
STATUTORY INSTRUMENTS

2018 No. 699

The Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2018

PART 4

Amendment of the Representation of the People (Northern Ireland) Regulations 2008

Amendment of the Representation of the People (Northern Ireland) Regulations 2008

9. The Representation of the People (Northern Ireland) Regulations 2008(1) are amended in accordance with this Part.

Interpretation: meaning of “the UK digital service”

10. In regulation 3(1) (interpretation)—

- (a) omit “and” after the definition of “registration area”,
- (b) at the end insert—

““the UK digital service” has the same meaning as in section 10ZF of the 1983 Act, and references to an application submitted through the UK digital service or any other thing done through the UK digital service shall be construed in accordance with subsection (4) of that section.”

Communication of applications, notices etc.

11.—(1) In regulation 5 (communication of applications, notices etc)—

- (a) after “notice,” insert “reminder,”,
- (b) for “representation or objection” substitute “representation, objection or any other communication that is sent”.

(2) In regulation 26 (reminders to electors registered pursuant to a declaration), in paragraph (2), after “reminder” insert “in writing”.

(3) In regulation 26A (reminders to persons who have an anonymous entry), in paragraph (2), after “reminder” insert “in writing”.

(4) In regulation 27 (applications for registration), in paragraph (7), after “applicant”, in the first place where it occurs, insert “in writing”.

(5) In regulation 30 (procedure for determining applications for registration and objections without a hearing)—

- (a) in paragraph (6), for “ask for” substitute “request in writing”,
- (b) in paragraph (10), after “notice” insert “in writing”,

(1) [S.I. 2008/1741](#), amended by [S.I. 2010/882](#) and [S.I. 2014/1808](#); there are other amendments which are not relevant to these Regulations.

- (c) in paragraph (11), after “notice”, in the first place where it occurs, insert “in writing”,
- (d) in paragraph (13), after “notice” insert “in writing”,
- (e) in paragraph (14), after “notice”, in the first place where it occurs, insert “in writing”.
- (6) In regulation 31 (notice of hearing), in paragraph (1), after “notice” insert “in writing”.
- (7) In regulation 38 (hearing of reviews), in paragraph (2), after “notice” insert “in writing”.
- (8) In regulation 38E (review of entitlement to an anonymous entry), in paragraphs (5)(b) and (7)(b), after “officer” insert “in writing”.
- (9) In regulation 45 (communication of notices made on polling day), in paragraph (3), after “forward it” insert “in writing”.
- (10) In regulation 62 (grant or refusal of applications), in paragraphs (1), (4) and (5), after “applicant” insert “in writing”.
- (11) In regulation 63 (notice of appeal), after “notice”, in paragraph (1), in the first place where it occurs, insert “in writing”.
- (12) In regulation 75 (notice of issue of postal ballot papers), in paragraph (2), after “candidate” insert “in writing”.

Contents of service declaration

- 12.**—(1) Regulation 17 (contents of service declaration) is amended as follows.
- (2) In paragraph (3)—
 - (a) omit “and” at the end of sub-paragraph (a),
 - (b) at the end of sub-paragraph (b) insert “; and”,
 - (c) after sub-paragraph (b) insert—
 - “(c) any staff number, payroll number or other similar identifying number of that servant.”
 - (3) In paragraph (4), for the words from “state” to the end substitute—
 - “(a) a description of the post of that employee; and
 - “(b) any staff number, payroll number or other similar identifying number of that employee.”

Transmission of service declaration

- 13.**—(1) Regulation 18 (transmission of service declaration) is revoked.
- (2) In regulation 19 (notification by registration officer in respect of service declaration), in paragraph (2)(b), omit “or 18”.

Attestation of certain overseas electors’ declarations

- 14.**—(1) Regulation 22 (attestation of certain overseas electors’ declarations) is revoked.
- (2) In regulation 23 (notification about registration as overseas elector), in paragraph (2)(b), omit “or 22”.

Applications for registration

- 15.**—(1) In regulation 6 (electronic signatures and related certificates), in paragraph (1), omit “, 27”.

- (2) Regulation 27 (applications for registration) is amended as follows.
- (3) In paragraph (1)—
- (a) in sub-paragraph (b), at the beginning, insert “except in the case of a person applying to be registered in pursuance of a service declaration, a declaration of local connection or an overseas electors’ declaration,”,
 - (b) for sub-paragraph (c) substitute—
 - “(c) in the case of an applicant who no longer claims to be entitled to be registered at an address in respect of which the applicant is currently registered as an elector, either—
 - (i) the fact that the applicant has ceased to reside at that address; or
 - (ii) the fact that the registration was in pursuance of a service declaration, a declaration of local connection or an overseas electors’ declaration, and the fact that the applicant is no longer entitled to make that declaration;
 - (ca) in the case of an applicant who has confirmed pursuant to section 10A(1A)(c)(i) or 13A(2A)(c)(i) of the 1983 Act that the applicant does not have a national insurance number, the reason why the applicant does not have it;
 - (cb) except in the case of a person applying to be registered in pursuance of an overseas elector’s declaration or a service declaration, the applicant’s nationality or nationalities or, if the applicant is not able to provide that information, the reason why the applicant is not able to do so;”
 - (c) omit sub-paragraph (d).
- (4) After paragraph (1) insert—
- “(1A) Where an applicant has previously been known by a name other than that stated in accordance with paragraph (1)(a), the application may also state the applicant’s previous name.”
- (5) For paragraph (3) substitute—
- “(3) An application for registration shall include a declaration by the applicant that, by submitting the application or instructing another person to submit it on the applicant’s behalf, the applicant confirms that—
- (a) the applicant is the person named in the application; and
 - (b) the information provided in the application and any declaration accompanying it is true.
- (3A) Where the applicant is unable to read, the applicant shall arrange for the declaration mentioned in paragraph (3) to be read out to the applicant before the application is submitted.
- (3B) Where the application is to be submitted through the UK digital service and the applicant is unable to submit it owing to a disability, the applicant may instruct a person of 18 years or over to submit it on behalf of the applicant in the applicant’s presence.”
- (6) In paragraph (4)—
- (a) omit “to the registration officer and be signed”,
 - (b) omit “by the applicant”.
- (7) After paragraph (4) insert—
- “(4A) An application for registration may include the applicant’s email address and telephone number if the applicant is willing for the registration officer to contact the applicant by such means.”
- (8) Omit paragraph (5).

(9) After paragraph (6) insert—

“(6A) Where the registration officer provides the form on which an application for registration is made, the form shall include—

- (a) the words “It is an offence to provide false information in this form”, and
- (b) a statement of the maximum penalty for the offence.”

(10) In paragraph (10), for “(6) to (9)” substitute “(6) and (7) to (9)”.

Retention of information in connection with an application for registration

16. After regulation 27 (applications for registration) insert—

“Retention of information in connection with an application for registration

27A.—(1) In respect of any application for registration, until the application has been determined, the registration officer—

- (a) shall retain the application form or, in the case of an application submitted through the UK digital service, the information contained in the application; and
- (b) may retain any other documentation or information provided to the registration officer in connection with the application.

(2) After the determination of the application, the registration officer may continue to retain any information or document mentioned in paragraph (1) until such time as the officer considers that it is not required for or in connection with the exercise of the officer’s functions.”

Inspection of applications and objections

17. In regulation 29 (inspection of applications and objections)—

- (a) in paragraph (1)—
 - (i) for “An application for registration and any objections” substitute “An entry on the list of applications for registration kept under regulation 30(2)(a) and any objection”,
 - (ii) after “the application” insert “to which the entry relates”,
- (b) omit paragraph (2).

Procedure for determining applications for registration and objections without a hearing

18. In regulation 30 (procedure for determining applications for registration and objections without a hearing), in paragraph (3), after “name” insert “and (if included in the application) nationality”.

Provision of information to the registration officer

19. In regulation 42 (provision of information to the registration officer), in paragraph (4)(a), for “former” substitute “any previous”.

Verification of information provided in an application

20. After regulation 42 (provision of information to the registration officer) insert—

“Verification of information provided in an application

42A.—(1) In the case of an application for registration submitted through the UK digital service, the Minister of the Crown responsible for providing the UK digital service⁽²⁾ may disclose the name and any previous name, date of birth and national insurance number of the applicant given in the application to the Secretary of State.

(2) On receipt of an application for registration other than one submitted through the UK digital service, the registration officer may disclose the name and any previous name, date of birth and national insurance number of the applicant given in the application to the Secretary of State through the UK digital service.

(3) Where information has been disclosed to the Secretary of State under paragraph (1) or (2), the Secretary of State shall compare the information against—

(a) the name and any previous name, date of birth and national insurance number of individuals appearing in the following types of databases kept by the Department for Work and Pensions—

(i) databases kept for the purposes of functions relating to social security (including such information kept on behalf of the Department for Communities); and

(ii) databases relating to working tax credit, child tax credit and child benefit (being information kept on behalf of Her Majesty’s Revenue and Customs); and

(b) any other information contained in the databases mentioned in sub-paragraph (a) which relates to the information disclosed under paragraph (1) or (2).

(4) The Secretary of State shall disclose the results of the comparison to the registration officer through the UK digital service, and regulation 41(5) and (7) shall be disregarded for these purposes.

(5) The registration officer may take such results into account in determining the application for registration.

(6) Any person who processes the information disclosed under paragraph (1) or (2) shall do so in accordance with any requirements as to the processing of information that may have been imposed in writing by the Minister of the Crown responsible for providing the UK digital service, including requirements as to the transfer, storage, destruction and security of that information.

(7) In this regulation, “the Secretary of State” means the Secretary of State for Work and Pensions.”

Notice by registration officer of a change of address

21. In regulation 46 (notice by registration officer of a change of address)—

(a) in paragraph (2), after “the applicant” insert “has notified the Northern Ireland registration officer that the applicant”,

(b) after paragraph (2) insert—

“(3) The Northern Ireland registration officer may make a notification under paragraph (2) through the UK digital service.”

(2) The Minister of the Crown responsible for providing the UK digital service is the Minister for the Cabinet Office. See article 7 of [S.I. 2016/997](#) and regulation 2(3) of these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
