



# Political Parties and Elections Act 2009

## 2009 CHAPTER 12

### PART 4

#### ELECTORAL REGISTRATION

##### *Co-ordinated on-line record of electors*

#### **28 Establishment of corporation sole to be CORE keeper**

- (1) Part 1 of the Electoral Administration Act 2006 (c. 22) (co-ordinated on-line record of electors) is amended as follows.
- (2) In section 1 (CORE schemes: establishment), in subsection (10), for “must be a public authority” there is substituted “must be—
  - (a) a corporation sole established by an order under section 3A, or
  - (b) some other public authority”.
- (3) After section 3 there is inserted—

##### **“3A Establishment of corporation sole to be CORE keeper**

- (1) The Secretary of State may by order establish a corporation sole (“the corporation”) with a view to its being designated by a CORE scheme as the CORE keeper.
- (2) The Secretary of State may also by order establish a panel (“the advisory panel”) to provide advice and support to the corporation.
- (3) An order under this section may make—
  - (a) provision for and in connection with the appointment of—
    - (i) the occupant of the corporation (“the office-holder”);
    - (ii) directors of the corporation (including non-executive directors);
    - (iii) one or more deputies to the office-holder;

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- (iv) other officers or members of staff of the corporation;
  - (v) members of the advisory panel.
- (b) provision about the terms and conditions of appointment of persons referred to in paragraph (a) (including provision about how and by whom those terms and conditions are to be determined and provision as to their approval);
  - (c) provision about the payment to or in respect of persons referred to in paragraph (a)(i) to (iv) of remuneration, allowances, expenses, pensions, gratuities or compensation for loss of employment;
  - (d) provision about the payment of allowances and expenses to members of the advisory panel;
  - (e) provision about the acquisition and disposal by the corporation, and in particular the transfer to the corporation by the Secretary of State, of property, rights and liabilities;
  - (f) provision about the transfer of staff to the corporation by the Secretary of State;
  - (g) provision about the functions of the corporation and of the advisory panel, and about delegation of functions of the office-holder;
  - (h) provision requiring the corporation to consult the advisory panel in relation to particular matters or in particular circumstances;
  - (i) provision about accounts and reports, including—
    - (i) provision requiring accounts and reports of the corporation to be laid before Parliament and published;
    - (ii) provision about auditing of accounts;
  - (j) provision about the name of the corporation and of the advisory panel;
  - (k) incidental, supplementary, consequential or transitional provision.
- (4) An order under this section may add such entries to—
- (a) the Table in paragraph 3 of Schedule 1 to the Public Records Act 1958,
  - (b) Schedule 2 to the Parliamentary Commissioner Act 1967,
  - (c) Schedule 1 to the House of Commons Disqualification Act 1975, or
  - (d) Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975,
- as the Secretary of State considers appropriate in consequence of the establishment of the corporation or the advisory panel.
- (5) The Secretary of State may make payments to the corporation of such amounts, at such times and on such conditions (if any) as the Secretary of State considers appropriate.
- (6) Neither the corporation nor any person referred to in subsection (3)(a)(i) to (iv) nor the advisory panel is to be regarded as a servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.”
- (4) In section 6 (CORE schemes: procedure)—
- (a) in subsection (1), after “section 1” there is inserted “or 3A”;
  - (b) after subsection (5) there is inserted—
    - “(6) An order under section 3A must not be made unless the Secretary of State first consults—
      - (a) the Electoral Commission;

(b) the Information Commissioner.”

## 29 Use of CORE information

(1) Section 2 of the Electoral Administration Act 2006 (c. 22) (co-ordinated on-line record of electors: use of information) is amended as follows.

(2) At the end of subsection (3) there is inserted—

“Modifications under this subsection may, in particular, provide for the supply of material by a CORE keeper to be subject to conditions or restrictions which do not apply in the case of an ERO (or which differ from those that apply in the case of an ERO).”

(3) After subsection (4) there is inserted—

“(4A) A CORE scheme may amend section 3 of the Juries Act 1974 (electoral register as basis of jury selection)—

- (a) so as to require a CORE keeper to supply a designated officer with any documents or information referred to in that section (as it had effect immediately before the establishment of the scheme), and to make provision as to when the CORE keeper is to do so;
- (b) so as to require an ERO to supply a designated officer with any such documents or information, but only when requested to do so by the officer.

In this subsection “designated officer” means an officer designated by the Lord Chancellor.”

(4) In subsection (6)—

- (a) in paragraph (b), after “is requested” there is inserted “in respect of the same address or”;
- (b) in paragraph (c), for “acts as” there is substituted “is appointed as, or votes as,”.

(5) After subsection (6) there is inserted—

“(6A) A CORE scheme may require that where a CORE keeper informs an ERO as mentioned in subsection (5), or informs an ERO of any suspicions that the CORE keeper has concerning the commission of an offence under the 1983 Act or other impropriety—

- (a) the ERO must take such steps (if any) as appear to the ERO to be appropriate in response to being so informed;
- (b) the ERO must notify the CORE keeper of the steps taken (or of the reasons for not taking any), within such period and in such form and manner as is specified—
  - (i) in the scheme, or
  - (ii) by the CORE keeper in accordance with the scheme.”

(6) In subsection (7)(b), after “relating to the person” there is inserted “, or to any such suspicions as are mentioned in subsection (6A),”.

(7) In subsection (11)—

- (a) for “must not authorise” there is substituted “must not—

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- (a) authorise”;
  - (b) at the end there is inserted—
    - “(b) authorise one ERO to supply information to another.”
- (8) After that subsection there is inserted—
- “(11A) A CORE scheme may authorise the CORE keeper to supply information to the Electoral Commission.”