Draft Order laid before Parliament under section 35(10) of the Political Parties and Elections Act 2009, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2012 No. 0000

REPRESENTATION OF THE PEOPLE

The Electoral Registration Data Schemes Order 2012

Made - - - - ***

Coming into force in accordance with article 1

The Lord President of the Council makes the following Order in exercise of the powers conferred by sections 35 and 36 of the Political Parties and Elections Act 2009(**1**).

In accordance with section 36(1) of that Act, the schemes set out in this Order give effect to proposals which have been submitted to the Lord President of the Council by the registration officers to whom the schemes relate, and this Order gives effect to such schemes with modifications suggested by him and agreed to by the relevant registration officers.

In accordance with section 36(2) of that Act, before making this Order the Lord President of the Council consulted the Electoral Commission, the Information Commissioner and the Secretary of State for Work and Pensions.

In accordance with section 35(10) of that Act, a draft of this Order has been laid before and approved by each House of Parliament.

Citation, commencement and interpretation

1. This Order may be cited as the Electoral Registration Data Schemes Order 2012 and comes into force on the day after the day on which it is made.

2. In this Order—

"the Act" means the Political Parties and Elections Act 2009;

"area" means—

(a) in England, a district or London borough;

(b) in Wales, a county or county borough;

(c) in Scotland, a local government area;

"the Secretary of State" means the Secretary of State for Work and Pensions.

(**1**) 2009 c. 12. Article 3 of the Lord President of the Council Order 2010 (S.I. 2010/1837) provides that the powers conferred on the Secretary of State under the 2009 Act (with exceptions which are not relevant here) are exercisable concurrently by the Secretary of State and the Lord President of the Council.

Authorisation of data schemes

3. Subject to article 4, the Secretary of State may provide to the registration officer for an area mentioned in Part 1 of the Schedule information described in Part 2 of the Schedule which relates to that area.

4.—(1) The Secretary of State may provide information to a registration officer under article 3 only if—

(a) the information is provided before 1st April 2013;

(b) the information is provided for the purpose mentioned in section 35(2) of the Act; and

(c) the Secretary of State and the registration officer have agreed in writing, in relation to the scheme, requirements as to the processing of information, including requirements as to the transfer, storage, destruction and security of information.

(2) An agreement under paragraph (1)(c) must make provision for the consequences of a failure to comply with such requirements, and those consequences may include the suspension or termination of the provision of information by the Secretary of State.

Evaluation date

5. For the purpose of section 36(3) of the Act, the evaluation date for each scheme is 30th June 2013.

Revocation

6. The Electoral Registration Data Schemes Order 2011(**2**) is revoked.

Signed by authority of the Lord President of the Council

Name
Minister for Political and Constitutional Reform
Date
Cabinet Office

(**2**) S.I. 2011/1466.