



# Representation of the People Act 1983

## 1983 CHAPTER 2

### PART I

#### PARLIAMENTARY AND LOCAL GOVERNMENT FRANCHISE AND ITS EXERCISE

##### *Registration of parliamentary and local government electors*

#### **8 Registration officers.**

- (1) For the registration of electors there shall be electoral registration officers (in this Act referred to as “registration officers”).
- (2) In England <sup>F1</sup> . . . —
  - (a) the council of every district and London borough shall appoint an officer of the council to be registration officer for any constituency or part of a constituency coterminous with or situated in the district or borough, and
  - (b) the Common Council shall appoint an officer to be registration officer for the part of the constituency containing the City and the Inner Temple and the Middle Temple.
- [<sup>F2</sup>(2A) In Wales, the council of every county or county borough shall appoint an officer of the council to be registration officer for any constituency or part of a constituency coterminous with or situated in the area of the council.]
- [<sup>F3</sup>(3) In Scotland, every local authority shall appoint an officer of the authority for their area or for any adjoining area, or an officer appointed by any combination of local authorities, to be registration officer for any constituency or part of a constituency which is situated within their area.]
- (4) In Northern Ireland, the Chief Electoral Officer for Northern Ireland is the registration officer for each constituency.

*Status: Point in time view as at 04/09/2009.*

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#### Textual Amendments

- F1** Words in s. 8(2) repealed (1.4.1996) by 1994 c. 19, s. 66(6)(8), Sch. 16 para. 68(1), **Sch. 18** (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F2** S. 8(2A) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 68(1)** (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F3** S. 8(3) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 130(2)**; S.I. 1996/323, **art. 4(b)(c)**

#### Modifications etc. (not altering text)

- C2** S. 8(2): functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), **Sch. 1 D1**

### [<sup>F4</sup>9] **Registers of electors.** **E+W+S**

- (1) Each registration officer shall maintain—
  - (a) a register of parliamentary electors for each constituency or part of a constituency in the area for which he acts; and
  - (b) a register of local government electors for the local government areas or parts of local government areas included in the area for which he acts.
- (2) [<sup>F5</sup>Subject to section 9B(3) below, each register] shall contain—
  - (a) the names of the persons appearing to the registration officer to be entitled to be registered in it (subject to their complying with any prescribed requirements);
  - (b) (subject to any prescribed exceptions) the qualifying addresses of the persons registered in it; and
  - (c) in relation to each such person, that person's electoral number.
- (3) A person's electoral number is such number (with or without any letters) as is for the time being allocated by the registration officer to that person as his electoral number for the purposes of the register in question.
- (4) Electoral numbers shall be allocated by a registration officer in such a way as to ensure, so far as is reasonably practicable, that in each separate part of a register the numbers run consecutively.
- (5) The registers of parliamentary electors and of local government electors shall so far as practicable be combined, the [<sup>F6</sup>entries] of persons registered only as parliamentary electors or local government electors being marked to indicate that fact.
- [<sup>F7</sup>(6) A registration officer's duty under subsection (1) above includes the duty to take reasonable steps to obtain information required by him in connection with the performance of his duty under that subsection (without prejudice to any specific requirement of this Act or regulations under it).]
- (7) Where under this section two or more registration officers maintain registers of parliamentary electors in respect of different parts of the same constituency, then in relation to that constituency any reference in this Act (whether express or implied) to the register of parliamentary electors for a constituency shall be read—
  - (a) as a reference to one of those registers, or

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- (b) in relation to one of those registration officers, as the register maintained by him,  
as the context may require.
- (8) In this Act—
- (a) any reference, in relation to a registration officer, to “his” registers is a reference to the registers maintained by him under this section; and
- (b) “qualifying address”, in relation to a person registered in a register of electors, is the address in respect of which he is entitled to be so registered.]

#### Extent Information

- E1** This version of this provision extends to England, Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

- F4** S. 9 substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 3**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F5** Words in s. 9(2) substituted (E.W.S.) (1.1.2007) by **Electoral Administration Act 2006 (c. 22), ss. 10, 77, Sch. 1 para. 4(2)**; S.I. 2006/3412, **art. 3, Sch. 1 paras. 1, 12(a)** (subject to transitional provisions and savings in art. 6, Sch. 2)
- F6** Word in s. 9(5) substituted (E.W.S.) (1.1.2007) by **Electoral Administration Act 2006 (c. 22), ss. 10, 77, Sch. 1 para. 4(3)**; S.I. 2006/3412, **art. 3, Sch. 1 paras. 1, 12(a)** (subject to transitional provisions and savings in art. 6, Sch. 2)
- F7** S. 9(6) repealed (E.W.S.) (11.9.2006) by **Electoral Administration Act 2006 (c. 22), ss. 9(2), 74(2), 77, Sch. 2**; S.I. 2006/1972, **art. 3, Sch. 1 paras. 1, 26(2)** (subject to transitional provisions in art. 4, Sch. 2)

#### Modifications etc. (not altering text)

- C3** S. 9 extended (with modifications) (N.I.) by **Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42) ss. 2, 13(6), Sch. 1 Pt. I** (as amended (16.2.2001) by 2000 c. 2, s. 8, **Sch. 3 para. 3(5)**; S.I. 2001/116, **art. 2(1)** (with art. 2(3)-(5)))
- C4** S. 9 applied (with modifications) (E.W.) (16.2.2001) by S.I. 2001/341, **reg. 13(4)(5), Sch. 4 Pt. I**  
S. 9 applied (with modifications) (N.I.) (16.2.2001) by S.I. 2001/1184, **reg. 13(3)(4), Sch. 4 Pt. I**
- C5** S. 9(2)(3)(4)(7)(8) applied (with modifications) (9.4.2001) by S.I. 2001/1184, **reg. 9, Sch. Pt. I** (as substituted (17.3.2009) by S.I. 2009/726, **regs. 1(1), 2(3)(4), Sch.**)
- C6** S. 9(2)(b) excluded (E.W.) (16.2.2001) by S.I. 2001/341, **reg. 40(1)**  
S. 9(2)(b) excluded (S.) (16.2.2001) by S.I. 2001/497, **reg. 40(1)**
- C7** S. 9(2)(3)(4)(7)(8) applied (with modifications) (9.4.2001) by S.I. 2001/1184, **reg. 9, Sch. Pt. I**

#### [<sup>F49</sup> Registers of electors. **N.I.**

- (1) Each registration officer shall maintain—
- (a) a register of parliamentary electors for each constituency or part of a constituency in the area for which he acts; and
- (b) a register of local government electors for the local government areas or parts of local government areas included in the area for which he acts.
- (2) Each register shall contain—
- (a) the names of the persons appearing to the registration officer to be entitled to be registered in it (subject to their complying with any prescribed requirements);

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- (b) (subject to any prescribed exceptions) the qualifying addresses of the persons registered in it; and
  - (c) in relation to each such person, that person's electoral number.
- (3) A person's electoral number is such number (with or without any letters) as is for the time being allocated by the registration officer to that person as his electoral number for the purposes of the register in question.
- (4) Electoral numbers shall be allocated by a registration officer in such a way as to ensure, so far as is reasonably practicable, that in each separate part of a register the numbers run consecutively.
- (5) The registers of parliamentary electors and of local government electors shall so far as practicable be combined, the names of persons registered only as parliamentary electors or local government electors being marked to indicate that fact.
- [<sup>F7</sup>(6) A registration officer's duty under subsection (1) above includes the duty to take reasonable steps to obtain information required by him in connection with the performance of his duty under that subsection (without prejudice to any specific requirement of this Act or regulations under it).]
- (7) Where under this section two or more registration officers maintain registers of parliamentary electors in respect of different parts of the same constituency, then in relation to that constituency any reference in this Act (whether express or implied) to the register of parliamentary electors for a constituency shall be read—
- (a) as a reference to one of those registers, or
  - (b) in relation to one of those registration officers, as the register maintained by him,
- as the context may require.
- (8) In this Act—
- (a) any reference, in relation to a registration officer, to "his" registers is a reference to the registers maintained by him under this section; and
  - (b) "qualifying address", in relation to a person registered in a register of electors, is the address in respect of which he is entitled to be so registered.]

#### **Extent Information**

- E3** This version of this provision extends to Northern Ireland only; a separate version has been created for England, Wales and Scotland only

#### **Textual Amendments**

- F4** S. 9 substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 8(a), **Sch. 1 para. 3**; S.I. 2001/116, **art. 2(1)(2)** (with **art. 2(4)**)
- F7** S. 9(6) repealed (E.W.S.) (11.9.2006) by **Electoral Administration Act 2006 (c. 22), ss. 9(2), 74(2), 77, Sch. 2**; S.I. 2006/1972, **art. 3, Sch. 1 paras. 1, 26(2)** (subject to transitional provisions in **art. 4, Sch. 2**)

#### **Modifications etc. (not altering text)**

- C3** S. 9 extended (with modifications) (N.I.) by **Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42) ss. 2, 13(6), Sch. 1 Pt. I** (as amended (16.2.2001) by 2000 c. 2, s. 8, **Sch. 3 para. 3(5)**; S.I. 2001/116, **art. 2(1)** (with **art. 2(3)-(5)**))
- C4** S. 9 applied (with modifications) (E.W.) (16.2.2001) by S.I. 2001/341, **reg. 13(4)(5), Sch. 4 Pt. I**

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- S. 9 applied (with modifications) (N.I.) (16.2.2001) by S.I. 2001/1184, reg. 13(3)(4), **Sch. 4 Pt. I**
- C5** S. 9(2)(3)(4)(7)(8) applied (with modifications) (9.4.2001) by S.I. 2001/1184, reg. 9, Sch. Pt. I (as substituted (17.3.2009) by S.I. 2009/726, regs. 1(1), 2(3)(4), **Sch.**)
- C6** S. 9(2)(b) excluded (E.W.) (16.2.2001) by S.I. 2001/341, **reg. 40(1)**  
S. 9(2)(b) excluded (S.) (16.2.2001) by S.I. 2001/497, **reg. 40(1)**
- C7** S. 9(2)(3)(4)(7)(8) applied (with modifications) (9.4.2001) by S.I. 2001/1184, reg. 9, **Sch. Pt. I**
- C32** S. 9 applied (with modifications) (N.I.) (1.7.2008) by The Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741), reg. 14(3)(4), **Sch. 4**
- C33** S. 9(2)(b) excluded (N.I.) (1.7.2008) by The Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741), **reg. 49(1)**

### [<sup>F8</sup>9A] **Registration officers: duty to take necessary steps**

- (1) Each registration officer must take all steps that are necessary for the purpose of complying with his duty to maintain the registers under section 9 above.
- (2) The steps include—
  - (a) sending more than once to any address the form to be used for the canvass under section 10 below;
  - (b) making on one or more occasions house to house inquiries under subsection (5) of that section;
  - (c) making contact by such other means as the registration officer thinks appropriate with persons who do not have an entry in a register;
  - (d) inspecting any records held by any person which he is permitted to inspect under or by virtue of any enactment or rule of law;
  - (e) providing training to persons under his direction or control in connection with the carrying out of the duty.
- (3) Regulations made by the Secretary of State may amend subsection (2) by—
  - (a) varying any of the paragraphs in that subsection;
  - (b) inserting any paragraph;
  - (c) repealing any paragraph.]

#### **Textual Amendments**

- F8** S. 9A inserted (E.W.S.) (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 9(1), 77**; S.I. 2006/1972, **art. 3, Sch. 1 para. 1** (subject to transitional provisions in art. 4, Sch. 2)

### [<sup>F9</sup>9B] **Anonymous registration**

- (1) This section applies if an application for registration in a register of parliamentary electors or local government electors is made in accordance with the requirements prescribed for the purposes of section 10A(1)(a) below and is accompanied by—
  - (a) an application under this section made in accordance with prescribed requirements (an application for an anonymous entry),
  - (b) a declaration made in accordance with such requirements for the purposes of this section, and
  - (c) such evidence in support of the application for an anonymous entry as may be prescribed.

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- (2) If the registration officer determines that the person is entitled to be registered, he must also determine whether the safety test is satisfied.
- (3) If the registration officer determines that the safety test is satisfied—
  - (a) section 9(2) above does not apply in relation to the person; and
  - (b) the person's entry in the register shall instead contain letters in the prescribed form and his electoral number.
- (4) An entry containing the matters mentioned in subsection (3)(b) above is referred to in this Act as an anonymous entry.
- (5) If an anonymous entry is made in respect of a person, the registration officer shall remove any other entry in the register for that person.
- (6) If the registration officer does not determine that the safety test is satisfied, no entry is to be made in respect of him in the register (whether an anonymous entry or otherwise).
- (7) Subsection (6) above does not affect—
  - (a) any other entry in the register for the person;
  - (b) the determination of any further application for registration which is made by the person (including an application which is treated as having been made by him by virtue of section 10A(2) below).
- (8) Any communication sent by a registration officer or the returning officer for any election to a person who has an anonymous entry (A) must be sent in an envelope or other form of covering so as not to disclose to any other person that A has an anonymous entry.
- (9) <sup>F10</sup>Subsection (8) does not apply to a communication relating only to a local government election in Scotland.]
- (10) The safety test is satisfied if the safety of the applicant for an anonymous entry or that of any other person of the same household would be at risk if the register contains the name of the applicant or his qualifying address.
- (11) In this section, “determines” means determines in accordance with regulations.

#### Textual Amendments

- F9** Ss. 9B, 9C inserted (E.W.S.) (1.1.2007) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 10(1), 77**; [S.I. 2006/3412](#), **art. 3**, [Sch. 1 para. 1](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#))
- F10** S. 9B(9) repealed (S.) (29.1.2007) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), **ss. 20(a)**, 63(2); [S.S.I. 2007/26](#), **art. 2(1)(g)**

#### Modifications etc. (not altering text)

- C8** [S. 9B](#) applied (with modifications) by [S.I. 2001/1184](#), [reg. 9](#), [Sch. Pt. I](#) (as substituted (17.3.2009) by [S.I. 2009/726](#), [regs. 1\(1\), 2\(3\)\(4\)](#), [Sch.](#))

## 9C Removal of anonymous entry

- (1) If a person has an anonymous entry in a register, his entitlement to remain registered in pursuance of the application for registration mentioned in section 9B(1) terminates—

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- (a) at the end of the period of 12 months beginning with the date when the entry in the register first takes effect, or
  - (b) if the declaration made for the purposes of section 9B is cancelled at any time before the expiry of that 12 month period, at the time when the declaration is cancelled.
- (2) Subsection (1) above does not affect the application of any other provision of this Act or of the Representation of the People Act 1985 which has the effect that the person's entitlement to registration terminates before the expiry of the 12 month period mentioned in subsection (1) or before the cancellation of the declaration made for the purposes of section 9B.
- (3) If a person's entitlement to remain registered terminates by virtue of subsection (1) above, the registration officer concerned shall remove his entry from the register, unless he is entitled to remain registered with an anonymous entry in pursuance of a further application for registration accompanied by a further application under section 9B.]

#### Textual Amendments

**F9** Ss. 9B, 9C inserted (E.W.S.) (1.1.2007) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 10(1), 77**; [S.I. 2006/3412](#), **art. 3**, [Sch. 1 para. 1](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#))

#### Modifications etc. (not altering text)

**C9** [S. 9C](#) applied (with modifications) by [S.I. 2001/1184](#), [reg. 9](#), [Sch. Pt. I](#) (as substituted (17.3.2009) by [S.I. 2009/726](#), [regs. 1\(1\), 2\(3\)\(4\)](#), [Sch.](#))

### [<sup>F12</sup>10 Maintenance of registers: [<sup>F11</sup>duty to conduct canvass].

- (1) Each registration officer [<sup>F13</sup>in Great Britain] shall conduct an annual canvass in relation to the area for which he acts for the purpose of ascertaining the persons who are for the time being entitled to be, or to remain, registered in his registers.

[ The Chief Electoral Officer for Northern Ireland must conduct a canvass in Northern <sup>F14</sup>(1A) Ireland in such years as are determined in accordance with section 10ZA.]

- (2) The canvass [<sup>F15</sup>under subsection (1) or (1A)] shall be conducted by reference to residence on 15th October in [<sup>F16</sup>the year in which it is conducted] .
- (3) A canvass shall not, however, be concerned with—
- (a) the registration of persons in respect of residence in penal institutions (within the meaning of section 3 above) or mental hospitals (within the meaning of section 7 above) or other places at which persons to whom section 7A above applies may be detained; or
  - (b) the registration of persons in pursuance of—
    - (i) declarations of local connection,
    - (ii) service declarations, or
    - (iii) overseas electors' declarations<sup>F17</sup>; or
  - (c) the registration of persons with anonymous entries in the register.]



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- (4) The form to be used for the purposes of a canvass shall be either a form prescribed for those purposes or a form to the same effect<sup>F18</sup> except that, in Northern Ireland, a form prescribed for those purposes shall be used.]

[ Subject to subsection (4B) below, the information to be obtained by the use of such a<sup>F19</sup>(4A) form for the purposes of a canvass in Northern Ireland shall include—

- (a) the signature of each of the persons in relation to whom the form is completed;
- (b) the date of birth of each such person; and
- (c) in relation to each such person—
  - (i) his national insurance number or a statement that he does not have one,
  - (ii) a statement of whether or not he has been resident in Northern Ireland for the whole of the three-month period ending on the 15th October in the year in question, and
  - (iii) any address in the United Kingdom in respect of which he is or has applied to be registered (other than the address in respect of which the form is completed),

and the power in subsection (4) above to prescribe a form includes power to give effect to the requirements of this subsection.

- (4B) The Chief Electoral Officer for Northern Ireland may dispense with the requirement mentioned in subsection (4A)(a) above in relation to any person if he is satisfied that it is not reasonably practicable for that person to sign in a consistent and distinctive way because of [<sup>F20</sup>blindness or any other disability] of his or because he is unable to read.]

- (5) In connection with a canvass a registration officer may, for the purpose of—
- (a) supplementing the information obtained by the use of any such form, or
  - (b) where any such form has not been returned, obtaining any information designed to be obtained by the use of the form,

make such house to house inquiries as he thinks fit.

- (6) On the conclusion of a canvass a registration officer shall make such alterations in his registers as fall to be made in accordance with section 10A below as a result of the canvass.

- (7) In this section “residence” means residence for the purposes of section 4 above.]

#### Textual Amendments

- F11** S. 10: words in heading substituted (1.12.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 2(5), 31; S.I. 2006/2688, art. 3(1)(2)(a)
- F12** Ss. 10, 10A substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) for s. 10 by 2000 c. 2, s. 8(a), Sch. 1 para. 4; S.I. 2001/116, art. 2(1)(2) (with art. 2(4))
- F13** Words in s. 10(1) inserted (1.12.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 2(2), 31; S.I. 2006/2688, art. 3(1)(2)(a)
- F14** S. 10(1A) inserted (1.12.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 2(3), 31; S.I. 2006/2688, art. 3(1)(2)(a)
- F15** Words in s. 10(2) substituted (1.12.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 2(4)(a), 31; S.I. 2006/2688, art. 3(1)(2)(a)
- F16** Words in s. 10(2) substituted (1.12.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 2(4)(b), 31; S.I. 2006/2688, art. 3(1)(2)(a)



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- F17** S. 10(3)(c) and word inserted (E.W.S.) (1.1.2007) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 10(2), 77, [Sch. 1 para. 5](#); S.I. 2006/3412, [art. 3](#), [Sch. 1 para. 12\(a\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#))
- F18** Words in s. 10(4) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 30(1), 31, [Sch. 4 para. 2](#); S.I. 2008/1318, [art. 2](#)
- F19** S. 10(4A)(4B) inserted (N.I.) (1.9.2002) by [Electoral Fraud \(Northern Ireland\) Act 2002 \(c. 13\)](#), s. 1(2); S.I. 2002/1648, [art. 3](#)
- F20** Words in s. 10(4B) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 10, 77, [Sch. 1 para. 105](#); S.I. 2006/3412, [art. 3](#), [Sch. 1 para. 14\(bb\)\(v\)](#) (subject to transitional provisions in [art. 6](#), [Sch. 2](#)); S.I. 2008/1316), {arts. 2(2)}, 4

**Modifications etc. (not altering text)**

- C10** Ss. 10-11 extended (N.I.) (with modifications) by [Elected Authorities \(Northern Ireland\) Act 1989 \(c. 3, SIF 42\)](#), ss. 2, 13(6), [Sch. 1 Pt. I](#) (as amended (16.2.2001) by [2000 c. 2, s. 8](#), [Sch. 3 para. 3\(5\)](#); S.I. 2001/116, [art. 2\(1\)](#) (with [art. 2\(3\)-\(5\)](#))

**[<sup>F21</sup>10ZANorthern Ireland: timing of canvass**

- (1) A canvass under section 10(1A) must be conducted in—
  - (a) the year 2010, unless the Secretary of State makes an order providing that the requirement in this paragraph does not apply;
  - (b) every tenth year following 2010.
- (2) A canvass under section 10(1A) must be conducted in an intervening year if—
  - (a) on or before 15th April in that year, the Chief Electoral Officer for Northern Ireland has made a recommendation in favour of a canvass being conducted in that year for the purpose of meeting the relevant registration objectives, and
  - (b) the Secretary of State, having considered the recommendation, has notified the Chief Electoral Officer that he is satisfied that the public interest requires a canvass to be conducted for that purpose.
- (3) If no canvass under section 10(1A) is conducted before the end of 2015, a canvass must be conducted in 2016.
- (4) “Intervening year” means a year other than—
  - (a) 2010,
  - (b) every tenth year following 2010, and
  - (c) if no canvass under section 10(1A) is conducted before the end of 2015, 2016.
- (5) The Secretary of State may not make an order under subsection (1)(a) unless—
  - (a) on or before 15th April 2010, the Chief Electoral Officer for Northern Ireland has made a recommendation against a canvass being conducted in the year 2010 for the purpose of meeting the relevant registration objectives, and
  - (b) the Secretary of State, having considered the recommendation, is satisfied that the public interest does not require a canvass to be conducted for that purpose.
- (6) The power to make an order under subsection (1)(a) is exercisable by statutory instrument.
- (7) No order is to be made under subsection (1)(a) unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.
- (8) “Recommendation” means a written recommendation to the Secretary of State.]

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#### Textual Amendments

**F21** S. 10ZA inserted (1.12.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 3, 31; S.I. 2006/2688, art. 3(1)(2)(a)

#### Modifications etc. (not altering text)

**C11** S. 10ZA extended (Northern Ireland) (with modifications) (1.12.2006) by 1989 c. 3, Sch. 1 (as amended by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, Sch. 4 para. 7(2)(a); S.I. 2006/2688, art. 3(2)(c))

### [<sup>F22</sup>10ZB] The relevant registration objectives (Northern Ireland)

- (1) The relevant registration objectives are to secure, so far as reasonably practicable—
  - (a) that every person who is entitled to be registered in a register is registered in it,
  - (b) that no person who is not entitled to be registered in a register is registered in it, and
  - (c) that none of the required information relating to any person registered in a register is false.
- (2) But, in applying subsection (1), the registrations of the persons mentioned in section 10(3) (registrations with which a canvass is not concerned) must be disregarded.
- (3) “Register” means a register maintained by the Chief Electoral Officer for Northern Ireland under section 9.
- (4) “The required information” means the following (as appearing in the register or other records of the Chief Electoral Officer)—
  - (a) the person's name;
  - (b) the person's qualifying address;
  - (c) the person's date of birth;
  - (d) subject to subsections (5) and (6), the person's signature;
  - (e) the person's national insurance number or a statement that he does not have one.
- (5) The required information does not include the person's signature if—
  - (a) the Chief Electoral Officer has dispensed with the requirement to provide a signature, or
  - (b) other evidence of identity is required (instead of a signature) under a CORE scheme.
- (6) If under a CORE scheme other evidence is required instead of a signature, the required information includes that evidence.
- (7) “False”, in relation to a signature, means that the signature is not the usual signature of, or was written by a person other than, the person whose signature it purports to be.
- (8) “CORE scheme” has the same meaning as in Part 1 of the Electoral Administration Act 2006.]

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#### Textual Amendments

**F22** S. 10ZB inserted (1.12.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 4, 31; S.I. 2006/2688, art. 3(1)(2)(a)

#### Modifications etc. (not altering text)

**C12** S. 10ZB extended (Northern Ireland) (with modifications) (1.12.2006) by 1989 c. 3, Sch. 1 (as amended by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, Sch. 4 para. 7(2)(a); S.I. 2006/2688, art. 3(2)(c))

### <sup>F23</sup>10A Maintenance of the registers: registration of electors.

- (1) A registration officer shall determine all applications for registration which are—
- (a) made to him in accordance with the prescribed requirements, or
  - (b) treated as made to him by virtue of subsection (2) below.

[<sup>F24</sup>(1A) Subject to subsection (1B) below, an application for registration in respect of an address in Northern Ireland shall include—

- (a) the signature of each of the persons to whom the application relates;
- (b) the date of birth of each such person; and
- (c) in relation to each such person—
  - (i) his national insurance number or a statement that he does not have one,
  - (ii) a statement of whether or not he has been resident in Northern Ireland for the whole of the three-month period ending on the date of the application, and
  - (iii) any other address in the United Kingdom in respect of which he is or has applied to be registered,

and the power in subsection (1) above to prescribe requirements includes power to give effect to the requirements of this subsection.

- (1B) The Chief Electoral Officer for Northern Ireland may dispense with the requirement mentioned in subsection (1A)(a) above in relation to any person if he is satisfied that it is not reasonably practicable for that person to sign in a consistent and distinctive way because of [<sup>F25</sup>blindness or any other disability] of his or because he is unable to read.]

(2) Where—

- (a) in connection with a canvass under section 10 above, the form completed in respect of any address specifies any person as a person who is entitled to be registered in a register, and
- (b) that person is not for the time being registered in the register in respect of that address,

he shall be treated as having made<sup>F26</sup>. . . an application for registration in the register in respect of that address.

[<sup>F27</sup>(2A) The application referred to in subsection (2) above shall (subject to section 13BB(2)) be treated as made on the 15th October in the year in question.]

- (3) A registration officer shall also determine all objections to a person's registration made in accordance with the prescribed requirements by another person whose name appears in the register in question.

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[<sup>F28</sup>(3A) Subsection (3) above applies to an objection to a person's registration whether the objection is made before or after the person is registered in the register.]

[<sup>F29</sup>(3B) No objection to a person's registration may be made if the person has an anonymous entry in the register.]

- (4) Subsections (1) and (3) above apply to applications and objections asking—
- (a) for the omission, insertion or alteration of a date as that on which a person will become of voting age and entitled to registration, or
  - (b) for the alteration of the qualifying address in respect of which a person is registered,

as they apply to applications for registration and objections to a person's registration respectively.

(5) [<sup>F30</sup>Subject to subsection (5A) below,] where [<sup>F31</sup>the name of] a person ("the elector") is [<sup>F32</sup> . . . entered in a register in respect of any address, the elector is entitled to remain registered in the register in respect of that address until such time as the registration officer concerned—

- (a) determines, on the conclusion of a canvass under section 10 above, that the elector was not resident at that address on the 15th October in question, or that because—
  - (i) the form mentioned in section 10(4) above was not returned in respect of that address, or
  - (ii) for any other reason, insufficient information was obtained as to whether the elector was resident at that address on that date,

the registration officer is unable to satisfy himself that the elector was then so resident at that address, or

[<sup>F33</sup>(b) determines that the elector was not entitled to be registered in respect of that address or that he has ceased to be resident at that address or has otherwise ceased to satisfy the conditions for registration set out in section 4 above.]

[<sup>F34</sup>(5A) A person's name is to be removed from the register in respect of any address if—

- (a) the form mentioned in section 10(4) above in respect of that address does not include all the information relating to him required by virtue of section 10(4A) above; or
- (b) the registration officer determines that he is not satisfied with the information relating to that person which was included in that form pursuant to that requirement.]

[<sup>F35</sup>(5B) A registration officer may, for the purpose of obtaining any information relevant to a determination under subsection (5)(b) above, make such house to house inquiries as he thinks fit.]

(6) Where the entitlement of a person to remain registered in a register in respect of any address terminates by virtue of subsection (5) above, [<sup>F36</sup>or his name is to be removed from it by virtue of subsection (5A) above,] the registration officer concerned shall remove that person's entry from the register once the officer has satisfied any prescribed requirements applying in relation to the removal of that entry.

(7) Subsection (6) above does not apply if, or to the extent that, regulations so provide in relation to any prescribed circumstances; and regulations may, in particular, authorise a registration officer to retain entries in his registers for the prescribed period if he

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thinks fit in cases where the form mentioned in section 10(4) above has not been returned in respect of any address.

(8) Nothing in subsection (5) [<sup>F37</sup>, (5A)] or (6) applies in relation to the registration of persons in pursuance of—

- (a) applications for registration made by virtue of section 7(2) or 7A(2) above; or
- (b) declarations falling within section 10(3)(b) above.

(9) In this section—

“determines” means determines in accordance with regulations;

“resident” means resident for the purposes of section 4 above.

### Textual Amendments

- F23** Ss. 10, 10A substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) for s. 10 by 2000 c. 2, s. 8(a), **Sch. 1 para. 4**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F24** S. 10A(1A)(1B) inserted (N.I.) (1.9.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. **1(3)(a)**; S.I. 2002/1648, **art. 3**
- F25** Words in s. 10A(1B) substituted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77, **Sch. 1 para. 106**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(aa)(bb)(v) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 4**
- F26** Words in s. 10A(2) repealed (4.9.2009) by virtue of Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), Sch. 6 para. 1(2), **Sch. 7**; S.I. 2009/2395, **art. 2** (with art. 3)
- F27** S. 10A(2A) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), **Sch. 6 para. 1(3)**; S.I. 2009/2395, **art. 2** (with art. 3)
- F28** S. 10A(3A) inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 12(4)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(a) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**
- F29** S. 10A(3B) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, **Sch. 1 para. 6(2)**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 1, 12(a) (subject to transitional provisions in art. 6, Sch. 2)
- F30** Words in s. 10A(5) inserted (N.I.) (1.9.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. **1(3)(b)**; S.I. 2002/1648, **art. 3**
- F31** Words in s. 10A(5) repealed (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10, 77, Sch. 1 para. 6(3), **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 1, 12(a), 13(a) (subject to transitional provisions in art. 6, Sch. 2)
- F32** Word in s. 10A(5) repealed (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 12(5)(a)**, 74(2), 77, **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 13(a), 14(a) (subject to transitional provisions in art. 6, Sch. 2)
- F33** S. 10A(5)(b) substituted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 12(5)(b)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(a) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**
- F34** S. 10A(5A) inserted (N.I.) (1.9.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. **1(3)(c)**; S.I. 2002/1648, **art. 3**
- F35** S. 10A(5B) inserted (1.1.2007 for E.W.S. and 14.5.2008 for N.I.) by Electoral Administration Act 2006 (c. 22), **ss. 12(6)**, 77; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(a) (subject to transitional provisions in art. 6, Sch. 2); S.I. 2008/1316, **arts. 2, 3**
- F36** Words in s. 10A(6) inserted (N.I.) (1.9.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. **1(3)(d)**; S.I. 2002/1648, **art. 3**
- F37** Words in s. 10A(8) inserted (N.I.) (1.9.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. **1(3)(e)**; S.I. 2002/1648, **art. 3**

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#### Modifications etc. (not altering text)

- C13** S. 10A extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3 SIF 42), ss. 2, 13(6), Sch.1 Pt. I as amended (16.2.2001) by 2000 c. 2, s. 8, **Sch. 3 para. 3(5)**; S.I. 2001/116, **art. 2(1)** (with **art. 2(3)-(5)**)
- C14** S. 10A applied (with modifications) by S.I. 2001/1184, **reg. 9, Sch. Pt. I** (as substituted (17.3.2009) by S.I. 2009/726, **regs. 1(1), 2(3)(4), Sch.**)

#### <sup>F38</sup> 11 .....

#### Textual Amendments

- F38** S. 11 repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(2), Sch. 1 para. 5(a), **Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)(2)** (with **art. 2(4)**)

#### <sup>F39</sup> 12 .....

#### Textual Amendments

- F39** S. 12 repealed (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, ss. 8(a), 15(2), Sch. 1 para. 5(b), **Sch. 7 Pt. I**; S.I. 2001/116, **art. 2(1)(2)** (with **art. 2(4)**)

#### <sup>F40</sup> 13 Publication of registers.

- [<sup>F41</sup>(1) Each registration officer must for each year publish a revised version of his registers—
- (a) if there is a canvass in his area in that year, during the period starting with the end of the canvass in that year and ending with 1st December in that year or such later date as may be prescribed, or
  - (b) if (in Northern Ireland) there is no canvass in that year, on 1st December in that year or by such later date as may be prescribed.]

- [ Subsection (1)(a) above has effect, in the case of a registration officer acting for an
- <sup>F42</sup>(1A) area in which (or in part of which) an election to which section 13B below applies is held during the period—
- (a) starting with 1st July in the year in question, and
  - (b) ending with 1st December in that year,
- as if for “1st December in that year” there were substituted 1st February in the following year.]

- (2) The revised versions of the registers shall incorporate—
  - (a) all the alterations which are required to be made in them as mentioned in section 10(6) above; and
  - (b) any alterations which are required to be made by virtue of section 13A(3) below.
- (3) A registration officer may in addition, if he thinks fit, publish a revised version of either of his registers at any time between—



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- (a) the time when the register was last published in accordance with subsection (1) above, and
  - (b) the time when it is due to be next so published;
- and a registration officer proposing to publish a revised version of a register in accordance with this subsection must publish notice of his intention to do so by such time and in such manner as may be prescribed.
- (4) When revising a register for publication under this section the registration officer shall make such changes affecting the electoral numbers of persons registered in the register as he considers necessary in order to comply with section 9(4) above.
  - (5) Where a revised version of a register is published at any time under this section, the register has effect in the form in which it is so published as from that time until the time when—
    - (a) a revised version is next so published, or
    - (b) if earlier, any alteration to the register takes effect under <sup>F43</sup>any of sections 13A to 13BB] below.
  - (6) Any reference in this section or section 13A below to the publication of a revised version of the register is to its publication in accordance with regulations made in pursuance of paragraphs 10A and 10B(1)(a) of Schedule 2 to this Act.]

#### Textual Amendments

- F40** Ss. 13-13B substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) for s. 13 by 2000 c. 2, s. 8(a), **Sch. 1 para. 6**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F41** S. 13(1) substituted (1.12.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), **ss. 5(1), 31**; S.I. 2006/2688, **art. 3(1)(2)(a)**
- F42** S. 13(1A) inserted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 23(2), 43(1)**; S.I. 2009/2395, **art. 2** (with art. 3)
- F43** Words in s. 13(5)(b) substituted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), **ss. 39, 43(1), Sch. 6 para. 2**; S.I. 2009/2395, **art. 2** (with art. 3)

#### Modifications etc. (not altering text)

- C15** S. 12-17 extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3, SIF 42), **ss. 2, 13(6), Sch. 1 Pt. I** (as amended (16.2.2001) by 2000 c. 2, s. 8, **Sch. 3 para. 3(5)**; S.I. 2001/116, **art. 2(1)** (with art. 2(3)-(5)))
- C16** S. 13 applied (with modifications) (E.W.) (16.2.2001) by S.I. 2001/341, **reg. 13(4)(5), Sch. 4 Pt. I**  
S. 13 applied (with modifications) (N.I.) (16.2.2001) by S.I. 2001/400, **reg. 13(3)(4), Sch. 4 Pt. I**  
S. 13 applied (with modifications) (9.4.2001) by S.I. 2001/1184, **reg. 9, Sch. Pt. I** (as substituted (17.3.2009) by S.I. 2009/726, **regs. 1(1), 2(3)(4), Sch.**)
- C17** S. 13 applied (with modifications) (N.I.) (1.7.2008) by The Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741), **reg. 14(3)(4), Sch. 4**
- C18** S. 13(1)(a) modified (N.I.) (22.10.2003) by The Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003 (Consequential Modifications) Order 2003 (S.I. 2003/2696), **art. 2**

#### <sup>F44</sup>13A Alteration of registers.

- (1) This section applies where, at any time (“the relevant time”) after the publication of a revised version of a register by a registration officer under section 13 above, the registration officer—



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- (a) on an application for registration being made by any person in accordance with the prescribed requirements, determines that that person is entitled to be so registered;
  - (b) is required, by virtue of any provision of this Part of this Act, to remove a person's entry from the register;
  - (c) is notified of any decision on an appeal by virtue of section 56 [<sup>F45</sup>or 58] below which requires any such alteration in the register as is mentioned in subsection (4) of that section; or
  - (d) determines that the register contains any clerical error.
- (2) In such a case the registration officer shall (subject to subsection (3) below) issue, in the prescribed manner, a notice specifying the appropriate alteration in the register; and—
- (a) the notice shall be so issued by him—
    - (i) on the first day of the month which follows that in which the relevant time falls, or
    - (ii) if that day is less than 14 days after that time, on the first day of the month immediately following that month; and
  - (b) (subject to [<sup>F46</sup>sections 13B(1) and 13BA(1)] below) the alteration in question shall have effect as from the beginning of the day on which the notice is issued.
- [<sup>F47</sup>(2A) Subject to subsection (2B) below, an application for registration under subsection (1) (a) above in respect of an address in Northern Ireland shall include—
- (a) the signature of each of the persons to whom the application relates;
  - (b) the date of birth of each such person; and
  - (c) in relation to each such person—
    - (i) his national insurance number or a statement that he does not have one,
    - (ii) a statement of whether or not he has been resident in Northern Ireland for the whole of the three-month period ending on the date of the application, and
    - (iii) any other address in the United Kingdom in respect of which he is or has applied to be registered,
- and the power in subsection (1)(a) above to prescribe requirements includes power to give effect to the requirements of this subsection.
- (2B) The Chief Electoral Officer for Northern Ireland may dispense with the requirement mentioned in subsection (2A)(a) above in relation to any person if he is satisfied that it is not reasonably practicable for that person to sign in a consistent and distinctive way because of any incapacity of his or because he is unable to read.]
- (3) Subsection (2) above does not require a registration officer to issue a notice under that subsection in a case where (apart from this subsection) that subsection would require the notice to be issued—
- (a) at the beginning of the month containing the date on which a revised version of the register is next due to be published in accordance with section 13(1) or (3) above, or
  - (b) at the beginning of either of the two months preceding that containing the date on which a revised version of the register is next due to be published in accordance with [<sup>F48</sup>section 13(1)(a)] above,

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and in such a case the alteration in question shall be made in that revised version of the register.

- (4) Subsection (2) above also does not require a registration officer to issue a notice under that subsection in a case where section 13B(3) [F49, (3B) or (3D)] [F50 or 13BA(3), (6) or (9)] below requires him to issue a notice under that provision.
- (5) No alteration affecting a published version of a register of electors shall be made otherwise than in accordance with [F51 this section, section 13B or 13BA below or section 13BB below] .
- (6) For the purposes of subsection (1) above “determines” means determines in accordance with regulations; and section 119 below shall apply for the purposes of subsection (2)(a) above as if it were contained in Part II of this Act.

#### Textual Amendments

- F44** Ss. 13-13B substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) for s. 13 by 2000 c. 2, s. 8(a), **Sch. 1 para. 6**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F45** Words in s. 13A(1)(c) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 4(2)**; S.I. 2008/1318, **art. 2**
- F46** Words in s. 13A(2)(b) substituted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 4(3)**; S.I. 2008/1318, **art. 2**
- F47** S. 13A(2A)(2B) inserted (N.I.) (1.9.2002) by Electoral Fraud (Northern Ireland) Act 2002 (c. 13), s. 1(4); S.I. 2002/1648, **art. 3**
- F48** Words in s. 13A(3)(b) substituted (1.12.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 5(2), 31; S.I. 2006/2688, **art. 3(1)(2)(a)**
- F49** Words in s. 13A(4) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 11(6), 77, **Sch. 1 para. 32**; S.I. 2006/3412, **art. 3**, Sch. 1 paras. 2, 12(b) (subject to transitional provisions in art. 6, Sch. 2)
- F50** Words in s. 13A(4) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, **Sch. 4 para. 4(4)**; S.I. 2008/1318, **art. 2**
- F51** Words in s. 13A(5) substituted (4.9.2009) by Political Parties and Elections Act 2009 (c. 12), ss. 39, 43(1), **Sch. 6 para. 3**; S.I. 2009/2395, **art. 2** (with art. 3)

#### Modifications etc. (not altering text)

- C19** Ss. 13-13B extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3 SIF 42), ss. 2, 13(6), Sch. 1 Pt. I as amended (16.2.2001) by 2000 c. 2, s. 8, **Sch. 3 para. 3(5)**; S.I. 2001/116, **art. 2(1)** (with art. 2(3)-(5))
- C20** S. 13A applied (with modifications) (E.W.) (16.2.2001) by S.I. 2001/341, reg. 13(4)(5), **Sch. 4 Pt. I**  
S. 13A applied (with modifications) (N.I.) (16.2.2001) by S.I. 2001/400, reg. 13(3)(4), **Sch. 4 Pt. I**  
S. 13A applied (with modifications) (9.4.2001) by S.I. 2001/1184, reg. 9, Sch. Pt. I (as substituted (17.3.2009) by S.I. 2009/726, regs. 1(1), 2(3)(4), **Sch.**)
- C21** S. 13A excluded (N.I.) (24.2.2005) (temp. until 23.2.2006) by Electoral Registration (Northern Ireland) Act 2005 (c. 1), ss. 1(3), 3(1) (subject to s. 3(2))
- C22** S. 13A applied (with modifications) (N.I.) (1.7.2008) by The Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741), reg. 14(3)(4), **Sch. 4**
- C23** S. 13A(3)(b) modified (N.I.) (22.10.2003) by The Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003 (Consequential Modifications) Order 2003 (S.I. 2003/2696), **art. 3(b)**

*Status: Point in time view as at 04/09/2009.*

*Changes to legislation: Representation of the People Act 1983, Cross Heading: Registration of parliamentary and local government electors is up to date with all changes known to be in force on or before 25 April 2024. 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)*

**F52 13B Alteration of registers: pending elections. E+W+S**

[<sup>F53</sup>(1) If, by virtue of section 13A(2) above, an alteration in a published version of a register is to take effect after the fifth day before the date of the poll for an election to which this section applies, the alteration does not have effect for the purposes of the election.]

[<sup>F54</sup>(2) Subsection (3) below applies where—

- (a) at any time before the appropriate publication date in the case of an election to which this section applies, section 13A above applies to a registration officer, by virtue of subsection (1) of that section, in connection with a determination, requirement or decision falling within any of paragraphs (a) to (d) of that subsection;
- (b) in consequence of the determination, requirement or decision an entry relating to a person falls to be made in (or removed from) the register in respect of an address in the relevant election area; and
- (c) no alteration made in consequence of the determination, requirement or decision—
  - (i) has already taken effect, or
  - (ii) is due to take effect,
 under subsection (2) of that section on or before the fifth day before the date of the poll.]

(3) In such a case the registration officer shall issue, in the prescribed manner, a notice specifying the appropriate alteration in the register; and—

- (a) the notice shall be so issued by him on the appropriate publication date; and
- (b) the alteration shall take effect as from the beginning of that day.

[<sup>F55</sup>(3A) Subsection (3B) below applies where—

- (a) at any time on or after the appropriate publication date in the case of an election to which this section applies but before the prescribed time on the day of the poll, section 13A above applies to a registration officer, by virtue of subsection (1) of that section, in connection with a notification mentioned in paragraph (c) of that subsection; and
- (b) in consequence of the notification—
  - (i) an entry relating to that person falls to be made in the register in respect of an address in the relevant election area, or
  - (ii) his entry in the register requires to be altered.

(3B) In such a case the registration officer shall issue, in the prescribed manner, a notice specifying the appropriate alteration in the register; and—

- (a) the notice shall be so issued by him when he receives the notification; and
- (b) the alteration shall take effect as from the beginning of the day on which the notice is issued.

(3C) Subsection (3D) below applies where—

- (a) at any time on or after the appropriate publication date in the case of an election to which this section applies but before the prescribed time on the day of the poll, section 13A above applies to a registration officer, by virtue of subsection (1) of that section, in connection with a determination falling within paragraph (d) of that subsection;
- (b) the determination was made following a representation made by or on behalf of a person to the registration officer; and

*Status: Point in time view as at 04/09/2009.*

*Changes to legislation: Representation of the People Act 1983, Cross Heading: Registration of parliamentary and local government electors is up to date with all changes known to be in force on or before 25 April 2024. 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)*

- (c) in consequence of the determination—
  - (i) an entry relating to that person falls to be made in the register in respect of an address in the relevant election area, or
  - (ii) his entry in the register requires to be altered.
- (3D) In such a case the registration officer shall issue, in the prescribed manner, a notice specifying the appropriate alteration in the register; and—
  - (a) the notice shall be so issued by him when he makes the determination; and
  - (b) the alteration shall take effect as from the beginning of the day on which the notice is issued.
- (3E) In subsection (3C)(b) above, “representation” means a representation made in accordance with prescribed requirements to the effect that the register contains a clerical error.]
- (4) This section applies to the following elections—
  - (a) parliamentary elections [<sup>F56</sup>in England, Wales or Scotland],
  - (b) elections [<sup>F57</sup>in England, Wales or Scotland] to the European Parliament,
  - (c) elections to the Scottish Parliament,
  - (d) elections to the National Assembly for Wales, [<sup>F58</sup>and]
  - (e) <sup>F59</sup> .....
  - (f) local government elections in England, Wales or Scotland.
- (5) In this section—
  - “the appropriate publication date”, in relation to a registration officer and an election to which this section applies, means either the sixth or the fifth day before the date of the poll, as the registration officer may determine;
  - “the final nomination day”, in relation to such an election, means the last day on which nomination papers may be delivered to the returning officer for the purposes of the election;
  - “the relevant election area”, in relation to a registration officer and such an election, means—
    - (a) the area for which the registration officer acts, or
    - (b) if the election is held in only part of that area, the part of that area in question.
- (6) Section 119 below shall apply for the purposes of this section as if—
  - (a) it were contained in Part II of this Act; and
  - (b) each of the days referred to in this section were the day on which anything is required or permitted to be done by or in pursuance of that Part of this Act.

#### Extent Information

**E2** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

**F52** Ss. 13-13B substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) for s. 13 by 2000 c. 2, s. 8(a), **Sch. 1 para. 6**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))

**F53** S. 13B(1) substituted (E.W.S.) (1.1.2007) by **Electoral Administration Act 2006 (c. 22), ss. 11(2), 77**; S.I. 2006/3412, **art. 3, Sch. 1 para. 2** (subject to transitional provisions in art. 6, Sch. 2)

*Status: Point in time view as at 04/09/2009.*

*Changes to legislation: Representation of the People Act 1983, Cross Heading: Registration of parliamentary and local government electors is up to date with all changes known to be in force on or before 25 April 2024. 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)*

- F54** S. 13B(2) substituted (E.W.S) (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 11(3), 77**; S.I. 2006/3412, **art. 3, Sch. 1 para. 2** (subject to transitional provisions in art. 6, Sch. 2)
- F55** S. 13B(3A)-(3E) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), **ss. 11(4), 77**; S.I. 2006/3412, **art. 3, Sch. 1 para. 2** (subject to transitional provisions in art. 6, Sch. 2)
- F56** Words in s. 13B(4)(a) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), **ss. 6(1)(a), 31**; S.I. 2008/1318, **art. 2(2)(a)**
- F57** Words in s. 13B(4)(b) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), **ss. 6(1)(b), 31**; S.I. 2008/1318, **art. 2(2)(a)**
- F58** Word in s. 13B(4)(d) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), **ss. 6(1)(c), 31**; S.I. 2008/1318, **art. 2(2)(a)**
- F59** S. 13B(4)(e) repealed (14.5.2008) by virtue of Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), **ss. 6(1)(d), 30(2), 31, Sch. 5**; S.I. 2008/1318, **art. 2(2)(a)**

#### Modifications etc. (not altering text)

- C24** **Ss. 13-13B** extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3 SIF 42), **ss. 2, 13(6), Sch. 1 Pt. I** as amended (16.2.2001) by 2000 c. 2, s. 8, **Sch. 3 para. 3(5)**; S.I. 2001/116, **art. 2(1)** (with **art. 2(3)-(5)**)
- C25** S. 13B applied (with modifications) (E.W.) (16.2.2001) by S.I. 2001/341, **reg. 13(4)(5), Sch. 4 Pt. 1**  
S. 13B applied (with modifications) (N.I.) (16.2.2001) by S.I. 2001/400, **reg. 13(3)(4), Sch. 4 Pt. 1**  
S. 13B applied (with modifications) (E.) (2.4.2001) by S.I. 2001/1298, **regs. 8(1), 10(4), Sch. 3** Table 2 (subject to regs. 9-12, 15-17, 20, 25)  
S. 13B applied (with modifications) (9.4.2001) by S.I. 2001/1184, **reg. 9, Sch. Pt. 1** (as substituted (17.3.2009) by S.I. 2009/726, **regs. 1(1), 2(3)(4), Sch.**)  
S. 13B applied (with modifications) (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)  
S. 13B applied (with modifications) (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}
- C26** S. 13B 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}

#### <sup>F52</sup> **13B Alteration of registers: pending elections. N.I.**

- (1) An alteration in a published version of a register of electors which takes effect under section 13A(2) above after the final nomination day in the case of an election to which this section applies shall not have effect for the purposes of that election unless the alteration—
- (a) is made in consequence of a decision or determination falling within section 13A(1)(c) or (d) above; and
  - (b) takes effect on or before the fifth day before the date of the poll.
- (2) Subsection (3) below applies where—
- (a) at any time before the appropriate publication date in the case of an election to which this section applies, section 13A above applies to a registration officer, by virtue of subsection (1) of that section, in connection with a decision or determination—
    - (i) falling within subsection (1)(c) or (d) of that section, and
    - (ii) in consequence of which a person's name falls to be entered in (or removed from) the register in respect of an address in the relevant election area; and
  - (b) no alteration made in consequence of that decision or determination—

*Status: Point in time view as at 04/09/2009.*

*Changes to legislation: Representation of the People Act 1983, Cross Heading: Registration of parliamentary and local government electors is up to date with all changes known to be in force on or before 25 April 2024. 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)*

- (i) has already taken effect, or
  - (ii) is due to take effect,
- under subsection (2) of that section on or before the fifth day before the date of the poll.
- (3) In such a case the registration officer shall issue, in the prescribed manner, a notice specifying the appropriate alteration in the register; and—
- (a) the notice shall be so issued by him on the appropriate publication date; and
  - (b) the alteration shall take effect as from the beginning of that day.
- (4) This section applies to the following elections—
- (a) parliamentary elections [<sup>F56</sup>in England, Wales or Scotland] ,
  - (b) elections [<sup>F57</sup>in England, Wales or Scotland] to the European Parliament,
  - (c) elections to the Scottish Parliament,
  - (d) elections to the National Assembly for Wales, [<sup>F58</sup>and]
  - (e) <sup>F59</sup> .....
  - (f) local government elections in England, Wales or Scotland.
- (5) In this section—
- “the appropriate publication date”, in relation to a registration officer and an election to which this section applies, means either the sixth or the fifth day before the date of the poll, as the registration officer may determine;
- “the final nomination day”, in relation to such an election, means the last day on which nomination papers may be delivered to the returning officer for the purposes of the election;
- “the relevant election area”, in relation to a registration officer and such an election, means—
- (a) the area for which the registration officer acts, or
  - (b) if the election is held in only part of that area, the part of that area in question.
- (6) Section 119 below shall apply for the purposes of this section as if—
- (a) it were contained in Part II of this Act; and
  - (b) each of the days referred to in this section were the day on which anything is required or permitted to be done by or in pursuance of that Part of this Act.

#### Extent Information

- E4** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

#### Textual Amendments

- F52** Ss. 13-13B substituted (29.1.2001 for certain purposes and 16.2.2001 otherwise) for s. 13 by 2000 c. 2, s. 8(a), **Sch. 1 para. 6**; S.I. 2001/116, **art. 2(1)(2)** (with art. 2(4))
- F56** Words in s. 13B(4)(a) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), **ss. 6(1)(a)**, 31; S.I. 2008/1318, **art. 2(2)(a)**
- F57** Words in s. 13B(4)(b) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), **ss. 6(1)(b)**, 31; S.I. 2008/1318, **art. 2(2)(a)**
- F58** Word in s. 13B(4)(d) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), **ss. 6(1)(c)**, 31; S.I. 2008/1318, **art. 2(2)(a)**



*Status: Point in time view as at 04/09/2009.*

*Changes to legislation: Representation of the People Act 1983, Cross Heading: Registration of parliamentary and local government electors is up to date with all changes known to be in force on or before 25 April 2024. 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)*

**F59** S. 13B(4)(e) repealed (14.5.2008) by virtue of Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), **ss. 6(1)(d), 30(2), 31, Sch. 5; S.I. 2008/1318, art. 2(2)(a)**

**Modifications etc. (not altering text)**

- C24** Ss. 13-13B extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3 SIF 42), ss. 2, 13(6), Sch. 1 Pt. I as amended (16.2.2001) by 2000 c. 2, s. 8, **Sch. 3 para. 3(5); S.I. 2001/116, art. 2(1)** (with **art. 2(3)-(5)**)
- C25** S. 13B applied (with modifications) (E.W.) (16.2.2001) by S.I. 2001/341, **reg. 13(4)(5), Sch. 4 Pt. I**  
S. 13B applied (with modifications) (N.I.) (16.2.2001) by S.I. 2001/400, **reg. 13(3)(4), Sch. 4 Pt. I**  
S. 13B applied (with modifications) (E.) (2.4.2001) by S.I. 2001/1298, **regs. 8(1), 10(4), Sch. 3** Table 2 (subject to regs. 9-12, 15-17, 20, 25)  
S. 13B applied (with modifications) (9.4.2001) by S.I. 2001/1184, **reg. 9, Sch. Pt. I** (as substituted (17.3.2009) by S.I. 2009/726, **regs. 1(1), 2(3)(4), Sch.**)  
S. 13B applied (with modifications) (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)  
S. 13B applied (with modifications) (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}**

**[<sup>F60</sup>13BA Alteration of registers in Northern Ireland: pending elections**

- (1) An alteration in a published version of a register of electors which takes effect under section 13A(2) after the final nomination day in the case of an election to which this section applies is of no effect for the purposes of that election unless the alteration—
  - (a) is made in consequence of a decision or determination falling within section 13A(1)(c) or (d), and
  - (b) takes effect on or before the fifth day before the date of the poll.
- (2) Subsection (3) applies if—
  - (a) at any time before the appropriate publication date in the case of an election to which this section applies, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)) in connection with a determination or requirement falling within section 13A(1)(a) or (b), and
  - (b) no alteration made in consequence of that determination or requirement—
    - (i) has already taken effect, or
    - (ii) is due to take effect,
 under section 13A(2) on or before the final nomination day.
- (3) If, no later than the prescribed date, the Chief Electoral Officer is supplied with such additional material supporting the alteration as is prescribed, he must, on the appropriate publication date, issue a notice specifying the appropriate alteration in the register.
- (4) But a person whose entitlement to vote at an election results from an alteration under subsection (3)—
  - (a) is not entitled as an elector to an absent vote at that election, and
  - (b) must not be shown in the absent voters list kept for that election under—
    - (i) section 7 of the Representation of the People Act 1985, or
    - (ii) regulation 9 of the European Parliamentary Elections (Northern Ireland) Regulations 2004.



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*Changes to legislation: Representation of the People Act 1983, Cross Heading: Registration of parliamentary and local government electors is up to date with all changes known to be in force on or before 25 April 2024. 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)*

- (5) Subsection (6) applies if—
- (a) at any time before the appropriate publication date in the case of an election to which this section applies, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)) in connection with a decision or determination falling within section 13A(1)(c) or (d), and
  - (b) no alteration made in consequence of that decision or determination—
    - (i) has already taken effect, or
    - (ii) is due to take effect,under section 13A(2) on or before the fifth day before the date of the poll.
- (6) The Chief Electoral Officer must, on the appropriate publication date, issue a notice specifying the appropriate alteration in the register.
- (7) Subsection (9) applies if—
- (a) at any time on or after the appropriate publication date in the case of an election to which this section applies but before the prescribed time on the day of the poll, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)), in connection with a notification mentioned in section 13A(1)(c), and
  - (b) in consequence of the notification—
    - (i) an entry relating to that person falls to be made in the register in respect of an address in the relevant election area, or
    - (ii) his entry in the register needs to be altered.
- (8) Subsection (9) also applies if—
- (a) at any time on or after the appropriate publication date in the case of an election to which this section applies but before the prescribed time on the day of the poll, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)), in connection with a determination falling within section 13A(1)(d),
  - (b) the determination was made following a representation made by or on behalf of a person to the Chief Electoral Officer, and
  - (c) in consequence of the determination—
    - (i) an entry relating to that person falls to be made in the register in respect of an address in the relevant election area, or
    - (ii) his entry in the register needs to be altered.
- (9) The Chief Electoral Officer must, when—
- (a) he receives the notification referred to in subsection (7), or
  - (b) he makes the determination referred to in subsection (8),
- issue a notice specifying the appropriate alteration in the register.
- (10) In subsection (8)(b), “representation” means a representation made in accordance with prescribed requirements to the effect that the register contains a clerical error.
- (11) A notice under subsection (3), (6) or (9)—
- (a) is to be issued in the prescribed manner, and
  - (b) takes effect from the beginning of the day on which it is issued.
- (12) This section applies to—
- (a) parliamentary elections in Northern Ireland,

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- (b) elections in Northern Ireland to the European Parliament, and
- (c) elections to the Northern Ireland Assembly.

(13) Subsections (5) and (6) of section 13B apply for the purposes of this section as they apply for the purposes of that section.]

#### Textual Amendments

**F60** S. 13BA inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 6(2), 31; S.I. 2008/1318, art. 2

#### Modifications etc. (not altering text)

**C27** S. 13BA extended (Northern Ireland) (with modifications) (14.5.2008) by 1989 c. 3, Sch. 1 (as amended by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31, Sch. 4 para. 7(2)(b); S.I. 2008/1318, art. 2)

**C28** S. 13BA applied (with modifications) by S.I. 2001/1184, reg. 9, Sch. Pt. I (as substituted (17.3.2009) by S.I. 2009/726, regs. 1(1), 2(3)(4), Sch.)

**C29** S. 13BA applied (with modifications) by S.I. 2001/2599, art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, Sch. 1)

#### [<sup>F61</sup>13BB Election falling within canvass period

- (1) This section applies where—
  - (a) in connection with a canvass under section 10 above, the form returned in respect of an address (“the relevant address”) is completed in such a way that, by virtue of section 10A(2) above, an application for registration is treated as having been made in respect of that address; and
  - (b) notice is published of an election to which section 13B above applies that is to be held—
    - (i) in an area which includes the relevant address,
    - (ii) during the period starting with 1st July in the year of the canvass and ending with 1st December in that year.
- (2) The application shall be treated as made—
  - (a) when the notice of election is published (if the canvass form has already been returned),
  - (b) when the form is returned (if the notice has already been published), or
  - (c) at such other time as may be prescribed.
- (3) Subsection (2) above does not apply if—
  - (a) the canvass form is returned after the appropriate publication date; or
  - (b) the form is returned too late for the application to be determined in accordance with regulations on or before that date (even without there being any delay in dealing with the application or any objections to the registration).
- (4) Where, in consequence of the determination of the application, an entry relating to a person falls to be made in (or removed from) a register covering the relevant address, the registration officer by whom that register is maintained shall issue, in the prescribed manner, a notice specifying the appropriate alteration.
- (5) Where—

*Status: Point in time view as at 04/09/2009.*

*Changes to legislation: Representation of the People Act 1983, Cross Heading: Registration of parliamentary and local government electors is up to date with all changes known to be in force on or before 25 April 2024. 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)*

- (a) in consequence of the determination of the application, a person's entry in respect of an address other than the relevant address falls to be removed from a register maintained by a registration officer other than the one referred to in subsection (4) above,
  - (b) at the time of the determination, notice has been published of an election to which section 13B above applies that is to be held—
    - (i) in an area which includes that other address,
    - (ii) during the period starting with 1st July in the year of the canvass and ending with 1st December in that year,and
  - (c) the determination is made before the appropriate publication date for that election,
- the other registration officer shall, on being informed of the determination, issue in the prescribed manner a notice specifying the appropriate alteration.
- (6) A notice under subsection (4) or (5) above shall be issued on the appropriate publication date for the election in question, and the alteration shall take effect as from the beginning of that day.
- (7) A requirement imposed by subsection (4) or (5) above does not apply if, before the appropriate publication date for the election in question, the registration officer concerned publishes a revised version of the register incorporating the appropriate alteration.
- (8) In this section—  
“the appropriate publication date” has the same meaning as in section 13B above;  
“canvass form” means the form mentioned in subsection (1)(a) above.
- (9) For the purposes of this section, a canvass form is “returned” when it is received by the registration officer.]

#### Textual Amendments

**F61** S. 13BB inserted (4.9.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. **23(1)**, 43(1); S.I. 2009/2395, art. 2 (with art. 3)

### [<sup>F62</sup>13C Electoral identity card: Northern Ireland

- (1) This section applies where a person makes an application in accordance with any prescribed requirements to the Chief Electoral Officer for Northern Ireland for an electoral identity card.
- (2) Regulations may provide for—
  - (a) the descriptions of person who may make such an application; and
  - (b) the form in which such an application is to be made.
- (3) The Chief Electoral Officer shall determine such an application and, if he is satisfied that the information given by the applicant is correct, he shall issue an electoral identity card to the applicant free of charge.
- (4) The electoral identity card issued to an applicant shall—

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- (a) state his full name and date of birth,
  - (b) bear his photograph,
  - (c) indicate when the card ceases to be current, and
  - (d) include such other information and be in such form as the Chief Electoral Officer shall determine.
- (5) For the purposes of subsection (4) above and rule 37(1E) in Schedule 1 to this Act (specified documents), an electoral identity card becomes current on the date of its issue and ceases to be so on the expiry of the period of 10 years beginning with that date.
- (6) Any expenses properly incurred by the Chief Electoral Officer in the performance of his functions under this section shall be treated as registration expenses of his for the purposes of this Act.
- (7) In this section “determine” means determine in accordance with regulations (if any).]

#### Textual Amendments

**F62** S. 13C inserted (N.I.) (1.12.2002) by [Electoral Fraud \(Northern Ireland\) Act 2002 \(c. 13\), s. 4\(2\)](#); [S.I. 2002/1648, art. 4](#)

#### Modifications etc. (not altering text)

**C30** S. 13C applied (with modifications) by [S.I. 2001/1184, reg. 9, Sch. Pt. I](#) (as substituted (17.3.2009) by [S.I. 2009/726, regs. 1\(1\), 2\(3\)\(4\), Sch.](#))

### [<sup>F63</sup>13C] **Scottish local government elections: false information in connection with applications for absent voting**

- (1) A person who provides false information in connection with an application mentioned in subsection (2) below commits an offence.
- (2) The application referred to in subsection (1) above is an application—
  - (a) relating to a local government election in Scotland; and
  - (b) to which any of the following provisions of Schedule 4 to the Representation of the People Act 2000 (c. 2) applies, namely—
    - (i) paragraph 3(1) or (2);
    - (ii) paragraph 4(1) or (2);
    - (iii) paragraph 7(4).
- (3) In relation to a signature, “false information” for the purposes of subsection (1) above means a signature which—
  - (a) is not the usual signature of; or
  - (b) was written by a person other than, the person whose signature it purports to be.
- (4) A person does not commit an offence under subsection (1) above if the person did not know, and had no reason to suspect, that the information was false.
- (5) Where sufficient evidence is adduced to raise an issue with respect to the defence under subsection (4) above, the court must assume that the defence is satisfied unless the prosecutor proves beyond reasonable doubt that it is not.

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- (6) A person guilty of an offence under subsection (1) above is liable on summary conviction to (either or both)—
- (a) imprisonment for a term not exceeding 6 months;
  - (b) a fine not exceeding level 5 on the standard scale.]

#### Textual Amendments

**F63** S. 13CA inserted (S.) (29.1.2007) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), ss. 12, 63(2); S.S.I. 2007/26, art. 2(1)(a)

### [<sup>F64</sup>13D Provision of false information

[<sup>F65</sup>(1) A person who for any purpose connected with the registration of electors provides to a registration officer any false information is guilty of an offence.]

[ A person who provides false information in connection with an application (other than  
<sup>F66</sup>(1A) an application relating only to a local government election in Scotland) to which any of the following provisions of Schedule 4 to the Representation of the People Act 2000 (applications relating to absent voting) applies is guilty of an offence—

- (a) paragraph 3(1) or (2);
  - (b) paragraph 4(1) or (2);
  - (c) paragraph 7(4).]
- (2) A person who provides false information to the Chief Electoral Officer for Northern Ireland for the purpose of obtaining the dispensation referred to in section 10(4B), 10A(1B) or 13A(2B) above is guilty of an offence.
- (3) In relation to a signature, “false information” for the purposes of subsection (1) [<sup>F67</sup>or (1A)] means a signature which—
- (a) is not the usual signature of; or
  - (b) was written by a person other than, the person whose signature it purports to be.
- (4) A person does not commit an offence under subsection (1) [<sup>F68</sup>or (1A)] above if he did not know, and had no reason to suspect, that the information was false.
- (5) Where sufficient evidence is adduced to raise an issue with respect to the defence under subsection (4) above, the court shall assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.
- (6) A person guilty of an offence under this section shall be liable on summary conviction to—
- (a) imprisonment for a term not exceeding [<sup>F69</sup>51 weeks] ; or
  - (b) a fine not exceeding level 5 on the standard scale, or to both.

[ In the application of subsection (6)(a) to Scotland and Northern Ireland, the reference  
<sup>F70</sup>(7) to 51 weeks must be taken to be a reference to six months.

- (8) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003, the reference in subsection (6)(a) to 51 weeks must be taken to be a reference to six months.]]

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### **Textual Amendments**

- F64** S. 13D inserted (N.I.) (1.9.2002) by [Electoral Fraud \(Northern Ireland\) Act 2002 \(c. 13\)](#), [s. 7\(1\)](#); S.I. 2002/1648, [art. 3](#)
- F65** S. 13D(1) substituted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 15\(2\)](#), 77; S.I. 2006/1972, [art. 3](#), [Sch. 1 para. 2](#) (subject to transitional provisions in [art. 4](#), [Sch. 2](#))
- F66** S. 13D(1A) inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 15\(3\)](#), 77; S.I. 2006/1972, [art. 3](#), [Sch. 1 para. 2](#) (subject to transitional provisions in [art. 4](#), [Sch. 2](#))
- F67** Words in s. 13D(3) inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 15\(4\)](#), 77; S.I. 2006/1972, [art. 3](#), [Sch. 1 para. 2](#) (subject to transitional provisions in [art. 4](#), [Sch. 2](#))
- F68** Words in s. 13D(4) inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 15\(5\)](#), 77; S.I. 2006/1972, [art. 3](#), [Sch. 1 para. 2](#) (subject to transitional provisions in [art. 4](#), [Sch. 2](#))
- F69** Words in s. 13D(6)(a) substituted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 15\(6\)](#), 77; S.I. 2006/1972, [art. 3](#), [Sch. 1 para. 2](#) (subject to transitional provisions in [art. 4](#), [Sch. 2](#))
- F70** S. 13D(7)(8) inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 15\(7\)](#), 77; S.I. 2006/1972, [art. 3](#), [Sch. 1 para. 2](#) (subject to transitional provisions in [art. 4](#), [Sch. 2](#))

### **Modifications etc. (not altering text)**

- C31** S. 13D extended (11.9.2006) to the whole of the United Kingdom by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 15\(8\)](#), 77; S.I. 2006/1972, [art. 3](#), [Sch. 1 para. 2](#) (subject to transitional provisions in [art. 4](#), [Sch. 2](#))

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