

1989 No. 1304

REPRESENTATION OF THE PEOPLE

**The Representation of the People (Northern Ireland)
(Amendment) Regulations 1989**

Made - - - - - *28th July 1989*

Coming into force *1st August 1989*

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament;

Now, therefore, in exercise of those provisions of the Representation of the People Act 1983(a) which are specified in Schedule 1 to these Regulations, I hereby make the following Regulations:

1.—(1) These Regulations may be cited as the Representation of the People (Northern Ireland) (Amendment) Regulations 1989.

(2) These Regulations extend to Northern Ireland only.

2. These Regulations shall come into force on 1st August 1989.

3. In these Regulations:

“local elector” has the same meaning as in section 130(1) of the Electoral Law Act (Northern Ireland) 1962(b); and

“Regulations of 1986” mean the Representation of the People (Northern Ireland) Regulations 1986(c).

4.—(1) Parts I, II and III of the Regulations of 1986 except:

(a) regulations 2 (commencement) and 3 (revocations), sub-paragraph (b) of regulation 5(1) (forms), regulations 10 (official poll card at parliamentary elections), 11 (return and declaration of election expenses), and 13 (amendment of rule 37(1E) of elections rules), and

(b) any provision relating to overseas electors and European Parliamentary overseas electors,

shall have effect for the purposes of the registration of local electors and the register of local electors as well as for the registration of parliamentary electors and the register of parliamentary electors.

(2) The amendments to the Regulations of 1986 which are set out in Schedule 2 to these Regulations shall have effect.

(a) 1983 c.2.

(b) 1962 c.14 (N.I.).

(c) S.I. 1986/1091; references to European Parliamentary overseas electors have been substituted for references to Assembly overseas electors in these Regulations following the coming into force of section 3 of the European Communities (Amendment) Act 1986 (c.58) on the entry into force of the Single European Act.

SCHEDULE 1

ENABLING POWERS

These Regulations are made under the following provisions of the Representation of the People Act 1983 ("the Act of 1983"), as applied with modifications by section 2(1) of, and Schedule 1 to, the Elected Authorities (Northern Ireland) Act 1989^(a), namely—

- (a) sections 15(2) and (4), 53^(b) and 201(1) of, and paragraphs 1(2), 3, 4^(c), 5^(d), 6, 7, 10, 11, 11A^(e) and 13 of Schedule 2 to the Act of 1983, and
- (b) having regard to the definition of "prescribed" in section 202(1) of the Act of 1983, sections 7(4), 10^(f), 14(1), 16 and 56(1) and (5) of the Act of 1983.

SCHEDULE 2

Regulation 4(2)

AMENDMENTS TO THE REPRESENTATION OF THE PEOPLE (NORTHERN IRELAND) REGULATIONS 1986

1.—(1) In the definition of "candidate" in regulation 4(1) (interpretation), after the word "means" there shall be inserted the words "(a) in relation to a parliamentary election" and at the end of that definition there shall be added:

"(b) in relation to a local election, a person having been nominated or having declared himself a candidate for election to the office to be filled at the election;"

(2) In the definition of "local elector" in regulation 4(1), for the word "has" there shall be substituted the words "and "local election" have".

(3) After regulation 4(3), there shall be added:

"(4) Any reference in these Regulations to a provision of the Act of 1983 which has been applied by section 2(1) of, and Schedule 1 to, the Elected Authorities (Northern Ireland) Act 1989 shall include a reference to that provision as so applied and with any modifications specified in Part II of that Schedule."

2. In regulation 29(2) (information from householders), the words "which may be combined with any equivalent form used for the registration of local electors" shall be omitted.

3. In regulation 32 (electors lists prepared as draft register) after the word "below" there shall be inserted the words "and section 9(2)".

4. In regulation 33 (alternative form of electors lists), in paragraph (2)(b)(i) and (c)(i) for the word "electors" there shall be substituted the words "or as local electors or as both".

5. At the end of regulation 50 (marking of names), there shall be added:

"(3) To indicate that an elector is registered only as a local elector, the letter "L" shall be placed against his name in the register."

^(a) 1989 c.3.

^(b) Section 53 of the Act of 1983 was amended by the Representation of the People Act 1985 (c.50), Schedule 4, paragraph 13.

^(c) Paragraph 4 has been amended, but the amendment is not relevant in this context.

^(d) Paragraph 5(4) has been repealed by Representation of the People Act 1985, Schedule 5.

^(e) Paragraph 11A was inserted by Representation of the People Act 1985, Schedule 4, paragraph 87(c).

^(f) Section 10(b) was amended by Representation of the People Act 1985, section 4(2)(b).

6. In regulation 52(2) (information about register) after sub-paragraph (a) there shall be inserted:

- “(aa) local electors (including those referred to in sub-paragraph (b) below);
- (ab) those local electors who, as peers, are ineligible to vote at parliamentary elections;”.

7. After regulation 53(3) (free copies of register etc.) there shall be inserted the following paragraph:

“(3A) The registration officer shall on request supply free of charge one copy of so much of the register as relates to a district electoral area to:

- (a) every councillor elected for that area; and
- (b) each candidate at a local election for that area or his election agent.

(3B) The registration officer shall on request supply free of charge one copy of the register for a district to the council of that district.”.

8. In regulation 55(3) (supply of data), the words “the Act of 1962” shall be omitted.

9. In paragraph 56(4) (supply of labels), for the words “(1) or (2)” there shall be substituted the words “(1), (2) or (3A)”.

10. In Schedule 2 (forms):

- (a) in form B (notice of publication of draft register), the words “of parliamentary electors” in paragraph 4 shall be omitted; and
 - (b) in form C (notice of publication of electors lists), the words “of parliamentary electors” in paragraph 5 shall be omitted.
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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in consequence of the enactment of section 2(1) of, and Schedule 1 to, the Elected Authorities (Northern Ireland) Act 1989. Those provisions apply with modifications certain provisions in the Representation of the People Act 1983 which apply in connection with the registration of parliamentary electors in Northern Ireland for the purposes of the registration of local electors there. The provisions of Schedule 1 (so far as not already in force) are brought into force by the Elected Authorities (Northern Ireland) Act 1989 (Commencement No. 1) Order 1989 (S.I. 1989/1093, (C. 30)).

These Regulations extend the relevant provisions in Parts I to III of the Representation of the People (Northern Ireland) Regulations 1986 ("the 1986 Regulations"), which apply in connection with the registration of parliamentary electors in Northern Ireland, so that they have effect also in connection with the registration of local electors there (regulation 4(1)). Regulation 4(2) of, and Schedule 2 to, these Regulations amend the 1986 Regulations in consequence of this change and make additional provision for the supply of copies of the register of electors (paragraph 7 of Schedule 2).

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