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STATUTORY INSTRUMENTS

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**2009 No. 2395 (C. 101)**

**REPRESENTATION OF THE PEOPLE**

**The Political Parties and Elections Act 2009 (Commencement No.1 and Transitional Provisions) Order 2009**

*Made - - - - 2nd September 2009*

The Secretary of State, in exercise of the powers conferred by section 43(1) and (2)(b) of the Political Parties and Elections Act 2009<sup>(1)</sup>, makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Political Parties and Elections Act 2009 (Commencement No.1 and Transitional Provisions) Order 2009.

(2) In this Order,

- (a) “the Act” means the Political Parties and Elections Act 2009;
- (b) “the 1983 Act” means the Representation of the People Act 1983<sup>(2)</sup>.

**Appointed Date**

2. The following provisions of the Act come into force on 4th September 2009 —

- (a) section 23 (election falling within canvass period);
- (b) section 24 (candidate at parliamentary election may withhold home address from publication);
- (c) section 39 (amendments and repeals) in so far as it relates to the entries in sub-paragraphs (d) and (e);
- (d) paragraphs 1 to 5 and paragraph 8 of Schedule 6 (minor and consequential amendments);
- (e) the entries in Schedule 7 (repeals) relating to section 10A(2)<sup>(3)</sup> of, and Schedule 1 to, the 1983 Act.

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(1) 2009 c.12.

(2) 1983 c.2.

(3) New sections 10 and 10A of the 1983 Act were substituted for section 10 by paragraph 4 of Schedule 1 to the [Representation of the People Act 2000 \(c.2\)](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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### **Transitional Provisions**

3.—(1) Subject to paragraph (2) and in so far as they relate to the annual canvass conducted by reference to a person's residence on 15th October 2009 in accordance with section 10 of the 1983 Act, the provisions brought into force by article 2(a), (c), (d) and (e) have effect in relation to any canvass form returned for the purpose of that canvass.

(2) The provisions brought into force by article 2 do not have effect in relation to any election for which notice has been published before those provisions come into force.

Signed by authority of the Secretary of State

2nd September 2009

*Bach*  
Parliamentary Under Secretary of State  
Ministry of Justice

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 4th September 2009 the provisions of the Political Parties and Elections Act 2009 (c.12) set out in article 2. The principal provisions of that Act which are brought into force by that article are sections 23 and 24, together with further related minor and consequential changes.

Section 23 provides for the up-to-date details of a person who has returned their annual canvass form to be included in an electoral register before 1st December (the date by which the register is ordinarily updated and republished following completion of the canvass) in order to enable them to vote in an election called before that date. Section 24 enables a candidate in a parliamentary election to opt not to publish their full home address when submitting the nomination papers required by the Representation of the People Act 1983.

The transitional provision at article 3(1) of the Order ensures that the provisions brought into force by article 2(a), (c), (d) and (e) will apply to any annual canvass form returned for the annual canvass in 2009, including those forms returned to the registration officer before the coming into force of section 23.

The transitional provision at article 3(2) of the Order provides that the provisions commenced by article 2 of this Order do not apply to any election for which notice has been issued before the date on which the provisions come into force.