

ELECTORAL REGISTRATION AND ADMINISTRATION ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedules

Schedule 2: Sharing and checking information

93. *Paragraph 2* inserts new paragraph 1A in Schedule 2 to the 1983 Act to enable regulations to be made authorising or requiring a person to disclose to another person information that will assist a registration officer to verify information that an individual has provided in a new application, to ascertain the names and addresses of eligible people who are not registered, or to identify people who are registered but are not entitled. The powers inserted by this paragraph could for example be used to set up a system whereby information provided with applications for registration and information held by specified public authorities are passed to another person for comparison, with the results passed to registration officers and used to verify applications for registration.
94. *New paragraph 1A(2)* provides that the person to whom the information is disclosed may be required or authorised to compare it with other information and to inform the registration officer of the results of the comparison.
95. *New paragraph 1A(3)* states that regulations made under *paragraph 1A(1) and (2)* may include related provisions to confer other functions on a person, authorise the Secretary of State to make grants to such a person, require information to be retained or disposed of, and restrict disclosure or processing of information so that this can only happen in accordance with an agreement or with requirements imposed by the Secretary of State. Regulations may also regulate how information is disclosed and how it is dealt with thereafter.
96. *New paragraph 1A(4)* states that provision under *paragraph 1A* overrules any statutory or other restriction on the disclosure of information.
97. *Paragraph 3* enables regulations to be made requiring information relating to applications for registration to be retained or disposed of, and about how such information may be dealt with.
98. *Paragraph 4* enables regulations to provide for a criminal offence of disclosing or otherwise dealing with information in breach of regulations, subject to specified maximum penalties.
99. *Paragraph 5* states that before making regulations providing for information to be shared under paragraph 1A of Schedule 2 the Secretary of State must consult the Electoral Commission, the Information Commissioner and any other person the Secretary of State thinks appropriate. The Secretary of State may also require the Commission to prepare a report on how data sharing arrangements have worked by a

*These notes refer to the Electoral Registration and Administration
Act 2013 (c.6) which received Royal Assent on 31 January 2013*

specified date. If a report is required, it must be published by the Secretary of State and registration officers must comply with any reasonable request for information made by the Commission in connection with preparing the report.