
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Voter Identification Regulations 2022

PART 4

Design, issuing, delivery, collection etc. of electoral
identity documents, anonymous elector's documents etc.

CHAPTER 1

Design of documents

Design of electoral identity documents, anonymous elector's documents, etc.

- 15.**—(1) The Electoral Commission must design the following—
- (a) an anonymous elector's document;
 - (b) an electoral identity document;
 - (c) a temporary electoral identity document;
 - (d) a dual Welsh and English version of each of the designs referred to in sub-paragraphs (a) to (c).
- (2) A document designed by the Electoral Commission in accordance with paragraph (1) must meet the requirements for that document as set out in Schedule 3.
- (3) The Electoral Commission must make available—
- (a) each of the designs referred to in paragraph (1)(a) to (c) to a registration officer who is appointed for an area in England or Scotland;
 - (b) the dual Welsh and English version of each of the designs referred to in paragraph (1)(a) to (c) to a registration officer who is appointed for an area in Wales.
- (4) The Electoral Commission may design a revised version of a document designed in accordance with paragraph (1), and where the Electoral Commission does so—
- (a) paragraphs (2) and (3) apply to a revised version as they apply to the document designed in accordance with paragraph (1), and
 - (b) the design of a revised version of a document referred to in paragraph (1) does not invalidate any previous version of the document issued under these Regulations before the day on which the revised version is made available to the registration officer.

CHAPTER 2

Issuing and delivery or collection of electoral identity documents and anonymous elector's documents

Issuing of electoral identity documents and anonymous elector's documents

16.—(1) Where the registration officer grants an identity document application, the registration officer must issue the applicant with an electoral identity document or, as the case may be, an anonymous elector's document which must—

- (a) use the version of the design for that document most recently made available to the registration officer in accordance with regulation 15,
- (b) state—
 - (i) in the case of an electoral identity document, the applicant's full name,
 - (ii) in the case of an anonymous elector's document, the applicant's electoral number,
- (c) contain the photograph of the applicant provided in accordance with regulation 4(3),
- (d) state the date of issue,
- (e) state an appropriate identifier, and
- (f) in the case of an electoral identity document, state—
 - (i) the name of the local authority by which the registration officer is appointed, and
 - (ii) states the recommended renewal date for the document.

(2) In paragraph (1)(b)(ii), the applicant's "electoral number" is the number—

- (a) allocated to the applicant as stated in the register of electors, or
- (b) where an entry related to the applicant is added to the register in pursuance of a notice issued under section 13A(2), 13AB(2), 13B(3), (3B) or (3D) or 13BC(3) or (6) of the 1983 Act, as stated in the copy of that notice.

(3) In paragraph (1)(e), an "appropriate identifier" is an identifier made up of up to 20 numbers or letters which—

- (a) is allocated by the registration officer in respect of an electoral identity document or, as the case may be, an anonymous elector's document, and
- (b) is not an identifier allocated by that registration officer in respect of any other electoral identity document or anonymous elector's document.

(4) In paragraph (1)(f)(ii), the "recommended renewal date" for an electoral identity document is the date which is the tenth anniversary of the date of issue of that document.

Delivery or collection of issued electoral identity documents and anonymous elector's documents

17.—(1) Subject to paragraph (3), the registration officer must arrange for an electoral identity document or anonymous elector's document issued in accordance with regulation 16 ("the issued document") to be delivered by post to the applicant's relevant delivery address (which has the meaning given in regulation 4(7)).

(2) An anonymous elector's document to which paragraph (1) applies must be delivered in an envelope or other form of covering so as not to disclose to any other person that the applicant has an anonymous entry.

(3) The registration officer may arrange for the issued document to be made available for collection by the applicant in person (instead of arranging delivery in accordance with paragraph (1)) where—

- (a) an indication is given by the applicant in accordance with regulation 4(1)(f), and
- (b) the registration officer considers that it is necessary to make the issued document available for collection to ensure that the applicant receives the issued document.

(4) Where an issued document is made available for collection in accordance with paragraph (3), the registration officer must notify the applicant—

- (a) that the issued document is available to be collected,
- (b) of the location where, and the times during which, the issued document may be collected, and
- (c) that the issued document may only be collected by the applicant in person, and
- (d) where the issued document is an anonymous elector’s document, that the applicant must bring their certificate of anonymous registration when collecting the document, and must show the certificate upon request.

(5) Where the applicant gives an indication in accordance with regulation 4(1)(h), the registration officer must also arrange for a Braille, easy read or large print explanation of the issued document to be delivered or made available for collection (as the case may be) with the issued document.

(6) In paragraph (4)(d), “certificate of anonymous registration” means the certificate issued to an anonymous elector in accordance with regulation 45G of the Representation of the People (England and Wales) Regulations 2001 or regulation 45F of the Representation of the People (Scotland) Regulations 2001.

(7) The registration officer may combine a notification under paragraph (4) with a notification under regulation 12.

CHAPTER 3

Issuing of temporary electoral identity documents

Issuing of temporary electoral identity documents

18.—(1) This regulation applies where, at any time during the relevant period for a relevant election, petition or referendum, a registration officer issues an applicant with an electoral identity document in accordance with regulation 16.

(2) The registration officer may also issue the applicant with a temporary electoral identity document where the registration officer is satisfied that the issued electoral identity document may not be delivered in time to the applicant for the applicant to be able to use that document at the relevant election, petition or referendum.

(3) In paragraph (1), “the relevant period” in relation to a relevant election, petition or referendum means the period—

- (a) beginning at 5pm on the sixth working day before the relevant date, and
- (b) ending at—
 - (i) where the relevant election, petition or referendum is a recall petition—
 - (aa) 5pm on the relevant date, or
 - (bb) if earlier, the beginning of the final hour during which the petition will be available for signing at the allotted petition signing place on the relevant date;
 - (ii) otherwise, 5pm on the relevant date.

- (4) In paragraph (3)—
- (a) “allotted petition signing place” means the petition signing place allotted to the applicant in accordance with regulation 16 of the 2016 Regulations;
 - (b) the “relevant date” is—
 - (i) where the relevant election, petition or referendum is a recall petition, the last day of the signing period for that petition;
 - (ii) otherwise, the date of the poll at that election or referendum;
 - (c) “working day” means any day other than a Saturday, Sunday, Good Friday, Christmas Eve, Christmas Day or a bank holiday.

Temporary electoral identity documents: supplemental

19.—(1) A temporary electoral identity document issued in accordance with regulation 18 is valid only on the relevant date.

(2) The registration officer must ensure that a temporary electoral identity document issued to an applicant in accordance with regulation 18 (“the issued temporary document”)—

- (a) use the version of the design for that document most recently made available to the registration officer in accordance with regulation 15,
- (b) states—
 - (i) the applicant’s full name,
 - (ii) the date of issue,
 - (iii) the name of the local authority by which the registration officer is appointed,
 - (iv) an appropriate identifier,
 - (v) the date for which the issued temporary document is valid,
- (c) contains the photograph of the applicant provided in accordance with regulation 4(3), and
- (d) is signed by the registration officer.

(3) In paragraph (2)(b)(iv), an “appropriate identifier” is an identifier made up of up to 20 numbers or letters which—

- (a) is allocated by the registration officer in respect of an issued temporary document, and
- (b) is not an identifier allocated by that registration officer in respect of any other temporary electoral identity document which is valid on the same date.

(4) The registration officer must, in relation to the issued temporary document—

- (a) arrange for the issued temporary document to be made available for collection by the applicant in person,
- (b) notify the applicant—
 - (i) that the issued temporary document is available to be collected,
 - (ii) of the location where and the times during which the issued document may be collected, and
 - (iii) that the issued temporary document may only be collected by the applicant in person, and
- (c) update the issued document record entry relating to the electoral identity document referred to in regulation 18(1) accordingly.

(5) Where the applicant gives an indication in accordance with regulation 4(1)(h), the registration officer must also arrange for a Braille, easy read or large print explanation of the issued temporary document to be made available for collection with the issued temporary document.

(6) The registration officer may combine a notification under paragraph (4)(b) with a notification under regulation 12.

(7) In paragraph (1), “the relevant date” has the meaning given in regulation 18(4)(b).

CHAPTER 4

Record of issued documents

Record of anonymous elector’s documents and electoral identity documents

20.—(1) A registration officer must keep a record of all anonymous elector’s documents and electoral identity documents issued by the registration officer (in this Chapter, “the record”).

(2) The registration officer must—

- (a) as soon as reasonably practicable after issuing an anonymous elector’s document or electoral identity document in accordance with regulation 16, 29 or 30(3), make an entry in the record for that document;
- (b) keep entries related to electoral identity documents in a separate part of the record from those related to anonymous elector’s documents.

(3) An entry made in accordance with paragraph (2)(a) must contain the following—

- (a) the date of issue and the appropriate identifier of the document;
- (b) the full name of the person to whom the document was issued;
- (c) the address provided by the person in accordance with regulation 4(1)(b);
- (d) any address provided by the person in accordance with regulation 4(1)(c);
- (e) any indication given by the person in accordance with regulation 4(1)(f);
- (f) any indication given by the person in accordance with regulation 4(1)(h);
- (g) a copy of the person’s photograph provided in accordance with regulation 4(3);
- (h) any email address or telephone number provided in accordance with regulation 4(4);
- (i) in respect of an electoral identity document, the name of the local authority by which the registration officer is appointed;
- (j) an indication of whether a temporary electoral identity document was also issued in accordance with regulation 18, and if so—
 - (i) the appropriate identifier of that temporary electoral identity document, and
 - (ii) the relevant date (which has the meaning given in regulation 18(4)(b)).

(4) Where—

- (a) an anonymous elector’s document is issued in accordance with regulation 29 or 30(3), the reference in paragraph (3)(g) to a photograph provided in accordance with regulation 4(3) is to be read as a reference to the photograph contained in the issued document record entry for the anonymous elector’s document referred to in regulation 27(1)(a) or 30(1)(a) (as the case may be);
- (b) an anonymous elector’s document is issued in accordance with regulation 29—
 - (i) the reference in paragraph (3)(c) to the address provided in accordance with regulation 4(1)(b) is to be read as a reference to the address referred to in regulation 29(4)(a)(ii)(cc);

- (ii) the reference in paragraph (3)(d) to any address provided in accordance with regulation 4(1)(c) is to be read as a reference to an address referred to in regulation 29(4)(a)(ii)(aa) or (bb);
 - (iii) the reference in paragraph (3)(e) to regulation 4(1)(f) is to be read as a reference to regulation 28(d).
- (5) The registration officer must—
- (a) delete any information included in an entry in accordance with paragraph (3)(c) to (f) and (h) at the end of the first retention period for that entry;
 - (b) delete any information included in an entry in accordance with paragraph (3)(j) at the end of the second retention period for that entry;
 - (c) delete an entry from the record at the end of the third retention period for that entry.
- (6) In paragraph (5), in relation to an entry in the record—
- (a) “the first retention period” is the period beginning with the day on which the entry is made and ending—
 - (i) where the entry relates to an electoral identity document, ending with the day which is 28 working days after the date of issue for that document;
 - (ii) where the entry relates to an anonymous elector’s document, ending with the day which is 15 months after the date of issue for that document;
 - (b) “the second retention period” is the period beginning with the day on which the entry is made and ending on the second 1st July following the date of issue for the electoral identity document to which the entry relates;
 - (c) “the third retention period” is the period beginning with the day on which the entry is made and ending on the tenth 1st July following the date of issue for the anonymous elector’s document or electoral identity document to which the entry relates.
- (7) In paragraph (6)(a)(i), “working day” means any day other than a Saturday, Sunday, Good Friday, Christmas Eve, Christmas Day or a bank holiday; and for these purposes “bank holiday” has the meaning given in regulation 14(7).

Duties of registration officer and staff in relation to the record

21.—(1) This regulation applies to—

- (a) a registration officer,
- (b) a deputy registration officer, and
- (c) any person appointed to assist any such officer or who in the course of the person’s employment is assigned to assist such officer in that officer’s functions under section 13BD or 13BE of the 1983 Act.

(2) Where a registration officer is also the relevant officer at any relevant election, petition or referendum, this regulation applies to—

- (a) the registration officer acting in that capacity,
- (b) any person appointed as a deputy to the registration officer acting in that capacity, and
- (c) any person appointed to assist a person mentioned in sub-paragraph (a) or (b) or who in the course of the person’s employment is assigned to assist a person mentioned in sub-paragraph (a) or (b) in respect of the relevant election, petition or referendum in question.

(3) This regulation also applies to a person—

- (a) to whom a copy of the record is supplied or information from the record is disclosed in accordance with paragraph (4), and

(b) who is not a person to whom this regulation applies by virtue of paragraph (1) or (2).

(4) A person to whom this regulation applies must not—

- (a) supply to any person a copy of the record,
- (b) disclose information contained in it, or
- (c) make use of such information,

otherwise than in accordance with an enactment (including these Regulations) or the order of any court or tribunal made at any hearing or during the course of any proceedings.

(5) Nothing in paragraph (4) applies to the supply or disclosure by a person to whom this regulation applies to another such person in connection with either person's functions under section 13BD or 13BE of the 1983 Act or for the purposes of a relevant election, petition or referendum.

(6) A person to whom this regulation applies must take proper precautions for the safe custody of the record.

(7) In paragraph (4), “enactment” has the same meaning as in section 17(2) of the Representation of the People Act 2000(1).

(8) In this regulation and in regulations 22 and 23, “record” includes a part of the record.

Supply, disclosure and use of record for the purposes of relevant elections, petitions and referendums

22.—(1) A registration officer may upon request supply a copy of the record to a relevant officer for the purposes of a relevant election, petition or referendum.

(2) A person to whom a copy of the record has been supplied under this regulation must not—

- (a) supply to any person a copy of the record,
- (b) disclose any information contained in it, or
- (c) make use of any such information,

other than for the purposes of a relevant election, petition or referendum (as the case may be).

(3) Each person supplied with a copy of the record under this regulation must take proper precautions for its safe custody.

Supply of the record to police forces and other organisations

23.—(1) Subject to paragraph (2), a registration officer must upon request supply a copy of the record to—

- (a) any police force in Great Britain,
- (b) the Police Service of Northern Ireland or the Police Service of Northern Ireland (Reserve),
- (c) any body of constables established under an Act, or
- (d) the National Crime Agency.

(2) The registration officer must not supply a copy of the record in accordance with paragraph (1) where that record contains the whole or part of an issued document record entry relating to an anonymous elector's document unless the request is made in writing by—

- (a) in the case of forces and organisations mentioned in paragraph (1)(a) to (c), an officer of a rank senior to that of superintendent;
- (b) in the case of the National Crime Agency, the Director General of that Agency.

(3) A constable, officer or employee of any of the forces or organisations mentioned in paragraph (1) must not—

- (a) supply to any person a copy of the record,
- (b) disclose any information contained in it, or
- (c) make use of any such information,

otherwise than for the purposes of the prevention and detection of crime and the enforcement of the criminal law (whether in England and Wales or Scotland or elsewhere).

(4) Each person supplied with a copy of the record under this regulation must take proper precautions for its safe custody.

(5) Paragraphs (3) and (4) also apply to a person—

- (a) to whom a copy of the record is supplied or information from the record is disclosed in accordance with paragraph (3), and
- (b) who is not a constable, officer or employee of any of the forces or organisations mentioned in paragraph (1);

as those paragraphs apply to such a constable, officer or employee.

Offence in respect of contravention of regulation 21(4) or (6), 22(2) or (3) or 23(3) or (4)

24.—(1) A person (“B”) who fails to comply with regulation 21(4) or (6) or 22(2) or (3) is guilty of an offence and is liable on summary conviction—

- (a) in England and Wales, to a fine;
- (b) in Scotland, to a fine not exceeding the statutory maximum.

(2) A person (“B”) who fails to comply with regulation 23(3) or (4) is guilty of an offence and is liable on summary conviction—

- (a) in England and Wales, to a fine;
- (b) in Scotland or Northern Ireland, to a fine not exceeding the statutory maximum.

(3) It is a defence for B to show that B took all reasonable steps to comply with regulation 21(4) or (6), 22(2) or (3) or 23(3) or (4) (as the case may be).