

Status: Point in time view as at 01/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

AMENDMENTS

PART 1

ANONYMOUS REGISTRATION

The Juries Act 1974 (c. 23)

1 In section 3 of the Juries Act 1974 (electoral register as basis of jury selection), after subsection (1) insert—

“(1A) If a register to be delivered under subsection (1) above includes any anonymous entries (within the meaning of that Act of 1983) the registration officer must, at the same time as he delivers the register, also deliver to the designated officer any record prepared in pursuance of provision made as mentioned in paragraph 8A of Schedule 2 to that Act which relates to such anonymous entries.”

Commencement Information

I1 Sch. 1 para. 1 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

The 1983 Act

2 The 1983 Act is amended in accordance with paragraphs 3 to 16.

Commencement Information

I2 Sch. 1 para. 2 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

3 In section 4 (entitlement to be registered as parliamentary or local government elector), after subsection (5) insert—

“(5A) If a person entitled to be registered by virtue of subsection (5) above has an anonymous entry in the register, the references in paragraphs (a) and (b) of that subsection to his entry in the register are to be read as references to his entry in the record of anonymous entries prepared in pursuance of paragraph 8A of Schedule 2 below.”

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I3 Sch. 1 para. 3 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 4 (1) Section 9 (registers of electors) is amended as follows.
- (2) In subsection (2), for “Each register” substitute “ Subject to section 9B(3) below, each register ”.
- (3) In subsection (5), for “names” substitute “ entries ”.

Commencement Information

I4 Sch. 1 para. 4 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 5 In section 10 (maintenance of registers: annual canvass), in subsection (3) after paragraph (b) insert “; or
(c) the registration of persons with anonymous entries in the register.”

Commencement Information

I5 Sch. 1 para. 5 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 6 (1) Section 10A (maintenance of the registers: registration of electors) is amended as follows.
- (2) After subsection (3A) (inserted by section 12(4) of this Act) insert—
- “(3B) No objection to a person's registration may be made if the person has an anonymous entry in the register.”
- (3) In subsection (5) the words “the name of” are omitted.

Commencement Information

I6 Sch. 1 para. 6 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 7 In section 49 (effect of registers), after subsection (4) insert—
- “(4A) Subsection (4) applies to an entry in the record of anonymous entries as it applies to an entry in the register of parliamentary or local government electors.”

Commencement Information

I7 Sch. 1 para. 7 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

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- 8 In section 56 (registration appeals), in subsection (1) after paragraph (aa) (inserted by section 12(8) of this Act) insert—
- “(ab) from a determination of the registration officer under section 9B(2) above.”

Commencement Information

I8 Sch. 1 para. 8 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 9 (1) Section 62 (offences as to declarations) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) A person who makes a declaration under section 9B(1)(b) above—
- (a) except as permitted by this Act, when he knows that he is subject to a legal incapacity to vote, or
- (b) when he knows that it contains a statement which is false,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.”
- (3) In subsection (2) for “the reference in subsection (1) above to a legal incapacity to vote refers” substitute “the references in subsections (1) and (1A) above to a legal incapacity to vote refer”.

Commencement Information

I9 Sch. 1 para. 9 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 10 (1) Section 91 (candidate's right to send election address post free) is amended as follows.
- (2) After subsection (2) insert—
- “(2A) The candidate may require the returning officer to make arrangements with the universal service provider for communications under subsection (1)(b) to be sent to persons who have anonymous entries in the register.
- (2B) Arrangements under subsection (2A) shall be such as to ensure that it is not disclosed to any other person that the addressee of such a communication has an anonymous entry.”
- (3) In subsection (4)(b)—
- (a) after “in that register” insert “(or, in the case of a person who has an anonymous entry in the register, in the record of anonymous entries)”, and
- (b) after “from the register” insert “(or from the record)”.

Commencement Information

I10 Sch. 1 para. 10 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

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- 11 In section 121 (presentation and service of parliamentary election petition), after subsection (1) insert—

“(1A) The reference in subsection (1)(a) to a person who voted as an elector at an election or who had the right so to vote does not include a person who had an anonymous entry in the register of electors.”

Commencement Information

I11 Sch. 1 para. 11 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 12 In section 128 (presentation of petition questioning local election), after subsection (1) insert—

“(1A) The reference in subsection (1) to a person who voted as an elector at an election or who had the right so to vote does not include a person who had an anonymous entry in the register of electors.

(1B) Subsection (1A) does not apply to a local government election in Scotland.”

Commencement Information

I12 Sch. 1 para. 12 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 13 (1) Section 202(1) (general provisions as to interpretation) is amended as follows.

- (2) Before the definition of “citizen of the Union” insert—

““anonymous entry”, in relation to a register of electors, shall be construed in accordance with section 9B above and “the record of anonymous entries”, means the record prepared in pursuance of regulations made by virtue of paragraph 8A of Schedule 2 to this Act;”.

- (3) In the definition of “elector”—

- (a) for “whose name is for the time being” substitute “ who has for the time being an entry ”, and
- (b) after “shown in the register” insert “ (or, in the case of a person who has an anonymous entry in the register, in the record of anonymous entries) ”.

Commencement Information

I13 Sch. 1 para. 13 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 14 (1) Schedule 1 (parliamentary elections rules) is amended as follows.

- (2) In rule 7 (subscription of nomination paper), after paragraph (6) insert—

“(7) But, in this rule, “elector” does not include a person who has an anonymous entry in the register.”

- (3) In rule 28 (issue of official poll cards) after paragraph (3) insert—

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“(3A) In the case of an elector with an anonymous entry, instead of containing the matter mentioned in paragraph (3)(b) above the polling card shall contain such matter as is prescribed.”

(4) In rule 29 (equipment of polling stations), in paragraph (3)(c) for “names of” substitute “ entries relating to ”.

(5) In rule 40 (tendered ballot papers) after paragraph (4) insert—

“(4A) This rule applies to an elector who has an anonymous entry subject to the following modifications—

- (a) in paragraphs (2)(b) and (3) the references to the name of the voter must be ignored;
- (b) otherwise, a reference to a person named on a register or list must be construed as a reference to a person whose number appears on the register or list (as the case may be).”

Commencement Information

II4 Sch. 1 para. 14 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

15 (1) Schedule 2 (provisions which may be contained in regulations as to registration etc.) is amended as follows.

(2) In paragraph 1(3), for “name” substitute “ entry ”.

(3) After paragraph 2A insert—

“2B Provisions requiring registration officers to remind persons with anonymous entries in registers of the need to make a fresh application and declaration in order for them to remain so registered.”

(4) After paragraph 3A insert—

“3B Provisions as to the form and content of applications for an anonymous entry and declarations to be made in connection with such applications.”

(5) In paragraph 5, after sub-paragraph (1A) insert—

“(1B) Provisions as to the evidence which shall or may be deemed sufficient or conclusive evidence that a person's safety would be at risk as mentioned in section 9B(10) of this Act.”

(6) After paragraph 8 insert—

“8A Provisions requiring the registration officer to prepare a record of those persons with anonymous entries in the register showing, in relation to each such person, such information as is prescribed.”

(7) In paragraph 10, after sub-paragraph (1) insert—

“(1A) The edited version shall also omit anonymous entries.”

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Commencement Information

I15 Sch. 1 para. 15 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

16 In Schedule 2A (control of donations to candidates), the existing text of paragraph 10 becomes sub-paragraph (1) of the paragraph and after sub-paragraph (1) insert—

“(2) If the statement states that the candidate's election agent has seen evidence of such description as is prescribed by the Secretary of State in regulations that an individual donor has an anonymous entry in an electoral register, the statement must be accompanied by a copy of the evidence.

(3) Sub-paragraph (2) does not apply to local government elections in Scotland.”

Commencement Information

I16 Sch. 1 para. 16 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

The Representation of the People Act 1985 (c. 50)

17 (1) Section 3 of the Representation of the People Act 1985 is amended as follows.

(2) After subsection (4) insert—

“(4A) For the purposes of subsections (3)(a) and (4)(c) above, a person who has an anonymous entry in a register of parliamentary electors or local government electors is not to be regarded as being included in that register.”

(3) In subsection (7), for “names” substitute “entries”.

Commencement Information

I17 Sch. 1 para. 17 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

The Greater London Authority Act 1999 (c. 29)

18 (1) Section 17A of the Greater London Authority Act 1999 (free delivery of election addresses) is amended as follows.

(2) In subsection (2)(b)—

(a) after “in any such register” insert “ (or, in the case of a person who has an anonymous entry in any such register, in the record of anonymous entries for that electoral area) ”, and

(b) after “from the register” insert “ (or from the record) ”.

(3) After subsection (2) insert—

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“(2A) In subsection (2)(b), “anonymous entry” and “record of anonymous entries” have the meaning given in section 202(1) of the Representation of the People Act 1983.”

Commencement Information

I18 Sch. 1 para. 18 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

The Representation of the People Act 2000 (c. 2)

19 Schedule 4 to the Representation of the People Act 2000 (absent voting) is amended in accordance with paragraphs 20 to 23.

Commencement Information

I19 Sch. 1 para. 19 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 20 (1) Paragraph 3 is amended as follows.
- (2) In sub-paragraph (3), after paragraph (a) insert—
- “(aa) if he has an anonymous entry in the register of electors for the election,”.
- (3) After sub-paragraph (3) insert—
- “(3A) Sub-paragraph (3)(aa) does not apply to an application to vote by proxy at a local government election in Scotland.”
- (4) In sub-paragraph (5), after paragraph (a) insert—
- “(aa) in the case of a person who is eligible to vote by proxy by virtue of having an anonymous entry, if he ceases to have an anonymous entry,”.

Commencement Information

I20 Sch. 1 para. 20 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 21 In paragraph 4, after sub-paragraph (2) insert—
- “(2A) Where a person who has an anonymous entry in the register of electors for a parliamentary or local government election applies to the registration officer to vote by proxy at a particular such election the registration officer shall grant the application if it meets the prescribed requirements.
- (2B) Sub-paragraph (2A) does not apply to an application to vote by proxy at a local government election in Scotland.”

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I21 Sch. 1 para. 21 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

22 In paragraph 5, after sub-paragraph (3) insert—

“(4) In the case of a person who has an anonymous entry in a register the postal voters list or list of proxies (as the case may be) must show in relation to the person only—

- (a) his electoral number, and
- (b) the period for which the anonymous entry has effect.

(5) Sub-paragraph (4) does not apply to any list kept in respect of a local government election in Scotland.”

Commencement Information

I22 Sch. 1 para. 22 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

23 In paragraph 7, after sub-paragraph (8) insert—

“(8A) In the case of a person who has an anonymous entry in a register the special list mentioned in sub-paragraph (8) must contain only—

- (a) the person's electoral number, and
- (b) the period for which the anonymous entry has effect.

(8B) Sub-paragraph (8A) does not apply to a special list kept in respect of a local government election in Scotland.”

Commencement Information

I23 Sch. 1 para. 23 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

The 2000 Act

24 The 2000 Act is amended as follows.

Commencement Information

I24 Sch. 1 para. 24 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

25 In section 65 (submission of donation reports to Commission), after subsection (2) insert—

“(2A) If a donation report under section 62 or 63 states that the registered party has seen evidence of such description as is prescribed by the Secretary of State in regulations that an individual donor has an anonymous entry in an

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electoral register (within the meaning of the Representation of the People Act 1983), the report must be accompanied by a copy of the evidence.”

Commencement Information

I25 Sch. 1 para. 25 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

26 In paragraph 2 of Schedule 6 (details to be given in donation reports) after sub-paragraph (3A) insert—

“(3B) Sub-paragraph (2) applies in the case of a donation by a person who has an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983), as if for paragraphs (a) and (b) there were substituted “ state that the registered party has seen evidence of such description as is prescribed by the Secretary of State in regulations that the individual has an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983) ”.

(3C) Sub-paragraph (3) applies in the case of a donation in the form of a bequest by a person who either—

- (a) at the time of his death, or
- (b) at any time in the period of five years ending with the date of his death,

had an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983), as if for paragraph (b) there were substituted—

- “(b) a statement that the registered party has seen evidence of such description as is prescribed by the Secretary of State in regulations that the individual had—
 - (i) at the time of his death, or
 - (ii) at any time in the period of five years ending with the date of his death,

an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983).”

Commencement Information

I26 Sch. 1 para. 26 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

27 The existing text of paragraph 3 of that Schedule becomes sub-paragraph (1) and after sub-paragraph (1) insert—

“(2) In the case of a donation by a person who has an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983), instead of giving details of the address of the donor the party must state that it has seen evidence of such description as is prescribed by the Secretary of State in regulations that the person has such an entry.

(3) In the case of a donation in the form of a bequest by a person who either—

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- (a) at the time of his death, or
- (b) at any time in the period of five years ending at the date of his death,

had such an entry, instead of giving details of the address of the donor, the party must state that it has seen evidence of such description as is prescribed by the Secretary of State in regulations that the person had, at that time, such an entry.”

Commencement Information

I27 Sch. 1 para. 27 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 28 In Schedule 7 (control of donations to individuals and members associations), in paragraph 10, after sub-paragraph (4) insert—

“(4A) In the case of a donation made by an individual who has an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983), if the report states that the donee has seen evidence of such description as is prescribed by the Secretary of State in regulations that the individual has such an anonymous entry, the report must be accompanied by a copy of the evidence.”

Commencement Information

I28 Sch. 1 para. 28 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 29 In Schedule 11 (control of donations to recognised third parties), in paragraph 10, after sub-paragraph (3) insert—

“(4) In the case of a donation made by an individual who has an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983) if the statement states that the recognised third party has seen evidence of such description as is prescribed by the Secretary of State in regulations that the individual has such an anonymous entry, the statement must be accompanied by a copy of the evidence.”

Commencement Information

I29 Sch. 1 para. 29 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 30 In Schedule 15 (control of donations to permitted participants), in paragraph 10, after sub-paragraph (3) insert—

“(4) In the case of a donation made by an individual who has an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983) if the statement states that the permitted participant has seen evidence of such description as is prescribed by the Secretary of State in regulations that the individual has such an anonymous entry, the statement must be accompanied by a copy of the evidence.”

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Commencement Information

I30 [Sch. 1 para. 30](#) wholly in force at 1.1.2007, see [s. 77](#) and [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 12\(a\)](#) (subject to transitional provisions in [Sch. 2](#))

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