

POLITICAL PARTIES AND ELECTIONS ACT 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Electoral Registration

Section 36: Schemes under section 35: proposals, consultation and evaluation

198. **Section 36** creates a number of procedural steps which must be followed before an order under section 35 can be made to create a scheme.
199. *Subsection (1)* provides that a scheme can only be created where a registration officer has submitted a proposal to the Secretary of State for consideration and the Secretary of State implements that proposal or does so with modifications agreed to by the registration officer.
200. *Subsection (2)* provides that before making an order, the Secretary of State must consult the Electoral Commission, the person who authorised or required by the order to provide data to the registration officer and the Information Commissioner.
201. *Subsection (3)* requires that each order must include a specific evaluation date, by which the Electoral Commission must prepare a report on that scheme.
202. *Subsections (4) and (5)* provide the matters which must be included in the report, including a description of the scheme, and an assessment of the matters set out in subsection (5) and any other matters which are specified in the order. The report will establish the extent to which the scheme has enabled the registration officer to enhance the accuracy and completeness of his or her register, as well as whether there were any issues around administration, time, and costs. It will also enable a better understanding as to whether there were any objections to the scheme, for example from members of the public.
203. *Subsection (6)* provides that the registration officer must give the Electoral Commission such assistance as they may reasonably require while preparing the report and that on receipt of the report from the Electoral Commission, the registration officer must publish it as they think appropriate.