



Electoral Fraud (Northern Ireland) Act 2002

2002 CHAPTER 13

3 Absent votes and declarations of identity

(1) The Representation of the People Act 1985 (c. 50) is amended in accordance with subsections (2) and (3).

(2) In section 6 (absent vote at elections for an indefinite period)—

(a) in subsection (1), the word “and” at the end of paragraph (b) is omitted, and after that paragraph there is inserted—

“(ba) the application states the applicant’s date of birth and the registration officer is satisfied that the date stated corresponds with the date supplied as the date of the applicant’s birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the principal Act,

(bb) the application is signed and (unless section 10(4B), 10A(1B) or 13A(2B) of the principal Act applies) the registration officer is satisfied that the signature on the application corresponds with the signature supplied as the applicant’s signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of the principal Act,

(bc) the application either states the applicant’s national insurance number or states that he does not have one, and the registration officer is satisfied as mentioned in subsection (1A) below, and”,

and

(b) after subsection (1) there is inserted—

“(1A) For the purposes of subsection (1)(bc) above, the registration officer must be satisfied—

(a) if the application states a national insurance number, that the requirements of subsection (1B) below are met, or

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- (b) if the application states that the applicant does not have a national insurance number, that no such number was supplied as his national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the principal Act.

(1B) The requirements of this subsection are met if—

- (a) the number stated as mentioned in subsection (1A)(a) above is the same as the one supplied as the applicant’s national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the principal Act, or
- (b) no national insurance number was supplied under any of those provisions, but the registration officer is not aware of any reason to doubt the authenticity of the application.”

(3) In section 7 (absent vote at a particular election)—

- (a) in subsection (1), the word “and” at the end of paragraph (b) is omitted, and after that paragraph there is inserted—

“(ba) the application states the applicant’s date of birth and the registration officer is satisfied that the date stated corresponds with the date supplied as the date of the applicant’s birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the principal Act,

(bb) the application is signed and (unless section 10(4B), 10A(1B) or 13A(2B) of the principal Act applies) the registration officer is satisfied that the signature on the application corresponds with the signature supplied as the applicant’s signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of the principal Act,

(bc) the application either states the applicant’s national insurance number or states that he does not have one, and the registration officer is satisfied as mentioned in subsection (1A) below, and”,

and

- (b) after subsection (1) there is inserted—

“(1A) For the purposes of subsection (1)(bc) above, the registration officer must be satisfied—

- (a) if the application states a national insurance number, that the requirements of subsection (1B) below are met, or
- (b) if the application states that the applicant does not have a national insurance number, that no such number was supplied as his national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the principal Act.

(1B) The requirements of this subsection are met if—

- (a) the number stated as mentioned in subsection (1A)(a) above is the same as the one supplied as the applicant’s national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the principal Act, or

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- (b) no national insurance number was supplied under any of those provisions, but the registration officer is not aware of any reason to doubt the authenticity of the application.”
- (4) In Schedule 1 to the 1983 Act (parliamentary elections rules)—
- (a) ^{F1}
 - (b) ^{F2}
 - (c) in rule 45 (the count)—
 - (i) in paragraph (2), the words from “it is returned” to the end are to be sub-paragraph (a) of that paragraph, and after “authenticated” there is inserted “, and
 - (b) in the case of an elector, that declaration of identity states the date of birth of the elector and the returning officer is satisfied that the date stated corresponds with the date supplied as the date of the elector’s birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of this Act.”, and
 - (ii) after paragraph (2) there is inserted—

“(2A) In the case of an elector, unless section 10(4B), 10A(1B) or 13A(2B) of this Act applies, the declaration of identity referred to in paragraph (2) shall be taken not to be duly signed unless the returning officer is satisfied that the signature on the declaration corresponds with the signature supplied as the elector’s signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of this Act.”

Textual Amendments

- F1** S. 3(4)(a) repealed (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74(2), 77, [Sch. 2](#); [S.I. 2008/1316](#), [art. 2\(3\)](#), 5(g)(iv)
- F2** S. 3(4)(b) repealed (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74(2), 77, [Sch. 2](#); [S.I. 2008/1316](#), [art. 2\(3\)](#), 5(g)(iv)

Commencement Information

- I1** S. 3 wholly in force at 1.12.2002; S. 3 not in force at Royal Assent, see [s. 8\(3\)](#); s. 3 in force at 1.12.2002 by [S.I. 2002/1648](#) art. 4(1) (with art. 4(2))

Changes to legislation:

There are currently no known outstanding effects for the Electoral Fraud (Northern Ireland) Act 2002, Section 3.