

*Status: Point in time view as at 19/09/2014.*

*Changes to legislation: There are currently no known outstanding effects for the Electoral Registration and Administration Act 2013, SCHEDULE 4. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

Section 13

#### AMENDMENTS TO DO WITH PART 1

#### *Representation of the People Act 1983 (c. 2)*

1 The Representation of the People Act 1983 is amended as follows.

##### **Commencement Information**

- I1** Sch. 4 para. 1 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)
- I2** Sch. 4 para. 1 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)

2 In section 7 (residence: patients in mental hospitals who are not detained offenders or on remand), in subsection (3), after paragraph (aa) insert—

“(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC made by some other person or that the person's entry has been altered as the result of an application under section 10ZD made by some other person, or”.

##### **Commencement Information**

- I3** Sch. 4 para. 2 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)
- I4** Sch. 4 para. 2 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)

3 In section 7A (residence: persons remanded in custody etc), in subsection (3), after paragraph (aa) insert—

“(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC made by some other person or that the person's entry has been altered as the result of an application under section 10ZD made by some other person, or”.

##### **Commencement Information**

- I5** Sch. 4 para. 3 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)
- I6** Sch. 4 para. 3 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)

4 In section 7C (effect of declaration of local connection), in subsection (2), after paragraph (aa) insert—

“(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC made by some other person or that the person's entry

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has been altered as the result of an application under section 10ZD made by some other person.”.

#### Commencement Information

- I7** Sch. 4 para. 4 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)  
**I8** Sch. 4 para. 4 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)

- 5 In section 9 (registers of electors), in subsection (2)—
- (a) for the words from the beginning to “register” substitute “ Subject to any other provision of this Act, each register ”;
  - (b) for paragraph (a) substitute—
    - “(a) the names of persons who appear to the registration officer to be entitled to be registered in it and in respect of whom a successful application for registration has been made;”.

#### Commencement Information

- I9** Sch. 4 para. 5 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)  
**I10** Sch. 4 para. 5 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)

- 6 (1) Section 9A (registration officers: duty to take necessary steps) is amended as follows.
- (2) At the end of subsection (1) insert “ and for the purpose of securing that, so far as is reasonably practicable, persons who are entitled to be registered in a register (and no others) are registered in it ”.
- (3) In subsection (2)(a), for “section 10” substitute “ section 9D ”.

#### Commencement Information

- I11** Sch. 4 para. 6 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)  
**I12** Sch. 4 para. 6 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)

- 7 (1) Section 9B (anonymous registration) is amended as follows.
- (2) For subsections (1) and (2) substitute—
- “(1) An application under this section (an application for an anonymous entry) may be made—
    - (a) by any person, in conjunction with an application for registration under section 10ZC, or
    - (b) by a person who already has an anonymous entry, for the purposes of remaining registered with such an entry (see section 9C(3)).
  - (1A) An application for an anonymous entry must be made in accordance with prescribed requirements and must be accompanied by—
    - (a) a declaration made in accordance with prescribed requirements, and
    - (b) such evidence in support as may be prescribed.
  - (2) A registration officer who receives an application for an anonymous entry must determine whether the safety test is satisfied (unless, in the case of an

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application under subsection (1)(a), the person's application for registration has been rejected otherwise than by virtue of this section).”

(3) In subsection (5), after “a person” insert “ as the result of an application under subsection (1)(a) ”.

(4) For subsection (6) substitute—

“(6) If a person makes an application under subsection (1)(a) and the registration officer determines that the safety test is not satisfied, no entry is to be made in the register as a result of the person's application under section 10ZC (whether an anonymous entry or otherwise).”

(5) In subsection (7)(b), omit the words from “(including an application” to the end.

**Commencement Information**

**I13** Sch. 4 para. 7 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), **art. 5(m)**

**I14** Sch. 4 para. 7 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), **art. 2(l)**

8 (1) Section 9C (removal of anonymous entries) is amended as follows.

(2) In subsection (1), omit “in pursuance of the application for registration mentioned in section 9B(1)”.

(3) In subsection (3), omit “a further application for registration accompanied by”.

**Commencement Information**

**I15** Sch. 4 para. 8 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), **art. 5(m)**

**I16** Sch. 4 para. 8 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), **art. 2(l)**

9 (1) Section 10 (maintenance of the registers: duty to conduct canvass) is amended as follows.

(2) Omit subsection (1).

(3) In subsection (2), omit “(1) or”.

(4) In subsection (3)—

(a) after “canvass” insert “ under this section ”;

<sup>F1</sup>(b) .....

(5) For subsection (4) substitute—

“(4) The form to be used for the purposes of a canvass under this section must be a form prescribed for those purposes.”

(6) In subsection (4A), omit “for the purposes of a canvass in Northern Ireland”.

(7) In subsection (5), for “a registration officer” substitute “ under this section the Chief Electoral Officer for Northern Ireland ”.

(8) In subsection (6), for “a registration officer” substitute “ under this section the Chief Electoral Officer for Northern Ireland ”.

(9) In the heading, after “canvass” insert “ in Northern Ireland ”.

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#### Textual Amendments

- F1** Sch. 4 para. 9(4)(b) repealed (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), 4

#### Commencement Information

- I17** Sch. 4 para. 9(1)-(3)(4)(a)(5)-(9) in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), art. 5(m)
- I18** Sch. 4 para. 9(1)-(3)(4)(a)(5)-(9) in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), art. 2(l)

- 10 (1) Section 10A (maintenance of the registers: registration of electors) is amended as follows.
- (2) In subsection (1), for “A registration officer” substitute “ The Chief Electoral Officer for Northern Ireland ”.
- (3) In subsection (2A), omit “(subject to section 13BB(2))”.
- (4) In subsection (3)—
- (a) for “A registration officer” substitute “ The Chief Electoral Officer for Northern Ireland ”;
- (b) after “registration” insert “ in Northern Ireland ”.
- <sup>F2</sup>(5) . . . . .
- (6) In subsection (4), before “asking” insert “ in Northern Ireland ”.
- (7) In subsection (5)—
- (a) after “in respect of any address” insert “ in Northern Ireland ”;
- (b) for “the registration officer concerned” substitute “ the Chief Electoral Officer for Northern Ireland ”;
- (c) for “the registration officer is” substitute “ the Officer is ”.
- (8) In subsection (5A)(b), for “the registration officer” substitute “ the Chief Electoral Officer for Northern Ireland ”.
- (9) In subsection (5B), for “A registration officer” substitute “ The Chief Electoral Officer for Northern Ireland ”.
- (10) In subsection (6), for “the registration officer concerned” substitute “ the Chief Electoral Officer for Northern Ireland ”.
- (11) In subsection (7), for “a registration officer” substitute “ the Chief Electoral Officer for Northern Ireland ”.
- (12) In the heading, after “electors” insert “ in Northern Ireland ”.

#### Textual Amendments

- F2** Sch. 4 para. 10(5) repealed (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), 4

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#### Commencement Information

- I19** Sch. 4 para. 10(1)-(4)(6)-(12) in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414, art. 5\(m\)](#)
- I20** Sch. 4 para. 10(1)-(4)(6)-(12) in force at 15.9.2014 for N.I. by [S.I. 2014/2439, art. 2\(l\)](#)

- 11 (1) Section 13 (publication of registers) is amended as follows.
- (2) In subsection (2)(b), after “13A(3)” insert “ or (3A) ”.
- (3) In subsection (5)(b), for “13BB” substitute “ 13BA ”.

#### Commencement Information

- I21** Sch. 4 para. 11 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414, art. 5\(m\)](#)
- I22** Sch. 4 para. 11 in force at 15.9.2014 for N.I. by [S.I. 2014/2439, art. 2\(l\)](#)

- 12 (1) Section 13A (alteration of registers) is amended as follows.
- (2) In subsection (1)—
- (a) before paragraph (a) insert—
- “(za) is required by section 10ZC(1) to enter a person in the register;
- (zb) is required by section 10ZD(1) to alter a person's entry in the register;”;
- (b) in paragraph (a), after “registration” insert “ in Northern Ireland ”.
- (3) After subsection (3) insert—
- “(3A) Subsection (2)(a)(ii) also does not require a registration officer in Great Britain to issue a notice under subsection (2) in a case where the month which follows that in which the relevant time falls is the month containing the date on which a revised version of the register is next due to be published in accordance with section 13(1)(a); and in such a case the alteration in question shall be made in that revised version of the register.”
- (4) In subsection (5), for “13B or 13BA below or section 13BB below” substitute “ section 13B or section 13BA below ”.

#### Commencement Information

- I23** Sch. 4 para. 12 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414, art. 5\(m\)](#)
- I24** Sch. 4 para. 12 in force at 15.9.2014 for N.I. by [S.I. 2014/2439, art. 2\(l\)](#)

- 13 In section 13B (alteration of registers in Great Britain: pending elections), in subsection (2)(a), for “paragraphs (a) to (d)” substitute “ paragraphs (za), (zb), (b), (c) and (d) ”.

#### Commencement Information

- I25** Sch. 4 para. 13 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414, art. 5\(m\)](#)
- I26** Sch. 4 para. 13 in force at 15.9.2014 for N.I. by [S.I. 2014/2439, art. 2\(l\)](#)

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14 Omit section 13BB (election falling within canvass period).

**Commencement Information**

- I27** Sch. 4 para. 14 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414, art. 5\(m\)](#)  
**I28** Sch. 4 para. 14 in force at 15.9.2014 for N.I. by [S.I. 2014/2439, art. 2\(l\)](#)

15 In section 15 (service declaration), in subsection (2), after paragraph (aa) insert—  
 “(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC made by some other person or that the person's entry has been altered as the result of an application under section 10ZD made by some other person.”

**Commencement Information**

- I29** Sch. 4 para. 15 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414, art. 5\(m\)](#)  
**I30** Sch. 4 para. 15 in force at 15.9.2014 for N.I. by [S.I. 2014/2439, art. 2\(l\)](#)

16 (1) Section 49 (effect of registers) is amended as follows.

(2) In subsection (5)—

- (a) in paragraph (b), for the words from “is not” to “was not” substitute “is not or was not at any particular time”;  
 (b) in paragraph (c), for the words from “is, or” to “was,” substitute “is or was at any particular time”.

(3) Omit subsection (6).

**Commencement Information**

- I31** Sch. 4 para. 16 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414, art. 5\(m\)](#)  
**I32** Sch. 4 para. 16 in force at 15.9.2014 for N.I. by [S.I. 2014/2439, art. 2\(l\)](#)

17 In section 54(1) (payment of expenses of registration), after “under this Act” insert “or the Electoral Registration and Administration Act 2013”.

**Commencement Information**

- I33** Sch. 4 para. 17 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414, art. 5\(m\)](#)  
**I34** Sch. 4 para. 17 in force at 15.9.2014 for N.I. by [S.I. 2014/2439, art. 2\(l\)](#)

18 In section 56(1) (registration appeals: England and Wales), for paragraphs (a) and (aa) substitute—

- “(a) from any decision of a registration officer not to register a person following an application under section 10ZC,  
 (aza) from any decision of a registration officer to register a person following an application under section 10ZC in a case where an objection has been made under that section,  
 (azb) from any decision of a registration officer not to alter a register following an application under section 10ZD,

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- (azc) from any decision of a registration officer to alter a register following an application under section 10ZD in a case where an objection has been made under that section,
- (azd) from any decision of a registration officer under section 10ZE, or any other provision of this Act, as a result of which a person's entitlement to remain registered terminates,
- (aa) from any decision of a registration officer not to make a determination under section 10ZE(1) following an objection under section 10ZE(5)(a),”.

#### Commencement Information

**I35** Sch. 4 para. 18 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)

**I36** Sch. 4 para. 18 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)

- 19 In section 62 (offences as to declarations), in subsection (1A), for “section 9B(1)(b)” substitute “ section 9B(1A)(a) ”.

#### Commencement Information

**I37** Sch. 4 para. 19 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)

**I38** Sch. 4 para. 19 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)

- 20 (1) Schedule 2 (provisions which may be contained in regulations as to registration etc) is amended as follows.
- (2) In paragraph 1—
- (a) in sub-paragraph (2), after “authorising” insert “ or requiring ”;
  - (b) in sub-paragraph (3)(a)—
    - (i) for “so required” substitute “ by virtue of regulations under sub-paragraph (2) required ”;
    - (ii) after “so registered” insert “ or to determine whether the person is the person who made the application under section 10ZC or 10ZD ”.
- (3) After paragraph 1A (inserted by Schedule 2) insert—
- “1B (1) Provision as to the information that a registration officer may or must require persons to give by virtue of regulations under paragraph 1(2), or must provide to persons, when conducting a canvass in Great Britain (whether as part of a canvass form or otherwise).
- (2) Provision authorising or requiring a registration officer in Great Britain to complete canvass forms in part for people.
- (3) Provision as to the form and contents of declarations to be made by those responding to a canvass in Great Britain.”
- (4) In paragraph 3A (regulations as to form and content of applications for registration etc), after “registration” insert “ in Northern Ireland ”.
- (5) After paragraph 3B insert—



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- “3C (1) Provision authorising or requiring a registration officer conducting a canvass in Great Britain to take specified steps for the purpose of obtaining information where no response is received in respect of a particular address.
- (2) Provision authorising or requiring a registration officer in Great Britain to take specified steps to encourage a person to make an application under section 10ZC or 10ZD in response to an invitation to do so made by the officer.
- (3) Examples of the steps that a registration officer may be authorised or required to take under sub-paragraph (1) or (2) include writing to the person or visiting the person's address to speak to the person.”
- (6) In paragraph 5(2) (provision as to evidence of age or nationality which may be required), after “required” insert “by the Chief Electoral Officer for Northern Ireland”.
- (7) After paragraph 5A insert—
- “5B (1) Provision as to the steps that a registration officer in Great Britain must take, before appointing a person as proxy to vote for another, to ensure that the appointment complies with paragraph 6(3) or (3A) of Schedule 4 to the Representation of the People Act 2000.
- (2) Provision under sub-paragraph (1) may require another registration officer (including the Chief Electoral Officer for Northern Ireland) to provide information about whether the person has or will have an entry in a register maintained by that officer.”

#### **Commencement Information**

**I39** Sch. 4 para. 20 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)

**I40** Sch. 4 para. 20 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)

#### *Representation of the People Act 1985 (c. 50)*

- 21 In section 2 of the Representation of the People Act 1985 (registration of British citizens overseas), in subsection (2), after paragraph (aa) insert—
- “(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC of the principal Act made by some other person or that the person's entry has been altered as the result of an application under section 10ZD of that Act made by some other person,”.

#### **Commencement Information**

**I41** Sch. 4 para. 21 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), [art. 5\(m\)](#)

**I42** Sch. 4 para. 21 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), [art. 2\(l\)](#)



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*Representation of the People Act 2000 (c. 2)*

- 22 In Schedule 1 to the Representation of the People Act 2000 (registration: amendments of Representation of the People Act 1983), omit paragraph 12(3) and (4).

**Commencement Information**

- I43** Sch. 4 para. 22 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), **art. 5(m)**  
**I44** Sch. 4 para. 22 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), **art. 2(l)**

*Electoral Administration Act 2006 (c. 22)*

- 23 In Schedule 1 to the Electoral Administration Act 2006 (amendments), omit paragraphs 4(2), 5 and 6(2).

**Commencement Information**

- I45** Sch. 4 para. 23 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), **art. 5(m)**  
**I46** Sch. 4 para. 23 in force at 15.9.2014 for specified purposes for N.I. by [S.I. 2014/2439](#), **art. 2(l)**

*Political Parties and Elections Act 2009 (c. 12)*

- 24 In the Political Parties and Elections Act 2009 the following are repealed—
- (a) section 23(1) (which inserted section 13BB of the Representation of the People Act 1983);
  - (b) sections 30 to 34 (electoral registration: provision of identifying information);
  - (c) sections 35 and 36 (data schemes);
  - (d) section 37 (interpretation).

**Commencement Information**

- I47** Sch. 4 para. 24 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), **art. 5(m)**  
**I48** Sch. 4 para. 24 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), **art. 2(l)**

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