STATUTORY INSTRUMENTS

2016 No. 694

REPRESENTATION OF THE PEOPLE, ENGLAND AND WALES

The Representation of the People (England and Wales) (Amendment) Regulations 2016

Made - - - - 27th June 2016

Coming into force in accordance with regulation 1

The Chancellor of the Duchy of Lancaster makes these Regulations in exercise of the powers conferred by sections 9D(3), 9E(2), 10ZC(3), 10ZD(3), 53(1) and (3) of, and paragraphs 1(2), 1(2A), 3ZA, 3C, 10B, 12 and 13(2) of Schedule 2 to, the Representation of the People Act 1983(**1**) and paragraph 7B of Schedule 4 to the Representation of the People Act 2000(**2**).

The Chancellor of the Duchy of Lancaster has consulted the Electoral Commission in accordance with section 7(1) and (2)(e) of the Political Parties, Elections and Referendums Act 2000(**3**).

In accordance with section 201(2) of the Representation of the People Act 1983(**4**), a draft of these Regulations has been laid before and approved by a resolution of each House of Parliament.

(**1**) 1983 c. 2. Section 9D was inserted by section 4, and section 9E by section 5 of the Electoral Registration and Administration Act 2013 ("the 2013 Act") (c. 6). Sections 10ZC and 10ZD were inserted by section 1 of, and paragraph 1 of Schedule 1 to, the 2013 Act. Section 53(1) and (3) was amended by paragraphs 1 and 13 of Schedule 1, and Schedule 7, to the Representation of the People Act 2000 ("the 2000 Act") (c. 2) and paragraph 13 of Schedule 4 to the Representation of the People Act 1985 (c. 50). Paragraphs 1(2) and 3C of Schedule 2 to the Representation of the People Act 1983 ("the 1983 Act") (c. 2) were amended by section 13(1) of, and paragraph 20 of Schedule 4 to, the 2013 Act. Paragraphs 1(2A) and 3ZA of Schedule 2 to the 1983 Act were inserted by section 2(1) of the 2013 Act. Paragraph 10B was inserted by section 9 of the 2000 Act. Paragraph 12 was amended by section 15(1) of, and paragraphs 3 and 11(1) and (3) of Schedule 6 to, the 2000 Act. Powers in the 2013 Act are vested in "the Minister", which is defined in section 25(1) of that Act. By virtue of the Chancellor of the Duchy of Lancaster Order 2015 (S.I. 2015/1376), article 3 and Schedule 1, sub-paragraphs (a), (g) and (q), powers under the 1983 Act, 2000 Act and 2013 Act exercisable by the Secretary of State concurrently with the Lord President of the Council are instead exercisable concurrently with the Chancellor of the Duchy of Lancaster. Consequential amendments to section 199ZA of the 2013 Act, section 16A of the 2000 Act and section 25(1) of the 2013 Act were accordingly made by article 10 of, and paragraphs 1, 7 and 16 of Schedule 2 to, that Order

(**2**) 2000 c. 2. Paragraph 7B was inserted by section 14(4) of the Electoral Administration Act 2006 (c. 22).

(**3**) 2000 c. 41. There are amendments to section 7 but none is relevant to this instrument.

(**4**) Section 201(2) was substituted by paragraph 69 of Schedule 4 to the Representation of the People Act 1985 (c. 50) and amended by paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c. 41) and article 5(b) of S.I. 1991/1728. Section 201(2) applies to regulations made under paragraph 7B of Schedule 4 to the 2000 Act by virtue of paragraph 1(2) of Schedule 4 to the 2000 Act.

Citation and commencement

1. These Regulations may be cited as the Representation of the People (England and Wales) (Amendment) Regulations 2016 and come into force on the day after the day on which they are made.

Amendments to the Representation of the People (England and Wales) Regulations 2001

2. The Representation of the People (England and Wales) Regulations 2001(**5**) are amended in accordance with regulations 3 to 11.

3. In regulation 3(3A) (interpretation), omit "32ZC, 32ZD,".

4. In regulation 26 (applications for registration)—

(a) in paragraph (3) after sub-paragraph (ea) insert—

"(eb) space for the applicant to provide information as to whether the applicant is the only person aged 16 or over resident at the address in respect of which the application is made and an explanation that provision of this information is not mandatory;";

(b) in paragraph (4) after sub-paragraph (b) insert—

"(c) not include space for the information mentioned in paragraph (3)(eb).";

(c) for paragraph (5) substitute—

"(5) The paper application form for persons applying to be registered in pursuance of an overseas elector's declaration must—

(a) instead of the information required in paragraph (1)(b), request—

(i) the last address at which the applicant was registered as an elector; and

(ii) the address at which the applicant can be contacted; and

(b) not include space for the information mentioned in paragraph (3)(eb).";

(d) after paragraph (5) insert—

"(5A) The paper application form for persons applying to be registered in pursuance of a declaration of local connection must not include space for the information mentioned in paragraph (3)(eb).";

(e) in paragraph (6) for "(3), (4) and (5)" substitute "(3) to (5A)".

5. In regulation 26B(6)(c) (power to request additional evidence)—

(a) in paragraph (ii) for "in the same local authority area as the applicant" substitute "in a local authority area in England or Wales";

(b) for paragraph (iv) substitute—

"(iv) who has not already signed attestations under this regulation for two applicants since, whichever is the later,—

(aa) the date on which the revised register in which that person's name appears was last published under section 13(1) of the 1983 Act; or

(bb) the date on which that person was added to the register by a notice of alteration under section 13A(2) of that Act."

6. In regulation 32ZA (annual canvass)—

(a) insert "Subject to paragraphs (4A) and (4B), " at the beginning of paragraph (4);

(**5**) S.I. 2001/341; relevant amendments were made by S.I.s 2002/1871, 2013/3198 and 2015/1971; there are other amendments which are not relevant to this instrument.