

2008 No. 1316 (C. 55)

REPRESENTATION OF THE PEOPLE

**The Electoral Administration Act 2006 (Commencement No.7)
Order 2008**

Made - - - -

13th May 2008

The Secretary of State, in exercise of the powers conferred by section 77(2) and (3) of the Electoral Administration Act 2006(a), makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Electoral Administration Act 2006 (Commencement No.7) Order 2008.

(2) In this Order “the Act” means the Electoral Administration Act 2006.

Commencement of provisions of the Electoral Administration Act 2006

2.—(1) The provisions of the Act listed in article 3 shall come into force on the day after the day on which this Order is made in so far as they extend to Northern Ireland.

(2) The provisions of the Act listed in article 4 shall come into force on 1st July 2008 in so far as they extend to Northern Ireland.

(3) The provisions of the Act listed in article 5 shall come into force on 1st July 2008.

3. The provisions referred to in article 2(1) are—

- (a) section 12 (Determinations by registration officers and objections);
- (b) section 13(1) (Registration of voters with service qualification);
- (c) section 31(2) (Replacement of counterfoils);
- (d) section 37 (Documents relating to postal voting);
- (e) section 41(1) to (6), (8) and (9) (Control of documents after parliamentary election);
- (f) section 42 (Access to other election documents) and section 47 (Miscellaneous amendments to the 1983 Act), in each case for the purposes of the provisions referred in to in paragraph (g);
- (g) in Schedule 1, paragraphs 70 and 109.

4. The provisions referred to in article 2(2) are—

- (a) section 16 (Review of polling places);
- (b) section 18 (Certain Commonwealth citizens);
- (c) section 19 (Nomination procedures);

(a) 2006 c.22.

- (d) section 20 (Omission of references to Maundy Thursday);
- (e) section 21 (Use of candidates' common names);
- (f) section 22 (Candidate not to stand in more than one constituency);
- (g) section 23 (Offences as to false statements in nomination papers), to the extent that it is not already in force;
- (h) section 24 (Death of candidate);
- (i) section 26 (Return as to election expenses);
- (j) section 28 (Discretion to report on certain elections);
- (k) section 29 (Observation of proceedings and working practices);
- (l) section 30 (Ballot paper design);
- (m) section 31(1), (3) and (5) to (9)(Replacement of counterfoils);
- (n) section 31(4)(b) and (c);
- (o) section 36 (Translations etc. of certain documents);
- (p) section 38(1) to (3) and (6) (Tendered votes);
- (q) sections 43 and 44 (Access to other election documents) for the purposes of general elections to the Northern Ireland Assembly;
- (r) section 45 (Marked postal voters list);
- (s) section 46 (Returning officers: correction of procedural errors);
- (t) section 47 (Miscellaneous amendments to the 1983 Act) for the purposes of the provisions specified in paragraph (z)(iii);
- (u) section 52(4) to (6) (Time for registration of parties fielding candidates) for the purposes of local elections in Northern Ireland within the meaning of section 22(5)(g) of the Political Parties, Elections and Referendums Act 2000(a);
- (v) section 66 (Details to appear on referendum and election material);
- (w) section 68 (Funding of services and expenses of returning officers);
- (x) section 73(1) and (2) (Abolition of common law incapacity: mental state);
- (y) section 74 (Miscellaneous amendments and repeals) for the purposes of the provisions specified in paragraph (z) (iv) to (vi) and (aa);
- (z) in Schedule 1—
 - (i) paragraphs 41 to 46;
 - (ii) paragraphs 49 to 52 and 54;
 - (iii) paragraphs 69, 72, 73, 74 (except to the extent that it relates to question 3 in the table set out in rule 35(1) as substituted by that provision), 76 to 81, 82 to 85, 86 to 89, 91 to 94 and 96;
 - (iv) paragraphs 113 to 115;
 - (v) paragraphs 105, 106, 108, 109, 128, 132, and 136; and
 - (vi) paragraphs 129 to 131;
- (aa) in Schedule 2, the entries relating to—
 - (i) the British Nationality Act 1981(b);
 - (ii) sections 29(4), (4A) and (4B), 40(1), 81, 119(2) and 202(1) of, and rules 2(1)(b), 6(3)(a), 19(2)(d), 29(3)(b), 43(1)(e), 45(1B)(b), and 55 of the rules in Schedule 1 to, the 1983 Act and the Appendix to those rules;
 - (iii) section 77(9)(a) of, and Schedule 18 to, the 2000 Act; and

(a) 2000 c.41.
 (b) 1981 c.61.

(iv) paragraph 85(2), (3) and (5) of Schedule 27 to the Civil Partnership Act 2004(a).

5. The provisions referred to in article 2(3) are—

- (a) section 38(4) and (5)(Tendered votes);
- (b) section 41(7)(Control of documents after parliamentary election);
- (c) section 47 (Miscellaneous amendments of the 1983 Act) for the purposes of the provisions specified in paragraph (f)(iii);
- (d) section 73(3) (Abolition of common law incapacity: mental state);
- (e) section 74 (Miscellaneous amendments and repeals) for the purposes of the provisions specified in paragraphs (f)(iv) and (g);
- (f) in Schedule 1—
 - (i) paragraph 47;
 - (ii) paragraph 48;
 - (iii) paragraphs 55 to 62, 63 to 64, 65 to 68, 90 and 95;
 - (iv) paragraphs 110, 134 and 135;
- (g) in Schedule 2, the entries relating to—
 - (i) the Electoral Law Act (Northern Ireland) 1962(b);
 - (ii) Schedule 1 to the Representation of the People Act 1985(c);
 - (iii) the Elected Authorities (Northern Ireland) Act 1989(d);
 - (iv) the Electoral Fraud (Northern Ireland) Act 2002(e).

Northern Ireland Office
13th May 2008

Paul Goggins
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the provisions of the Electoral Administration Act 2006 (c.22)(“the Act”) specified in article 3, in relation to Northern Ireland, on the day after the Order is made. The provisions of that Act specified in article 4 are brought into force on 1st July 2008. The provisions specified in article 5 also come into force on 1st July 2008.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date Commencement</i>	<i>of S.I. No.</i>
Section 9	11.09.2006	2006/1972
Section 10	01.01.2007	2006/3412
Section 11	01.01.2007	2006/3412
Section 12 (England, Wales and Scotland)	01.01.2007	2006/3412

- (a) 2004 c.33.
- (b) 1962 c.14.
- (c) 1985 c.50.
- (d) 1989 c.3.
- (e) 2002 c.13.

Section 13(partially)	01.01.2007 and 30.11.2007	2006/3412 and 2007/3376
Section 14	01.01.2007	2006/3412
Section 15	11.09.2006	2006/1972
Section 16 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 17	01.01.2007 (for England, Wales and Scotland) and 07.02.2007 (for Northern Ireland)	2006/3412 and 2007/230
Section 18 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 19 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 20 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 21 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 22 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 23 (partially for Northern Ireland and in its entirety for England, Wales and Scotland)	11.09.2006 and 01.01.2007	2006/1972 and 2006/3412
Section 24 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 25	11.09.2006	2006/1972
Section 26 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 27	11.09.2006	2006/1972
Section 28 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 29 (England, Wales and Scotland)	31.01.2007	2006/3412
Section 30 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 31(partially, England, Wales and Scotland)	01.01.2007	2006/3412
Section 32	01.01.2007	2006/3412
Section 33	01.01.2007	2006/3412
Section 34	01.01.2007	2006/3412
Section 35	01.01.2007	2006/3412
Section 36 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 37 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 38 (partially, England, Wales and Scotland)	01.01.2007	2006/3412
Section 39	11.09.2006	2006/1972
Section 40	11.09.2006	2006/1972
Section 41 (partially, England, Wales and Scotland)	01.01.2007	2006/3412
Section 42 (partially, England and Wales)	01.01.2007 and 1.1.2008	2006/3412 and 2007/3376
Section 43 (partially, England and Wales)	01.01.2007 and 1.1.2008	2006/3412 and 2007/3376
Section 44 (partially, England and Wales)	01.01.2007 and 1.1.2008	2006/3412 and 2007/3376
Section 45 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 46 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 47 (partially)	11.09.2006 and 01.01.2007	2006/1972 and 2006/3412
Section 48	11.09.2006	2006/1972
Section 49	01.01.2007	2006/3412
Section 50	11.09.2006	2006/1972
Section 51	11.09.2006	2006/1972
Section 52 (partially)	11.09.2006, 01.01.2007 and	2006/1972, 2006/3412 and

	07.02.2007	2007/230
Section 53	11.09.2006	2006/1972
Section 54	11.09.2006	2006/1972
Section 55	11.09.2006	2006/1972
Section 56	11.09.2006	2006/1972
Section 57	11.09.2006	2006/1972
Section 58	30.06.2007	2007/1847
Section 60	11.09.2006	2006/1972
Section 61 (partially, England, Wales and Scotland)	11.09.2006 and 1.1.2007	2006/1972, amended by 2006/2268 and 2006/3412.
Section 62 (England, Wales and Scotland)	11.09.2006	2006/1972, amended by 2006/2268
Section 63 (Northern Ireland)	10.03.2008	2008/610
Section 64	11.09.2006	2006/1972
Section 65	11.09.2006	2006/1972
Section 66 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 67	11.09.2006	2006/1972
Section 68 (England and Wales)	01.01.2007	2006/3412
Section 69 (England, Wales and Scotland)	01.01.2007	2006/3412
Section 70	01.01.2007	2006/3412
Section 71	01.01.2007	2006/3412
Section 72	01.01.2007	2006/3412
Section 73 (partially, England, Wales and Scotland)	01.01.2007	2006/3412
Section 74 (partially)	11.09.2006 and 01.01.2007	2006/1972 and 2006/3412
Schedule 1 (partially)	11.09.2006 , 01.01.2007 and 07.02.2007	2006/1972, as amended by 2006/2268, 2006/3412 and 2007/230
Schedule 2 (partially)	11.09.2006 , 01.01.2007 and 07.02.2007	2006/1972, 2006/3412 and 2007/230

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