*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 (No. 2) 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 persons authorised by the Order to provide information.

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 (No. 2) 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;

"authority" has the meaning given in article 3.

(**1**) 2009 c. 12. Article 3 of the Lord President of the Council Order 2010 (S.I. 2010/1837) provides that the Secretary of State's functions 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, a person mentioned in the second column of the table in Part 1 of the Schedule ("an authority") may provide to the registration officer for the area in the corresponding entry in the first column of that table—

(a) information described in the entry corresponding to that authority in the table in Part 2 of the Schedule which relates to that area;

(b) information kept in the same database as the information authorised to be provided under paragraph (a) and which relates to the source, collection or recording of that information.

**4.**—(1) An authority may provide information to a registration officer under article 3 only if—

(a) the information is provided before 17th April 2013;

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

(c) the authority 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 authority.

**Evaluation date**

**5.** For the purpose of section 36(3) of the Act, the evaluation date for each scheme is 17th July 2013.

Signed by authority of the Lord President of the Council

*Name*
Ministerial title
Date Cabinet Office

SCHEDULE Article 3

Specification of areas, authorities and information

# PART 1

## Scheme areas and authorities

| *Area* | *Authority* |
|---|---|
| Barrow-in-Furness | Secretary of State for Work and Pensions<br>Secretary of State for Education<br>Higher Education Funding Council for England<br>Cumbria County Council |
| Ceredigion(**2**) | The Welsh Ministers<br>Student Loans Company Limited<br>Royal Mail Group Limited |
| Conwy(**3**) | Royal Mail Group Limited |
| Coventry | Secretary of State for Work and Pensions<br>Secretary of State for Education<br>Student Loans Company Limited |
| City of Edinburgh, East Lothian, Midlothian and West Lothian | Royal Mail Group Limited |
| Greenwich | Secretary of State for Education<br>Higher Education Funding Council for England<br>Student Loans Company Limited<br>Royal Mail Group Limited |
| Harrow | Secretary of State for Education |

(**2**) The name of the County has been changed from Cardiganshire to Ceredigion in accordance with section 74 of the Local Government Act 1972.
(**3**) The name of the County has been changed from Aberconwy and Colwyn to Conwy in accordance with section 74 of the Local Government Act 1972.