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Representation of the People (Equal Franchise) Act, 1928.

[18 & 19 GEO. 5. CH. 12.]

THIS MODERN AGE
18 OLD BURLINGTON STREET
LONDON, W. 1.

ARRANGEMENT OF SECTIONS.

A.D. 1928.

Section.

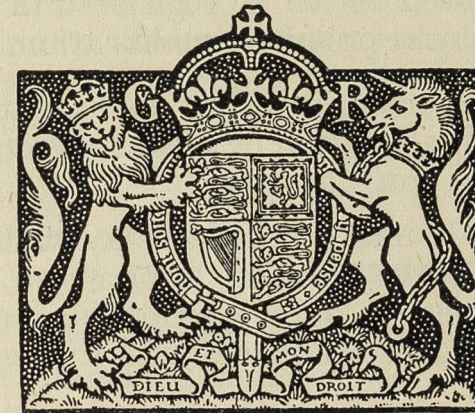
1. Assimilation of parliamentary franchise of men and women.
2. Assimilation of local government franchise of men and women.
3. Consequential amendments.
4. Amendment of s. 8 of principal Act.
5. Maximum scale of election expenses.
6. Special provisions with respect to register of electors to be made in 1929.
7. Local government franchise in Scotland.
8. Short title, construction and application.

SCHEDULE.

Pamphlet

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CHAPTER 12.

An Act to assimilate the franchises for men and women in respect of parliamentary and local government elections; and for purposes consequential thereon. A.D. 1928.
[2nd July 1928.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. For the purpose of providing that the parliamentary franchise shall be the same for men and women, subsections (1) and (2) of section four of the Representation of the People Act, 1918 (in this Act referred to as "the principal Act") shall be repealed and the following sections shall be substituted for sections one and two of that Act:—

Assimila-
tion of
parlia-
mentary
franchise
of men and
women.
7 & 8 Geo. 5.
c. 64.

(Section to be substituted for the said section one.)

“.—(1) A person shall be entitled to be registered as a parliamentary elector for a constituency (other than a university constituency), if he or she is of full age and not subject to any legal incapacity; and

(a) has the requisite residence qualification; or

(b) has the requisite business premises qualification; or

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(c) is the husband or wife of a person entitled to be so registered in respect of a business premises qualification.

(2) A person, in order to have the requisite residence qualification or business premises qualification for a constituency—

(a) must on the last day of the qualifying period be residing in premises in the constituency, or occupying business premises in the constituency, as the case may be; and

(b) must during the whole of the qualifying period have resided in premises, or occupied business premises, as the case may be, in the constituency, or in another constituency within the same parliamentary borough or parliamentary county, or within a parliamentary borough or parliamentary county contiguous to that borough or county, or separated from that borough or county by water, not exceeding at the nearest point six miles in breadth, measured in the case of tidal water from low-water mark.

For the purposes of this subsection the administrative county of London shall be treated as a parliamentary borough.

(3) The expression 'business premises' in this section means land or other premises of the yearly value of not less than ten pounds occupied for the purpose of the business, profession, or trade of the person to be registered."

(Section to be substituted for the said section two.)

" . A person shall be entitled to be registered as a parliamentary elector for a university constituency if he or she is of full age and not subject to any legal incapacity, and has received a degree (other than an honorary degree) at any university forming, or forming part of, the constituency, or in the case of the Scottish universities is qualified under section twenty-seven

of the Representation of the People (Scotland) Act, 1868, or, if a woman, has been admitted to and passed the final examination, and kept under the conditions required of women by the university, the period of residence, necessary for a man to obtain a degree at any university forming, or forming part of, a university constituency which did not at the time the examination was passed admit women to degrees."

A.D. 1928.
—
31 & 32 Vict.
c. 48.

2. For the purpose of providing that the local government franchise shall be the same for men and women, subsection (3) of section four of the principal Act shall be repealed, and the following section shall be substituted for section three of that Act :

Assimila-
tion of local
government
franchise
of men and
women.

" . A person shall be entitled to be registered as a local government elector for a local government electoral area if he or she is of full age and not subject to any legal incapacity, and—

(a) is on the last day of the qualifying period occupying as owner or tenant any land or premises in that area; and

(b) has during the whole of the qualifying period so occupied any land or premises in that area, or, if that area is not an administrative county or a county borough, in any administrative county or county borough in which the area is wholly or partly situate; or

(c) is the husband or wife of a person entitled to be so registered in respect of premises in which both the person so entitled and the husband or wife, as the case may be, reside :

Provided that—

(i) for the purposes of this section a person who inhabits any dwelling-house by virtue of any office, service, or employment, shall, if the dwelling-house is not inhabited by the person in whose service he or she is in such office, service, or employment, be deemed to occupy the dwelling-house as a tenant; and

(ii) for the purposes of this section the word tenant shall include a person who

A.D. 1928.

occupies a room or rooms as a lodger only where the room or rooms is or are let to that person in an unfurnished state; and

(iii) for the purpose of paragraph (c) of this section, a naval or military voter who is registered in respect of a residence qualification which he or she would have had but for his or her service shall be deemed to be resident in accordance with that qualification."

Conse-
quential
amend-
ments.

3. The amendments specified in the second column of the Schedule to this Act, being amendments consequential on the foregoing provisions of this Act, shall be made in the provisions of the principal Act specified in the first column of that Schedule.

Amendment
of s. 8 of
principal
Act.

4. The following shall be substituted for subsection (1) of section eight of the principal Act (which relates to the right of registered persons to vote):—

"(1) Every person registered as a parliamentary elector for any constituency shall, while so registered (and in the case of a woman notwithstanding sex or marriage) be entitled to vote at an election of a member to serve in Parliament for that constituency, but a person shall not vote at a general election for more than one constituency for which he or she is registered by virtue of a residence qualification, or for more than one constituency for which he or she is registered by virtue of other qualifications of any kind."

Maximum
scale of
election
expenses.

5. The Fourth Schedule to the principal Act (which relates to the maximum scale of election expenses) shall have effect as if for the word "sevenpence" there were substituted the word "sixpence."

Special pro-
visions with
respect to
register of
electors to
be made in
1929.

6.—(1) For the purpose of enabling the foregoing provisions of this Act to come into operation as soon as may be—

(a) the qualifying period for the purpose of the register of electors to be made in the year nineteen hundred and twenty-nine shall end in Scotland on the fifteenth day of December and

A.D. 1928.

elsewhere on the first day of December, nineteen hundred and twenty-eight, instead of on the dates fixed for the several parts of the United Kingdom respectively by the Representation of the People Acts, 1918 to 1926;

(b) the said register shall come into force on the first day of May, nineteen hundred and twenty-nine, instead of on the dates fixed for the several parts of the United Kingdom respectively by the said Acts and shall, notwithstanding anything in this section, continue in force in the case of Northern Ireland, until the fifteenth day of December, nineteen hundred and thirty, and in any other case until the fifteenth day of October, nineteen hundred and thirty.

(2) It shall be lawful for His Majesty by Order in Council to make such alterations in the registration dates as may seem to him necessary for the purpose of the preparation of the register in the year nineteen hundred and twenty-nine, and also such adaptations and modifications in the provisions of any Act (including any local Act or Act to confirm a Provisional Order) as may seem to him necessary to make those provisions conform with the alterations in the registration dates.

(3) The register of electors which comes into force on the fifteenth day of October (or, in Northern Ireland, on the fifteenth day of December), nineteen hundred and twenty-eight, shall continue in force until the first day of May, nineteen hundred and twenty-nine, and no longer.

7. The following paragraph shall be substituted for paragraph (3) of section forty-three of the principal Act, which provides for the application of the principal Act to Scotland subject to certain modifications:—

Local
government
franchise in
Scotland.

"(3) Section three of this Act shall not apply, and in lieu thereof:—

(a) A person who is of full age and not subject to any legal incapacity shall be entitled to be registered as a local government elector for a local government electoral area if he or she is on the last

A.D. 1928.

day of the qualifying period and has been during the whole of that period—

(i) the owner of lands and heritages within the area of the yearly value of not less than ten pounds: Where such lands and heritages are in the joint ownership of two or more persons and the aggregate yearly value of the lands and heritages is not less than the amount produced by multiplying ten pounds by the number of the joint owners, each of the joint owners shall be treated as owning lands and heritages of the yearly value of not less than ten pounds; or

(ii) the occupier as tenant of lands and heritages within the area of the yearly value of not less than ten pounds: Where such lands and heritages are in the joint occupation as tenants of two or more persons, and the aggregate yearly value of the lands and heritages is not less than the amount produced by multiplying ten pounds by the number of the joint occupiers, each of the joint occupiers shall be treated as occupying lands and heritages of the yearly value of not less than ten pounds; or

(iii) the inhabitant occupier as owner or tenant of a dwelling-house within the area; or

(iv) the occupier of lodgings within the area of the yearly value, if let unfurnished, of not less than ten pounds: Where such lodgings are in the joint occupation of not more than two persons and the aggregate yearly value as aforesaid of the lodgings is not less than twenty pounds, each of the joint lodgers shall be treated as occupying lodgings of the yearly value of not less than ten pounds; or

(v) the inhabitant occupier by virtue of any office, service, or employment of

a dwelling-house within the area which is not inhabited by the person in whose service he or she is in such office, service, or employment: A.D. 1928.

(b) The ownership or occupation in immediate succession of different lands and heritages, dwelling-houses, or lodgings, as the case may be, in the same parliamentary county or in the same parliamentary borough shall have the like effect in qualifying a person to be registered as a local government elector for a local government electoral area therein respectively, as the continued ownership or occupation of the same lands and heritages, dwelling-houses, or lodgings within that area:

(c) The husband or wife of a person entitled to be registered as a local government elector for a local government electoral area in pursuance of the foregoing provisions of this section, in respect of premises in which both the person so entitled and the husband or wife, as the case may be, reside, shall, if he or she is of full age and not subject to any legal incapacity, be entitled to be so registered for that area, and for the purpose of this provision a naval or military voter who is registered in respect of a residence qualification which he or she would have had but for his or her service shall be deemed to be resident in accordance with that qualification:

(d) In this section 'owner' shall include heir of entail in possession, life-renter, and beneficiary entitled under any trust to the rents and profits of lands and heritages and shall not include the fiar of lands and heritages subject to a life-rent, nor tutor, curator, judicial factor, nor commissioner; 'lands and heritages' has the same meaning as in the Valuation Acts, and 'dwelling-house' means any house or part of a house occupied as a separate dwelling."

A.D. 1928.

Short title,
construction
and appli-
cation.

8.—(1) This Act may be cited as the Representa-
tion of the People (Equal Franchise) Act, 1928, and the
Representation of the People Acts, 1918 to 1926, and
this Act may be cited together as the Representation of
the People Acts.

(2) This Act shall be construed as one with the
Representation of the People Acts, 1918 to 1926.

(3) Nothing in this Act shall affect the right of any
person, or confer on any person any right, to be registered
in the register of electors to be made in the year nineteen
hundred and twenty-eight, or to vote at any time before
the register of electors to be made in the year nineteen
hundred and twenty-nine comes into operation.

(4) This Act shall apply to Northern Ireland so far as
it relates to matters with respect to which the Parliament
of Northern Ireland have no power to make laws.

SCHEDULE.

A.D. 1928.

CONSEQUENTIAL AMENDMENTS OF PRINCIPAL ACT. Section 3.

Provisions of principal Act.	Amendments to be made.
Section 5	- In subsection (3) for the words "the age " required under this Act in the case of " that person " there shall be substituted the words " full age."
Section 7	- Paragraph (b) of subsection (1) shall be omitted. In subsection (3) for the word " man " there shall be substituted the word " person " ; for the word " he " where it first and secondly occurs there shall be substituted the words " that person," and for the words " the time when he so commenced to reside " there shall be substituted the words " the " commencement of the residence."
Section 22	- In subsection (2) the words "(except as pro- " vided in that Schedule)" shall be omitted.
Section 43	- Paragraph (4), and in paragraph (5) the words " for men," shall be omitted.
Schedule 2	- In Part II. for the words " a man " where those words occur in No. 1 and No. 2, there shall be substituted the words " a person." No. 3, including the Note thereto, shall be omitted. Under the heading " Declarations at Univer- sity Election " the words " (in the case of a man)" and the words " (in the case of a " woman)—' I have not voted at this " ' general election for any other university " ' constituency ' " shall be omitted.

[CH. 12.] *Representation of the* [18 & 19 GEO. 5.]
People (Equal Franchise) Act, 1928.

A.D. 1928.

Provisions of
principal Act.

Amendments to be made.

Schedule 5 - In the Form of Voting Paper in Part I.
and in Forms A and C in Part II. the
words "(In the case of a man)" and the
words "(In the case of a woman) that I
" have not voted at this general election
" for any other university constituency "
shall be omitted.

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