
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741) (“the 2008 Regulations”) in relation to the evidence which can be used in support of an application for anonymous registration. Part 3 of the 2008 Regulations makes provision about registration for elections in Northern Ireland in relation to the register of Parliamentary electors and the register of local electors. A person’s ability to vote in Northern Ireland Assembly elections depends on them being able to vote in a district council election in Northern Ireland (see Article 4 of the Northern Ireland Assembly (Elections) Order 2001, S.I. 2001/2599).

Regulation 38A of the 2008 Regulations governs the procedure for applying for an anonymous entry in the electoral register. An application must be accompanied by evidence of the nature prescribed in regulation 38C (court orders or injunctions protecting the applicant (or another person in their household)) or regulation 38D (attestation by a qualifying officer that the safety of the applicant (or another person in their household) is at risk if the electoral register contained their name or address). Regulation 2(2) amends regulation 38A of the 2008 Regulations to include additional court orders: domestic violence protection orders and female genital mutilation orders.

Under existing regulation 38D(4)(a) to (c) of the 2008 Regulations, police officers of or above the rank of superintendent of any police force in England and Wales, the Police Service of Scotland, or the Police Service of Northern Ireland are qualifying officers and may attest an application for anonymous registration. Regulation 2(3)(a) amends that provision so that police officers of or above the rank of inspector of any police force in England and Wales, the Police Service of Scotland, and the Police Service of Northern Ireland are qualifying officers.

Regulation 2(3)(b) inserts new sub-paragraphs to regulation 38D(4) of the 2008 Regulations to include within the meaning of qualifying officer any registered doctor, any registered nurse or midwife, and any refuge manager. “Registered medical practitioner” and “registered” (in relation to nurses and midwives) are defined in the Interpretation Act 1978. A “refuge” is defined in new regulation 38D(5) of the 2008 Regulations inserted by regulation 2(4).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.