

REPRESENTATION OF THE PEOPLE ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 3: Residence for the Purposes of Registration: General

2. *Section 3* replaces section 5 of the Representation of the People Act 1983 and sets out the factors which registration officers must take into account when considering whether a person should be treated as resident.
3. New *section 5(2)* provides that in determining this question attention must be paid to the purpose and other circumstances, as well as the fact of, a person's presence or absence on the relevant date.
4. The subsection provides that a person who is staying somewhere other than on a permanent basis may be regarded as resident if he does not have a home elsewhere.
5. New *section 5(3)* (which largely replicates the existing section 5(2)) provides that temporary absence for employment reasons should not be treated as interrupting residence if the person concerned intends to resume residence within six months or the address in question is a permanent residence where the person concerned would otherwise be living.
6. New *section 5(5)* provides that section 5(3) applies also to those who are absent by virtue of attendance at an educational establishment.