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STATUTORY INSTRUMENTS

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**2001 No. 341**

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

**PART I**

**GENERAL, INTERPRETATION AND MISCELLANEOUS**

**Interpretation**

- 3.—**(1) For the purposes of these Regulations, unless the context otherwise requires—
- “1983 Act” means the Representation of the People Act 1983<sup>(1)</sup>;
  - “1985 Act” means the Representation of the People Act 1985<sup>(2)</sup>;
  - “2000 Act” means the Representation of the People Act 2000<sup>(3)</sup>;
  - [<sup>F1</sup>“Article 89 GDPR purposes” means the purposes mentioned in Article 89(1) of [<sup>F2</sup>the UK GDPR] (archiving in the public interest, scientific or historical research and statistics);]
  - “available for inspection” means available for inspection during ordinary office hours;
  - “British Council employee” means a person employed by the British Council in a post outside the United Kingdom;
  - [<sup>F3</sup>“candidate” has the same meaning as in section 118A of the 1983 Act];
  - [<sup>F4</sup>“certificate of anonymous registration” means a certificate issued in pursuance of regulation 45G;]
  - “Crown servant” means a person who is employed in a post falling within the class or description set out in regulation 14 below;
  - [<sup>F5</sup>“data” means information which is recorded with the intention that it should be processed by means of equipment operating automatically in response to instructions given for that purpose;]
  - [<sup>F6</sup>“data form” means information which is in a form which is capable of being processed by means of equipment operating automatically in response to instructions given for that purpose;]
  - [<sup>F1</sup>“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);]
  - [<sup>F7</sup>“digital service” means the Individual Electoral Registration Digital Service, which is the digital service provided by the Secretary of State for Levelling Up, Housing and Communities for (amongst other purposes) the purpose of—
- (a) processing online applications under sections 10ZC and 10ZD of the 1983 Act and online relevant absent voting applications,
  - (b) verifying information under regulations 29ZA and 56B, and

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(1) 1983 c. 2.  
(2) 1985 c. 50.  
(3) 2000 c. 2.

*Status: Point in time view as at 12/12/2023. This version of this provision has been superseded.*

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(c) data matching under regulation 32ZBB in respect of the annual canvass for a register of parliamentary electors or local government electors in England or Wales;]

[<sup>F6</sup>“edited register” has the meaning given in regulation 93(1) below;]

F8 ...

F8 ...

F9 ...

[<sup>F10</sup>“left behind postal voting document” is a postal voting document relating to a parliamentary election or a local government election in England that is left behind at a polling station or left for the returning officer without being handed in and for which no return of postal voting documents form has been completed;]

“list of overseas electors” means the list prepared under regulation 45 below;

“overseas elector” means a person who has made an overseas elector’s declaration and is registered or entitled to be registered as a parliamentary elector in pursuance of it;

“register” means the register of electors;

[<sup>F11</sup>“registration area” means the area for which a registration officer acts;]

“registration officer” means the electoral registration officer;

[<sup>F12</sup>“relevant absent voting application” has the meaning given in paragraph 1A(7)(a)(i) of Schedule 2 to the 1983 Act;]

[<sup>F13</sup>“relevant contact details” means—

- (a) an email address;
- (b) a telephone number; or
- (c) an electronic identifier unique to the individual;]

[<sup>F10</sup>“return of postal voting documents form” has the meaning given in regulation 79A;] and

[<sup>F14</sup>“the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018].

(2) A reference in these Regulations to a numbered rule in the elections rules shall be construed as a reference to—

- (a) the rule of that number in the parliamentary elections rules in Schedule 1 to the 1983 Act in the case of a parliamentary election, or
- (b) the corresponding rule in the rules made under section 36 of the 1983 Act in the case of a local government election.

(3) A reference in these Regulations to a form identified by means of a letter shall be construed as a reference to the form so identified in Schedule 3 to these Regulations.

[<sup>F15</sup>(3A) For the purposes of regulations 26, 26A, 26B, <sup>F16</sup>... <sup>F17</sup>... 32ZE, 32ZF, 32ZG and 32ZH a document may be given to a person—

- (a) by delivering it to the person;
- (b) by leaving it at the person’s address; or
- (c) by sending it to the person by post.]

[<sup>F18</sup>(3B) A document provided in accordance with regulation 51(9) or 56C may be transmitted by an applicant to a registration officer by electronic means.]

(4) In the application of these Regulations to the registers which are required to be published not later than 15th February 2001 by section 13(1) of the 1983 Act, as enacted, references to the publication of the revised version are to be read as references to the publication of the register.

## Textual Amendments

- F1** Words in reg. 3(1) inserted (25.5.2018) by Data Protection Act 2018 (c. 12), s. 212(1), **Sch. 19 para. 253** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F2** Words in reg. 3(1) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 32(2)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 3(1) substituted (1.8.2002) by The Representation of the People (England and Wales) (Amendment) Regulations 2002 (S.I. 2002/1871), regs. 2(1), **5(2)**
- F4** Words in reg. 3(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), **2**
- F5** Words in reg. 3(1) substituted (5.5.2001) by The Representation of the People (England and Wales) (Amendment) Regulations 2001 (S.I. 2001/1700), regs. 1(1), **3**
- F6** Words in reg. 3(1) inserted (16.10.2002) by The Representation of the People (England and Wales) (Amendment) Regulations 2002 (S.I. 2002/1871), regs. 2(2), **5(3)** (with reg. 2(3))
- F7** Words in reg. 3(1) substituted (31.10.2023) by The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023 (S.I. 2023/1147), regs. 1(2), **3(2)(a)(i)**
- F8** Words in reg. 3(1) revoked (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 2 Table 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))
- F9** Words in reg. 3(1) omitted (31.12.2020) by virtue of The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 32(3)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in reg. 3(1) inserted (12.12.2023 with effect in accordance with reg. 1(2)) by The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225), regs. 1(2), **2(2)**
- F11** Words in reg. 3(1) inserted (1.8.2002) by The Representation of the People (England and Wales) (Amendment) Regulations 2002 (S.I. 2002/1871), regs. 2(1), **5(5)**
- F12** Words in reg. 3(1) inserted (31.10.2023) by The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023 (S.I. 2023/1147), regs. 1(2), **3(2)(a)(ii)**
- F13** Words in reg. 3(1) inserted (31.12.2019) by The Representation of the People (Annual Canvass) (Amendment) Regulations 2019 (S.I. 2019/1451), regs. 1(3), **7(b)**
- F14** Words in reg. 3(1) inserted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 32(4)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Reg. 3(3A) inserted (10.6.2014) by The Representation of the People (England and Wales) (Description of Electoral Registers and Amendment) Regulations 2013 (S.I. 2013/3198), regs. 1(5)(b), **3(b)**
- F16** Word in reg. 3(3A) omitted (3.12.2015) by virtue of The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2015 (S.I. 2015/1971), regs. 1, **3**
- F17** Words in reg. 3(3A) omitted (28.6.2016) by virtue of The Representation of the People (England and Wales) (Amendment) Regulations 2016 (S.I. 2016/694), regs. 1, **3**
- F18** Reg. 3(3B) inserted (31.10.2023) by The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023 (S.I. 2023/1147), regs. 1(2), **3(2)(b)**

## Modifications etc. (not altering text)

- C1** Regs. 3-6 applied (with modifications) (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), arts. 1(1), 6(1), **Sch. 2 Pt. 3**
- C2** Reg. 3 applied (with modifications) (E.) (9.2.2012) by The Local Authorities (Conduct of Referendums)(England) Regulations 2012 (S.I. 2012/323), reg. 1, **Sch. 4 para. 1 Table 6** (as amended (31.10.2023) by S.I. 2023/1147, regs. 1(2), **15(5)(c)(i)**)

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- C3** Reg. 3 applied (with modifications) (E.) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 4 para. 1** Table 6 (with reg. 27) (as amended (31.10.2023) by [S.I. 2023/1147](#), regs. 1(2), **16(5)(c)(i)**)
- C4** Reg. 3 applied (with modifications) (E.) (3.8.2012) by [The Neighbourhood Planning \(Referendums\) Regulations 2012 \(S.I. 2012/2031\)](#), regs. 1, 8, 12, 13, **Sch. 4 Pt. 1** Table 6 (as amended (31.10.2023) by [S.I. 2023/1147](#), regs. 1(2), **18(5)(c)(i)**)
- C5** Reg. 3(1)(3) applied (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016 \(S.I. 2016/219\)](#), reg. 1, **Sch. 3 para. 2(a)**

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#### **Commencement Information**

- I1** Reg. 3 in force at 16.2.2001, see [reg. 1\(1\)](#)

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**Changes to legislation:**

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