

2004 No. 1960 (S.7)

REPRESENTATION OF THE PEOPLE

**The Representation of the People (Form of Canvass) (Scotland)
Regulations 2004**

Made - - - - - *20th July 2004*

Coming into force - - - - - *3rd August 2004*

Whereas the Secretary of State has consulted the Electoral Commission about these Regulations in accordance with section 7(1) and (2) of the Political Parties, Elections and Referendums Act 2000(a);

And whereas a draft of these Regulations has been laid before and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State in exercise of the powers conferred on him by sections 10(4)(b), 53 and 201(1) and (3) of, and paragraph 10(2) of Schedule 2 to, the Representation of the People Act 1983(c), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Representation of the People (Form of Canvass) (Scotland) Regulations 2004 and shall come into force on the expiry of 14 days beginning with the day on which they are made.

(2) In these Regulations, “the 2001 Regulations” means the Representation of the People (Scotland) Regulations 2001(d).

(3) These Regulations shall extend to Scotland only.

Revocation

2. The Representation of the People (Form of Canvass) (Scotland) Regulations 2003(e) are hereby revoked.

(a) 2000 c.41.

(b) Having regard to the definition of “prescribed” in section 202(1) of the Representation of the People Act 1983.

(c) 1983 c.2; section 10 was substituted by Schedule 1 to the Representation of the People Act 2000 (c.2); section 201(3) was inserted by Schedule 1 to that Act.

(d) S.I. 2001/497, amended by S.I. 2001/1749 and S.I. 2002/1872.

(e) S.I. 2003/1892.

Prescribed form

3. The form set out in Part I of the Schedule to these Regulations is hereby prescribed for use for the purposes of the canvass which is required to be conducted by section 10 of the Representation of the People Act 1983.

Amendment of provision about applications

4. In regulation 26(6) of the 2001 Regulations (applications for registration)(a) for “the Representation of the People (Form of Canvass) (Scotland) Regulations 2003” substitute “the Representation of the People (Form of Canvass) (Scotland) Regulations 2004”.

ANNE McGUIRE
Parliamentary Under Secretary of State
Scotland Office
Department for Constitutional Affairs

Dover House,
London
20th July 2004

(a) Regulation 26(6) was inserted by S.I. 2002/1872, regulation 7(6), and amended by S.I. 2003/1892, regulation 4.

SCHEDULE

Regulation 3

Form of Canvass and Form of Words about the Two Versions of the Register

PART I

Form prescribed for the purposes of section 10(4) of the Representation of the People Act 1983 (as substituted by Schedule 1 to the Representation of the People Act 2000)

RETURN BY OCCUPIER AS TO RESIDENTS

Your right to vote

You can vote in elections only if your name appears in the register of electors. A new version of the register is published at least once a year following an annual canvass which takes place each autumn.

About this form

The law requires you to give the information requested in this form. So please fill it in, sign it and return it to the electoral registration officer *as quickly as possible*.

Remember to include the names of all those living in your household who will be eligible to vote – their right to vote is important too.

The form should include all those living in your household on 15th October [*insert year*]. But you need not wait until then to fill in the form.

If you do not return this form, your name may be left out of the new version of the register, even though it may already be included in the current one.

With this form there are notes about who is eligible to vote and instructions on how to fill it in.

If there is anything you don't understand, or if you would like more information, contact your electoral registration office at the address - or on the telephone number - shown on the form. They will be pleased to help.

Checking the register

The new register is published on or shortly before 1st December and you can look at a copy of it at your local electoral registration office, the council offices or at some libraries. If for some reason you have been missed off the register, or your details have changed since 15th October (for example, because you have changed your address) you should ask immediately to have your name added to the register or to have the register changed. The electoral registration officer will tell you what you have to do.

Would you prefer to vote by post?

Anyone on the electoral register can vote by post. You can have a postal vote for just one election, for all elections in a set period, or for all elections indefinitely. To make it easy for you to apply for a postal vote, there is a tick box alongside each name on the form. If you want to apply for a postal vote, you should tick the box and an application form will be sent to you.

ANNUAL CANVASS OF ELECTORS *[insert year]*

You must by law give the information requested in this form.

Be sure to include:–

- **British citizens, citizens of other Commonwealth countries or of the Irish Republic.**
- **Citizens of other Member States of the European Union** - you should therefore include all citizens of the following States:

Austria	Finland	Ireland	Poland
Belgium	France	Latvia	Portugal
Cyprus	Germany	Lithuania	Slovakia
Czech Republic	Greece	Luxembourg	Slovenia
Denmark	Hungary	Malta	Spain
Estonia	Italy	Netherlands	Sweden

These citizens will be registered as local government electors only (unless they are also Commonwealth citizens such as citizens of Cyprus and Malta, or citizens of the Irish Republic, who can vote in all elections). Those citizens registered as local government electors are able to vote in elections for the Scottish Parliament.

- **Those living in your household who are 16 and 17 years old** - they can vote as soon as they are 18. Please give their dates of birth in Part 4.
- **Those who normally live in your household but are away for the time being** - for example on holiday, as students, or in hospital (including voluntary patients in psychiatric hospitals).
- **Anyone who is away working**, unless they are away for more than six months.
- **Any other residents, lodgers or guests** (but not short-stay visitors) in your household, whether this is a private address, a hostel or a club.

Don't include:–

- **Foreign nationals** - except for citizens of Member States of the European Union (see list of States above).
- **People under 16.**
- **Anybody who will be leaving your address** before 15th October *[insert year]*.

European Parliamentary Elections

If you are a citizen of a Member State of the European Union, you may be able to vote in European Parliamentary Elections in this country if you wish, **but you will need to fill in another form to allow you to do so**. Ask the electoral registration officer for more details.

The two versions of the register

The electoral registration officer makes and keeps two versions of the electoral register - the full register and the edited register.

Please put a tick in Part 5 against anyone who wishes their name and address to be excluded from the edited register. Each elector must choose each year whether they want their details to be excluded from the edited register. You must therefore ask each of them their

preference before completing this form. You must decide whether to tick the box even if you have ticked it on a previous canvass form.

The full register

The full register lists everyone who is entitled to vote and includes their address. You can check it by calling at your local electoral registration office, the council offices or at some local libraries. Only certain people and organisations can have copies of the full register, and they can only use it for specified purposes. The main use of the full register is for elections and referendums, but it can also be used for other purposes such as the prevention and detection of crime and for checking your identity when you have applied for credit. Details of others who can have copies of the full register and what they can use it for are given in the Representation of the People (Scotland) (Amendment) Regulations 2002 (S.I. 2002 No. 1872).

It is a criminal offence not to comply with the Regulations. For example, it is a criminal offence either to pass the full register on to anyone or to use it for any purpose, except as allowed by the Regulations.

The Scottish Parliament (Elections etc.) Order 2002, Schedule 1 (S.I. 2002 No. 2779) also makes provision about those who can have copies of the full register and what they can use it for, in the context of elections to the Scottish Parliament.

The Regulations and Order are available on the internet at www.legislation.hmso.gov.uk/stat.htm or you can buy a copy from The Stationery Office Ltd.

The edited register

The edited register leaves out the names and addresses of people who have asked for them to be excluded from that version of the register. The edited register can be bought by anyone who asks for a copy and they may use it for any purpose.

How to return this form

First, please check that you have read and completed the form and signed the declaration. Then return it in the envelope provided or fold the form up as the instructions tell you. Otherwise you can send it or take it to your local electoral registration office at the address shown on the form.

REPRESENTATION OF THE PEOPLE ACTS

Electoral registration form - annual canvass

Please read the notes below before filling in using BLOCK LETTERS

DON'T LOSE YOUR RIGHT TO VOTE **X**

1. Address.		Number of house (or name if not numbered), followed by Name of street, road, etc. and remainder of address, including postcode			
2. Names	Number of flat, bedsit or floor (where applicable).	3. Nationality	4. 16/17 year olds	5. Persons not wishing to appear on the edited register	6. Postal votes
Please read the notes below about who to include and who not to include. Then write here the names of all those, including yourself, living in your household on 15th October [insert year] who are British citizens or other Commonwealth citizens, or who are citizens of the Republic of Ireland or another Member State of the European Union and are aged 16 or over on that date.		Please enter nationality below.	Please give dates of birth of 16/17 year olds.	If the person does not wish their name to appear on the edited register, enter ✓ below (see note on the two versions of the register).	If you want a postal vote application enter ✓ below.
Surname (BLOCK LETTERS PLEASE)	Full forenames (BLOCK LETTERS PLEASE)		Day	Month	Year
7. No one eligible		8. Other households			
If no one (including yourself) in your household should be included in Part 2 above, please write 'NO ONE' in Part 2 and give the reason.		Is where you live part of a house or other property that has been converted into flats or bedsits? If so, please state how many individual flats or bedsits there are so that the electoral registration officer can make sure that the people living there are given a form. How many flats or bedsits?			
9. Declaration					
It is an offence to give false information in completing this form.					
I declare that as far as I know, the details on this form are true and accurate and all whose names are entered are British citizens, other Commonwealth citizens, citizens of the Republic of Ireland, or citizens of other Member States of the European Union.					
Signature	Date				

PART II

Form of words about the two versions of the register

The two versions of the register

The electoral registration officer makes and keeps two versions of the electoral register - the full register and the edited register.

Please say in your application if you wish your name and address to be excluded from the edited register.

The full register

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EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 10 of the Representation of the People Act 1983 (as substituted by Schedule 1 to the Representation of the People Act 2000) each registration officer is required to conduct an annual canvass (by reference to residence on 15th October in that year) in his registration area to ascertain the persons who are entitled to be or remain registered as parliamentary or local government electors in that area.

These Regulations prescribe a revised form for the purposes of that canvass. The form takes account of the fact that ten new States acceded to the European Union in 2004. It makes provision for their citizens (as well as citizens of other Member States) who reside in a registration area, to be included in the register of local government electors for that area. In addition, regulation 3 and Part II of the Schedule to the Regulations prescribe a new form of words about the full and edited versions of the register, to be included as part of the application for registration form provided by registration officers.

The Regulations also revoke the Representation of the People (Form of Canvass) (Scotland) Regulations 2003, which had previously prescribed the form of canvass and the form of words about the two versions of the register.

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