
DRAFT STATUTORY INSTRUMENTS

2023 No.

**The Representation of the People (Franchise
Amendment and Eligibility Review) Regulations 2023**

PART 4

**Amendments relating to applications to register by
qualifying EU citizens and EU citizens with retained rights**

**Amendment of regulation 26B (power to request additional evidence where certain
information is unavailable or where the registration officer considers it necessary)**

33. In regulation 26B (power to request additional evidence where certain information is unavailable or where the registration officer considers it necessary), before paragraph (11) insert—

“(10A) In relation to the registration of local government electors in England, where a registration officer considers that additional evidence is necessary in order to determine whether the applicant is a qualifying EU citizen or an EU citizen with retained rights, the registration officer may require that the applicant provide them with one or both of the following—

- (a) information enabling the registration officer to verify the applicant’s current or historical immigration status by electronic means, or
- (b) a letter or document issued by the Home Office which indicates the current or historical immigration status of the applicant.

(10B) Where a registration officer has requested additional evidence under paragraph (10A) to determine whether a relevant EU applicant is an EU citizen with retained rights and either—

- (a) the applicant is not able to provide the requested information, or
- (b) otherwise, the registration officer considers it appropriate,

the registration officer may request a statement of eligibility from the applicant.

(10C) A statement of eligibility under paragraph (10B) must be in writing and—

- (a) must include—
 - (i) the applicant’s full name, date of birth, and the address in respect of which the applicant applies to be registered,
 - (ii) the applicant’s full name as at IP completion day and, if different from the name provided under paragraph (i), an explanation for that difference,
 - (iii) confirmation that the applicant is aware that it is an offence to provide false information to the registration officer, and of the maximum penalty for that offence, and
 - (iv) the date on which it was made;

- (b) must, where required by the registration officer, also include any or all of the following—
 - (i) the date on which the applicant initially resided in the United Kingdom,
 - (ii) the nationality of the applicant as at IP completion day,
 - (iii) the immigration status held by the applicant as at IP completion day,
 - (iv) the applicant’s current immigration status,
 - (v) details of any other forms of immigration status held by the applicant since IP completion day,
 - (vi) details of any addresses in the United Kingdom at which the applicant has resided since IP completion day, and
- (c) may include any other information or be accompanied by any documentary evidence relating to the applicant’s status as an EU citizen with retained rights.”.