
Status: Point in time view as at 27/09/2010.

Changes to legislation: The Representation of the People (England and Wales) Regulations 2001, Cross Heading: The register is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

STATUTORY INSTRUMENTS

2001 No. 341

The Representation of the People (England and Wales) Regulations 2001

The register

Separate part of a register for each parliamentary polling district

38.—(1) The register shall be framed in separate parts for each parliamentary polling district.

(2) Where a parliamentary polling district is contained in more than one electoral area, there shall be a separate part of the register for each part of the polling district contained in each electoral area.

Commencement Information

II Reg. 38 in force at 16.2.2001, see [reg. 1\(1\)](#)

Different letter for each parliamentary polling district

39. There shall be a different letter or letters in the register for each parliamentary polling district and such letter or letters shall be deemed to form part of an elector's number in the register.

Commencement Information

I2 Reg. 39 in force at 16.2.2001, see [reg. 1\(1\)](#)

Qualifying addresses which are not included in the register

40.—(1) Section 9(2)(b) of the 1983 Act⁽¹⁾ (which requires each register of parliamentary or local government electors to contain the qualifying addresses of the persons registered in it) does not apply—

- (a) to an address to which paragraph (2) or (3) below applies, or
- (b) which is specified in an overseas elector's declaration in accordance with section 2(4)(b) or (c)(ii) of the 1985 Act⁽²⁾.

(2) This paragraph applies to an address where it appears to the registration officer that—

- (a) a service voter in his service declaration, or
- (b) a person who has made a declaration of local connection,

has given that address in such a declaration as an address—

- (i) at which he has resided, but

⁽¹⁾ Section 9 was substituted by Schedule 1 to the 2000 Act.

⁽²⁾ Section 2 was substituted by Schedule 2 to the 2000 Act.

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(ii) which is not an address at which he is or would be residing but for the circumstances entitling him to make such a declaration.

(3) This paragraph applies to an address given in a declaration of local connection in accordance with section 7B(4)(b) of the 1983 Act(3).

Commencement Information

I3 Reg. 40 in force at 16.2.2001, see [reg. 1\(1\)](#)

Order of names

41.—(1) Subject to paragraphs (2) and (3) below, the names and addresses of each separate part of the register shall be arranged in street order.

(2) If the registration officer determines for any part of the register that street order is not reasonably practicable, the names and addresses shall be arranged in alphabetical order or partly in street order and partly in alphabetical order.

(3) The name of any person whose qualifying address is not contained in a register by virtue of regulation 40 above shall be grouped together in alphabetical order—

- (a) at the end of that part of the register to which the address relates;
- (b) beneath the heading “Other electors”, and
- (c) without giving that address.

Commencement Information

I4 Reg. 41 in force at 16.2.2001, see [reg. 1\(1\)](#)

[^{F1}Anonymous entries

41A.—(1) An anonymous entry of a person consists of that person’s electoral number together with the letter “N”.

(2) The entry is to be entered in the register—

- (a) at the end of the part of the register which relates to the qualifying address of the person entitled to the entry,
- (b) under the heading of “Other electors” as mentioned in regulation 41(3)(b), and
- (c) following the names grouped together under that heading in pursuance of that regulation.]

Textual Amendments

F1 Reg. 41A inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **15**

Marking of names

42.—(1) Paragraphs (3) to (7) below specify the marks to appear against a person’s [^{F2}entry] in the register to indicate that he is registered in one or more of the four registers (those of:

(3) Section 7B was inserted by section 6 of the 2000 Act.

parliamentary electors; local government electors; relevant citizens of the Union registered as European Parliamentary electors, and peers overseas registered as European Parliamentary overseas electors) which are required to be combined.

(2) Where no mark appears against a person's [^{F2}entry] in the register of electors, this indicates that he is registered in the registers of parliamentary and local government electors.

(3) To indicate that a relevant citizen of the Union is registered only in the register of local government electors, the letter "G" shall be placed against his [^{F2}entry].

(4) To indicate that such a citizen is registered in both that register and the register of such citizens registered as European Parliamentary electors, the letter "K" shall be placed against his [^{F2}entry].

(5) To indicate that any other person is registered only in the register of local government electors, the letter "L" shall be placed against his [^{F2}entry].

(6) To indicate that an overseas elector is registered only in the register of parliamentary electors, the letter "F" shall be placed against his [^{F2}entry].

(7) To indicate that a European Parliamentary overseas elector is registered only in the register of such electors, the letter "E" shall be placed against his [^{F2}entry].

Textual Amendments

F2 Word in reg. 42 substituted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **16**

Commencement Information

I5 Reg. 42 in force at 16.2.2001, see [reg. 1\(1\)](#)

Publication of register

43.—^{F3}(1) The manner in which each revised version of the full register is to be published under section 13(1) and (3) of the 1983 Act is by the registration officer—

- (a) making a copy of it available for inspection under supervision—
 - (i) at his office, and
 - (ii) at such places, if any, in his registration area as allow members of the public in that area reasonable facilities for that purpose; and
- (b) supplying copies of it in accordance with Part VI of these Regulations.

(1A) Where a copy of the full register is made available pursuant to paragraph (1)(a) above by providing the register on a computer screen or otherwise in data form, the registration officer shall ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—

- (a) search it by electronic means by reference to the name of any person; or
- (b) copy or transmit any part of that copy by electronic, or any other, means.]

(2) The revised version of the register shall be kept published until the coming into force of the next revised version of it.

Textual Amendments

F3 Reg. 43(1)(1A) substituted for reg. 43(1) (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **10** (with reg. 2(3))

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Commencement Information

I6 Reg. 43 in force at 16.2.2001, see [reg. 1\(1\)](#)

Information about register

44.—(1) As soon as practicable after the publication of a revised version of the register under section 13(1) of the 1983 Act, the registration officer shall supply to the Secretary of State a document setting out the information about electors which is required by paragraphs (2) to (4) [^{F4}and (6)] below.

(2) The document referred to in paragraph (1) above shall state the name of the constituency (and, if only part of the constituency is situated in the area for which the registration officer acts, that fact) and shall list the following total numbers of electors in that constituency or part thereof, namely—

- (a) parliamentary electors (including those referred to in sub-paragraph (d) below);
- (b) local government electors (including those referred to in sub-paragraph (d) below);
- (c) those local government electors who are ineligible to vote at parliamentary elections; and
- (d) those registered in pursuance of section 4(5) of the 1983 Act⁽⁴⁾.

(3) The document referred to in paragraph (1) above shall set out separately as respects those electors referred to in sub-paragraphs (a) and (d) of paragraph (2) above the following totals, namely—

- (a) those registered by virtue of residence at a qualifying address;
- (b) those registered in pursuance of a service declaration;
- (c) those registered in pursuance of an overseas elector’s declaration; and
- (d) those registered in pursuance of a declaration of local connection.

(4) The document referred to in paragraph (1) above shall in respect of each relevant area in the constituency state—

- (a) its name or number;
- (b) the letters referred to in regulation 39 above for each parliamentary polling district in each relevant area (or part thereof); and
- (c) if only part of the relevant area is situated in the constituency, that fact;

and shall list the following total numbers of electors in that area (or part thereof) namely—

- (i) parliamentary electors (including those referred to in sub-paragraph (ii)) below;
- (ii) those registered by virtue of section 4(5) of the 1983 Act; and
- (iii) those local government electors who are ineligible to vote at parliamentary elections.

(5) In paragraph (4) above “relevant area” means—

- (a) in England, a ward of a district, of a London borough or of the City of London, and
- (b) in Wales, an electoral division of a county or county borough.

[^{F5}(6) The document referred to in paragraph (1) shall state the total number of electors who have an anonymous entry.]

Textual Amendments

F4 Words in [reg. 44\(1\)](#) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), [regs. 1\(1\)](#), [17\(1\)](#)

(4) Section 4 was substituted by section 1(2) of the 2000 Act.

F5 Reg. 44(6) inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **17(2)**

Commencement Information

I7 Reg. 44 in force at 16.2.2001, see [reg. 1\(1\)](#)

Preparation and publication of list of overseas electors

45.—(1) The registration officer shall prepare a list of the names of each person who appears to him to be entitled to be registered in pursuance of an overseas elector’s declaration (“the list of overseas electors”); and shall include in that list the address specified in that declaration in accordance with section 2(4) of the 1985 Act and regulation 18(1) above.

(2) In respect of each constituency which is wholly or partly comprised in the area for which the registration officer acts there shall be a separate part of the list of overseas electors; and the names of the persons included in each part shall be listed in alphabetical order.

(3) At the time when the registration officer publishes a revised version of the register under section 13(1) of the 1983 Act, he shall publish the list of overseas electors by making a copy of it available for inspection [^{F6}under supervision] at his office; and the list shall be kept so published until the next revised version of the register is published under section 13(1) of the 1983 Act.

(4) The name of a person appearing to the registration officer to be entitled to be registered in pursuance of a European Parliamentary overseas elector’s declaration (and included in the list of overseas electors by virtue of regulation 13(6) above) shall be marked with the letter “E”.

Textual Amendments

F6 Words in [reg. 45\(3\)](#) inserted (16.10.2002) by [The Representation of the People \(England and Wales\) \(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **11** (with [reg. 2\(3\)](#))

Commencement Information

I8 Reg. 45 in force at 16.2.2001, see [reg. 1\(1\)](#)

[^{F7}Record of anonymous entries

45A.—(1) The registration officer must keep a record of anonymous entries.

(2) The registration officer must enter in the record each person who is entered in the register with an anonymous entry.

(3) The entry in the record must contain the following particulars—

- (a) the full name of the person to whom the entry relates;
- (b) his electoral number;
- (c) his qualifying address;
- (d) where he has given in his application for an anonymous entry an address other than his qualifying address to which correspondence should be sent, that address;
- (e) the date on which the anonymous entry in the register took effect.

(4) Where the application of a person with an anonymous entry to vote by post is granted, the registration officer must also enter in the record the address to which the postal ballot paper should be sent as given in the application (in accordance with regulation 51(2)(d)).

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Textual Amendments

F7 Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

Duties of registration officer and his staff in relation to record of anonymous entries

45B.—(1) This regulation applies to—

- (a) the registration officer,
- (b) any deputy registration officer, and
- (c) any person appointed to assist any such officer or who in the course of his employment is assigned to assist such officer in his registration duties.

(2) Where the registration officer is also the returning officer or acting returning officer at any election or counting officer at any referendum (and in consequence has access to the record of anonymous entries without being supplied with a copy of it), this regulation applies to—

- (a) the registration officer acting in that other capacity,
- (b) any deputy returning officer, deputy acting returning officer or deputy counting officer, and
- (c) any person appointed to assist any person mentioned in sub-paragraph (a) or (b) or who in the course of his employment is assigned to assist any such officer in his duties in respect of the election or referendum in question.

(3) No person to whom this regulation applies may—

- (a) supply to any person a copy of the record,
- (b) disclose information contained in it, or
- (c) make use of such information,

otherwise than in accordance with an enactment (including these Regulations) or the order of any court or tribunal made at any hearing or during the course of any proceedings.

(4) Nothing in paragraph (3) applies to the supply or disclosure by a person to whom this regulation applies to another such person in connection with his registration duties or for the purposes of an election or referendum.

(5) The persons to whom this regulation applies must take proper precautions for the safe custody of the record.

(6) In this regulation and regulation 45C—

“counting officer” means the counting officer at a referendum held by or under any Act;

“enactment” has the same meaning as in section 17(2) of the 2000 Act⁽⁵⁾.

Textual Amendments

F7 Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

(5) The exercise of the powers in section 52(1) is made subject to section 7(1) of the Political Parties, Elections and Referendums Act 2000 (c. 41) and section 52(1A), as inserted by Schedule 21 to that Act, is relevant to those powers.

Supply of record of anonymous entries to returning and counting officers

45C.—(1) Paragraph (2) applies whenever the registration officer supplies a copy of the full register, or any part of it, to a returning officer or counting officer.

(2) The registration officer must supply—

- (a) together with the copy of the register, a copy of the record of anonymous entries;
- (b) together with any part of the register, a copy of the record so far as it relates to that part.

(3) A registration officer may supply a copy of the record to a returning officer or counting officer at any other time.

(4) No person to whom a copy of the record has been supplied under this regulation may—

- (a) supply a copy of the record,
- (b) disclose any information contained in it, or
- (c) make use of any such information,

other than for the purposes of an election or referendum (as the case may be).

(5) Each person supplied with a copy of the record under this regulation must take proper precautions for its safe custody.

Textual Amendments

F7 Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

Supply of record of anonymous entries in connection with summoning of juries

45D.—(1) Paragraph (2) applies to any person to whom a copy of the full register has been supplied or to whom information contained in it has been disclosed for the purpose of summoning juries, other than a designated officer within the meaning of section 3(1) of the Juries Act 1974.

(2) The registration officer must at the request in writing of a person to whom this paragraph applies supply to that person a copy of the record of anonymous entries.

(3) Paragraphs (4) and (5) apply to—

- (a) each person who has been supplied with a copy of the record of anonymous entries in accordance with section 3(1A) of the Juries Act 1974;
- (b) each person who has been supplied with a copy of the record in accordance with paragraph (2).

(4) No person to whom this paragraph applies may—

- (a) supply a copy of the record,
- (b) disclose any information contained in it, or
- (c) make use of any such information,

other than for the purpose of summoning juries.

(5) The persons to whom this paragraph applies must take proper precautions for the safe custody of the record.

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Textual Amendments

F7 Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

Supply of record of anonymous entries to the security services

45E.—(1) This regulation applies where the registration officer supplies a copy of the full register to—

- (a) the Security Service;
- (b) the Government Communications Headquarters;
- (c) the Secret Intelligence Service.

(2) The registration officer must supply a copy of the record of anonymous entries together with the register.

^{F8}(3)

^{F8}(4)

Textual Amendments

F7 Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

F8 Reg. 45E(3)(4) revoked (24.12.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), s. 100(5), Sch. 1 para. 2(2), **Sch. 9 Pt. 2** (with s. 101(5)); S.I. 2008/3296, art. 2

Supply of the record of anonymous entries to police forces and other organisations

45F.—(1) The registration officer must supply a copy of the record of anonymous entries, at the request in writing of a senior officer, to—

- (a) any police force in Great Britain,
- (b) the Police Service of Northern Ireland or the Police Service of Northern Ireland (Reserve),
- (c) the Police Information Technology Organisation,
- (d) any body of constables established under an Act, or
- (e) the Serious Organised Crime Agency.

(2) Senior officer means—

- (a) in the case of the forces and organisations mentioned in paragraph (1)(a) to (d), an officer of a rank senior to that of superintendent;
- (b) in the case of the Serious Organised Crime Agency, the Director General of that Agency.

(3) No person serving whether as a constable, officer or employee of any of the forces and organisations mentioned in paragraph (1) may—

- (a) supply to any person a copy of the record,
- (b) disclose any information contained in it, or
- (c) make use of any such information,

otherwise than for the purposes specified in paragraph (4).

(4) The purposes are—

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- (a) the prevention and detection of crime and the enforcement of the criminal law (whether in England and Wales or elsewhere);
 - (b) the vetting of a relevant person for the purpose of safeguarding national security.
- (5) Relevant person means—
- (a) a constable or officer or prospective constable or officer of the force or organisation;
 - (b) an employee of, or applicant for employment by, the force or organisation.
- (6) Each person supplied with a copy of the record under this regulation must take proper precautions for its safe custody.

Textual Amendments

F7 Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

Certificate of anonymous registration

45G.—(1) Where a registration officer enters a person in the record of anonymous entries, he must issue to that person a certificate of anonymous registration.

(2) A certificate of anonymous registration must be in writing and signed by the registration officer.

(3) A certificate for anonymous registration must state—

- (a) the name of the area for which the registration officer acts;
- (b) the name, electoral number and qualifying address of the person who has the anonymous entry;
- (c) the date on which the anonymous entry took effect;
- (d) that unless a fresh application for an anonymous entry is made, the entitlement to remain registered anonymously will terminate no later than at the end of the period of 12 months beginning with the date stated in accordance with sub-paragraph (c).

Textual Amendments

F7 Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

Certificate of anonymous registration prescribed for purposes of paragraph 10(2) of Schedule 2A

45H. The evidence prescribed for the purposes of paragraph 10(2) of Schedule 2A to the 1983 Act is a certificate of anonymous registration.]

Textual Amendments

F7 Regs. 45A-45H inserted (1.1.2007) by [The Representation of the People \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/2910\)](#), regs. 1(1), **18**

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Supply of free copies of register and list of overseas electors otherwise than on request

^{F9}46.

Textual Amendments

F9 Reg. 46 revoked (16.10.2002) by [The Representation of the People \(England and Wales\)\(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **3(1)** (with reg. 2(3))

Commencement Information

I9 Reg. 46 in force at 16.2.2001, see [reg. 1\(1\)](#)

Supply of free copies of register and list of overseas electors on request

^{F9}47.

Textual Amendments

F9 Reg. 46 revoked (16.10.2002) by [The Representation of the People \(England and Wales\)\(Amendment\) Regulations 2002 \(S.I. 2002/1871\)](#), regs. 2(2), **3(1)** (with reg. 2(3))

Sale of register and list of overseas electors

48.—(1) Subject to paragraph (4) below, the registration officer shall supply a copy or copies of the register or of the list of overseas electors to any person on payment of a fee calculated in accordance with paragraph (2) or (3) below.

(2) In the case of the register—

- (a) in data form, the fee shall be at the rate of £20 plus £1.50 for each 1,000 entries (or remaining part of 1,000 entries) in it; and
- (b) in printed form, the fee shall be at the rate of £10 plus £5 for each 1,000 entries (or remaining part of 1,000 entries) in it.

(3) In the case of the list of overseas electors—

- (a) in data form, the fee shall be at the rate of £20 plus £1.50 for each 100 entries (or remaining part of 100 entries) in it; and
- (b) in printed form, the fee shall be at the rate of £10 plus £5 for each 100 entries (or remaining part of 100 entries) in it.

(4) The registration officer shall not supply a printed copy of the register under this regulation if to do so would result in his having insufficient copies of it for the purposes of any requirement made by or under any enactment.

Modifications etc. (not altering text)

C1 Reg. 48 extended (1.3.2003) by [The National Assembly for Wales \(Representation of the People\) Order 2003 \(S.I. 2003/284\)](#), art. 1(1), [Sch. 1 para. 2](#)

Commencement Information

I10 Reg. 48 in force at 16.2.2001, see [reg. 1\(1\)](#)

Supply of register and list of overseas electors in data form

49.—(1) Subject to any direction of the Secretary of State under section 52(1) of the 1983 Act⁽⁵⁾, any duty on the registration officer to supply data under regulations 46 to 48 above imposes only a duty to supply such data recorded in the form in which he holds it.

(2) The registration officer shall not supply data which includes information not included in the printed version of the register otherwise than under regulation 46(4).

Commencement Information

111 Reg. 49 in force at 16.2.2001, see [reg. 1\(1\)](#)

(5) The exercise of the powers in section 52(1) is made subject to section 7(1) of the Political Parties, Elections and Referendums Act 2000 (c. 41) and section 52(1A), as inserted by Schedule 21 to that Act, is relevant to those powers.

Status:

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Changes to legislation:

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