STATUTORY INSTRUMENTS

2015 No. 1939

NORTHERN IRELAND REPRESENTATION OF THE PEOPLE

The Northern Ireland (Elections) (Amendment) (No. 2) Order 2015

Made - - - -	*26th November 2015*
Coming into force - -	*30th November 2015*

In accordance with section 7(1), (2)(e) and (2)(h) of the Political Parties, Elections and Referendums Act 2000(**1**), the Secretary of State has consulted with the Electoral Commission prior to this Order being made.

A draft of this Order has been laid before Parliament in accordance with section 201(2) of the Representation of the People Act 1983(**2**) and section 96(2)(b) of the Northern Ireland Act 1998(**3**) and approved by resolution of each House of Parliament.

Accordingly the Secretary of State, in exercise of the powers conferred by section 10A(7) of the Representation of the People Act 1983(**4**) and section 34(4) and (6) of the Northern Ireland Act 1998, makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Northern Ireland (Elections) (Amendment) (No. 2) Order 2015.

(2) This Order comes into force on 30th November 2015.

(3) In this Order—

"the 1983 Act" means the Representation of the People Act 1983;

"the 1985 Act" means the Representation of the People Act 1985(**5**);

(**1**) 2000 c. 41; amendments have been made to section 7 but they are not relevant to this Order.
(**2**) 1983 c. 2; subsection (2) was substituted by paragraph 69 of Schedule 4 to the Representation of the People Act 1985 (c. 50) and subsequently amended by S.I. 1991/1728, paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 and section 13 of the Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13).
(**3**) 1998 c. 47; amendments have been made to section 96(2) but they are not relevant to this Order.
(**4**) Section 10A was inserted by paragraph 4 of Schedule 1 to the Representation of the People Act 2000 (c. 2). Section 202(1) of the Representation of the People Act 1983 provides that "prescribed" means prescribed by regulations. Subsection (7) was amended by paragraph 10(11) of Schedule 4 to the Electoral Registration and Administration Act 2013 (c. 6).
(**5**) 1985 c. 50.

"the 2001 Order" means the Northern Ireland Assembly (Elections) Order 2001(**6**);

"the 2008 Regulations" means the Representation of the People (Northern Ireland) Regulations 2008(**7**).

Amendment of the 2008 Regulations

2. In regulation 46B(6) of the 2008 Regulations (retention of entries on register following canvass)(**8**), in the definition of "relevant period", for "second", substitute "third".

Amendments of the 2001 Order

3. In article 3(1) of the 2001 Order (application of certain provisions for Assembly elections) (**9**), for "and the 1985 Act", substitute ", the 1985 Act and the Electoral Administration Act 2006(**10**)".

4.—(1) Schedule 1 to the 2001 Order (application with modifications of the Representation of the People Acts to Assembly elections)(**11**) is amended as follows.

(2) In the heading, for "and the 1985 Act", substitute ", the 1985 Act and the Electoral Administration Act 2006".

(3) In the entry for section 63 of the 1983 Act (breach of official duty), in the right hand column—

(a) omit paragraph (b), and

(b) omit "Omit subsections (4) and (5)."

(4) In the entry for rule 2 of the Parliamentary elections rules (computation of time), in the right-hand column, after the modification which begins "For paragraph (2)", insert—

	"Omit paragraph (2A)."

(5) In the entry for rule 19 of the Parliamentary elections rules (ballot papers)(**12**), in the right-hand column, after the modification which begins "For paragraph (2A)", insert—

	"Omit paragraph (2AA).
	In paragraph (2B) omit "or (2AA)"."

(6) In the entry for rule 44 of the Parliamentary elections rules (attendance at counting of votes), in the right-hand column, for "paragraph (5)", substitute "paragraphs (5) and (6)".

(7) In the entry for rule 57 of the Parliamentary elections rules (retention and public inspection of documents), in the right-hand column, at the end insert—

	"In paragraph (1A) omit "the House of Commons or"."

(**6**) S.I 2001/2599 as amended by S.I. 2002/1964, 2003/2989, 2007/308, 2009/256, 2010/2892, 2014/1116 and 1804 and 2015/222, section 14(6) of the Electoral Registration and Administration Act 2014 (c. 6) and section 5 of the Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13).
(**7**) S.I. 2008/1741 as amended by S.I. 2010/278 and 882, 2011/2085, 2013/1846, 1881 and 3021, 2014/1808, 2015/221 and sections 14(1)(c), 15(2) and (3) and 20(4) of the Northern Ireland (Miscellaneous Provisions) Act 2014.
(**8**) Regulation 46B was inserted by S.I. 2013/1846. A full canvass of electors last took place in Northern Ireland in autumn 2013.
(**9**) Article 3 was substituted by S.I. 2009/256.
(**10**) 2006 c. 22.
(**11**) Schedule 1 was substituted by S.I. 2009/256.
(**12**) Rule 19 was amended by S.I. 2010/2892.