. 5**
- F956** Words substituted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 53(a)**
- F957** Words in s. 161 inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15, 148, **Sch. 4 para. 149(a)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 10, 11(q)
- F958** Words inserted by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 53(b)**
- F959** Word in s. 161 inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15, 148, **Sch. 4 para. 149(b)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 10, 11(q)

Modifications etc. (not altering text)

- C1088S.** 161 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
S. 161 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C1089S.** 161 applied (with modifications) (11.3.1999) by The Scottish Parliament (Elections etc.) Order 1999 (S.I. 1999/787), art. 85(1)(3), **Sch. 6 Pt. I** (which S.I. was revoked (21.11.2002 except for specified purposes) by S.I. 2002/2779, **arts. 1, 2** (which S.I. was revoked (15.3.2007) by S.I. 2007/937, **art. 2(a)**))
S. 161 applied (with modifications) (2.4.2001) by The Local Authorities (Conduct of Referendums) (England) Regulations 2001 (S.I. 2001/1298), reg. 19(8), **Sch. 6**
S. 161 applied (with modifications) (21.11.2002 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2002 (S.I. 2002/2779), arts. 1, 81, **Sch. 6 Pt. I** (which S.I. was revoked (15.3.2007) by S.I. 2007/937, art. 2(a))
S. 161 applied (W.) (24.3.2004) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2004 (S.I. 2004/870), reg. 15(8), **Sch. 5** (which S.I. was revoked (24.7.2008) by S.I. 2008/1848)
S. 161 applied (with modifications) (15.3.2007 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2007 (S.I. 2007/937), arts. 1, 83, **Sch. 6 Pt. I**
- C1090S.** 161 applied (E.) (28.7.2007) by The Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089), reg. 15, **Sch. 6**
- C1091S.** 161 applied (W.) (24.7.2008) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 (S.I. 2008/1848), reg. 11, **Sch. 5**
- C1092S.** 161 applied (with modifications) (1.8.2001) by The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599), art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)
- C1093S.** 161 applied (with modifications) (30.12.2010 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2010 (S.I. 2010/2999), arts. 1(1), 84(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)(3))
- C1094S.** 161 applied (with modifications) (E.W.) (9.2.2012) by The Local Authorities (Conduct of Referendums)(England) Regulations 2012 (S.I. 2012/323), reg. 1, **Sch. 6**
- C1095S.** 161 applied (with modifications) (18.2.2012) by The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012 (S.I. 2012/444), reg. 1, **Sch. 6** (with reg. 27)
- C1096S.** 161 applied (with modifications) (25.7.2012) by The Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917), arts. 1(2), 50(6), **Sch. 9 para. 1(5)**
- C1097S.** 161 applied (with modifications) (S.) (16.12.2015) by The Scottish Parliament (Elections etc.) Order 2015 (S.S.I. 2015/425), arts. 1(1), 82(1)(3), **Sch. 6 Pt. 1** (with art. 1(2))

162 Member of legal and certain other professions.

[^{F960}(1)] Where a barrister, advocate, solicitor[^{F961}, authorised person] or any person who belongs to any profession the admission to which is regulated by law is reported by an

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election court to have been guilty of any corrupt practice in reference to an election,
^{F962} . . . —

- (a) [^{F963}the court shall] bring the matter before the Inn of Court [^{F964}Faculty of Advocates], High Court^[F965], tribunal or other body] having power to take cognizance of any misconduct of the person in his profession; and
- (b) the Inn of Court [^{F964}Faculty of Advocates], High Court^[F965], tribunal or other body] may deal with him as if the corrupt practice were misconduct by him in his profession.

[^{F966}(2) In subsection (1) “authorised person” means a person (other than a barrister or solicitor) who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which constitutes a reserved legal activity (within the meaning of that Act).]

Textual Amendments

- F960** S. 162 renumbered as s. 162(1) (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 208, 211, **Sch. 21 para. 51(a)** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2(h)** (with art. 9)
- F961** Words in s. 162 inserted (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 208, 211, **Sch. 21 para. 51(b)(i)** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2(h)** (with art. 9)
- F962** Words repealed by Representation of the People Act 1985 (c. 50), s. 28, **Sch. 5**
- F963** Words substituted by Representation of the People Act 1985 (c. 50), s. 24, **Sch. 4 para. 54(a)**
- F964** Words inserted by Representation of the People Act 1985 (c. 50), s. 24, **Sch. 4 para. 54(b)**
- F965** Words in s. 162(1) substituted (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 208, 211, **Sch. 21 para. 51(b)(ii)** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2(h)** (with art. 9)
- F966** S. 162(2) inserted (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 208, 211, **Sch. 21 para. 51(c)** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2(h)** (with art. 9)

Modifications etc. (not altering text)

- C1098S.** 162 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
 S. 162 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
 S. 162 applied (E.) (28.7.2007) by The Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089), reg. 15, **Sch. 16**
- C1099S.** 162 applied (with modifications) (11.3.1999) by The Scottish Parliament (Elections etc.) Order 1999 (S.I. 1999/787), art. 85(1)(3), **Sch. 6 Pt. I** (which S.I. was revoked (21.11.2002 except for specified purposes) by S.I. 2002/2779, **arts. 1, 2**)
 S. 162 applied (with modifications) (2.4.2001) by The Local Authorities (Conduct of Referendums) (England) Regulations 2001 (S.I. 2001/1298), reg. 19(8), **Sch. 6**
 S. 162 applied (with modifications) (1.8.2001) by The Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599), art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)
 S. 162 applied (with modifications) (21.11.2002 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2002 (S.I. 2002/2779), arts. 1, 81, **Sch. 6 Pt. I**
 S. 162 applied (W.) (24.3.2004) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2004 (S.I. 2004/870), reg. 15(8), **Sch. 5** (which S.I. was revoked (24.7.2008) by S.I. 2008/1848)
 S. 162 applied (with modifications) (15.3.2007 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2007 (S.I. 2007/937), arts. 1, 83, **Sch. 6 Pt. I**
- C1100S.** 162 applied (W.) (24.7.2008) by The Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 (S.I. 2008/1848), reg. 11, **Sch. 5**
- C1101S.** 162 applied (with modifications) (30.12.2010 except for specified purposes) by The Scottish Parliament (Elections etc.) Order 2010 (S.I. 2010/2999), arts. 1(1), 84(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)(3))

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- C1102S.** 162 applied (with modifications) (E.W.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), reg. 1, **Sch. 6**
- C1103S.** 162 applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 6** (with reg. 27)
- C1104S.** 162 applied (with modifications) (25.7.2012) by [The Police and Crime Commissioner Elections Order 2012 \(S.I. 2012/1917\)](#), arts. 1(2), 50(6), **Sch. 9 para. 1(5)**
- C1105S.** 162 applied (with modifications) (S.) (16.12.2015) by [The Scottish Parliament \(Elections etc.\) Order 2015 \(S.S.I. 2015/425\)](#), arts. 1(1), 82(1)(3), **Sch. 6 Pt. 1** (with art. 1(2))

163 Holder of licence or certificate under Licensing Acts.

- (1) If it appears to an election court that a person holding a licence or certificate under the Licensing Acts has knowingly permitted any bribery or treating in reference to any election to take place upon his licensed premises—
- (a) the court shall, after affording him such rights as are conferred on those about to be reported under section 160(1) above, report the fact; and
 - (b) ^{F967} . . . , [^{F968}the court shall] bring the report before the licensing authority from whom, or on whose certificate, that person obtained his licence, and the licensing authority shall cause the report to be entered in the proper register of licences.
- (2) The entry of the report in that register shall be taken into consideration by the licensing authority in determining whether they will or will not grant a renewal of the licence or certificate of the person reported and may be a ground, if the authority think fit, for refusing renewal.

Textual Amendments

F967 Words repealed by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 28, **Sch. 5**

F968 Words substituted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, **Sch. 4 para. 55**

Modifications etc. (not altering text)

C1106S. 163 applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**

S. 163 applied (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, **Sch. 1 Pt. I**

S. 163 applied (E.) (28.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), reg. 15, **Sch. 6**

C1107S. 163 applied (with modifications) (11.3.1999) by [The Scottish Parliament \(Elections etc.\) Order 1999 \(S.I. 1999/787\)](#), art. 85(1)(3), **Sch. 6 Pt. I** (which S.I. was revoked (21.11.2002 except for specified purposes) by [S.I. 2002/2779](#), **arts. 1, 2** (which S.I. was revoked (15.3.2007) by [S.I. 2007/937](#), **art. 2(a)**))

S. 163 applied (with modifications) (2.4.2001) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2001 \(S.I. 2001/1298\)](#), reg. 19(8), **Sch. 6**

S. 163 applied (with modifications) (21.11.2002 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2002 \(S.I. 2002/2779\)](#), arts. 1, 81, **Sch. 6 Pt. I** (which S.I. was revoked (15.3.2007) by [S.I. 2007/937](#), art. 2(a))

S. 163 applied (W.) (24.3.2004) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2004 \(S.I. 2004/870\)](#), reg. 15(8), **Sch. 5** (which S.I. was revoked (24.7.2008) by [S.I. 2008/1848](#))

S. 163 applied (with modifications) (15.3.2007 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2007 \(S.I. 2007/937\)](#), arts. 1, 83, **Sch. 6 Pt. I**

C1108S. 163 applied (W.) (24.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), reg. 11, **Sch. 5**

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- C1109S.** 163 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), art. 3, [Sch. 1](#) (as substituted (10.2.2009) by [S.I. 2009/256](#), arts. 1(2), 3, [Sch. 1](#))
- C1110S.** 163 applied (with modifications) (30.12.2010 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2010 \(S.I. 2010/2999\)](#), arts. 1(1), 84(1)(3), [Sch. 6 Pt. 1](#) (with art. 1(2)(3))
- C1111S.** 163 applied (with modifications) (E.W.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), reg. 1, [Sch. 6](#)
- C1112S.** 163 applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, [Sch. 6](#) (with reg. 27)
- C1113S.** 163 applied (with modifications) (25.7.2012) by [The Police and Crime Commissioner Elections Order 2012 \(S.I. 2012/1917\)](#), arts. 1(2), 50(6), [Sch. 9 para. 1\(5\)](#)
- C1114S.** 163 applied (with modifications) (S.) (16.12.2015) by [The Scottish Parliament \(Elections etc.\) Order 2015 \(S.S.I. 2015/425\)](#), arts. 1(1), 82(1)(3), [Sch. 6 Pt. 1](#) (with art. 1(2))

Further provision as to avoidance of elections and striking off votes

164 Avoidance of election for general corruption etc.

- (1) Where on an election petition it is shown that corrupt or illegal practices or illegal payments, employments or hirings committed in reference to the election for the purpose of promoting or procuring the election of any person at that election have so extensively prevailed that they may be reasonably supposed to have affected the result—
- (a) his election, if he has been elected, shall be void, and
 - (b) he shall be incapable of being elected to fill the vacancy or any of the vacancies for which the election was held.
- (2) An election shall not be liable to be avoided otherwise than under this section by reason of general corruption, bribery, treating or intimidation.
- (3) An election under the local government Act may be questioned on the ground that it is avoided under this section.

Modifications etc. (not altering text)

- C1115S.** 164 applied (E.W.S.) by [S.I. 1986/2209](#), regs. 2, 3, 5(1)(6)-(8), [Sch. 1 Pt. 1](#)
S. 164 applied (N.I.) by [S.I. 1986/2250](#), regs. 2, 3, 5, [Sch. 1 Pt. 1](#)
- C1116S.** 164 applied (with modifications) (N.I.) (4.5.1996) by [Elections \(Northern Ireland\) Order 1996 \(S.I. 1996/1220\)](#), art. 3(1)(b)(5)-(8), [Sch. 1](#)
S. 164 applied (with modifications) (11.3.1999) by [The Scottish Parliament \(Elections etc.\) Order 1999 \(S.I. 1999/787\)](#), art. 85(1)(3), [Sch. 6 Pt. 1](#) (which S.I. was revoked (21.11.2002 except for specified purposes) by [S.I. 2002/2779](#), [arts. 1, 2](#) (which S.I. was revoked (15.3.2007) by [S.I. 2007/937](#), [art. 2\(a\)](#)))
S. 164 applied (with modifications) (21.11.2002 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2002 \(S.I. 2002/2779\)](#), arts. 1, 81, [Sch. 6 Pt. 1](#) (which S.I. was revoked (15.3.2007) by [S.I. 2007/937](#), [art. 2\(a\)](#))
S. 164 applied (with modifications) (15.3.2007 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2007 \(S.I. 2007/937\)](#), arts. 1, 83, [Sch. 6 Pt. 1](#)
- C1117S.** 164 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), art. 3, [Sch. 1](#) (as substituted (10.2.2009) by [S.I. 2009/256](#), arts. 1(2), 3, [Sch. 1](#))

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- C1118S.** 164 applied (with modifications) (30.12.2010 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2010 \(S.I. 2010/2999\)](#), arts. 1(1), 84(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)(3))
- C1119S.** 164 applied (with modifications) (25.7.2012) by [The Police and Crime Commissioner Elections Order 2012 \(S.I. 2012/1917\)](#), arts. 1(2), 50(6), **Sch. 9 para. 1(5)**
- C1120S.** 164 applied (with modifications) (S.) (16.12.2015) by [The Scottish Parliament \(Elections etc.\) Order 2015 \(S.S.I. 2015/425\)](#), arts. 1(1), 82(1)(3), **Sch. 6 Pt. 1** (with art. 1(2))
- C1121S.** 164(1)(2) applied (with modifications) (2.4.2001) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2001 \(S.I. 2001/1298\)](#), reg. 19(8), **Sch. 6**
S. 164(1)(2) applied (with modifications) (W.) (24.3.2004) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2004 \(S.I. 2004/870\)](#), reg. 15(8), **Sch. 5** (which S.I. was revoked (24.7.2008) by S.I. 2008/1848)
S. 164(1)(2) applied (E.) (28.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), reg. 15, **Sch. 6**
- C1122S.** 164(1)(2) applied (with modifications) (W.) (24.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), reg. 11, **Sch. 5**
- C1123S.** 164(1)(2) applied (with modifications) (E.W.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), reg. 1, **Sch. 6**
- C1124S.** 164(1)(2) applied (with modifications) (E.W.S.) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 6** (with reg. 27)

165 Avoidance of election for employing corrupt agent.

- (1) If at a parliamentary or local government election a candidate or his election agent personally engages as a canvasser or agent for the conduct or management of the election any person whom he knows or has reasonable grounds for supposing to be subject to an incapacity to vote at the election by reason—
 - (a) of his having been convicted or reported of any corrupt or illegal practice within the meaning of this Act or of the law relating to elections for the Northern Ireland Assembly,^{F969} ...
 - ^{F969}(b)the candidate shall be incapable of being elected to fill the vacancy or any of the vacancies for which the election is held.
- (2) A local government election may be questioned on the ground that the person whose election is questioned was, at the time of the election, by virtue of this section incapable of being elected.
- (3) A vote given for a person who, at the time of the election, was by virtue of this section incapable of being elected shall not, by reason of that incapacity, be deemed to be thrown away so as to entitle another candidate to be declared elected, unless given at a poll consequent on the decision of an election court that he was so incapable.

^{F970}(4)

Textual Amendments

- F969** S. 165(1)(b) and preceding word repealed (1.7.2011) by [Bribery Act 2010 \(c. 23\)](#), s. 19(1), **Sch. 2** (with ss. 16, 19(5)); S.I. 2011/1418, art. 2
- F970** S. 165(4) omitted (26.10.2022) by virtue of [Elections Act 2022 \(c. 37\)](#), ss. 13(6), 67(1); S.I. 2022/1093, reg. 2 (with reg. 3)

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Modifications etc. (not altering text)

- C1125S.** 165 applied (with modifications) (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
 S. 165 applied (with modifications) (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
 S. 165 applied (with modifications) (11.3.1999) by **The Scottish Parliament (Elections etc.) Order 1999** (S.I. 1999/787), art. 85(1)(3), **Sch. 6 Pt. I** (which S.I. was revoked (21.11.2002 except for specified purposes) by S.I. 2002/2779, arts. 1, 2 (which S.I. was revoked (15.3.2007) by S.I. 2007/937, art. 2(a)))
 S. 165 applied (with modifications) (21.11.2002 except for specified purposes) by **The Scottish Parliament (Elections etc.) Order 2002** (S.I. 2002/2779), arts. 1, 81, **Sch. 6 Pt. I** (which S.I. was revoked (15.3.2007) by S.I. 2007/937, art. 2(a))
 S. 165 applied (with modifications) (15.3.2007 except for specified purposes) by **The Scottish Parliament (Elections etc.) Order 2007** (S.I. 2007/937), arts. 1, 83, **Sch. 6 Pt. I**
- C1126S.** 165 applied (with modifications) (1.8.2001) by **The Northern Ireland Assembly (Elections) Order 2001** (S.I. 2001/2599), art. 3, **Sch. 1** (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)
- C1127S.** 165 applied (with modifications) (30.12.2010 except for specified purposes) by **The Scottish Parliament (Elections etc.) Order 2010** (S.I. 2010/2999), arts. 1(1), 84(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)(3))
- C1128S.** 165 modified (25.7.2012) by **The Police and Crime Commissioner Elections Order 2012** (S.I. 2012/1917), arts. 1(2), **76**
- C1129S.** 165 applied (with modifications) (S.) (16.12.2015) by **The Scottish Parliament (Elections etc.) Order 2015** (S.S.I. 2015/425), arts. 1(1), 82(1)(3), **Sch. 6 Pt. 1** (with art. 1(2))

166 Votes to be struck off for corrupt or illegal practices.

- (1) Where, on a parliamentary election petition claiming the seat for any person, a candidate is proved to have been guilty by himself, or by any person on his behalf, of bribery, treating or undue influence in respect of any person who voted at the election there shall, on a scrutiny, be struck off from the number of votes appearing to have been given to the candidate one vote for every person who voted at the election and is proved to have been so bribed, treated or unduly influenced.
- (2) If any person who is guilty of a corrupt or illegal practice or of illegal payment, employment or hiring at an election votes at the election, his vote shall be void.
- (3) If any person who is subject under any enactment relating to corrupt or illegal practices to an incapacity to vote at a parliamentary election [^{F971}, local government election or an election under the Local Government (Scotland) etc. Act 1994 (c. 39)] [^{F972} to any public office in Scotland] votes at that election, his vote shall be void.

Textual Amendments

- F971** Words in s. 166(3) substituted (S.) (2.5.2007) by **Local Governance (Scotland) Act 2004** (asp 9), ss. 5(1)(b), 17; S.S.I. 2007/25, art. 2(2)
- F972** Words in s. 166(3) substituted (16.2.2001) by 2000 c. 41, s. 137, **Sch. 17 para. 9**, (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (with Sch. 1 Pt. II)

Modifications etc. (not altering text)

- C1130S.** 166 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), **Sch. 1 Pt. I**
 S. 166 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C1131S.** 166 applied (with modifications) (N.I.) (4.5.1996) by **Elections (Northern Ireland) Order 1996** (S.I. 1996/1220), art. 3(1)(b)(5)-(8), **Sch. 1**

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- S. 166 applied (with modifications) (11.3.1999) by [The Scottish Parliament \(Elections etc.\) Order 1999 \(S.I. 1999/787\)](#), art. 85(1)(3), **Sch. 6 Pt. 1** (which S.I. was revoked (21.11.2002 except for specified purposes) by [S.I. 2002/2779](#), arts. 1, 2 (which S.I. was revoked (15.3.2007) by [S.I. 2007/937](#), art. 2(a)))
- S. 166 applied (with modifications) (21.11.2002 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2002 \(S.I. 2002/2779\)](#), arts. 1, 81, **Sch. 6 Pt. 1** (which S.I. was revoked (15.3.2007) by [S.I. 2007/937](#), art. 2(a))
- S. 166 applied (with modifications) (15.3.2007 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2007 \(S.I. 2007/937\)](#), arts. 1, 83, **Sch. 6 Pt. 1**
- C1132S.** 166 applied (with modifications) (30.12.2010 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2010 \(S.I. 2010/2999\)](#), arts. 1(1), 84(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)(3))
- C1133S.** 166 applied (with modifications) (S.) (16.12.2015) by [The Scottish Parliament \(Elections etc.\) Order 2015 \(S.S.I. 2015/425\)](#), arts. 1(1), 82(1)(3), **Sch. 6 Pt. 1** (with art. 1(2))
- C1134S.** 166(2)(3) applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), art. 3, **Sch. 1** (as substituted (10.2.2009) by [S.I. 2009/256](#), arts. 1(2), 3, **Sch. 1**)
- C1135S.** 166(2)(3) applied (with modifications) (25.7.2012) by [The Police and Crime Commissioner Elections Order 2012 \(S.I. 2012/1917\)](#), arts. 1(2), 50(6), **Sch. 9 para. 1(5)**

Power to exempt innocent act from being illegal practice, payment, employment or hiring

167 Application for relief.

- (1) An application for relief under this section may be made to the High Court or an election court or else, if in respect of a payment made in contravention of section 78(1) or (2) above, or of paragraph 1 of Schedule 4 to this Act, to [^{F973}the county court].
- [^{F974}(1A) Where a person makes an application under this section he shall notify the Director of Public Prosecutions of the application and the Director or his assistant or representative may attend the hearing of the application and make representations at the hearing in respect of it.]
- (2) If it is shown to the court by such evidence as to the court seems sufficient—
- that any act or omission of any person would apart from this section by reason of being in contravention of this Act be an illegal practice, payment, employment or hiring,
 - that the act or omission arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith, and
 - that such notice of the application has been given in the constituency or, as the case may be, the area of the authority for which the election was held, as to the court seems fit,
- and under the circumstances it seems to the court to be just that either that or any other person should not be subject to any of the consequences under this Act of the act or omission, the court may make an order allowing the act or omission to be an exception from the provisions of this Act making it an illegal practice, payment, employment or hiring and upon the making of the order no person shall be subject to any of the consequences under this Act of that act or omission.
- (3) In relation to an election of councillors in Scotland, the references in subsection (1) to applications to the High Court or [^{F975}the county court] shall be omitted.

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^{F976}(4)

[^{F977}(5) Article 60 of the County Courts (Northern Ireland) Order 1980 (appeals from county courts) shall apply in relation to any order of a county court in Northern Ireland made by virtue of this section as it applies in relation to any such decree of a county court as is mentioned in paragraph (1) of that Article.]

Textual Amendments

- F973** Words in s. 167(1) substituted (22.4.2014 with a view to the inserted references to the county court including (as in other places in this Act) a county court in Northern Ireland) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F974** S. 167(1A) inserted by [Representation of the People Act 1985 \(c. 50, SIF 42\)](#), s. 24, [Sch. 4 para. 56](#)
- F975** Words in s. 167(3) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F976** S. 167(4) repealed (16.2.2001) by 2000 c. 41, ss. 138(1)(2), 158(2)(3), [Sch. 18 para. 18\(1\)\(f\)](#), [Sch. 22](#) (with ss. 156(6), 158(3)); S.I. 2001/222, art. 2, [Sch. 1 Pt. 1](#), Annex (with [Sch. 1 Pt. II](#))
- F977** S. 167(5) substituted (16.2.2001) by 2000 c. 41, ss. 138(1)(2), 158(2)(3), [Sch. 18 para. 18\(5\)](#); S.I. 2001/222, art. 2, [Sch. 1 Pt. 1](#) (with [Sch. 1 Pt. II](#))

Modifications etc. (not altering text)

- C1136S.** 167 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)-(8), [Sch. 1 Pt. I](#)
 S. 167 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, [Sch. 1 Pt. I](#)
 S. 167 applied (E.) (28.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), [regs. 8, 11, 13](#), {[Sch. 4 Table 1](#)}
 S. 167 applied (E.) (28.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), [reg. 15](#), [Sch. 6](#)
- C1137S.** 167 applied (with modifications) (N.I.) (4.5.1996) by [Elections \(Northern Ireland\) Order 1996 \(S.I. 1996/1220\)](#), art. 3(1)(b)(5)-(8), [Sch. 1](#)
 S. 167 applied (with modifications) (31.7.1997) by [Referendums \(Scotland and Wales\) Act 1997 \(c. 61\)](#), s. 3, [Sch. 3 para. 13 Table 1](#)
 S. 167 applied (with modifications) (N.I.) (25.4.1998) by [Northern Ireland Negotiations \(Referendum\) Order 1998 \(S.I. 1998/1126\)](#), art. 6, [Sch. 2](#)
 S. 167 applied (with modifications) (11.3.1999) by [The Scottish Parliament \(Elections etc.\) Order 1999 \(S.I. 1999/787\)](#), art. 85(1)-(3), [Sch. 6 Pts. I, II](#) (which S.I. was revoked (21.11.2002 except for specified purposes) by S.I. 2002/2779, [arts. 1, 2](#) (which S.I. was revoked (15.3.2007) by S.I. 2007/937, [art. 2\(a\)](#)))
 S. 167 applied (with modifications) (2.4.2001) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2001 \(S.I. 2001/1298\)](#), [regs. 8, 10\(4\)](#), [Sch. 3 Table 2](#) (subject to [regs. 9-12, 15-17, 20, 25](#))
 S. 167 applied (with modifications) (2.4.2001) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2001 \(S.I. 2001/1298\)](#), [reg. 19\(8\)](#), [Sch. 6](#)
 S. 167 applied (with modifications) (21.11.2002 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2002 \(S.I. 2002/2779\)](#), [arts. 1, 81](#), [Sch. 6 Pts. I, II](#) (which S.I. was revoked (15.3.2007) by S.I. 2007/937, art. 2(a))
 S. 167 applied (W.) (24.3.2004) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2004 \(S.I. 2004/870\)](#), [reg. 8](#), {[Sch. 3 Table 2](#)} (which S.I. was revoked (24.7.2008) by S.I. 2008/1848)

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- S. 167 applied (W.) (24.3.2004) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2004 \(S.I. 2004/870\)](#), reg. 15(8), **Sch. 5** (which S.I. was revoked (24.7.2008) by S.I. 2008/1848)
- S. 167 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), art. 6(2), **Sch. 2 Pt. 2**
- S. 167 applied (with modifications) (15.3.2007 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2007 \(S.I. 2007/937\)](#), arts. 1, 83, **Sch. 6 Pts. I, II**
- C1138S.** 167 applied (W.) (24.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), reg. 11, **Sch. 5**
- C1139S.** 167 applied (with modifications) (W.) (24.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), **reg. 8**, {Sch. 4 para. 1 Table 1}
- C1140S.** 167 applied (with modifications) (1.8.2001) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)
- C1141S.** 167 applied (with modifications) (30.12.2010 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2010 \(S.I. 2010/2999\)](#), arts. 1(1), 84(1)(3), **Sch. 6 Pt. 1** (with art. 1(2)(3))
- C1142S.** 167 applied (with modifications) (30.12.2010 except for specified purposes) by [The Scottish Parliament \(Elections etc.\) Order 2010 \(S.I. 2010/2999\)](#), arts. 1(1), 84(2)(3), **Sch. 6 Pt. 2** (with art. 1(2)(3))
- C1143S.** 167 applied (with modifications) (E.W.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), reg. 1, **Sch. 6**
- C1144S.** 167 applied (with modifications) (E.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), reg. 1, **Sch. 4 para. 1**
- C1145S.** 167 applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 4 para. 1** (with reg. 27)
- C1146S.** 167 applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 6** (with reg. 27)
- C1147S.** 167 applied (with modifications) by [The Neighbourhood Planning \(Referendums\) Regulations 2012 \(S.I. 2012/2031\)](#), reg. 17, Sch. 8 Table 1 (as inserted (E.W.) (6.4.2013) by S.I. 2013/798, regs. 1, 7, **Sch. 3**)
- C1148S.** 167 applied (with modifications) (S.) (16.12.2015) by [The Scottish Parliament \(Elections etc.\) Order 2015 \(S.S.I. 2015/425\)](#), arts. 1(1), 82(1)(3), **Sch. 6 Pt. 1** (with art. 1(2))
- C1149S.** 167 applied (with modifications) (S.) (16.12.2015) by [The Scottish Parliament \(Elections etc.\) Order 2015 \(S.S.I. 2015/425\)](#), arts. 1(1), 82(2)(3), **Sch. 6 Pt. 2** (with art. 1(2))
- C1150S.** 167(1)(1A)(2) applied (with modifications) (25.7.2012) by [The Police and Crime Commissioner Elections Order 2012 \(S.I. 2012/1917\)](#), arts. 1(2), 50(6), **Sch. 9 para. 1(5)**
- C1151S.** 167(1)-(2) applied (with modifications) (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016 \(S.I. 2016/219\)](#), reg. 1, **Sch. 1 para. 36** (with Sch. 1 para. 1(3))

Prosecutions for corrupt or illegal practices

168 Prosecutions for corrupt practices.

[^{F978}(1) A person who is guilty of a corrupt practice shall be liable—

(a) on conviction on indictment—

- (i) in the case of a corrupt practice under section 60 [^{F979}or 62A][^{F980}or 62B][^{F981}or 112A] above, to imprisonment for a term not exceeding two years, or to a fine, or to both,
- (ii) in any other case, to imprisonment for a term not exceeding one year, or to a fine, or to both;