



Representation of the People Act 2000

2000 CHAPTER 2

PART I

ELECTORAL REGISTRATION AND FRANCHISE

Residence for purposes of registration

5 Residence: persons remanded in custody etc.

After section 7 of the 1983 Act (as substituted by section 4 above) there shall be inserted—

“7A Residence: persons remanded in custody etc.

- (1) This section applies to a person who is detained at any place pursuant to a relevant order or direction and is so detained otherwise than after—
 - (a) being convicted of any offence, or
 - (b) a finding in criminal proceedings that he did the act or made the omission charged.
- (2) A person to whom this section applies shall (subject to subsection (5) below) be regarded for the purposes of section 4 above as resident at the place at which he is detained if the length of the period which he is likely to spend at that place is sufficient for him to be regarded as being resident there for the purposes of electoral registration.
- (3) A person registered in a register of electors in pursuance of an application for registration made by virtue of subsection (2) above is entitled to remain so registered until—
 - (a) the end of the period of 12 months beginning with the date when the entry in the register first takes effect, or

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Changes to legislation: There are currently no known outstanding effects for the Representation of the People Act 2000, Section 5. (See end of Document for details)

- (b) another entry made in respect of him in any register of electors takes effect (whether or not in pursuance of an application made by virtue of subsection (2)),
whichever first occurs.
- (4) Where the entitlement of such a person to remain so registered terminates by virtue of subsection (3) above, the registration officer concerned shall remove that person's entry from the register, unless he is entitled to remain registered in pursuance of a further application made by virtue of subsection (2).
- (5) Subsection (2) above shall not be taken as precluding the registration of a person to whom this section applies—
- (a) by virtue of his residence at some place other than the place at which he is detained, or
 - (b) in pursuance of a declaration of local connection.
- (6) In this section “a relevant order or direction” means—
- (a) a remand or committal in custody;
 - (b) a remand to a hospital under section 35 or 36 of the ^{M1}Mental Health Act 1983 or Article 42 or 43 of the ^{M2}Mental Health (Northern Ireland) Order 1986;
 - (c) a direction for removal to a hospital under section 48 of that Act or Article 54 of that Order;
 - (d) a committal to a hospital under section 52 of the ^{M3}Criminal Procedure (Scotland) Act 1995; or
 - (e) a transfer order under section 70 of the ^{M4}Mental Health (Scotland) Act 1984 or a transfer direction under section 71 of that Act made in respect of a person to whom that section applies by virtue of subsection (2)(c) of that section.”

Commencement Information

I1 S. 6 wholly in force at 16.2.2001, see s. 17(3) and S.I. 2001/116, art. 2(1) (subject to art 2(3-5))

Marginal Citations

M1 1983 c. 20.

M2 S.I. 1986/595 (N.I. 4).

M3 1995 c. 43.

M4 1984 c. 36.

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