



Political Parties and Elections Act 2009

2009 CHAPTER 12

PART 4

ELECTORAL REGISTRATION

Identifying information

33 Obligatory provision of identifying information

- (1) With effect from the commencement of this section, the amendments made to the 1983 Act by section 1 of the Electoral Fraud (Northern Ireland) Act 2002 (c. 13) extend to the whole of the United Kingdom.
- (2) The 1983 Act is amended as follows.
- (3) In section 10 (maintenance of registers: annual canvass)—
 - (a) for subsection (4) there is substituted—
 - “(4) The form to be used for the purposes of a canvass shall be—
 - (a) a form prescribed for those purposes, or
 - (b) a form to the same effect.

Paragraph (b) does not apply in Northern Ireland and, in Great Britain, does not apply if or to the extent that regulations so provide.”;

- (b) in subsection (4A), for “a canvass in Northern Ireland” there is substituted “a canvass”;
- (c) in subsection (4A)(c), at the beginning of sub-paragraph (ii) there is inserted “in the case of a canvass in Northern Ireland,”;
- (d) in subsection (4B), for “The Chief Electoral Officer for Northern Ireland” there is substituted “A registration officer”;
- (e) after that subsection there is inserted—

“(4C) In relation to each person without a national insurance number to whom the form mentioned in subsection (4) above relates, regulations

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may require the form to be accompanied by such other evidence to identify the person as may be prescribed.

(4D) A registration officer shall keep a record showing the information obtained under subsection (4A) above or by virtue of subsection (4C) above.”

- (4) In section 10ZB (the relevant registration objectives)—
- (a) in the heading, the words “(Northern Ireland)” are omitted;
 - (b) in subsection (3), for “the Chief Electoral Officer for Northern Ireland” there is substituted “a registration officer”;
 - (c) in subsections (4) and (5)(a), for “the Chief Electoral Officer” there is substituted “the registration officer concerned”.
- (5) In section 10A (maintenance of registers: registration of electors)—
- (a) in subsection (1A), the words “in respect of an address in Northern Ireland” are omitted;
 - (b) in subsection (1A)(c), at the beginning of sub-paragraph (ii) there is inserted “in the case of an application for registration in respect of an address in Northern Ireland,”;
 - (c) in subsection (1B), for “The Chief Electoral Officer for Northern Ireland” there is substituted “A registration officer”;
 - (d) after that subsection there is inserted—

“(1C) In relation to each person without a national insurance number to whom an application for registration relates, regulations may require the application to be accompanied by such other evidence to identify the person as may be prescribed.

(1D) A registration officer shall keep a record showing the information obtained under subsection (1A) above or by virtue of subsection (1C) above.”;
 - (e) in subsection (2)(a), for the words from “the form” to “in a register” there is substituted “a completed form specifies any person as a person who is entitled to be registered in a register in respect of a particular address”;
 - (f) in subsection (5)(a), for sub-paragraph (i) there is substituted—

“(i) no canvass form was returned showing the elector as resident at that address on that date, or”;
 - (g) in subsection (5A), for the words in paragraph (a) from the beginning to “does not include” there is substituted “a canvass form has been returned showing the elector as resident at that address but the form does not include”;
 - (h) in subsection (7), for the words after “in cases where” there is substituted “no canvass form has been returned in respect of the person in question”;
 - (i) in subsection (9), before the definition of “determines” there is inserted—

““canvass form” means the form mentioned in section 10(4) above;”.
- (6) In section 13A (alteration of registers)—
- (a) in subsection (2A), the words “in respect of an address in Northern Ireland” are omitted;
 - (b) in subsection (2A)(c), at the beginning of sub-paragraph (ii) there is inserted “in the case of an application for registration in respect of an address in Northern Ireland,”;

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- (c) in subsection (2B), for “The Chief Electoral Officer for Northern Ireland” there is substituted “A registration officer”;
- (d) after that subsection there is inserted—
 - “(2C) In relation to each person without a national insurance number to whom an application for registration under subsection (1)(a) above relates, regulations may require the application to be accompanied by such other evidence to identify the person as may be prescribed.
 - (2D) A registration officer shall keep a record showing the information obtained under subsection (2A) above or by virtue of subsection (2C) above.”
- (7) In section 13BB (election falling within canvass period) (inserted by section 23 above), in subsection (1)(a)—
 - (a) for “the form returned in respect of an address (“the relevant address”)” there is substituted “a form”;
 - (b) for “an application for registration is treated as having been made in respect of that address” there is substituted “an application for registration in respect of a particular address (“the relevant address”) is treated as having been made”.
- (8) In section 13D (provision of false information), in subsection (2), for “the Chief Electoral Officer for Northern Ireland” there is substituted “a registration officer”.
- (9) In section 201 (regulations), after subsection (2A) there is inserted—
 - “(2B) In the case of regulations under section 10(4C), 10A(1C) or 13A(2C), in carrying out the consultation required by section 7 of the Political Parties, Elections and Referendums Act 2000 the Secretary of State shall seek the views of the Electoral Commission as to whether the provision to be made by the regulations would help or hinder the achievement of the registration objectives (within the meaning given by section 10ZB).”
- (10) In Schedule 2 (provisions which may be contained in regulations as to registration etc), in paragraph 1—
 - (a) after sub-paragraph (4) there is inserted—
 - “(4ZA) Provisions for the disclosure (otherwise than by virtue of sub-paragraph (4) above) by the authority responsible for national insurance numbers (the “relevant authority”) to a registration officer or a CORE keeper, following a request by that person, of—
 - (a) 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
 - (b) 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,for the purpose of checking the accuracy of any information that appears in a register or other record kept by a registration officer or checking a person’s entitlement to be registered in such a register.
 - (4ZB) Provisions authorising the relevant authority to charge fees to a person making a request of the kind mentioned in sub-

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paragraph (4ZA) to cover the authority's reasonable expenses in complying with such requests.

(4ZC) Provisions for the disclosure by a CORE keeper to a registration officer, for the purpose mentioned in sub-paragraph (4ZA), of information within paragraph (a) or (b) of that sub-paragraph.”;

- (b) in sub-paragraph (4A), for “such authority or person” there is substituted “authority or person within paragraph (a) or (b) of sub-paragraph (4)”, and for “such records” there is substituted “any records within sub-paragraph (4)”;
- (c) in sub-paragraph (5), for “sub-paragraph (4) or (4A)” there is substituted “sub-paragraph (4), (4ZA) or (4A)”;
- (d) for sub-paragraph (6) there is substituted—

“(6) But provision made under sub-paragraph (4ZA), (4ZC) or (4A) may not permit information obtained by a registration officer or CORE keeper under that provision to be disclosed by the officer or CORE keeper except—

- (a) for the purpose mentioned in sub-paragraph (4ZA) or, as the case may be, sub-paragraph (4A), 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 functions.”;

- (e) after sub-paragraph (6) there is inserted—

“(6A) In sub-paragraphs (4ZA) and (4ZC) “CORE keeper” has the same meaning as in Part 1 of the Electoral Administration Act 2006.”;

- (f) sub-paragraph (8) is omitted.

(11) In paragraph 13 of that Schedule, for sub-paragraph (1ZA) there is substituted—

“(1ZA) Provisions making a person who discloses information in breach of paragraph 1(6) guilty of an offence punishable—

- (a) on conviction on indictment, by imprisonment for a term not exceeding two years or a fine, or both;
- (b) on summary conviction in England and Wales and Scotland, by imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum, or both;
- (c) on summary conviction in Northern Ireland, by imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum, or both.”