
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Voter Identification Regulations 2022

PART 5

Anonymous elector's documents: reminders and replacement

CHAPTER 1

Reminders

Reminder of the need for an anonymous elector's document: general

25.—(1) In this regulation and in regulation 26, a “reminder” is a notice to a person stating that they must have an anonymous elector's document in order to—

- (a) vote in person as an anonymous elector at a relevant election, petition or referendum other than a recall petition, or
 - (b) sign a signing sheet as a person with an anonymous entry in the register at a recall petition.
- (2) A registration officer must send a reminder to—
- (a) a person as soon as reasonably practicable after the registration officer makes an anonymous entry in a register of parliamentary electors or a register of local government electors in England or Wales for that person in accordance with section 9B(3)(b) of the 1983 Act⁽¹⁾;
 - (b) a qualifying anonymous elector during the relevant period.
- (3) Paragraph (2)(a) does not apply to a person who—
- (a) has an anonymous entry in a register of local government electors in Wales, and
 - (b) is not entitled to vote at a PCC election for a police area in Wales in accordance with section 52(1A) of the Police Reform and Social Responsibility Act 2011.
- (4) In paragraph (2)(b), a “qualifying anonymous elector” is a person who—
- (a) has an anonymous entry in—
 - (i) a register of parliamentary electors,
 - (ii) a register of local government electors in England, or
 - (iii) a register of local government electors in Wales and that person is entitled to vote at a PCC election for a police area in Wales in accordance with section 52(1A) of the Police Reform and Social Responsibility Act 2011;
 - (b) has not been issued with an anonymous elector's document at any time between the date on which that anonymous entry first takes effect and the beginning of the relevant period, and

⁽¹⁾ Section 9B was inserted by section 10(1) of the Electoral Administration Act 2006 (c. 22), and was amended by section 20(a) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14) and by paragraph 7 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c. 6).

- (c) in the event of a relevant election, petition or referendum other than a recall petition, would not have an entry in the postal voters list or the list of proxies.
- (5) The registration officer may combine a reminder under paragraph (1)(b) with a reminder under regulation 25A(2) of the Representation of the People (England and Wales) Regulations 2001 or regulation 25A(2) of the Representation of the People (Scotland) Regulations 2001 (reminder of termination of registration of person with anonymous entry).
- (6) In this regulation—
- (a) “the list of proxies” means the list of persons kept in pursuance of—
- (i) in relation to a relevant election, petition or referendum which is a PCC election, paragraph 4(3) of Schedule 2 to the Police and Crime Commissioner Elections Order 2012;
 - (ii) otherwise, paragraph 5(3) of Schedule 4 to the Representation of the People Act 2000;
- (b) “the postal voters list” means the list of persons kept in pursuance of—
- (i) in relation to a relevant election, petition or referendum which is a PCC election, paragraph 4(2) of Schedule 2 to the Police and Crime Commissioner Elections Order 2012;
 - (ii) otherwise, paragraph 5(2) of Schedule 4 to the Representation of the People Act 2000(2);
- (c) “the relevant period” means the period—
- (i) beginning with the day which is nine months after the day on which the person’s anonymous entry first takes effect, and
 - (ii) ending with the day which is ten months after the day on which that entry first takes effect.

Reminder of the need for an anonymous elector’s document: transitional provision

26.—(1) Subject to paragraph (2), a registration officer must send a reminder to all qualifying anonymous electors registered in a register for which the registration officer is appointed no later than the end of the period of two months beginning with the day on which this regulation comes into force.

(2) Paragraph (1) does not apply in respect of a qualifying anonymous elector where, during the period described in paragraph (1)—

- (a) the qualifying anonymous elector’s entry is removed from the register of electors in accordance with section 9C of the 1983 Act(3);
- (b) the registration officer sends a reminder to the qualifying anonymous elector in accordance with regulation 25.

(3) In this regulation, a “qualifying anonymous elector” means a person who, on the day on which this regulation comes into force, has an anonymous entry in—

- (a) a register of parliamentary electors,
- (b) a register of local government electors in England, or
- (c) a register of local government electors in Wales and that person is entitled to vote at a PCC election for a police area in Wales in accordance with section 52(1A) of the Police Reform and Social Responsibility Act 2011.

(2) Paragraph 5(2) was amended by paragraph 137(6) of Schedule 1 to the Electoral Administration Act 2006 (c. 22).

(3) Section 9C was inserted by section 10(1) of the Electoral Administration Act 2006 (c. 22), and was amended by paragraph 8 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c. 6).

CHAPTER 2

Replacement of anonymous elector's documents: change of electoral number

Application and interpretation of Chapter 2

27.—(1) This Chapter applies where—

- (a) a person has been issued with an anonymous elector's document in accordance with these Regulations, and
- (b) the person is allocated an electoral number which is different from the one shown on that document, other than as the result of an application under section 9B of the 1983 Act (anonymous registration).

(2) In this Chapter, “electoral number” has the same meaning as in regulation 16(2).

Notification as to replacement

28. The registration officer must notify a person to whom this Chapter applies that—

- (a) the person's electoral number has changed,
- (b) the anonymous elector's document previously issued to the person is no longer valid as a result,
- (c) the registration officer intends to issue the person with a new anonymous elector's document, and
- (d) the person may notify the registration officer if the person considers that it is necessary to collect the document in person from the registration officer instead of the document being delivered by post, and the reason why the person considers that collection is necessary.

Replacement of anonymous elector's document following change of electoral number

29.—(1) A registration officer must issue a person to whom this Chapter applies by virtue of regulation 27(1) with a new anonymous elector's document and regulations 16(1) and 17 apply in relation to the issue of the new document as those regulations apply following the granting of an identity document application in accordance with regulation 11(2)(a), subject to the modifications set out in paragraphs (2) to (4).

(2) References to the applicant are to be read as references to the person issued with a document under this regulation.

(3) In regulation 16(1)(c), the reference to the photograph of the applicant is to be read as a reference to the photograph of the person contained in the issued document record entry relating to the anonymous elector's document described in regulation 27(1)(a).

(4) In regulation 17—

- (a) in paragraph (1)—
 - (i) the reference to regulation 16 is to be read as a reference to this regulation;
 - (ii) the reference to the applicant's relevant delivery address is to be read as a reference to—
 - (aa) where the person is registered in pursuance of a service declaration, the person's present address, correspondence address or British Forces Post Office Number;
 - (bb) where the person is registered in pursuance of an overseas elector's declaration, the person's present address;

- (cc) otherwise, the address in respect of which the person is registered as an elector;
- (b) in paragraph (3)(a), the reference to regulation 4(1)(f) is to be read as a reference to regulation 28(d);
- (c) in paragraph (7), the reference to a notification under regulation 12 is to be read as a reference to a notification under regulation 28.

CHAPTER 3

Replacement of anonymous elector's documents following loss etc. of document

Replacement of anonymous elector's document following loss etc. of document

30.—(1) This regulation applies where—

- (a) a person (“P”) has been issued with an anonymous elector's document in accordance with these Regulations,
- (b) P intends to use that document as a specified document at a relevant election, petition or referendum, and
- (c) during the replacement period for that relevant election, petition or referendum the document is lost, stolen, destroyed or damaged so as to be no longer usable as a specified document.

(2) Where this regulation applies, P may make a request during the replacement period to the registration officer for a replacement anonymous elector's document.

(3) Where P makes a request in accordance with paragraph (2), the registration officer must issue a replacement anonymous elector's document (“the replacement document”), and regulation 16(1) applies in relation to the issue of the replacement document as that regulation applies following the granting of an identity document application in accordance with regulation 11(2)(a), subject to the following modifications—

- (a) references to the applicant are to be read as references to P;
- (b) in regulation 16(1)(c), the reference to the photograph of the applicant is to be read as a reference to the photograph of P contained in the issued document record entry relating to the anonymous elector's document described in paragraph (1)(a).

(4) The registration officer must—

- (a) arrange for the replacement document to be made available for collection by P in person, and
- (b) notify P—
 - (i) that the replacement document is available to be collected,
 - (ii) of the location where and the times during which the replacement document may be collected,
 - (iii) that the replacement document may only be collected by P in person, and
 - (iv) that when collecting the issued document P must bring their certificate of anonymous registration and must show the certificate upon request.

(5) Where the issued document record entry relating to the anonymous elector's document described in paragraph (1)(a) contains information described in regulation 20(3)(f), the registration officer must also arrange for a Braille, easy read or large print explanation of the replacement document to be made available for collection with the replacement document.

(6) In this regulation—

- (a) “certificate of anonymous registration” has the same meaning as in regulation 17(6);
- (b) the “replacement period”, in respect of a relevant election, petition or referendum means the period—
 - (i) beginning at 5pm on the sixth working day before the relevant date, and
 - (ii) ending at the relevant time on the relevant date.
- (7) For the purposes of paragraph (6)(b)—
 - (a) the “relevant date” means—
 - (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 day of the poll at that election or referendum;
 - (b) the “relevant time” on the relevant date means—
 - (i) 5pm, or
 - (ii) if earlier, where the relevant election, petition or referendum is a recall petition, the beginning of the final hour during which the petition will be available for signing at the allotted petition signing place on that day;
 - (c) “working day” means any day other than a Saturday, Sunday, Good Friday, Christmas Eve, Christmas Day or a bank holiday.
- (8) In paragraph (7)(b), “allotted petition signing place” means the petition signing place allotted to P in accordance with regulation 16 of the 2016 Regulations.