

1986 No. 194

ELECTORAL LAW

**Electoral Law (Registration Rules) (Variation) Order
(Northern Ireland) 1986**

Made 26th June 1986

Coming into operation 11th July 1986

To be laid before Parliament

The Secretary of State in pursuance of section 28(5) of the Electoral Law Act (Northern Ireland) 1962(a) hereby makes the following Order:—

1.—(1) This Order may be cited as the Electoral Law (Registration Rules) (Variation) Order (Northern Ireland) 1986.

(2) This Order shall come into operation on 11th July 1986.

2. The Registration Rules in Schedule 3 to the Electoral Law Act (Northern Ireland) 1962 shall have effect subject to the amendments specified in the Schedule to this Order.

3. The Electoral Law (Registration Rules) (Variation) Order (Northern Ireland) 1980(b) and the Electoral Law (Registration Rules) (Variation) Order (Northern Ireland) 1983(c) are hereby revoked.

Tom King
One of Her Majesty's Principal
Secretaries of State

Northern Ireland Office.
26th June 1986.

(a) 1962 c. 14 (N.I.), as modified by paragraph 4 of Schedule 5 to the Northern Ireland Constitution Act 1973 (c. 36) and S.I. 1973/2163, Article 8
(b) S.R. 1980 No. 16
(c) S.R. 1983 No. 319

SCHEDULE

Amendments to Schedule 3 to the Electoral Law Act (Northern Ireland) 1962

1. For the words "electoral officer" wherever they occur there shall be substituted the words "Chief Electoral Officer".

2.—(1) In Rule 1 (timetable)(a), in paragraph (1) proceedings 3, 5, 6, 7, 8 and 9 shall be omitted.

(2) Paragraph (2) of that Rule shall be omitted.

3. For Rule 2 (postponement of publication of register in certain circumstances) there shall be substituted the following:—

"Late publication of register"

2. If any part of the register (being a part relating to one or more than one polling district) is not published within the time required by Rule 1, the publication of that part of the register is postponed."

4. In Rule 3 (public notice of impending preparation of register)(b), paragraphs (1) and (3) shall be omitted.

5. After Rule 3, the following Rule shall be inserted:—

"Combination of register and electors lists"

3A.—(1) The register of local electors and electors lists for that register shall, so far as practicable, be combined with the register of electors to the Parliament of the United Kingdom prepared under the Representation of the People Act 1983(c) ("the Act of 1983") and the electors lists for that register.

(2) Subject to the provisions of these Rules, the register of local electors and the electors lists for that register shall be prepared and published at the same time and in the same place and manner as the register and electors lists referred to in paragraph (1) and in accordance with regulations made under the Act of 1983.

(3) To indicate that a person is registered only as—

(a) a local elector, the letter "N" shall be placed against his name in the electors lists and the register; or

(b) an elector at elections to the Parliament of the United Kingdom, the letter "I" shall be placed against his name in the electors lists and the register.

(4) Subject to paragraph (5) and Rule 17, all claims for registration as a local elector, including claims to which Rule 24A(2)(d) applies, and all objections to any person's registration shall be made within the time and in the manner prescribed by regulations made under the Act of 1983 and shall be dealt with in accordance with the provisions of those regulations and, in the case of a claim to which Rule 24A(2) applies, as if it was a claim to which section 11(2) of the Act of 1983(e) applies.

The reference in section 32(4) to Rules 13 to 18 shall be construed accordingly.

(5) A claim to be registered as a local elector, including a claim to which Rule 24A(2) applies, shall, in addition to the particulars required by regulations made under the Act of 1983, set out such particulars as may be necessary to establish such a claim having regard to the provisions of Part I of this Act, the First Schedule and section 121."

6. In Rule 8 (compilation of electors lists by electoral officer) paragraph (1) and in paragraph (2)(f) the words "For the purposes of this Rule" and "named in a list" shall be omitted.

(a) Proceeding 2 in Rule 1 was repealed by Part VII of the Schedule to the Statute Law Revision (Northern Ireland) Act 1980 c. 59 and proceeding 4 was repealed by Schedule 3 to S.I. 1972/1264 (N.I. 13)

(b) Rule 3(2) was repealed in part by Schedule 3 to S.I. 1972/1264 (N.I. 13)

(c) 1983 c. 2

(d) Rule 24A was inserted by S.R. 1980 No. 354, Article 3(2)

(e) Section 11(2) was substituted by paragraph 2 of Schedule 4 to the Representation of the People Act 1985 (c. 50)

(f) Paragraph (2) of Rule 8 was repealed in part by S.I. 1972/1264 (N.I. 13), Schedule 3

7. In Rule 9 (form of electors lists)(a), all the paragraphs except paragraphs (1) and (2) shall be omitted.

8. The following Rules shall be omitted; those Rules are—

- Rule 10 (publication of electors lists and corrupt and illegal practices list);
- Rule 11 (postponement of publication of electors lists);
- Rule 12 (notice of publication of electors lists, etc.);
- Rule 13 (claims and objections);
- Rule 14 (entry and preliminary disposal of claims and objections);
- Rule 15 (hearing of claims and objections); and
- Rule 16 (corrections to the electors lists).

9. In Rule 18 (decisions on appeal to be shown in the register), in sub-paragraph (c) of paragraph (1)(b) the words “as if it were a decision of the Chief Electoral Officer under Rule 16” shall be omitted.

10. The following Rules shall be omitted; those Rules are—

- Rule 19 (preparation of electors lists for publication as a register);
- Rule 20 (numbering of names in the register);
- Rule 21 (effect of alterations of boundaries);
- Rule 22 (distinguishing marks in the register); and
- Rule 23 (publication of register).

11.—(1) In Rule 24 (registration of service electors)(c) in paragraph (1)—

- (a) for the words “1949” there shall be substituted the words “1983”; and
- (b) the words from “and any person” to the end of the paragraph shall be omitted.

(2) In paragraph (2) of that Rule, for the words “1949” there shall be substituted the words “1983”.

(3) Paragraphs (3) and (4) of that Rule shall be omitted.

12.—(1) In Rule 24A (correction of the register)(d), for paragraph (2) there shall be substituted the following:

“(2) Where in a case in which sub-paragraph (a) of paragraph (1) does not apply—

- (a) a claim is duly made that any person whose name is not included in a register of electors as published is entitled to be registered in that register, and
- (b) having duly disposed of the claim, the Chief Electoral Officer is satisfied that the person in respect of whom the claim is made is entitled to be so registered,

the Chief Electoral Officer shall make the necessary correction in the register.”

(2) In paragraph (3) of that Rule for the words “under paragraphs (1) and (2) above on or after the date on which notice of an election is given” there shall be substituted the words “after the last day on which nomination papers nominating candidates at an election may be delivered to the returning officer”.

13. The following Rules shall be omitted; those Rules are:—

- Rule 24B (claims for inclusion in the register of electors and objections thereto)(e);
- Rule 24C (preliminary disposal of claims and objections)(e);
- Rule 24D (hearing of claims and objections)(e); and
- Rule 25 (applications, notices, etc., not otherwise specifically provided for).

(a) Paragraphs (1) and (2) of Rule 9 were amended and repealed in part by S.I. 1972/1264 (N.I. 13), Schedules 2 and 3

(b) Rule 18(1)(a) was amended by S.I. 1972/1264 (N.I. 13), Schedule 2

(c) Rule 24 was amended and repealed in part by S.I. 1972/1264 (N.I. 13), Schedules 2 and 3

(d) Rules 24A to 24F were inserted by S.R. 1980 No. 354, Article 3(2)

(e) Rules 24B, 24C and 24D were inserted by S.R. 1980 No. 354, Article 3(2)

14.—(1) In Rule 26 (copies of the electors lists and register)(a) in paragraph (1) the words “and for the purposes of a parliamentary election, two additional copies which shall not be copies printed on one side only” shall be omitted.

(2) For paragraph (2) of that Rule there shall be substituted:—

“(2) So long as there are sufficient copies available after allowing for the number which may be required for the purposes of any election (including the purposes of paragraph (1)), the Chief Electoral Officer shall supply to a person, who has been supplied with copies of the current register in pursuance of paragraph (1), copies of any part or parts of the current register on payment of a fee at the rate of 20p for each thousand (or remaining part of one thousand) names in such copy.”.

15.—(1) In Rule 26A (supply of data)(b) in the definition of “data to which this Rule applies” for sub-paragraph (ii) there shall be substituted:—

“(ii) except where the address is excluded from the register by regulations made under the Representation of the People Act 1983, as applied by Rule 3A, their addresses;”.

(2) In paragraph (3) of that Rule for the words “the Representation of the People (Northern Ireland) Regulations 1983” there shall be substituted the words “regulations made under that Act”.

(3) Paragraph (7) of that Rule shall be omitted.

16.—(1) In Rule 26B (supply of labels)(b) in paragraph (3) for the words “Rule 26A(3)” there shall be substituted the words “Rule 26A”.

(2) Paragraph (5) of that Rule shall be omitted.

17. Rule 27 (duties of electoral officer as respects inspection of documents, furnishing of copies, etc., to the Ministry, etc.) and Rule 28 (ambiguities) shall be omitted.

(a) Rule 26 was amended by S.R. 1980 No. 16, Article 5, S.R. 1983 No. 319, Article 2, and S.R. 1985 No. 333, Article 2

(b) Rules 26A and 26B were inserted by S.R. 1985 No. 333, Article 3

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Registration Rules in Schedule 3 to the Electoral Law Act (Northern Ireland) 1962. Under Rule 3A of those Rules (as inserted by paragraph 5 of the Schedule to this Order) the register of local electors is so far as practicable combined with the register of electors to the Parliament of the United Kingdom prepared under the Representation of the People Act 1983 ("the Act of 1983"). Under Rule 3A the procedure for the registration of local electors will be the procedure prescribed by regulations under the Act of 1983 for the registration of parliamentary electors, except to the extent that special provision is necessary in respect of the different electoral qualification for local electors. That procedure is set out in the Representation of the People (Northern Ireland) Regulations 1986 (S.I. 1986/1091) which will come into operation on the same date as this Order.

Paragraph 1 of the Schedule to this Order replaces references in the Registration Rules to the electoral officer with references to the Chief Electoral Officer. The amendments made by paragraphs 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16 and 17 of the Schedule to this Order are consequential on the change made by paragraph 5 of that Schedule which is referred to above.

Paragraph 11(1)(b) and (3) of the Schedule to the Order omits provisions from Rule 24 which concern absent voting by local electors rather than registration and for which provision is now made by paragraph 2(3) of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 (S.I. 1985/454).

Paragraph 12 of the Schedule to the Order makes changes to Rule 24A corresponding to those made to the equivalent provisions in the Representation of the People Act 1983 (section 11(2) and (3)) by paragraph 2 of Schedule 4 to the Representation of the People Act 1985.