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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations replace the Representation of the People (Northern Ireland) Regulations 1986, as amended, (“the 1986 Regulations”). These Regulations are needed in consequence of changes made by the Representation of the People Act 2000 (“the 2000 Act”).

Part I of these Regulations is based on Part I of the 1986 Regulations (as amended). Regulation 5 of these Regulations is simpler than the equivalent provision in the 1986 Regulations and is intended (together with regulation 6) to facilitate the use of electronic communications. The fees in regulation 10 are increased from £1.50 as the fee for inspection and 15p as the fee for copies to £5 and 20p, respectively.

Regulation 12 of these Regulations exercises the power conferred by rule 29(3A)(b) of the parliamentary elections rules, as inserted by section 13(2) of the 2000 Act. This imposes on the returning officer a duty to supply to each polling station a device of a description prescribed in regulations to enable blind or partially sighted voters to vote without assistance.

Provision about the registration of relevant citizens of the Union as European Parliamentary electors which was made by regulation 14A of the 1986 Regulations, as amended, will be included in a separate set of regulations.

Part II of these Regulations is based on Part II of the 1986 Regulations (as amended). However, the provision in the latter in respect of patients' declarations is omitted consequent on the replacement of section 7 of the 1983 Act (subsections (2) to (9) of which provided for such declarations) by the 2000 Act. This has resulted in the omission of this category of declaration.

Part III of these Regulations differs from Part III of the 1986 Regulations because it no longer includes provision about electors lists (whether or not in the form of the draft register). This is because the changes made by Schedule 1 to the 2000 Act abolished the need for such lists consequent on the introduction of “rolling registration”. Under this system the register of electors continues in force indefinitely (although revised versions of it will be produced at least once a year). This contrasts with the previous system under which the register remained in force for one year and was compiled by reference to residence on a qualifying date.

In spite of these changes the following regulations are in substance the same as provisions in the 1986 Regulations (including provisions in those Regulations about amendments to the published register). These regulations are regulations 23 and 24, 26 to 32, 35 to 40 and 42 to 45. Regulation 41 (order of names) no longer includes provision about the numbering of names in the register (because that is provided for in section 9(3) and (4) of the 1983 Act, as substituted by Schedule 1 to the 2000 Act).

Regulation 25 extends the duty on registration officers to send out reminders to all persons registered in pursuance of a declaration and not just overseas electors; it thereby covers those who made service declarations and declarations of local connection.

Under section 10A(5) of the 1983 Act (as substituted by Schedule 1 to the 2000 Act) a person who is duly entered in a register is entitled to remain there until the occurrence of any of the circumstances set out in that provision. Paragraph (b) of that provision enables regulations to set out circumstances for these purposes and regulation 33 exercises that power.

Amongst the circumstances set out in section 10A(5) are those where no form used for the purposes of the annual canvass (under section 10(4) of the 1983 Act, as substituted by Schedule 1 to the 2000 Act) has been returned in respect of someone included in the register. Regulation 34 exercises the

**Status:** This is the original version (as it was originally made).

power in section 10A(7) to enable such a name to be included in the register for the period of one year only notwithstanding the absence of a return.

Regulation 35 is a new provision which enables the registration officer to inspect the records listed in that regulation for electoral registration purposes. Regulation 36 specifies notices for the purposes of sections 13(3), 13A(2) and 13B(3) of the 1983 Act (as substituted by Schedule 1 to the 2000 Act). Regulation 37 makes provision about notification where the registration officer is informed by a person who has moved into his area that he no longer resides in the area of another registration officer.

Regulation 46 repeats the substance of the existing rules on the free supply of copies of the register but adds the Electoral Commission to the list of officers to whom copies of a revised version of the register (and list of overseas electors) are to be supplied free of charge on publication. Regulation 47 repeats the substance of the existing rules on the free supply of copies of the register on request but adds political parties registered under Part II of the Political Parties, Elections and Referendums Act 2000 to the list of recipients. In the case of both regulations the copy is to be supplied in data form, subject to exceptions. Regulations 48 and 49 make fresh provision about the sale of copies of the register (and list of overseas electors).

Part IV of these Regulations repeats the substance of Part IV of the 1986 Regulations, as amended.

Part V of these Regulations repeats the substance of Part V of the 1986 Regulations. However, regulation 75 expands the existing provision as to the means that may be used to deliver postal ballot papers.