



Northern Ireland (Miscellaneous Provisions) Act 2006

2006 CHAPTER 33

PART 1

REGISTRATION OF ELECTORS

Anonymous registration

1 Power to make provision about anonymous registration

- (1) An Order in Council under section 84(1) of the 1998 Act (provision with respect to certain electoral matters relating to Northern Ireland) which contains a statement that it is made only for purposes corresponding, or similar, to those of section 10 of the Electoral Administration Act 2006 (c. 22) (anonymous registration) may make provision for Northern Ireland for such purposes in relation to—
 - (a) parliamentary elections, and
 - (b) elections in respect of the Northern Ireland Assembly ^{F1}... and district councils.
- (2) An Order made by virtue of subsection (1) may, if it appears to Her Majesty necessary or expedient for the purposes of the Order—
 - (a) amend the 1983 Act, the 2006 Act, this Act or any other Act (whenever passed) or any Northern Ireland legislation (whenever passed or made);
 - (b) confer power to make provision with respect to any matter—
 - (i) which relates to anonymous registration, and
 - (ii) with respect to which, under the 1983 Act, provision may be made by regulations;
 - (c) make transitional provision.
- (3) In this Part—

“the 1998 Act” means the Northern Ireland Act 1998 (c. 47), and

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“the 1983 Act” means the Representation of the People Act 1983 (c. 2).

Textual Amendments

- F1** Words in s. 1(1)(b) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 1** (as amended by [S.I. 2019/1389](#), regs. 1, 2(2))

Periodical canvass etc.

2 Abolition of annual canvass

- (1) Amend section 10 of the 1983 Act (maintenance of registers: annual canvass) as follows.
- (2) In subsection (1), after “registration officer” insert “ in Great Britain ”.
- (3) After subsection (1) insert—

“(1A) The Chief Electoral Officer for Northern Ireland must conduct a canvass in Northern Ireland in such years as are determined in accordance with section 10ZA.”
- (4) In subsection (2)—
 - (a) for “for any year” substitute “ under subsection (1) or (1A) ”, and
 - (b) for “that year” substitute “ the year in which it is conducted ”.
- (5) In the heading, for “annual canvass” substitute “ duty to conduct canvass ”.

3 Timing of canvass

After section 10 of the 1983 Act insert—

“10ZA Northern Ireland: timing of canvass

- (1) A canvass under section 10(1A) must be conducted in—
 - (a) the year 2010, unless the Secretary of State makes an order providing that the requirement in this paragraph does not apply;
 - (b) every tenth year following 2010.
- (2) A canvass under section 10(1A) must be conducted in an intervening year if—
 - (a) on or before 15th April in that year, the Chief Electoral Officer for Northern Ireland has made a recommendation in favour of a canvass being conducted in that year for the purpose of meeting the relevant registration objectives, and
 - (b) the Secretary of State, having considered the recommendation, has notified the Chief Electoral Officer that he is satisfied that the public interest requires a canvass to be conducted for that purpose.
- (3) If no canvass under section 10(1A) is conducted before the end of 2015, a canvass must be conducted in 2016.

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- (4) “Intervening year” means a year other than—
- (a) 2010,
 - (b) every tenth year following 2010, and
 - (c) if no canvass under section 10(1A) is conducted before the end of 2015, 2016.
- (5) The Secretary of State may not make an order under subsection (1)(a) unless—
- (a) on or before 15th April 2010, the Chief Electoral Officer for Northern Ireland has made a recommendation against a canvass being conducted in the year 2010 for the purpose of meeting the relevant registration objectives, and
 - (b) the Secretary of State, having considered the recommendation, is satisfied that the public interest does not require a canvass to be conducted for that purpose.
- (6) The power to make an order under subsection (1)(a) is exercisable by statutory instrument.
- (7) No order is to be made under subsection (1)(a) unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.
- (8) “Recommendation” means a written recommendation to the Secretary of State.”

4 The relevant registration objectives

After section 10ZA of the 1983 Act insert—

“10ZB The relevant registration objectives (Northern Ireland)

- (1) The relevant registration objectives are to secure, so far as reasonably practicable—
- (a) that every person who is entitled to be registered in a register is registered in it,
 - (b) that no person who is not entitled to be registered in a register is registered in it, and
 - (c) that none of the required information relating to any person registered in a register is false.
- (2) But, in applying subsection (1), the registrations of the persons mentioned in section 10(3) (registrations with which a canvass is not concerned) must be disregarded.
- (3) “Register” means a register maintained by the Chief Electoral Officer for Northern Ireland under section 9.
- (4) “The required information” means the following (as appearing in the register or other records of the Chief Electoral Officer)—
- (a) the person's name;
 - (b) the person's qualifying address;
 - (c) the person's date of birth;
 - (d) subject to subsections (5) and (6), the person's signature;

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- (e) the person's national insurance number or a statement that he does not have one.
- (5) The required information does not include the person's signature if—
- (a) the Chief Electoral Officer has dispensed with the requirement to provide a signature, or
 - (b) other evidence of identity is required (instead of a signature) under a CORE scheme.
- (6) If under a CORE scheme other evidence is required instead of a signature, the required information includes that evidence.
- (7) “False”, in relation to a signature, means that the signature is not the usual signature of, or was written by a person other than, the person whose signature it purports to be.
- (8) “CORE scheme” has the same meaning as in Part 1 of the Electoral Administration Act 2006.”

5 Publication and alteration of registers

- (1) In section 13 of the 1983 Act (publication of registers), for subsection (1) substitute—
- “(1) Each registration officer must for each year publish a revised version of his registers—
- (a) if there is a canvass in his area in that year, during the period starting with the end of the canvass in that year and ending with 1st December in that year or such later date as may be prescribed, or
 - (b) if (in Northern Ireland) there is no canvass in that year, on 1st December in that year or by such later date as may be prescribed.”
- (2) In section 13A of the 1983 Act (alteration of registers), in subsection (3)(b), for “section 13(1)” substitute “section 13(1)(a)”.

Alteration of registers: pending elections

6 Alteration of registers: pending elections

- (1) In section 13B of the 1983 Act (alteration of registers: pending elections), in subsection (4)—
- (a) at the end of paragraph (a), insert “ in England, Wales or Scotland ”,
 - (b) in paragraph (b), after “elections” insert “ in England, Wales or Scotland ”,
 - (c) at the end of paragraph (d), insert “ and ”, and
 - (d) omit paragraph (e).
- (2) After section 13B of the 1983 Act insert—

“13BA Alteration of registers in Northern Ireland: pending elections

- (1) An alteration in a published version of a register of electors which takes effect under section 13A(2) after the final nomination day in the case of an election to which this section applies is of no effect for the purposes of that election unless the alteration—

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- (a) is made in consequence of a decision or determination falling within section 13A(1)(c) or (d), and
 - (b) takes effect on or before the fifth day before the date of the poll.
- (2) Subsection (3) applies if—
 - (a) at any time before the appropriate publication date in the case of an election to which this section applies, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)) in connection with a determination or requirement falling within section 13A(1)(a) or (b), and
 - (b) no alteration made in consequence of that determination or requirement—
 - (i) has already taken effect, or
 - (ii) is due to take effect,under section 13A(2) on or before the final nomination day.
- (3) If, no later than the prescribed date, the Chief Electoral Officer is supplied with such additional material supporting the alteration as is prescribed, he must, on the appropriate publication date, issue a notice specifying the appropriate alteration in the register.
- (4) But a person whose entitlement to vote at an election results from an alteration under subsection (3)—
 - (a) is not entitled as an elector to an absent vote at that election, and
 - (b) must not be shown in the absent voters list kept for that election under—
 - (i) section 7 of the Representation of the People Act 1985, or
 - (ii) regulation 9 of the European Parliamentary Elections (Northern Ireland) Regulations 2004.
- (5) Subsection (6) applies if—
 - (a) at any time before the appropriate publication date in the case of an election to which this section applies, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)) in connection with a decision or determination falling within section 13A(1)(c) or (d), and
 - (b) no alteration made in consequence of that decision or determination—
 - (i) has already taken effect, or
 - (ii) is due to take effect,under section 13A(2) on or before the fifth day before the date of the poll.
- (6) The Chief Electoral Officer must, on the appropriate publication date, issue a notice specifying the appropriate alteration in the register.
- (7) Subsection (9) applies if—
 - (a) at any time on or after the appropriate publication date in the case of an election to which this section applies but before the prescribed time on the day of the poll, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)), in connection with a notification mentioned in section 13A(1)(c), and
 - (b) in consequence of the notification—

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- (i) an entry relating to that person falls to be made in the register in respect of an address in the relevant election area, or
 - (ii) his entry in the register needs to be altered.
- (8) Subsection (9) also applies if—
- (a) at any time on or after the appropriate publication date in the case of an election to which this section applies but before the prescribed time on the day of the poll, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)), in connection with a determination falling within section 13A(1)(d),
 - (b) the determination was made following a representation made by or on behalf of a person to the Chief Electoral Officer, and
 - (c) in consequence of the determination—
 - (i) an entry relating to that person falls to be made in the register in respect of an address in the relevant election area, or
 - (ii) his entry in the register needs to be altered.
- (9) The Chief Electoral Officer must, when—
- (a) he receives the notification referred to in subsection (7), or
 - (b) he makes the determination referred to in subsection (8),
- issue a notice specifying the appropriate alteration in the register.
- (10) In subsection (8)(b), “representation” means a representation made in accordance with prescribed requirements to the effect that the register contains a clerical error.
- (11) A notice under subsection (3), (6) or (9)—
- (a) is to be issued in the prescribed manner, and
 - (b) takes effect from the beginning of the day on which it is issued.
- (12) This section applies to—
- (a) parliamentary elections in Northern Ireland,
 - (b) elections in Northern Ireland to the European Parliament, and
 - (c) elections to the Northern Ireland Assembly.
- (13) Subsections (5) and (6) of section 13B apply for the purposes of this section as they apply for the purposes of that section.”

Data collection

F27 Data collection

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Textual Amendments

- F2** S. 7 omitted (13.3.2014) by virtue of [Northern Ireland \(Miscellaneous Provisions\) Act 2014 \(c. 13\)](#), [ss. 20\(7\)\(b\)](#), [28\(1\)\(e\)](#)

Changes to legislation:

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