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STATUTORY INSTRUMENTS

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**2023 No. 1145**

**The Elections Act 2022 (Commencement No. 9, Transitional and Savings Provisions and Appointed and Specified Days) and Ballot Secrecy Act 2023 (Commencement) Regulations 2023**

**Part 2**

**Commencement, savings and transitional provisions and appointed and specified days relating to the Elections Act 2022**

**Provisions coming into force on 31st October 2023**

2. The following provisions of EA 2022 come into force on 31st October 2023—
- (a) section 3 (restriction of period for which person can apply for postal vote);
  - (b) section 6 (limit on number of electors for whom a proxy can vote), so far as it relates to the provisions brought into force by paragraph (f);
  - (c) section 12 (local elections and Assembly elections in Northern Ireland), so far as it relates to the provisions brought into force by paragraph (g);
  - (d) section 15 (voting and candidacy rights of EU citizens), so far as it relates to the provision brought into force by paragraph (h);
  - (e) Schedule 3 (restriction of period for which person can apply for postal vote);
  - (f) in Schedule 4 (proxy voting: limits and transitional provision)—
    - (i) paragraph 1, so far as it relates to the provisions brought into force by sub-paragraphs (ii) and (iii);
    - (ii) in paragraph 2, sub-paragraph (1), so far as it relates to sub-paragraph (2), and sub-paragraph (2);
    - (iii) paragraph 3;
    - (iv) in paragraph 6, sub-paragraph (1), so far as it relates to sub-paragraphs (2), (3) and (5), and those sub-paragraphs;
    - (v) paragraphs 8 to 11;
  - (g) in Schedule 6 (local elections in Northern Ireland and elections to the Northern Ireland Assembly)—
    - (i) paragraph 1, so far as it relates to the provisions brought into force by sub-paragraphs (ii) and (iii);
    - (ii) paragraph 23, so far as it relates to the provision brought into force by sub-paragraph (iii);
    - (iii) in paragraph 26, sub-paragraph (1), so far as it relates to sub-paragraph (2), and sub-paragraph (2);

- (iv) in paragraph 28, sub-paragraph (1), so far as it relates to sub-paragraphs (2) and (3), and those sub-paragraphs;
- (v) paragraph 29;
- (vi) paragraphs 32 and 33;
- (vii) paragraph 35, so far as it relates to the provisions brought into force by sub-paragraph (viii);
- (viii) paragraphs 36 and 45;
- (ix) paragraphs 47 and 48;
- (h) in Schedule 8 (voting and candidacy rights of EU citizens), paragraph 13.

### **Provisions coming into force on 1st November 2023**

3. The following provisions of EA 2022 come into force on 1st November 2023—
  - (a) section 8 (undue influence);
  - (b) sections 10 (candidate nomination paper: commonly used names) and 11 (home address form: statement of local authority area);
  - (c) section 12 (local elections and assembly elections in Northern Ireland), so far as it relates to the provisions brought into force by paragraph (h);
  - (d) section 15 (voting and candidacy rights of EU citizens), so far as it relates to the provisions brought into force by paragraph (i);
  - (e) Part 5 (disqualification of offenders for holding elective office etc);
  - (f) Part 6 (information to be included with electronic material), so far as not already in force;
  - (g) Schedule 5 (undue influence: further provision);
  - (h) the following paragraphs of Schedule 6 (local elections in Northern Ireland and elections to the Northern Ireland Assembly)—
    - (i) paragraph 6 so far as it relates to the provision brought into force by sub-paragraph (ii);
    - (ii) paragraphs 7, 8 and 21;
    - (iii) paragraph 23 so far as it relates to the provision brought into force by sub-paragraph (iv);
    - (iv) paragraph 24;
    - (v) paragraph 35 so far as it relates to the provision brought into force by sub-paragraph (vi);
    - (vi) paragraph 38;
  - (i) for the purposes of proceedings preliminary or relating to an election for which the date of poll specified in the notice of election published in accordance with the relevant rule is on or after 7th May 2024, the following provisions of Schedule 8 (voting and candidacy rights of EU citizens)—
    - (i) in paragraph 1, sub-paragraphs (9) to (12);
    - (ii) in paragraph 2, sub-paragraphs (1) and (2) so far as they relate to sub-paragraph (3), and sub-paragraph (3);
    - (iii) paragraphs 3, 4 and 5;
    - (iv) in paragraph 6, sub-paragraph (1) so far as it relates to sub-paragraphs (2) and (4) to (6), and those sub-paragraphs;

- (v) paragraphs 7, 8 and 10;
- (j) Schedule 9 (offences for purposes of Part 5);
- (k) Schedule 10 (disqualification orders: minor and consequential amendments);
- (l) Schedule 11 (illegal practices);
- (m) Schedule 12 (supply of information etc).

#### **Provisions coming into force on 31st January 2024**

4. The following provisions of EA 2022 come into force on 31st January 2024—
- (a) section 1 and Schedule 1 (voter identification), so far as not already in force;
  - (b) section 6 (limit on number of electors for whom a proxy can vote), so far as it relates to the provisions brought into force by paragraph (d);
  - (c) section 12 (local elections and Assembly elections in Northern Ireland), so far as it relates to the provisions brought into force by paragraph (e);
  - (d) in Schedule 4 (proxy voting: limits and transitional provision)—
    - (i) paragraph 1, so far as it relates to the provisions brought into force by sub-paragraphs (ii) and (iii);
    - (ii) paragraph 2, so far as not already in force;
    - (iii) paragraph 4, except for sub-paragraph (5) so far as it extends to Northern Ireland;
    - (iv) paragraph 6, so far as not already in force;
    - (v) paragraph 7;
  - (e) in Schedule 6 (local elections in Northern Ireland and elections to the Northern Ireland Assembly)—
    - (i) paragraph 1, so far as it relates to the provisions brought into force by sub-paragraphs (ii) to (vii);
    - (ii) paragraph 6, so far not already in force;
    - (iii) paragraph 9;
    - (iv) paragraphs 12 to 14, so far as not already in force;
    - (v) paragraphs 19 and 20;
    - (vi) paragraph 23, so far as it relates to the provision brought into force by sub-paragraph (vii);
    - (vii) paragraph 26, so far as not already in force;
    - (viii) paragraph 28, so far as not already in force;
    - (ix) paragraphs 31 and 34(c);
    - (x) paragraph 35, so far as it relates to the provisions brought into force by sub-paragraphs (xi) to (xiv);
    - (xi) paragraph 39;
    - (xii) paragraph 40, so far as it relates to the provision brought into force by sub-paragraph (xiii);
    - (xiii) paragraph 42;
    - (xiv) paragraph 44.

### **Provisions coming into force on 7th May 2024**

5. The following provisions of EA 2022 come into force on 7th May 2024—
- (a) section 15 (voting and candidacy rights of EU citizens), so far as not already in force;
  - (b) Schedule 8 (voting and candidacy rights of EU citizens), so far as not already in force.

### **Appointed and specified days**

6.—(1) The day appointed under section 54(9)(c) of EA 2022 for the guidance to come into force is 1st November 2023.

(2) In paragraph (1), “the guidance” means the guidance entitled “Statutory guidance on digital imprints”, a draft of which was laid before each House of Parliament on 13th July 2023.

(3) The specified day for the purposes of paragraph 4 of Schedule 3 to EA 2022 (transitional provision related to indefinite or long term pre-commencement postal vote entitlements) is 31st October 2023.

(4) In Schedule 4 to EA 2022—

- (a) the specified day for the purposes of paragraphs 8 and 9 (termination of certain proxy appointments) is 31st January 2024;
- (b) the specified day for the purposes of paragraphs 10 and 11 (termination of applications for certain proxy appointments) is 31st October 2023.

(5) In Schedule 6 to EA 2022—

- (a) the specified day for the purposes of paragraphs 32 and 47 (termination of certain proxy appointments) is 31st January 2024;
- (b) the specified day for the purposes of paragraphs 33 and 48 (termination of applications for certain proxy appointments) is 31st October 2023.

### **Transitional and savings provisions**

7. The Schedule has effect.