Draft Regulations laid before Parliament under section 201(2) of the Representation of the People Act 1983 and under section 13(2) of the European Parliamentary Elections Act 2002, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No. 000

REPRESENTATION OF THE PEOPLE

The Elections (Fresh Signatures for Absent Voters) Regulations 2013

Made - - - -

Coming into force in accordance with regulation 1(1)

These Regulations are made by the Lord President of the Council in exercise of the powers conferred by paragraph 7B of Schedule 4 to the Representation of the People Act 2000(**1**), by section 201(3) of the Representation of the People Act 1983(**2**) and by section 7(1) of the European Parliamentary Elections Act 2002(**3**).

The Lord President of the Council has consulted the Electoral Commission about these Regulations in accordance with section 7(1) and (2)(a) and (e) of the Political Parties, Elections and Referendums Act 2000(**4**).

A draft of these Regulations has been laid before Parliament in accordance with section 201(2) of the Representation of the People Act 1983(**5**) and section 13(2) of the European Parliamentary Elections Act 2002, and approved by a resolution of each House of Parliament.

(**1**) 2000 c.2. Schedule 4 to the Representation of the People Act 2000 is under paragraph 1(2) to be treated as if it were contained in Part 1 of the Representation of the People Act 1983 (c.2). The power conferred on the Secretary of State by paragraph 7B of Schedule 4 was made exercisable concurrently by the Lord President of the Council and the Secretary of State by the Lord President of the Council Order 2010 (S.I. 2010/1837). Paragraph 7B of Schedule 4 was inserted by section 14(4) of the Electoral Administration Act 2006 (c.22).

(**2**) 1983 c.2. In section 201, subsection (3) was inserted by section 8 of and paragraphs 1 and 21 of Schedule 1 to the Representation of the People Act 2000 (c.2) and was amended by section 158(1) of and paragraphs 6(1) and (7)(d) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(**3**) 2002 c.24. The power conferred on the Secretary of State by section 7 was made exercisable concurrently by the Lord President of the Council and the Secretary of State by the Lord President of the Council Order 2010 (S.I. 2010/1837).

(**4**) 2000 c.41. In section 7, subsection (2)(a) was amended by section 15 of and paragraph 8(1) and (2)(a) of Schedule 3 to the European Parliamentary Elections Act 2002 (c.24).

(**5**) In section 201, subsection (2) was substituted by section 24 of and paragraph 69 of Schedule 4 to the Representation of the People Act 1985 (c.50). Subsection (2) was amended by article 5(b) of the Transfer of Functions (Returning Officers' Charges) Order 1991 (S.I. 1991/1728) and was also amended by section 158(1) of and paragraph 6(1) and (7)(b) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Elections (Fresh Signatures for Absent Voters) Regulations 2013 and come into force on the day after the day on which they are made.

(2) This regulation extends to England, Wales, Scotland and Gibraltar.

(3) Regulation 2 extends to England and Wales.

(4) Regulation 3 extends to Scotland.

(5) Regulation 4 extends to England, Wales, Scotland and Gibraltar.

Modification of the requirement to provide fresh signatures at five yearly intervals

2.—(1) In the period beginning on 31st July 2013 and ending on 31st December 2014 the Representation of the People (England and Wales) Regulations 2001(**6**) shall have effect with the following modification.

(2) Regulation 60A (requirement to provide fresh signatures at five yearly intervals) shall have effect as if for paragraph (1) there were substituted—

> "(1) Every person who remains an absent voter and whose signature held on the personal identifiers record would be more than five years old on 31 January 2014 must be sent a notice in writing by the registration officer no earlier than 1 August 2013 and no later than 19 August 2013—
>
> (a) requiring the person to provide a fresh signature, and
>
> (b) informing the person of the date (six weeks from the date of sending the notice) on which the person would cease to be entitled to vote by post or by proxy in the event of a failure or refusal to provide a fresh signature.".

3.—(1) In the period beginning on 31st July 2013 and ending on 31st December 2015 the Representation of the People (Scotland) Regulations 2001(**7**) shall have effect with the following modification.

(2) Regulation 60A (requirement to provide fresh signatures at five yearly intervals) shall have effect as if for paragraph (1) there were substituted—

> "(1) Every person who remains an absent voter and whose signature held on the personal identifiers record would be more than five years old on 31st January 2015 must be sent a notice in writing by the registration officer no earlier than 1st August 2013 and no later than 19th August 2013—
>
> (a) requiring the person to provide a fresh signature, and
>
> (b) informing the person of the date (six weeks from the date of sending the notice) on which the person would cease to be entitled to vote by post or by proxy in the event of a failure or refusal to provide a fresh signature.".

4.—(1) In the period beginning on 31st July 2013 and ending on 31st December 2014 the European Parliamentary Elections Regulations 2004(**8**) shall have effect with the following modification.

(**6**) S.I 2001/341. Regulation 60A was inserted by regulation 34 of the Representation of the People (England and Wales) (Amendment)(No. 2) Regulations 2006 (S.I. 2006/2910).

(**7**) S.I 2001/497. Regulation 60A was inserted by regulation 5 of the Representation of the People (Scotland)(Amendment) Regulations 2008 (S.I. 2008/305).

(**8**) S.I 2004/293. Schedule 2 was substituted by regulation 40 of the European Parliamentary Elections (Amendment) Regulations 2009 (S.I. 2009/186).