1980 No. 354

ELECTORAL LAW

Electoral Law (Registration Rules) (Variation No. 2) Order (Northern Ireland) 1980

Made . . . . . *20th October 1980*

Coming into operation . . .

Articles 1, 2 and 3(1) *5th November 1980*
Article 3(2) *16th February 1981*

To be laid before Parliament

The Secretary of State in pursuance of section 28(5) of the Electoral Law Act (Northern Ireland) 1962(a) hereby makes the following Order:

Citation and commencement

1.—(1) This order may be cited as the Electoral Law (Registration Rules) (Variation No. 2) Order (Northern Ireland) 1980.

(2) Articles 1, 2 and 3(1) shall come into operation on 5th November 1980 and Article 3(2) shall come into operation on 16th February 1981.

Interpretation

2. In this order any reference to a numbered rule is a reference to the rule so numbered in the Registration Rules in Schedule 3 to the Electoral Law Act (Northern Ireland) 1962.

Amendment of Registration Rules

3.—(1) After paragraph (1) of Rule 20 of the Registration Rules there shall be inserted the following paragraph:

"(1A) Where it appears to the Chief Electoral Officer that a service voter has given in his service declaration an address at which he has resided but no longer resides, not being an address at which he would reside but for the circumstances entitling him to make a service declaration, he shall group the names of each such service voter in alphabetical order at the end of that part of the register which relates to that address, beneath the heading "Other Electors"."

(2) After Rule 24 of the Registration Rules there shall be inserted the following rules:—

"24A: Correction of the register

(1) Where the register of electors as published does not carry out the intention of the Chief Electoral Officer—

(a) to include the name of any person shown in the electors lists as a person entitled to be registered; or

(b) to give or not to give in a person's entry a date as that on which he will attain voting age or as to the date to be given; or

(c) to give effect to a decision on a claim or objection made with respect to the electors lists,

(a) 1962 c. 14 (N.I.) as modified by 1973 c. 36 (Schedule 5) and S.I. 1973/2163 (1973 III, p. 7541)

then (subject to the decision on any appeal from a decision on a claim or objection) the Chief Electoral Officer on becoming aware of the fact shall make the necessary correction in the register.

(2) Where paragraph (1)(*a*) above does not apply but the Chief Electoral Officer is satisfied by such evidence as he may require that any person whose name is not included in a register of electors as published is entitled to be registered in that register he shall make the necessary correction in the register.

(3) An alteration made in the register of electors under paragraphs (1) and (2) above on or after the date on which notice of an election is given shall not have effect for the purposes of that election.

(4) An alteration shall not be made in the register of electors as published otherwise than under paragraph (1) or (2) above or the provisions of Rule 24E below relating to appeals.

24B: Claims for inclusion in the register of electors and objections thereto

(1) A claim to be included in a register of electors, other than a claim in respect of the electors lists under Rule 13, shall be made on the prescribed form and may be made by a person either on his own behalf or on behalf of another person.

(2) Where the claim is made by a person who is not entitled to be registered except in pursuance of an appropriate service declaration it shall be accompanied by that declaration unless the Chief Electoral Officer already has possession of that declaration.

(3) The Chief Electoral Officer shall keep a list of claims made under paragraph (1) above and shall—

(a) on receipt of a claim, forthwith enter in that list the name and qualifying address of the claimant or the person in respect of whom the claim is made together with the date of that entry;

(b) at the first opportunity having regard to the provisions of paragraph (5)(*b*) below (and subject to paragraph (4) below) publish a notice stating that a new name has been added to that list; and

(c) record in that list against the name of any claimant or person in respect of whom the claim is being made the date when the notice in respect of the claim was published.

(4) Where a claim made under paragraph (1) above is received by the Chief Electoral Officer after the sixteenth day of December but before the sixteenth day of February in the next following year, he shall, unless it appears that the claim relates to the existing register of electors, treat the claim as one relating to the register of electors which will come into force on the next sixteenth day of February and shall not publish a notice under paragraph 3(*b*) above in respect of such a claim until that register is published.

(5) A notice under paragraph (3) above—

(a) shall be published in the way the Chief Electoral Officer thinks best calculated to bring it to the attention of the electors and may be published in respect of one or more claims;

(b) shall be published on any day between the eleventh and twentieth day of any month or in February between the eleventh and twenty-second day; provided that only one notice shall be published in any month;

(c) shall state that any claim in respect of which the notice was published is available for inspection at the Chief Electoral Officer's office; and