



# Political Parties and Elections Act 2009

## 2009 CHAPTER 12

### PART 4

#### ELECTORAL REGISTRATION

##### *Identifying information*

#### **31 Regulations amending or supplementing section 30**

- (1) The Secretary of State may by regulations—
  - (a) amend subsection (1) or (2) of section 30;
  - (b) make any other amendments to that section or this section that appear to the Secretary of State to be necessary or desirable in consequence of an amendment made by virtue of paragraph (a);
  - (c) make provision supplementing that section.
- (2) The provision that may be made by virtue of subsection (1)(c) includes in particular—
  - (a) provision as to forms on which identifying information may be provided;
  - (b) provision as to explanations or other material to be provided by registration officers, either on forms of the kind mentioned in paragraph (a) or otherwise;
  - (c) provision about the form and manner in which records under section 30(5) are to be kept;
  - (d) provision for the disclosure by the authority responsible for national insurance numbers (the “relevant authority”) to a registration officer or CORE keeper, following a request by that person, of—
    - (i) the national insurance number recorded in respect of an individual specified or described in the request, or the fact that the individual is not recorded as having a national insurance number, and
    - (ii) in the case of such an individual recorded as having a national insurance number, any further information about the individual that is recorded by the relevant authority,

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*Status: This is the original version (as it was originally enacted).*

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- for the purpose of checking the accuracy of any information that appears in a register or other record kept by a registration officer (including a record under section 30(5)) or checking a person's entitlement to be registered in a register;
- (e) provision authorising the relevant authority to charge fees to a person making a request of the kind mentioned in paragraph (d) to cover the authority's reasonable expenses in complying with such requests;
  - (f) provision for the disclosure by a CORE keeper to a registration officer, for the purpose mentioned in paragraph (d), of information within sub-paragraph (i) or (ii) of that paragraph;
  - (g) provision as to action to be taken by a registration officer who suspects (whether as a result of checks of the kind referred to in paragraph (d) or otherwise) that any information collected under section 30 is false.
- (3) Information obtained by a registration officer or CORE keeper under regulations made by virtue of subsection (2)(d) or (f) may not be disclosed by the officer or CORE keeper except—
- (a) for the purpose mentioned in subsection (2)(d), or
  - (b) for the purposes of any criminal or civil proceedings,
- or, in the case of information obtained by a registration officer, to a person to whom the officer may delegate his or her functions.
- (4) A person who discloses information in breach of subsection (3) is guilty of an offence and liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or to both;
  - (b) on summary conviction in England and Wales and Scotland, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both;
  - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both.
- (5) Regulations under this section may contain transitional or saving provision.
- (6) The power to make regulations under this section is exercisable by statutory instrument.
- (7) Before making regulations under this section, the Secretary of State—
- (a) must consult the Electoral Commission, and
  - (b) in the case of regulations containing provision amending subsection (1) or (2) of section 30, must seek the Commission's views as to whether, if it was obligatory for every registered person to provide identifying information, the provision would help or hinder the achievement of the registration objectives.
- (8) For the purposes of this Part, the registration objectives are to secure, so far as is reasonably practicable—
- (a) that persons who are entitled to be registered in a register are registered in it,
  - (b) that persons who are not entitled to be registered in a register are not registered in it, and
  - (c) that none of the information relating to a registered person that appears in a register or other record kept by a registration officer is false.

- (9) The first regulations under this section, and any subsequent ones that amend section 30 or this section, may not be made unless a draft of the statutory instrument containing them has been laid before, and approved by a resolution of, each House of Parliament.
- (10) Any regulations under this section not falling within subsection (9) are subject to annulment in pursuance of a resolution of either House of Parliament.
- (11) In this section—
- “CORE keeper” has the same meaning as in Part 1 of the Electoral Administration Act 2006 (c. 22);
  - “identifying information” has the same meaning as in section 30.