

*Status: Point in time view as at 12/02/2015.*

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## STATUTORY INSTRUMENTS

# 2008 No. 1741

## REPRESENTATION OF THE PEOPLE

### The Representation of the People (Northern Ireland) Regulations 2008

Made - - - - 30th June 2008

Coming into force - - 1st July 2008

In accordance with section 7(1) and (2)(e) of the Political Parties, Elections and Referendums Act 2000<sup>(1)</sup> and section 42(9) of the Electoral Administration Act 2006<sup>(2)</sup> (“the 2006 Act”), the Electoral Commission has been consulted prior to making these Regulations.

A draft of these Regulations was laid before Parliament in accordance with section 201(2) of the Representation of the People Act 1983<sup>(3)</sup> (“the 1983 Act”) and section 42(10) of the 2006 Act and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State, in exercise of the powers conferred on him by the enactments which are specified in Schedule 1 to these Regulations, makes the following Regulations:

#### Modifications etc. (not altering text)

- C1** Regulations applied (with modifications) (10.2.2009) by [The Northern Ireland Assembly \(Elections\) Order 2001 \(S.I. 2001/2599\)](#), reg. 3, **Sch. 2** (as substituted by [S.I. 2009/256](#), arts. 1(2), 3(1), **Sch. 2** and as amended: (31.10.2023) by [S.I. 2023/1116](#), regs. 1(2), **23**; (16.1.2024) by [S.I. 2024/43](#), regs. 1(1), **21** and (26.3.2024) by [The Representation of the People \(Postal Vote Handling etc.\) \(Northern Ireland\) \(Amendment\) Regulations 2024 \(S.I. 2024/319\)](#), regs. 1(2), 13(2)(4)-(7), Schs. 6, 7 (with reg. 1(3)))
- C2** Regulations applied in part (with modifications) (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(2), **Sch. 4 para. 9**
- C3** Regulations applied (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(2), **Sch. 8 para. 46(3)**

(1) 2000 c.41.

(2) 2006 c.22.

(3) 1983 c.2. section 201(2) was substituted by paragraph 69 of Schedule 4 to the Representation of the People Act 1985 (c.50) and amended by paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41) and article 5(b) of [S.I.1991/1728](#).

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## PART 1

### GENERAL, INTERPRETATION AND MISCELLANEOUS

#### Citation, commencement and extent

1.—(1) These Regulations may be cited as the Representation of the People (Northern Ireland) Regulations 2008 and shall come into force on 1st July 2008.

(2) These Regulations extend to Northern Ireland only.

#### Revocations

2. The instruments listed in column 1 of Schedule 2 to these Regulations (which have the corresponding reference in column 2) are revoked to the extent indicated in column 3.

#### Interpretation

3.—(1) For the purposes of these Regulations, unless the context otherwise requires—

“the 1962 Act” means the Electoral Law Act (Northern Ireland) 1962(4);

“the 1983 Act” means the Representation of the People Act 1983;

“the 1985 Act” means the Representation of the People Act 1985(5);

“the 1989 Act” means the Elected Authorities (Northern Ireland) Act 1989(6);

“the 2000 Act” means the Representation of the People Act 2000(7);

“the 2002 Act” means the Electoral Fraud (Northern Ireland) Act 2002(8);

“the 2006 Act” means the Electoral Administration Act 2006;

“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;

“candidate” has the same meaning as section 118A of the 1983 Act(9);

[<sup>F1</sup>“certificate of anonymous registration” means a certificate issued in pursuance of regulation 53D;]

“copy of a birth certificate” means—

(a) in relation to a birth certificate issued in Northern Ireland, a certified copy of a birth entry issued by the Registrar General of Births and Deaths in Northern Ireland;

(b) in relation to a birth certificate issued in England or Wales, a certified copy of a birth entry issued by the Registrar General for England and Wales;

(c) in relation to a birth certificate issued in Scotland, an extract of a birth entry issued by the Registrar General of Births, Deaths and Marriages for Scotland; and

(d) in relation to a birth certificate issued elsewhere, a copy certified by the issuing authority;

“Crown servant” means a person who is employed in a post falling within the class or description set out in regulation 16;

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(4) 1962 c.14 (N.I.).

(5) 1985 c.50.

(6) 1989 c.3.

(7) 2000 c.2.

(8) 2002 c.13.

(9) Section 118A was inserted by section 135(2) of the Political Parties, Elections and Referendums Act 2000 (c.41).

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“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;

“edited register” has the meaning given in regulation 93(1);

“elections rules” means the parliamentary elections rules in Schedule 1 to the 1983 Act;

“European Parliamentary overseas elector” means a peer who has made a European Parliamentary overseas elector’s declaration and is registered or is entitled to be registered in pursuance of it;

“European Parliamentary overseas elector’s declaration” means a declaration made in pursuance of section 2 of the 1985 Act, as applied by regulation 14 of, and Schedule 4 to, these Regulations;

“full register” has the meaning given in regulation 93(1);

“list of overseas electors” means the list prepared under regulation 53;

“local elector” and “local election” have the same meaning as in section 130(1) of the 1962 Act;

“Miscellaneous Provisions Act” means the Northern Ireland (Miscellaneous Provisions) Act 2006(10);

“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;

“specified authorities” means authorities set out in regulation 42(2);

“specified information” means information set out in regulation 42(3) to (6);

“register” means the register of electors;

“registration area” means the area covered by a particular register; and

“registration officer” means the electoral registration officer.

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

(3) Any reference in these Regulations to a provision of the 1983 Act which has been applied by section 2(1) of, and Schedule 1 to, the 1989 Act (11) shall include a reference to that provision as so applied and with any modifications specified in Part II of that Schedule.

#### Textual Amendments

**F1** Words in reg. 3 inserted (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), 2

#### Forms

4.—(1) The registration officer shall supply free of charge as many forms for use in connection with registration and voting as appear to that officer reasonable in the circumstances to any person who satisfies that officer of his intention to use the forms in connection with the registration of electors or an election.

(2) The forms set out in Schedule 3 to these Regulations may be used with such variations as the circumstances may require, provided that the form used is substantially to the like effect as the form in Schedule 3.

(10) 2006 c.33.

(11) Schedule 1 has been amended by Schedule 3 to the 2000 Act, section 7 of the 2002 Act and Schedule 4 to the Miscellaneous Provisions Act.

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### Communication of applications, notices etc.

5. The requirement in these Regulations that any application, notice, representation or objection should be in writing is satisfied where (apart from the usual meaning of that expression) the text of it—

- (a) is transmitted by electronic means;
- (b) is received in legible form; and
- (c) is capable of being used for subsequent reference.

### Electronic signatures and related certificates

6.—(1) A requirement in these Regulations for an application (other than an application under regulation 13, 27 or 55), notice, representation or objection to be signed is satisfied (as an alternative to a signature given by hand) where there is—

- (a) an electronic signature incorporated into or otherwise logically associated with a particular electronic communication; and
- (b) the certification by any person of such a signature.

(2) For the purposes of this regulation an electronic signature is so much of anything in electronic form as—

- (a) is incorporated into or otherwise logically associated with any electronic communication, or both; and
- (b) purports to be so incorporated or associated with the purpose of being used in establishing the authenticity of the communication, the integrity of the communication or both.

(3) For the purposes of this regulation an electronic signature incorporated into or associated with a particular electronic communication is certified by any person if that person (whether before or after the making of the communication) has made a statement confirming that—

- (a) the signature;
- (b) a means of producing, communicating or verifying the signature; or
- (c) a procedure applied to the signature,

is (either alone or in combination with other factors) a valid means of establishing the authenticity of the communication, the integrity of the communication or both.

### Copies of documents

7.—(1) Where a document is made available for inspection under these Regulations, any person may make a copy (whether hand-written or by other means) of the whole or any part of it.

(2) Paragraph (1) does not apply to the full register.

(3) A person inspecting the full register may not—

- (a) make copies of any part of it; or
- (b) record any particulars included in it,

otherwise than by means of hand-written notes.

(4) A person who inspects the full register and makes a copy of it or records any particulars included in it otherwise than by means of hand-written notes shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(5) In this regulation “full register” includes—

- (a) any part of it; and

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- (b) any notice published under section 13A(2) or 13BA(3),(6) or (9) of the 1983 Act<sup>(12)</sup> altering the register.

## Time

8.—(1) Where the day or last day of the time allowed by these Regulations for the doing of anything falls on any of the days mentioned in paragraph (3), that time shall be extended until the next following day which is not one of those days.

(2) Subject to regulation 61<sup>(5)</sup>, in computing any period of not more than 7 days for the purposes of these Regulations any of the days mentioned in paragraph (3) shall be disregarded.

(3) The days referred to in paragraphs (1) and (2) are a Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday or a bank holiday.

(4) In paragraph (3) “bank holiday” means a day which is a bank holiday under the Banking and Financial Dealings Act 1971<sup>(13)</sup> in Northern Ireland.

## [<sup>F2</sup>Official poll card and postal poll card at parliamentary elections

9.—(1) The following forms are prescribed for the purpose of rule 28(3) of the elections rules.

(2) The official poll card issued to an elector must be in Form A.

(3) The official postal poll card issued to an elector who is on the absent voters list for the election (kept under section 7(4) of the 1985 Act) must be in Form A1.

(4) The official poll card issued to the proxy of an elector must be in Form B.

(5) The official postal poll card issued to the proxy of an elector who is entitled to vote by post as proxy at the election must be in Form B1.]

### Textual Amendments

**F2** Reg. 9 substituted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), 3

## Return and declaration of election expenses

10.—(1) For the purpose of section 75(3) of the 1983 Act, the form of the return of election expenses shall be in Form C and the form of the declaration as to elections expenses shall be in Form D.

(2) The price of a copy of any such return, declaration or any accompanying document shall be at the rate of 20p for each side of each page.

## Interference with notices etc.

11. If any person without lawful authority destroys, mutilates, defaces or removes any notice published by the Chief Electoral Officer in connection with his statutory duties or any copies of a document which have been made available for inspection in pursuance of those duties, he shall be liable on a summary conviction to a fine not exceeding level 3 on the standard scale.

<sup>(12)</sup> Sections 13A and 13B were substituted by Schedule 1 to the 2000 Act and section 13BA was inserted by section 6 of the Miscellaneous Provisions Act.

<sup>(13)</sup> 1971 c.80.

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### Device referred to in rule 29(3A)(b) of elections rules

**12.**—(1) The device referred to in rule 29(3A)(b) of the elections rules<sup>(14)</sup> shall be of the description set out in this regulation.

(2) The device must be capable of being attached firmly to a ballot paper and of being removed from it after use without damage to the paper.

(3) On the right-hand side of the device there shall be tabs of equal size which satisfy the conditions in paragraphs (4) to (7).

(4) The tabs shall be capable of being positioned on the ballot paper so that each one is above one of the spaces to the right of the particulars of the candidates on which the vote is to be marked (“the relevant space”).

(5) Each tab shall be numbered so that, when the device is positioned over a ballot paper, the number of each tab corresponds to that of the candidate whose particulars are to the left of the relevant space covered by the tab in question.

(6) Each number on a tab shall be in raised form so that it can be clearly identified by touch.

(7) Each tab shall be capable of being lifted so as to reveal the relevant space and so that there is sufficient room to allow a voter to mark a cross on that space.

### Applications for an electoral identity card

**13.**—(1) A person may apply for an electoral identity card under section 13C<sup>(15)</sup> of the 1983 Act if he falls within either of the descriptions of person set out in paragraph (2).

(2) Those descriptions are—

(a) a person who is registered in a register of parliamentary or local electors in Northern Ireland; or

(b) a person who applies to be so registered at the same time as he applies for an electoral identity card.

(3) An application for an electoral identity card must state—

(a) the applicant’s full name and date of birth;

(b) the address in respect of which he is registered as an elector or in respect of which he applies to be so registered; and

(c) his national insurance number, if any,

and be signed by the applicant.

### Registration of European parliamentary overseas electors

**14.**—(1) A peer who, apart from the requirement of registration, is entitled by virtue of section 3 of the 1985 Act<sup>(16)</sup> to vote as an elector at a European parliamentary election in the electoral region of Northern Ireland is entitled to be registered in a register under section 3 of that Act, prepared and published by the registration officer in accordance with this regulation and the provisions applied by it.

(2) It is the duty of the registration officer appointed under section 8(4) of the 1983 Act to—

(a) prepare and publish a register under section 3 of the 1985 Act (which under subsection (7) of that section shall so far as practicable be combined with the register of parliamentary

<sup>(14)</sup> Rule 29(3A) was inserted by section 13(2) of the 2000 Act.

<sup>(15)</sup> Section 13C was inserted by section 4 of the 2002 Act.

<sup>(16)</sup> Sections 2 and 3 were substituted by Schedule 2 to the 2000 Act.

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and local electors) in respect of any year for which any peer to whom paragraph (1) applies is entitled to be registered; and

(b) to take reasonable steps to obtain information required by him for that purpose.

(3) The provisions of the 1983 Act and the 1985 Act which are set out in column 1 of Schedule 4 to these Regulations shall, subject to—

(a) any modifications and exceptions specified in relation to those provisions in column 2 of the Schedule, and

(b) paragraph (4),

apply for the purposes of the registration of peers who (subject to the requirement of registration) are entitled to vote at a European parliamentary election as they apply for the purpose of the registration of parliamentary electors.

(4) Unless the context otherwise requires, in the provisions applied by Schedule 4 to these Regulations—

(a) any reference to an overseas elector's declaration shall be construed as a reference to a European Parliamentary overseas elector's declaration;

(b) any reference to a constituency shall be construed as a reference to the electoral region of Northern Ireland;

(c) any reference to a register of parliamentary electors shall be construed as a reference to a register kept under section 3 of the 1985 Act and any reference to the register of local electors shall be disregarded; and

(d) any reference to a provision which is also applied by Schedule 4 to these Regulations shall be construed as a reference to such a provision as so applied.

(5) Regulations 3, 5 to 8, 11, 20 to 24, 26, 28 to 40, 44(2), 47 to 52 and 53 shall apply to a European Parliamentary overseas elector's declaration and registration in pursuance of it as they apply to an overseas elector's declaration and registration in pursuance of it.

(6) For the purposes set out in paragraph (5), those regulations shall, unless the context otherwise requires, have effect as if—

(a) any reference to a parliamentary elector is a reference to a peer entitled to vote at a European Parliamentary election under section 3 of the 1985 Act;

(b) any reference to an overseas elector is a reference to a European Parliamentary overseas elector;

(c) any reference to an overseas elector's declaration is a reference to a European Parliamentary overseas elector's declaration; and

(d) any reference to a provision which is applied by Schedule 4 to these Regulations is a reference to that provision as so applied.

(7) A register under section 3 of the 1985 Act may be published by means of a notice making additions to the registers of parliamentary electors and of local electors with which it must be combined.

#### **Amendment of rule 37(1E) of the elections rules**

**15.** Rule 37(1E) of the elections rules(17) is amended as follows—

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(17) Rule 37 of the elections rules was substituted for England, Wales and Scotland by section 47 of, and paragraph 75 of Schedule 1 to, the Electoral Administration Act 2006. However, this substitution did not extend to Northern Ireland (see paragraph 75(2) of Schedule 1 to the 2006 Act). Paragraphs (1A) to (1G) were inserted for Northern Ireland by section 1 of the Elections (Northern Ireland) Act 1985 (c.2). Sub-paragraph (1E)(a) was substituted, and sub-paragraphs (1E)(c) to (g) were repealed, by S.I.2003/1156. Sub-paragraphs (1E)(f) and (g) were substituted for Northern Ireland by regulation 14 of S.I.2001/400. Sub-

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- (a) in sub-paragraph (a) omit “current”;
- (b) in sub-paragraph (b) omit “current”;
- (c) in sub-paragraph (h) for “a current” substitute “an”;
- (d) at the end of paragraph (1E) omit “Article 12 of”;
- (e) after sub-paragraph (i) insert—
  - “(j) a Blind Person’s SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
  - (k) a War Disabled SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002.”.

## PART 2

### SERVICE AND OVERSEAS ELECTORS’ DECLARATIONS

#### *Service declarations*

#### **Qualification for Crown servant**

**16.** The class or description of person prescribed for the purposes of section 14(1)(b) of the 1983 Act are such persons (other than members of the forces within the meaning of section 59(1) of the 1983 Act) who are employed in the service of the Crown in a post outside the United Kingdom and who are required to devote their whole working time to the duties of such a post and whose remuneration in respect of that post is paid wholly out of money provided by Parliament.

#### **Contents of service declaration**

**17.—(1)** In addition to the matters specified in paragraphs (a) to (f) of section 16 of the 1983 Act<sup>(18)</sup>, a service declaration shall state—

- (a) the declarant’s full name and present address;
- (b) the ground on which the declarant claims a service declaration; and
- (c) such of the particulars specified in paragraphs (2), (3) or (4) as are relevant to the service qualification claimed by the declarant.

(2) Where the declarant claims a service qualification on the grounds that he is a member of the forces (within the meaning of section 59(1) of the 1983 Act) or the spouse or civil partner of such a member, the service declaration shall state—

- (a) the service (whether naval, military or air forces) in which that member serves;
- (b) the rank or rating of that member; and
- (c) the service number of that member,

and where that member serves in the military forces, the service declaration shall in addition state the regiment or corps in which he serves.

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paragraph (1E)(h) was inserted in relation to Northern Ireland by section 4 of the Electoral Fraud (Northern Ireland) Act 2002 (c.13). Sub-paragraph (1E)(i) was inserted in relation to Northern Ireland by S.I.2002/1873. In paragraph (1E) from the words “in sub-paragraph (a)” to “being in force” were substituted by S.I.2003/1156.

(18) Section 16 was amended by Schedule 1 to the 2000 Act, S.I. 1995/1948 and section 261(1) of, and paragraph 81 of Schedule 27 to, the Civil Partnership Act 2004 (c.33).



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(3) Where the declarant claims a service qualification on the grounds that he is a Crown servant to whom regulation 16 applies or the spouse or civil partner of such a servant, the service declaration shall state—

- (a) the name of the Government department in which that servant works; and
- (b) a description of the post of that servant.

(4) Where the declarant claims a service qualification on the grounds that he is a British Council employee or the spouse or civil partner of such an employee, the service declaration shall state a description of the post of that employee.

### **Transmission of service declaration**

**18.**—(1) A service declaration made by a person who is or will be a Crown servant or by his spouse or civil partner shall be transmitted by the declarant to the Government department in which that person or his spouse or civil partner is or will be employed or to an officer designated by that department and transmitted by that department or officer to the registration officer.

(2) A service declaration made by a person who is or will be a British Council employee or by his spouse or civil partner shall be transmitted by the declarant to the British Council and transmitted by the British Council to the registration officer.

### **Notification by registration officer in respect of service declaration**

**19.**—(1) Where the registration officer is satisfied that the service declaration is duly made he shall so notify the declarant.

(2) Where the registration officer rejects an application for registration in pursuance of a service declaration because it—

- (a) does not contain the particulars required in paragraphs (a) to (f) of section 16 of the 1983 Act and regulation 17; or
- (b) does not comply with the requirements of sections 14 and 15 of the 1983 Act(19) or, where appropriate, regulation 17 or 18,

he shall return the declaration to the declarant setting out his reasons for so doing.

### *Overseas elector's declarations*

### **Contents of overseas elector's declaration**

**20.**—(1) In addition to the information required by section 2(3)(a) to (d) and (4) of the 1985 Act(20), an overseas elector's declaration shall state the declarant's full name and present address and, where appropriate, the information required by paragraphs (2) to (7).

(2) If the declarant—

- (a) was last registered in pursuance of a service or other declaration, rather than actual residence at the address specified in pursuance of section 2(4)(b) of the 1985 Act; and
- (b) no longer had a connection with that address at the time at which he was so registered,

the declaration shall include a statement that the declarant was so registered.

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(19) Sections 14 and 15 were amended by Schedule 1 to the 2000 Act; section 14 was amended by section 261(1) of, and paragraph 80 of Schedule 27 to, the Civil Partnership Act 2004 (c.33) and section 15(5)(a) was amended by S.I.1995/1948, section 15(2) (aa) was inserted by section 12(7) of the 2006 Act and subsections (9) to (12) were inserted by section 13 of that Act.

(20) Section 2 was substituted by Schedule 2 to the 2000 Act and amended by section 12(9) of the 2006 Act.

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(3) If the declarant claims that his name has changed since he was last registered in respect of the address specified in the overseas elector's declaration in accordance with section 2(4)(b) of the 1985 Act, that declaration shall—

- (a) set out the name in respect of which the declarant was last previously registered; and
- (b) give the reason for the change of name.

(4) Where a declarant—

- (a) has on a previous occasion been registered in a register of parliamentary electors in pursuance of an overseas elector's declaration; and
- (b) has not, since being so registered, been registered in such a register by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom,

his overseas elector's declaration shall state those facts and indicate when he was last registered in pursuance of an overseas elector's declaration.

(5) For the purposes of the application of this regulation by regulation 14(5), paragraph (4) shall have effect as if, in addition to the modifications made by that regulation, the words "a register of local electors" were substituted for the words "such a register".

(6) Where a declarant has not made an overseas elector's declaration in pursuance of which he was registered in a register of parliamentary electors since being included in such a register by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom, or has never made such a declaration, his overseas elector's declaration shall state—

- (a) in the case of a declarant who is the bearer of a British passport which describes his national status as "British citizen", the number of that passport together with its date and place of issue; or
- (b) in the case of a declarant who is not the bearer of such a passport, but who was born in the United Kingdom before 1st January 1983, those facts; or
- (c) in the case of a declarant who is not the bearer of such a passport and who was not born in the United Kingdom before 1st January 1983, when and how he acquired the status of British citizen, together with the date, place and country of his birth.

(7) For the purposes of the application of this regulation by regulation 14(5), paragraph (6) shall have effect as if, in addition to the modifications made by that regulation, the words "a register of local electors" were substituted for the words "such a register".

(8) Where, in the case of a declarant to whom regulation 21 applies (and who is accordingly required to transmit a copy of his birth certificate together with his declaration), his name on his birth certificate is not the same as his name as given in his overseas elector's declaration, that declaration shall state the reason for the change of name.

(9) Where a declarant to whom regulation 21 applies relies on the registration of either—

- (a) a parent whose name in the register referred to in section 1(4)(c) of the 1985 Act<sup>(21)</sup> is not the same as the name of that parent as given in either the declarant's birth certificate or overseas elector's declaration in accordance with section 2(4)(c)(iii) of the 1985 Act; or
- (b) a guardian whose name in the register referred to in section 1(4)(c) of the 1985 Act is not the same as the name of that guardian as given in the declarant's overseas elector's declaration in accordance with section 2(4)(c)(iii) of the 1985 Act,

that declaration shall state the name of the parent or, as the case may be, guardian as given in the register referred to in section 1(4)(c) and, where known, the reason for the change of name or, where such reason is not known, a statement to that effect.

(21) Section 1 of the 1985 Act was substituted by Schedule 2 to the 2000 Act.

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(10) For the purposes of the application of this regulation by regulation 14(5), paragraph (9) shall have effect as if, in addition to the modifications made by that regulation, the words “section 3(4)(c)” were substituted for the words “section 1(4)(c)”, in each place where those words occur.

#### **Certain declarants to supply copy of birth certificates**

**21.—**(1) This regulation applies to a person who makes an overseas elector’s declaration in which he claims to be qualified as an overseas elector by virtue of the conditions set out in section 1(4) of the 1985 Act, and who has not on a previous occasion made an overseas elector’s declaration in pursuance of which he was registered in a register of parliamentary electors.

(2) For the purposes of the application of this regulation by regulation 14(5), paragraph (1) shall have effect as if, in addition to the modifications made by that regulation, the words “section 3(4)” were substituted for the words “section 1(4)”.

(3) Where this regulation applies, a declarant shall transmit together with his overseas elector’s declaration a copy of his birth certificate which shows the names of either or both of his parents as well as his date of birth.

#### **Attestation of certain overseas electors’ declarations**

**22.—**(1) An overseas elector’s declaration shall be attested in accordance with the following paragraphs of this regulation except—

- (a) where the declarant has on a previous occasion made such a declaration in pursuance of which he was registered in a register of parliamentary electors; and
- (b) since being so registered, he has not been included in any register of parliamentary electors by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom.

(2) For the purposes of the application of this regulation by regulation 14(5), paragraph (1) shall have effect as if, in addition to the modifications made by that regulation, the word “local” were substituted for the word “parliamentary” in the second place where it occurs.

(3) An overseas elector’s declaration shall be attested by the bearer of a British passport which describes his national status as a “British citizen” who—

- (a) is not resident in the United Kingdom;
- (b) is aged 18 years or over; and
- (c) is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the declarant.

(4) A person shall not attest an overseas elector’s declaration unless he is satisfied, to the best of his knowledge and belief, that the declarant is a British citizen who is not resident in the United Kingdom on the date of the declaration.

(5) A person attesting an overseas elector’s declaration shall record on it—

- (a) his full name and address;
- (b) that he is the bearer of a British passport which describes his national status as a “British citizen”, and the number of that passport together with its date and place of issue;
- (c) that he is aged 18 years or over;
- (d) that he is not resident in the United Kingdom on the date of the declaration;
- (e) that he is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the declarant; and

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(f) that, to the best of his knowledge and belief, the declarant is a British citizen who is not resident in the United Kingdom on the date of the declaration,  
and he shall sign the attestation.

### **Notification about registration as overseas elector**

**23.**—(1) Where the registration officer is satisfied that the declarant qualifies as an overseas elector under the provisions of sections 1 and 2 of the 1985 Act, he shall so notify the declarant.

(2) Where the registration officer rejects an application for registration in pursuance of an overseas elector’s declaration because—

- (a) in his opinion the declarant does not qualify as an overseas elector under section 1 of the 1985 Act, or
- (b) the declaration does not satisfy the requirements of section 2 of the 1985 Act or regulation 20 or 22, or
- (c) in the case of a person to whom regulation 21 applies, the requirement in that regulation has not been complied with,

he shall return the declaration to the declarant and set out his reasons for rejecting the application for registration.

(3) For the purposes of the application of this regulation by regulation 14(5), paragraphs (1) and (2) shall have effect as if, in addition to the modifications made by that regulation—

- (a) in paragraph (1), for the words “sections 1 and 2” there were substituted the words “sections 2 and 3”, and
- (b) in paragraph (2), for the words “section 1” there were substituted the words “section 3”.

## **PART 3**

### **REGISTRATION**

#### *Information about electors*

#### **Power to require information**

**24.**—(1) The registration officer may require any person to give such information or documentation as is required for the purposes of that officer’s duties in maintaining registers of parliamentary and local electors.

(2) The registration officer may specify the form in which any information required under paragraph (1) is to be provided.

(3) If any person fails to comply with any such requirement of the registration officer as is mentioned in this regulation, he shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

#### **Alteration of registers under section 13BA(3) of the 1983 Act**

**25.**—(1) For the purposes of section 13BA(3) of the 1983 Act the prescribed date is the eleventh day before the day of the poll.

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(2) For the purposes of section 13BA(3) of the 1983 Act, the additional supporting material is such of the original documents as are specified in paragraphs (3) to (6) as the registration officer may require.

(3) The documents which the registration officer may require in relation to the date of birth of the applicant are as follows—

- (a) a birth certificate;
- (b) a statutory declaration as to the applicant's date of birth;
- (c) a certificate of naturalisation;
- (d) a document showing that he has become a Commonwealth citizen by virtue of registration;
- (e) a statutory declaration that he is a qualifying Commonwealth citizen or citizen of Ireland or a relevant citizen of the Union;
- (f) a licence to drive a motor vehicle which bears a photograph of the applicant;
- (g) an electoral identity card issued under section 13C(22) of the 1983 Act;
- (h) a Senior SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
- (i) a Blind Person's SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
- (j) a War Disabled SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
- [<sup>F3</sup>(ja) a 60+ SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st October 2008;]
- (k) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Standards Scheme;
- (l) an identity card issued by a Member State of the European Union;
- (m) a marriage certificate;
- (n) a certificate of civil partnership;
- (o) a passport; and
- (p) a certificate of adoption.

(4) The documents which the registration officer may require in relation to the nationality of the applicant at the time of the application are as follows—

- (a) a birth certificate;
- (b) a certificate of naturalisation;
- (c) a document showing that he has become a Commonwealth citizen by virtue of registration;
- (d) a statutory declaration that he is a qualifying Commonwealth citizen or citizen of Ireland or a relevant citizen of the Union; and
- (e) a passport issued by the Government of the United Kingdom, the Government of Ireland or a Member State of the European Union or a Commonwealth country.

(5) The documents which the registration officer may require in relation to the address of the applicant at the time of the application are such of the following documents which have been issued within the three months preceding the date of the application—

- (a) a licence to drive a motor vehicle which bears a photograph of the applicant;

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- (b) a bill or statement of account issued in respect of the supply of gas, water, electricity or telecommunications services to premises at an address specified in the statement;
  - (c) a statement issued by a bank or building society relating to an account held at that bank or building society;
  - (d) a bill or statement of account issued by Land and Property Services (meaning that part of the Department of Finance and Personnel for Northern Ireland known as Land and Property Services Executive Agency)(**23**);
  - (e) a bill or statement of account issued in respect of a debit or credit card by a bank or building society;
  - (f) a statement issued by a bank or building society in relation to a mortgage; and
  - (g) a bill or statement issued by a Credit Union within the meaning of article 2 of the Credit Unions (Northern Ireland) Order 1985(**24**).
- (6) The documents which the registration officer may require to demonstrate that the applicant has been resident in Northern Ireland during the whole of the period of three months ending on the relevant date within the meaning of section 4 of the 1983 Act are such of the following documents which have been issued not less than three months and not more than six months before the date of the application—
- (a) a licence to drive a motor vehicle which bears a photograph of the applicant;
  - (b) a bill or statement of account issued in respect of the supply of gas, water, electricity or telecommunications services to premises at an address specified in the statement;
  - (c) a statement issued by a bank or building society relating to an account held at that bank or building society;
  - (d) a bill or statement of account issued by Land and Property Services (meaning that part of the Department of Finance and Personnel for Northern Ireland known as Land and Property Services Executive Agency);
  - (e) a bill or statement of account issued in respect of a debit or credit card by a bank or building society; <sup>F4</sup> ...
  - (f) a statement issued by a bank or building society in relation to a mortgage [<sup>F5</sup>]; and
  - (g) a bill or statement issued by a Credit Union within the meaning of article 2 of the Credit Unions (Northern Ireland) Order 1985].

#### Textual Amendments

- F3** Reg. 25(3)(ja) inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **2(2)**
- F4** Word in reg. 25(6) omitted (4.2.2010) by virtue of [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **2(3)**
- F5** Reg. 25(6)(g) and word inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **2(3)**

#### Reminders to electors registered pursuant to a declaration

- 26.**—(1) This regulation applies in respect of a person registered in pursuance of—
- (a) a service declaration;

(23) The Department was so named by the Departments (Northern Ireland) Order 1999 (S.I.1999/283 (N.I.1)).

(24) S.I. 1985/1205 (N.I. 12).

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- (b) a declaration of local connection; or
- (c) an overseas elector's declaration.

(2) Subject to paragraph (4), the registration officer shall, during the relevant period, send a person to whom this regulation applies a reminder of the need to make a fresh declaration if he wishes to remain registered as an elector in pursuance of such a declaration.

(3) In paragraph (2) the “relevant period” means—

- (a) except in cases to which sub-paragraph (b) applies, the period beginning nine months after the date when the existing entry in the register of the person in question first takes effect and ending ten months after that date;

[<sup>F6</sup>(b) in the case of a person mentioned in section 14(1)(a) or (d) of the 1983 Act (members of the forces and their spouses or civil partners) who is registered in pursuance of a service declaration, the period beginning 57 months after the date when the existing entry in a register of the person in question first takes effect and ending 58 months after that date.]

(4) Paragraph (2) does not apply in respect of a person to whom this regulation applies where—

- (a) the registration officer has already received from that person a fresh declaration; or
- (b) information which the registration officer has received indicates that that person is no longer entitled to make the relevant declaration.

#### Textual Amendments

**F6** Reg. 26(3)(b) substituted (19.3.2010) by [The Service Voters' Registration Period Order 2010 \(S.I. 2010/882\)](#), arts. 1(2), 5

#### [<sup>F7</sup>Reminders to persons who have an anonymous entry

**26A.**—(1) This regulation applies to a person (“P”) who has an anonymous entry in the register of parliamentary or local electors.

(2) Subject to paragraph (3), the registration officer must, during the relevant period, send to P a reminder that P's entitlement to be registered will terminate on the determined date and that—

- (a) if P wishes to remain entered in the register anonymously after that date, P must make a fresh application for an anonymous entry under section 9B(1)(b) of the 1983 Act;
- (b) if P wishes to remain entered in the register without an anonymous entry, P must make a fresh application for registration under section 10A(1)(a) of the 1983 Act.

(3) Paragraph (2) does not apply (or ceases to apply) where the registration officer has received from P a fresh application for an anonymous entry under section 9B(1)(b) of the 1983 Act.

(4) In this regulation—

“the determined date” is the date on which P's entitlement to remain registered will terminate under section 9C(1A) of the 1983 Act;

“the relevant period” is the period beginning six months before the determined date and ending three months before that date.]

#### Textual Amendments

**F7** Reg. 26A inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), 4

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## Applications for registration

27.—(1) An application for registration as a parliamentary or local elector (or both) under section 10A(1)(a) or 13A(1)(a) of the 1983 Act<sup>(25)</sup> (“an application for registration”) shall, in addition to the requirements of section 10A(1A) and 13A(2A) of that Act<sup>(26)</sup>, state—

- (a) the applicant’s full name;
- (b) the address in respect of which the applicant applies to be registered and at which he is resident on the date of the application;
- (c) any address in respect of which the applicant is currently registered as an elector, if he has ceased to reside at that address;
- (d) in the case of an applicant who has not attained the age of 18 years, his date of birth;
- (e) in the case of an applicant who is a merchant seaman within the meaning of section 6 of the 1983 Act, that fact;<sup>F8</sup>...
- (f) in the case of an applicant [<sup>F9</sup>whose application is not accompanied by an application for an anonymous entry and] who wishes his name and address to be omitted from the edited version of the register, that request [<sup>F10</sup>, and
- (g) in the case of an applicant whose application is accompanied by an application for an anonymous entry, that fact.]

(2) In the case of a person applying to be registered as a parliamentary or local elector (or both) in pursuance of a service declaration, a declaration of local connection or an overseas elector’s declaration, the declaration in question shall accompany the application.

(3) An application for registration shall include a declaration made by the applicant that—

- (a) the particulars given in accordance with paragraph(1) are true;
- (b) subject to paragraph (5), in the case of an application by a relevant citizen of the Union for registration as a local elector, he is such a citizen; and
- (c) in any other case, but subject to paragraph (5), he is a Commonwealth citizen or citizen of Ireland.

(4) An application for registration shall be made in writing to the registration officer and be signed and dated by the applicant.

(5) Paragraph (3)(b) and (c) does not apply to persons applying to be registered in pursuance of a service declaration or an overseas elector’s declaration.

(6) Where the registration officer provides the form on which an application for registration is made, the form of words in Schedule 5 or a form of words with substantially like effect with such variations as the registration officer may consider appropriate must form part of, or accompany, the application form.

(7) Where an application for registration is made otherwise than on a form provided by the registration officer, that officer must on or before the determination of the application send to the applicant the form of words in Schedule 5 or a form of words with substantially like effect and request the applicant to state within 21 days beginning with the date of that request if he wishes his name and address to be excluded from the edited version of the register.

(8) Where an applicant has not replied to the registration officer within 21 days beginning with the date on which the registration officer issued the request under paragraph (7), the registration officer shall assume that the applicant does not request his name and address to be excluded from the edited version of the register.

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<sup>(25)</sup> Sections 10A and 13A were substituted by Schedule 1 to the 2000 Act.

<sup>(26)</sup> Sections 10A(1A) and 13A(2A) were inserted by section 1 of the 2002 Act.



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(9) Where an applicant has replied making such a request within that period, the request shall be treated as part of the application for registration.

[<sup>F11</sup>(10) Paragraphs (6) to (9) do not apply to an application for registration which is accompanied by an application for an anonymous entry.]

#### Textual Amendments

- F8** Word in reg. 27(1)(e) omitted (15.9.2014) by virtue of [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **5(2)(a)**
- F9** Words in reg. 27(1)(f) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **5(2)(b)**
- F10** Reg. 27(1)(g) and word inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **5(2)(c)**
- F11** Reg. 27(10) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **5(3)**

#### Objections to registration

**28.**—(1) Any objection to a person’s registration shall state—

- (a) the name of the person against whom the objection is made;
- (b) in the case of an objection made before that person is entered in the register, the address of that person as given in the application for registration;
- (c) in the case of an objection made after that person is entered in the register, the electoral number and qualifying address of that person contained in the register;
- (d) the grounds of the objection;
- (e) the name of the objector and his address as shown in the register (if so shown) together with the address to which correspondence should be sent (if that address is different or if no address is shown in the register); and
- (f) the electoral number of the objector.

(2) An objection shall be made in writing and be signed and dated by the person objecting.

(3) In this Part of these Regulations “objection” includes representations made against an application for registration under section 13A(1)(a) of the 1983 Act.

#### Inspection of applications and objections

**29.**—[<sup>F12</sup>(1)] An application for registration and any objections to a person’s registration shall be made available for inspection at the registration officer’s office until the application or objection has been determined by the registration officer.

[<sup>F13</sup>(2) This regulation does not apply to an application for registration which is accompanied by an application for an anonymous entry.]

#### Textual Amendments

- F12** Reg. 29 renumbered as reg. 29(1) (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **6**
- F13** Reg. 29(2) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **6**

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### *Determination of applications and objections*

#### **Procedure for determining applications for registration and objections without a hearing**

**30.**—(1) The registration officer shall discharge his functions of determining an application for registration under section 10A(1)(a) or 13A(1)(a) of the 1983 Act and an objection under section 10A(3) of that Act in accordance with this regulation and regulations 31 to 33.

(2) The registration officer must keep separate lists of—

- (a) applications for registration;
- (b) objections made before the person against whom the objection is made is entered in the register;
- (c) objections made after the person against whom the objection is made is entered in the register.

(3) On receipt of an application the registration officer must enter the name of the applicant and the address claimed as his qualifying address in the list he keeps in pursuance of paragraph (2)(a).

[<sup>F14</sup>(3A) Paragraph (3) does not apply to an application accompanied by an application for an anonymous entry.]

(4) On receipt of an objection made before the person against whom the objection is made is entered in the register, the registration officer must enter—

- (a) in the list he keeps in pursuance of paragraph (2)(b), the name and qualifying address of the objector together with the particulars referred to in paragraph (3); and
- (b) in the list he keeps in pursuance of paragraph (2)(a), the particulars of the objection.

(5) On receipt of any other objection, the registration officer must enter the name and qualifying address of the objector together with the particulars referred to in paragraph (3) in the list he keeps in pursuance of paragraph (2)(c).

(6) The registration officer may ask for further information and take no further action until such information is supplied, if he is of the opinion that the particulars given in the application or objection are insufficient.

(7) [<sup>F15</sup>Subject to paragraph (7A),] the registration officer may allow an application without a hearing provided that no objection is made within five days beginning with the day following the entry of the application in the list of applications.

[<sup>F16</sup>(7A) In the case of an application for registration accompanied by an application for an anonymous entry, the registration officer may allow the application for registration without a hearing at any time.]

(8) The registration officer may disallow an objection if he is of opinion that the objector is not entitled to object and he shall so inform the objector.

(9) The registration officer may disallow an objection without a hearing if he is of the opinion that the objection is clearly without merit.

(10) Where the registration officer disallows an objection under paragraph (9), he must send to the objector a notice stating that the objection has been disallowed on that basis and the grounds for his opinion.

(11) An objector may require the objection to be heard by giving notice to the registration officer within three days from the date of the notice given under paragraph (10).

(12) A notification under paragraph (11) is not to prevent the application to which the objection relates from being allowed.

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(13) The registration officer may send to the applicant or objector a notice stating his opinion that an application or objection cannot be allowed because—

- (a) the matter has been concluded by the decision of a court, or
- (b) the particulars given in the application or objection do not entitle the applicant or objector to succeed.

(14) In cases to which paragraph (13) applies, the registration officer shall state the grounds for his opinion and that he intends to disallow the application or objection unless that person gives the registration officer notice within three days from the date of the registration officer's notice that he requires the application or objection to be heard; and if he receives no such notice within that time, he may disallow the application or objection.

(15) In this regulation “qualifying address” includes the address specified in an overseas elector's declaration in accordance with section 2(4)(b) or (c)(ii) of the 1985 Act(27).

#### **Textual Amendments**

**F14** Reg. 30(3A) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **7(2)**

**F15** Words in reg. 30(7) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **7(3)**

**F16** Reg. 30(7A) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **7(4)**

#### **Notice of hearing**

**31.**—(1) The registration officer shall, unless he allows the application or disallows the objection under regulation 30, send a notice—

- (a) in the case of an application, to the person making the application; and
- (b) in the case of an objection, to the objector and person against whom an objection is made.

(2) A notice issued under paragraph (1) shall state—

- (a) the time and place at which he proposes to hear the application or objection;
- (b) the name and address of the objector and the grounds of the objection (in the case of the notice sent to the person against whom an objection is made).

(3) The time fixed for the hearing of an application or objection shall not be earlier than the third day or later than the seventh day after the date of the notice referred to in paragraph (1).

#### **Hearing of applications and objections**

**32.**—(1) The persons entitled to appear and be heard are as follows—

- (a) on an application, the applicant;
- (b) on an objection, the objector and the person against whom an objection is made;
- (c) on an application or an objection, any other person who appears to the registration officer to be interested.

(2) The right to appear and be heard includes the right to make written representations.

(3) Any person entitled to appear and be heard may do so either in person or by any other person on his behalf.

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(27) Section 2 was substituted by paragraph 3 of Schedule 2 to the [2000 Act \(c.2\)](#).

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(4) The registration officer may, at the request of any person entitled to appear and be heard or, if he thinks fit, without such a request, require that the evidence tendered by any person shall be given on oath and may administer the oath for that purpose.

### **Objections relating to applications which have been allowed, but before alterations to the register have taken effect**

**33.**—(1) This regulation applies where—

- (a) an application for registration has been allowed (whether without or following a hearing), and
- (b) either—
  - (i) an objection is later made to that application; or
  - (ii) an objector whose objection in respect of that application has been disallowed in pursuance of regulation 30(9) notifies the registration officer, in accordance with regulation 30(11), that he requires the objection to be heard; and
- (c) no alteration to the register has yet taken effect in respect of that application by virtue of section 13(5) or 13A(2) of the 1983 Act (28).

(2) Where the registration officer—

- (a) is able to determine the objection before the alteration to the register is due to take effect, and
- (b) allows the objection,

the application is to be treated as if it had been disallowed.

(3) Where the registration officer is not able to determine the objection before the alteration to the register is due to take effect, the objection is to be treated as if it was made after the person against whom it is made is entered in the register.

(4) Where paragraph (3) applies, the registration officer must transfer the entry relating to the objection from the list he keeps in pursuance of paragraph (2)(b) of regulation 30 to the list he keeps in pursuance of paragraph (2)(c) of that regulation.

### **Other determinations by registration officer of entitlement to registration**

**34.**—(1) The registration officer must discharge the functions specified in paragraph (2) in accordance with regulations 35 to 38.

(2) The functions specified in this paragraph are—

- (a) determining, under the following provisions, whether a person was entitled to be registered—
  - (i) sections 7(3)(aa), 7A(3)(aa), 7C(2)(aa), and 15(2)(aa) of the 1983 Act,(29) and
  - (ii) section 2(2)(aa) of the 1985 Act(30);
- (b) determining under section 10A(5)(b) of the 1983 Act(31) whether a person—

(28) 1983 c.2; sections 13, 13A and 13B were substituted by paragraph 6 of Schedule 1 to the 2000 Act (c.2); and section 13B has been amended by section 11 of the 2006 Act but these amendments do not extend to Northern Ireland.

(29) Section 7 was substituted by, and sections 7A to 7C were inserted by, respectively, sections 4, 5 and 6 of the 2000 Act (c.2). Section 15(2) was substituted by paragraph 8(2) of Schedule 1 to that Act. Sections 7(3)(aa), 7A(3)(aa), 7C(2)(aa) and 15(2)(aa) were inserted by, respectively, section 12(1), (2), (3) and (7) of the 2006 Act (c.22).

(30) 1985 c. 50; section 2 was substituted by paragraph 3 of Schedule 2 to the 2000 Act; subsection (2)(aa) was inserted by section 12(9) of the 2006 Act .

(31) Section 10A was substituted together with section 10 for section 10 as originally enacted by paragraph 4 of Schedule 1 to the 2000 Act and subsection (5)(b) was substituted by section 12(5)(b) of the 2006 Act.

*Changes to legislation: The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)*

- (i) was entitled to be registered;
- (ii) has ceased to be resident at the address in respect of which he is entered in the register or otherwise ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act<sup>(32)</sup>.

### Summary procedure for determining in specified circumstances whether a person has ceased to satisfy conditions for registration

**35.**—(1) In any of the circumstances specified in paragraph (2) the registration officer may make the determination specified in regulation 34(2)(b)(ii) without following the procedure set out in regulations 36 to 38.

- (2) The circumstances specified in this paragraph are where the registration officer—
- (a) has received an application under regulation 27 which includes a statement to which paragraph (1)(c) of that regulation refers;
  - (b) has received a notification under regulation 46;
  - (c) has been given information by the elector that he has ceased to reside at the address in question or has otherwise ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act;
  - [<sup>F17</sup>(d) has been notified by a relative or executor of the elector or by a registrar of births and deaths or by the Senior Coroner for Northern Ireland that the elector has died;]
  - (e) has been provided with information pursuant to regulation 41 that an elector has ceased to reside at the address in question;
  - (f) has been provided with information pursuant to regulation 41 that the national insurance number provided by the elector in his application for registration is incorrect.

(3) In paragraph (2)—

“elector” means a person who is duly entered in a register in respect of an address; and

[<sup>F18</sup>“registrar of births and deaths” means the Registrar General of Births and Deaths in Northern Ireland, any registrar of births and deaths in England, Wales or Scotland, or the Registrar General (an tArd-Chláraitheoir) in the Republic of Ireland;]

“relative” means a spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

#### Textual Amendments

**F17** Reg. 35(2)(d) substituted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **3(2)**

**F18** Words in reg. 35(3) inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **3(3)**

### Procedure for reviewing entitlement to registration

**36.**—(1) A registration officer may, for the purposes of making a determination of the nature specified in regulation 34(2), conduct a review in respect of a person entered in the register.

(2) Where the registration officer is not satisfied that the subject of the review is entitled to be registered, he must—

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

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

- (a) send to that person such notice, of a kind specified in paragraph (3), as he considers appropriate; and
- (b) enter the review in the list kept in pursuance of regulation 37.

[<sup>F19</sup>(2A) Paragraph (2)(b) does not apply where the subject of the review has an anonymous entry.]

- (3) A notice is specified for the purposes of paragraph (2)(a) if it—
  - (a) states that the registration officer is of the opinion that the subject of the review is not entitled to be registered and the grounds for his opinion;
  - (b) states the reason for the review and requires the subject of the review to provide such further information as might be specified in the notice; or
  - (c) states the reason for the review and that the registration officer intends to conduct a hearing of it.
- (4) Where—
  - (a) the registration officer sends to the subject of the review a notice in the form specified in paragraph (3)(a); and
  - (b) that person does not, within 14 days beginning with the date of that notice, notify the registration officer that he requires the review to be heard,

the registration officer may determine without a hearing that the subject of the review was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act.

- (5) Paragraph (6) applies where—
  - (a) the registration officer sends to the subject of the review a notice in the form specified in paragraph (3)(b); and
  - (b) that person does not respond to the registration officer’s satisfaction, or at all, within 28 days beginning with the date of that notice.
- (6) The registration officer may send a notice to the subject of the review which states that he is not satisfied that that person is entitled to be registered, and the grounds for his opinion.
- (7) Where—
  - (a) the registration officer sends to the subject of the review a notice in pursuance of paragraph (6); and
  - (b) the subject of the review does not, within 14 days beginning with the date of that notice, notify the registration officer that he requires the review to be heard;

the registration officer may determine without a hearing that the subject of the review was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act.

(8) In making a determination under paragraph (4) or (7), the registration officer must take into account any written representations made to him by the subject of the review and may take into account the written representations of any other person who appears to him to be interested.

- (9) In this regulation and regulations 37 and 38—
  - “review” must be construed in accordance with paragraph (1); and
  - “the subject of the review” means the person in respect of whom the review is conducted.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

#### Textual Amendments

**F19** Reg. 36(2A) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **8**

#### List of reviews

- 37.**—(1) The registration officer must keep a list of reviews.
- (2) The list must contain, in relation to each review, the following particulars—
- (a) the full name of the subject of the review;
  - (b) his electoral number;
  - (c) his qualifying address; and
  - (d) the reason for the review.
- (3) The list must be made available for inspection at the registration officer’s office.
- [<sup>F20</sup>(4) This regulation does not apply to any review where the subject of the review has an anonymous entry.]

#### Textual Amendments

**F20** Reg. 37(4) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **9**

#### Hearings of reviews

- 38.**—(1) Where the registration officer determines that a hearing of the review should be conducted, the notice given under regulation 36(3)(c) must also state the time and place at which he proposes to hear the review.
- (2) Where the subject of the review requires the review to be heard, the registration officer must send to that person a notice stating the time and place at which he proposes to hear the review.
- (3) The time fixed for the hearing must not be earlier than the third day after the date of the notice in which that time is stated.
- (4) The persons entitled to appear and be heard are—
- (a) the subject of the review;
  - (b) any other person who appears to the registration officer to be interested.
- (5) Paragraphs (2) to (4) of regulation 32 apply to the hearing of a review as they apply to the hearing of an application for registration or objection.
- (6) The registration officer may determine that the subject of the review was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act, despite the failure of that person (or any other person entitled to appear and be heard) to attend.
- (7) In making a determination under paragraph (6), the registration officer must take into account any written representations made to him by the subject of the review and may take into account the written representations of any other person who appears to him to be interested.



**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

## [<sup>F21</sup> **Anonymous registration: applications and declarations**

**38A.**—(1) An application for an anonymous entry must state—

- (a) the applicant’s full name,
- (b) the address given in accordance with regulation 27(1)(b),
- (c) the reason for the application, and
- (d) the date of the application.

(2) The application must be in writing and signed by the applicant.

(3) The application must be accompanied by—

- (a) evidence of the nature prescribed in regulation 38C or 38D, and
- (b) an application for an absent vote.

(4) Where the evidence mentioned in paragraph (3)(a) relates not to the applicant, but to another person of the same household as the applicant, the application must be accompanied by evidence that that person is of that household.

(5) The application must be accompanied by a declaration made by the applicant that—

- (a) the particulars given in accordance with paragraph (1) are true,
- (b) so far as the applicant is aware, the evidence provided in pursuance of paragraph (3)(a) is genuine, and
- (c) where paragraph (4) applies—
  - (i) the person to whom the evidence relates is a person of the same household of the applicant, and
  - (ii) so far as the applicant is aware, the evidence provided in pursuance of paragraph (4) is genuine.

(6) The application may give an address to which the registration officer must send correspondence, other than the address given in accordance with paragraph (1)(b).

(7) In this regulation, “an application for an absent vote” means—

- (a) in relation to parliamentary elections, an application under section 6 of the 1985 Act;
- (b) in relation to local elections, an application under paragraph 1 of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985.

### **Textual Amendments**

**F21** Regs. 38A-38E inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **10**

### **Modifications etc. (not altering text)**

**C4** [Reg. 38A](#) applied (with modifications) (15.9.2014) by [S.I. 2001/1184](#), reg. 9, [Sch. Pt. 2](#) (as inserted by [S.I. 2014/1803](#), regs. 1(1), **8(3)(a)**)

## **Anonymous registration: determination of applications by the registration officer**

**38B.**—(1) Paragraph (2) applies where—

- (a) in the case of an application under section 9B(1)(a) of the 1983 Act, the registration officer determines that the applicant for an anonymous entry is entitled to be registered, and



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- (b) in the case of an application under section 9B(1)(a) or (b) of that Act, the application for an anonymous entry is made in accordance with regulation 38A.
- (2) The registration officer must determine that the safety test is satisfied (and accordingly allow the application for an anonymous entry) where that officer is satisfied—
  - (a) that the evidence provided in support of the application in pursuance of regulation 38A(3) (a) constitutes evidence of the nature prescribed in regulation 38C or 38D, and
  - (b) in the case of an application where paragraph (4) of regulation 38A applies, that the evidence provided in pursuance of that paragraph establishes that the person in question is a person of the same household as the applicant.
- (3) The registration officer must determine the date on which the applicant’s entitlement to remain registered with an anonymous entry terminates (the “date of termination”) in accordance with paragraphs (4) and (5).
- (4) Where the evidence provided under regulation 38A(3)(a) is evidence of the nature prescribed in regulation 38C, the date of termination is whichever is the earlier of the following—
  - (a) the date on which the relevant order or injunction will expire or will cease to be a relevant order or injunction within the meaning of regulation 38C(3)(a) (where such a date is specified in the relevant order or injunction), or
  - (b) the end of the period of five years, beginning with—
    - (i) in the case of an application under section 9B(1)(a) of the 1983 Act, the date when the person’s entry in the register first takes effect; or
    - (ii) in the case of an application under section 9B(1)(b) of that Act, the date when the Chief Electoral Officer determines under section 9B(2) of that Act that the safety test is satisfied.
- (5) Where the evidence provided under regulation 38A(3)(a) is evidence of the nature prescribed in regulation 38D, the date of termination is the date on which the attestation will cease to have effect under regulation 38D(3).

**Textual Amendments**

**F21** Regs. 38A-38E inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **10**

**Modifications etc. (not altering text)**

**C5** [Reg. 38B](#) applied (15.9.2014) by [S.I. 2001/1184](#), reg. 9, **Sch. Pt. 2** (as inserted by [S.I. 2014/1803](#), regs. 1(1), **8(3)(a)**)

**Anonymous registration: evidence consisting of relevant court orders or injunctions**

**38C.**—(1) Evidence which meets the following conditions is prescribed for the purpose of regulation 38A(3)(a).

- (2) The first condition is that the evidence is, or is a copy of, a relevant order or injunction.
- (3) A relevant order or injunction is—
  - (a) an injunction for the purpose of restraining a person from pursuing any conduct which amounts to harassment granted in proceedings under section 3 of the Protection from Harassment Act 1997;
  - (b) an injunction granted under section 3A(2) of the Protection from Harassment Act 1997;
  - (c) a restraining order made under section 5(1) of the Protection from Harassment Act 1997;

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- (d) a restraining order on acquittal made under section 5A(1) of the Protection from Harassment Act 1997;
  - (e) a non-harassment order, interdict or interim interdict made under section 8 or 8A of the Protection from Harassment Act 1997;
  - (f) a non-harassment order made under section 234A(2) of the Criminal Procedure (Scotland) Act 1995;
  - (g) a non-molestation order made under section 42(2) of the Family Law Act 1996;
  - (h) an injunction for the purpose of restraining a person from pursuing any conduct which amounts to harassment granted in proceedings under article 5 of the Protection from Harassment (Northern Ireland) Order 1997;
  - (i) a restraining order made under article 7 of the Protection from Harassment (Northern Ireland) Order 1997;
  - (j) a restraining order on acquittal made under article 7A(1) of the Protection from Harassment (Northern Ireland) Order 1997;
  - (k) a non-molestation order made under article 20(2) of the Family Homes and Domestic Violence (Northern Ireland) Order 1998.
  - (l) a matrimonial interdict within the meaning of section 14 of the Matrimonial Homes (Family Protection) (Scotland) Act 1981;
  - (m) a domestic interdict within the meaning of section 18A of the Matrimonial Homes (Family Protection) (Scotland) Act 1981;
  - (n) a relevant interdict within the meaning of section 113 of the Civil Partnership Act 2004;
  - (o) an interdict that has been determined to be a domestic abuse interdict within the meaning of section 3 of the Domestic Abuse (Scotland) Act 2011;
  - (p) any interdict with an attached power of arrest made under section 1 of the Protection from Abuse (Scotland) Act 2001; or
  - (q) a forced marriage protection order or interim forced marriage protection order made under any of the following provisions—
    - (i) Part 4A of the Family Law Act 1996;
    - (ii) section 2 of, and paragraph 1 of Schedule 1 to, the Forced Marriage (Civil Protection) Act 2007;
    - (iii) section 1 of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011;
    - (iv) section 5 of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011.
- (4) The second condition is that the relevant order or injunction is made for the protection, or otherwise for the benefit, of—
- (a) the applicant for an anonymous entry, or
  - (b) another person of the same household as the applicant.
- (5) The third condition is that the relevant order or injunction is in force on the day on which the application for an anonymous entry is made.

#### Textual Amendments

**F21** Regs. 38A-38E inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **10**

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

**Modifications etc. (not altering text)**

C6 Reg. 38C applied (15.9.2014) by S.I. 2001/1184, reg. 9, Sch. Pt. 2 (as inserted by S.I. 2014/1803, regs. 1(1), 8(3)(a))

**Anonymous registration: evidence by attestation**

**38D.**—(1) An attestation within the meaning of this regulation is prescribed for the purposes of regulation 38A(3)(a).

(2) The attestation must—

- (a) certify that the safety of the applicant, or of another named person of the same household as the applicant, would be at risk if the register contained the name of the applicant or the applicant's qualifying address,
- (b) state the date on which it is made, and
- (c) be in writing and signed by a qualifying officer.

(3) The attestation must state the period for which it has effect, being a period of between one and five years beginning with the date on which the attestation is made.

(4) Qualifying officer means—

- (a) a police officer of or above the rank of superintendent of the Police Service of Northern Ireland;
- (b) a police officer of or above the rank of superintendent of any police force in England and Wales;
- (c) a police officer of or above the rank of superintendent of the Police Service of Scotland;
- (d) the Director General of the Security Service;
- (e) the Director General of the National Crime Agency;
- (f) any director of adult social services in England within the meaning of section 6(A1) of the Local Authority Social Services Act 1970;
- (g) any director of social services in Wales within the meaning of section 6(1) of the Local Authority Social Services Act 1970;
- (h) any director of children's services in England within the meaning of section 18 of the Children Act 2004;
- (i) any chief social work officer in Scotland within the meaning of section 3 of the Social Work (Scotland) Act 1968;
- (j) the director of social care and children of the Regional Health and Social Care Board established under section 7 of the Health and Social Care (Reform) Act (Northern Ireland) 2009;
- (k) any executive director of social work of a Health and Social Services Trust established under article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991(27).

**Textual Amendments**

F21 Regs. 38A-38E inserted (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), 10

*Status: Point in time view as at 12/02/2015.*

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**Modifications etc. (not altering text)**

C7 Reg. 38D applied (15.9.2014) by S.I. 2001/1184, reg. 9, Sch. Pt. 2 (as inserted by S.I. 2014/1803, regs. 1(1), 8(3)(a))

**Anonymous registration: review of entitlement to an anonymous entry**

**38E.**—(1) The registration officer must discharge the function under section 9C(1B)(b) of the 1983 Act(28) in accordance with this regulation.

(2) The registration officer may conduct a review in respect of a person entered in the register with an anonymous entry (“P”).

(3) P may require a hearing of the review.

(4) Where the registration officer is of the opinion that the safety test is no longer satisfied in respect of P, that officer must, as that officer considers appropriate, send to P a notice which—

- (a) states that the registration officer is of the opinion that the safety test is no longer satisfied in respect of P, the grounds for that officer’s opinion and that P may require a hearing of the review by notifying the registration officer within 14 days beginning with the date of the notice;
- (b) states the reason for the review and requires P to provide such further information as might be specified in the notice; or
- (c) states the reason for the review and that the registration officer intends to conduct a hearing of it.

(5) Where—

- (a) the registration officer sends to P a notice in the form specified in paragraph (4)(a); and
- (b) P does not, within 14 days beginning with the date of that notice, notify the registration officer that P requires the review to be heard,

the registration officer may determine without a hearing that the safety test is no longer satisfied in respect of P.

(6) Where—

- (a) the registration officer sends to P a notice in the form specified in paragraph (4)(b); and
- (b) P does not respond to the registration officer’s satisfaction, or at all, within 28 days beginning with the date of that notice,

the registration officer may send a further notice to P which states that he is of the opinion that the safety test is no longer satisfied in respect of P, the grounds for his opinion and that P may require a hearing of the review by notifying the registration officer within 14 days beginning with the date of the notice.

(7) Where—

- (a) the registration officer sends to P a further notice in pursuance of paragraph (6); and
- (b) P does not, within 14 days beginning with the date of that notice, notify the registration officer that P requires the review to be heard,

the registration officer may determine without a hearing that the safety test is no longer satisfied in respect of P.

(28) 1983 c.2; sections 13, 13A and 13B were substituted by paragraph 6 of Schedule 1 to the 2000 Act (c.2); and section 13B has been amended by section 11 of the 2006 Act but these amendments do not extend to Northern Ireland.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

(8) Where the registration officer determines that a hearing of the review should be conducted, the notice given under paragraph (4)(c) must also state the time and place at which that officer proposes to hear the review.

(9) Paragraphs (2) to (5) of regulation 38 apply to the hearing of a review under this regulation as they apply to the hearing of a review under regulations 36 to 38 (reading references to the “subject of the review” as references to “P”).

(10) The registration officer may determine that the safety test is no longer satisfied in respect of P, despite the failure of P (or any other person entitled to appear and be heard) to attend.

(11) In making a determination under paragraph (5), (7) or (10), the registration officer must take into account any written representations made to that officer by P and may take into account the written representations of any other person who appears to that officer to be interested.]

#### Textual Amendments

**F21** Regs. 38A-38E inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **10**

#### Modifications etc. (not altering text)

**C8** [Reg. 38E](#) applied (15.9.2014) by [S.I. 2001/1184](#), reg. 9, [Sch. Pt. 2](#) (as inserted by [S.I. 2014/1803](#), regs. 1(1), **8(3)(a)**)

### Registration appeals

- 39.**—(1) This regulation makes provision in connection with the right to appeal from—
- (a) the decision of the registration officer regarding an application for registration under section 58(1)(a) of the 1983 Act<sup>(33)</sup>;
  - (b) the decision of the registration officer made under section 58(1)(b) of the 1983 Act in accordance with regulations 35 to 38 that a person was not entitled to be registered, or as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act.
  - [<sup>F22</sup>(c) a determination of the registration officer under section 9B(2) of the 1983 Act made in accordance with regulation 38B; or
  - (d) a determination of the registration officer under section 9C(1B) of the 1983 Act made in accordance with regulation 38E.]
- (2) A person desiring to appeal must—
- (a) give notice of appeal to the registration officer and to the objector (if any) when the decision is given, or within 14 days thereafter; and
  - (b) specify the grounds of appeal.
- (3) The registration officer shall forward any such notice to the appropriate county court in accordance with the rules of court together with—
- (a) a statement of the material facts which in his opinion have been established in the case; and
  - (b) his decision upon the whole case and on any point which may be specified as a ground of appeal.

<sup>(33)</sup> [1983 c.2](#); section 58 was substituted by Schedule 4 to the [Miscellaneous Provisions Act 2006 \(c.33\)](#).

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

(4) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the appropriate county court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

#### Textual Amendments

**F22** Reg. 39(1)(c)(d) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **11**

#### Representations regarding clerical errors

**40.**—(1) For the purposes of section 13BA(8)(**34**) of the 1983 Act a representation may be made orally or in writing.

(2) Where a representation is made at a polling station to a presiding officer, the presiding officer must as soon as practicable communicate that representation to the registration officer.

#### Requests for information

**41.**—(1) The registration officer may, from time to time, request such specified information as he may require for [<sup>F23</sup>any of the purposes mentioned in paragraph 1A(1)] of Schedule 2 to the 1983 Act(**35**)from—

- (a) any specified authority; or
  - (b) any person providing services to, or authorised to exercise any function of, any such authority.
- (2) A request for information shall—
- (a) be in writing;
  - (b) specify the format in which the information shall be provided; and
  - (c) specify the date by which information shall be provided.
- (3) A request for information may—
- (a) request the regular disclosure of specified information at intervals not more frequent than monthly; and
  - (b) relate to a specified individual or a class of individuals of a particular description.
- (4) A recipient of a request for information shall—
- (a) provide the information requested by the specified date; or
  - (b) inform the registration officer that the information requested is not held by that authority or person; or
  - (c) request further time for the location of that information.

(5) Nothing in these Regulations requires the disclosure of information which came into the possession of an authority or person before any previous disclosure made in response to a request made in accordance with this regulation.

(6) Where a request for the same information is made more than once, the recipient of the request may provide the information requested if, in his opinion, the information is reasonably required by the registration officer to replace any information previously disclosed which has been lost, destroyed or impaired during processing by the registration officer.

(34) 1983 c. 3; section 13BA was inserted by section 6 of the Miscellaneous Provisions Act 2006.

(35) Paragraph 1(4B) of Schedule 2 to the 1983 Act was inserted by section 7 of the Miscellaneous Provisions Act.

*Changes to legislation: The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)*

(7) Nothing in these Regulations shall be taken to require a specified authority or person mentioned in paragraph (1) to disclose information which came into their control before 6th June 2007<sup>(36)</sup>.

#### Textual Amendments

**F23** Words in reg. 41(1) substituted (13.3.2014) by Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13), ss. 20(4)(a), 28(1)(e) (with s. 20(5))

#### Provision of information to the registration officer

**42.**—(1) The authorities set out in paragraph (2) are specified authorities for the purposes of regulation 41.

(2) The specified authorities are—

- (a) district councils;
- (b) the Registrar General of Births and Deaths in Northern Ireland;
- [<sup>F24</sup>(c) the Regional Business Services Organisation];
- (d) the Department for Work and Pensions;
- [<sup>F25</sup>(da) the Northern Ireland Office;]
- (e) secondary schools within the meaning of article 2 of the Education and Libraries (Northern Ireland) Order 1986<sup>(37)</sup>; <sup>F26</sup>...
- [<sup>F27</sup>(ea) institutions of further education within the meaning of article 2 of the Further Education (Northern Ireland) Order 1997; and]
- (f) the Northern Ireland Housing Executive.

(3) For the purposes of regulation 41 the specified information is such of the information set out in paragraphs (4) to (6) as is, in the opinion of the registration officer, required to maintain the accuracy of the register and to ensure that it is comprehensive.

(4) The specified information in respect of persons is such of the following information which relates to a person aged 16 or over—

- (a) his name and former name;
  - (b) his address and last former address;
  - (c) his date of birth;
  - (d) his date of death; and
  - (e) his national insurance number.
- (5) The specified information in respect of residential buildings is—
- (a) the postal address;
  - (b) information relating to any change in the usage of the building from residential to non-residential; and
  - (c) information relating to the current occupants and the last former occupants of the building.

<sup>(36)</sup> The Representation of the People (Northern Ireland)(Amendment) Regulations 2007 (S.I.2007/1612)(“2007 Regulations”) amended the 2001 Regulations to make provision to enable the Chief Electoral Officer for Northern Ireland to request information from specified public authorities. The 2007 Regulations provided that these new powers did not require an authority to provide information which came into their possession before those Regulations came into force on 6th June 2007. These Regulations, which repeal and replace the 2007 Regulations maintain this position.

<sup>(37)</sup> S.I.1986/594 (N.I.3).



**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

(6) The specified information in respect of non-residential buildings is information relating to any change in the usage of the building from non-residential to residential.

(7) For the purpose of this regulation “residential buildings” includes residential buildings which are under construction and to which a postal address has been assigned.

#### Textual Amendments

- F24** Words in reg. 42(2)(c) substituted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **4(2)**
- F25** Reg. 42(2)(da) inserted (18.7.2013) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2013 \(S.I. 2013/1846\)](#), regs. 1(1), **2**
- F26** Word in reg. 42(2) omitted (4.2.2010) by virtue of [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **4(3)**
- F27** Reg. 42(2)(ea) inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **4(3)**

#### Modifications etc. (not altering text)

- C9** Reg. 42 modified (13.3.2014) by [Northern Ireland \(Miscellaneous Provisions\) Act 2014 \(c. 13\)](#), ss. **20(5)**, 28(1)(e)

#### Disclosure of information

**43.—(1)** A person commits an offence if he discloses information obtained under these Regulations to a third party except—

- (a) for <sup>F28</sup>any of the purposes mentioned in paragraph 1A(1)] of Schedule 2 to the 1983 Act; or
- (b) for the purposes of any criminal or civil proceedings.

(2) A person guilty of an offence under this regulation shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(3) In this regulation “third party” means a person other than a person to whom the Chief Electoral Officer for Northern Ireland may delegate his functions.

#### Textual Amendments

- F28** Words in reg. 43(1)(a) substituted (13.3.2014) by [Northern Ireland \(Miscellaneous Provisions\) Act 2014 \(c. 13\)](#), ss. **20(4)(b)**, 28(1)(e) (with s. 20(6))

#### Notices in connection with registration

**44.—(1)** A notice under section 13(3) of the 1983 Act(**38**) must be published—

- (a) not less than 14 days before the publication of the revised version of the register to which it relates;
  - (b) in a newspaper circulating in the area in which the registration officer acts, and
  - (c) by posting a copy of it at his office and in some conspicuous place or places in that area.
- (2) A notice under section 13A(2) or 13BA(3),(6) or (9) of that Act must be issued by—
- (a) making a printed copy of it available for inspection under supervision—
    - (i) at his office, and

(38) 1983 c.2; sections 13, 13A and 13B were substituted by Schedule 1 to the 2000 Act.



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- (ii) at such places, if any, in the registration area as allow members of the public in that area reasonable facilities for that purpose;
  - (b) supplying copies of it in accordance with Part 6 of these Regulations;
  - (c) except in a case falling within regulation 35(2)(d), sending a copy of it to any person affected by its contents.
- (3) For the purposes of section 13BA(7) and (8) of the 1983 Act, the prescribed time on the day of the poll is 7pm.

#### Communication of notices made on polling day

**45.**—(1) Where a notice is issued under section 13BA(3),(6) or (9) of the 1983 Act on the day of the poll, the registration officer must take reasonable steps to ensure that the notice comes to the attention of the presiding officer.

(2) Such steps may include communicating the notice to the presiding officer by telephone.

(3) Where a notice issued under 13BA(3),(6) or (9) of the 1983 Act is communicated to a presiding officer by whatever means, the presiding officer must make a written record of that notice and forward it to the returning officer after the day of the poll.

#### Notice by registration officer of a change of address

**46.**—(1) This regulation applies where the registration officer receives an application for registration which includes a statement given in accordance with regulation 27(1)(c).

(2) Where the address given in the statement received by the Northern Ireland registration officer is in an area for which another registration officer (“the former registration officer”) acts, the Northern Ireland registration officer shall as soon as practicable notify the former registration officer that the applicant no longer resides in his area.

#### <sup>F29</sup>Prescribed form for canvass

**46A.** The form prescribed for the purpose of section 10(4) of the 1983 Act shall be in Form O.

#### Textual Amendments

**F29** Regs. 46A, 46B inserted (18.7.2013) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2013 \(S.I. 2013/1846\)](#), regs. 1(1), **3(1)**

#### Retention of entries on the register following a canvass

**46B.**—(1) Where—

- (a) a person (P) is entered in the register in respect of any address, and
- (b) conditions A, B and C are met,

section 10A(6) of the 1983 Act does not apply for the duration of the relevant period and the registration officer is authorised to retain P’s entry in the register.

(2) Condition A is that on the conclusion of a canvass under section 10(1A) of the 1983 Act, either—

- (a) the registration officer is unable to satisfy himself that P was, on the 15th October in question, resident at that address because—

*Status: Point in time view as at 12/02/2015.*

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- (i) the form mentioned in section 10(4) of the 1983 Act relating to P was not returned in respect of that address, or
- (ii) for any other reason, insufficient information was obtained as to whether P was resident at that address on that date; or
- (b) the form mentioned in section 10(4) of the 1983 Act relating to P was returned in respect of that address, but it does not include all of the information relating to P required by virtue of section 10(4A) of the 1983 Act.
- (3) Condition B is that in the 12 month period before the conclusion of the canvass—
  - (a) P made an application under section 10A(1) or 13A(1) of the 1983 Act and the registration officer determined that P was entitled to be registered in the register;
  - (b) information received by the registration officer pursuant to regulation 41 indicates that P is resident at that address and that the required information in relation to P is accurate;
  - (c) inquiries made by the registration officer pursuant to sections 10(5) or 10A(5B) of the 1983 Act indicate that P is resident at that address and that the required information in relation to P is accurate;
  - (d) P has confirmed orally or in writing that P is resident at that address and that the required information in relation to P is accurate; or
  - (e) any other information received by the registration officer indicates that P is resident at that address and that the required information in relation to P is accurate.
- (4) Condition C is that the registration officer is satisfied that it is likely that P is resident at that address and that the required information in relation to P is accurate.
- (5) Nothing in this regulation prevents the registration officer from removing P’s entry from the register before the expiry of the relevant period if section 10A(5)(b) or 10A(5A)(b) of the 1983 Act applies.
- (6) In this regulation—
  - “relevant period” means the period beginning with the conclusion of the canvass mentioned in paragraph (2) and expiring with the publication of a revised version of the register under section 13(1) of the 1983 Act in the second calendar year following that in which the canvass was conducted; and
  - “required information” has the meaning given in section 10ZB of the 1983 Act.]

#### **Textual Amendments**

**F29** Regs. 46A, 46B inserted (18.7.2013) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2013 \(S.I. 2013/1846\)](#), regs. 1(1), 3(1)

### *The register*

#### **Separate part of register for each parliamentary polling district**

47. The register shall be framed in separate parts for each parliamentary polling district.

#### **Different letter for each parliamentary polling district**

48. There shall be a different alphabetical 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.

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### Qualifying addresses which are not included in the register

**49.**—(1) Section 9(2)(b) of the 1983 Act(**39**) (which requires each register of parliamentary or local electors to contain the qualifying addresses of the persons registered in it) does not apply—

- (a) to an address to which paragraph (2) or (4) 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(**40**).

(2) This paragraph applies to an address given by—

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

to which the condition in paragraph (3) applies.

(3) The condition is that it appears to the registration officer that an address specified in paragraph (2) is an address—

- (a) at which the person making a declaration has resided; but
- (b) which is not an address at which he is or would be residing but for the circumstances entitling him to make such a declaration.

(4) This paragraph applies to an address given in a declaration of local connection in accordance with section 7B(4)(b) of the 1983 Act(**41**).

### Order of names

**50.**—(1) Subject to paragraphs (2) and (3), 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 49 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.

### [<sup>F30</sup> Anonymous entries

**50A.**—(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 50(3)(b), and
- (c) following the names grouped together under that heading in pursuance of that regulation.]

(39) 1983 c.2; section 9 was substituted by Schedule 1 to the 2000 Act. Section 9 has also been amended by sections 9, 10 and Part 1 of Schedule 1 to the 2006 Act. However, these amendments do not extend to Northern Ireland.

(40) 1985 c.50; section 2 was substituted by Schedule 2 to the 2000 Act (c.2).

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

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

### Textual Amendments

**F30** Reg. 50A inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **12**

### Marking of names

**51.**—(1) Paragraphs (3) to (7) specify the marks to appear against a person’s [F31entry] in the register to indicate that he is registered in one or more of the four registers (those of: parliamentary electors; local 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 [F31entry] in the register of electors, this indicates that he is registered in the registers of parliamentary and local electors.

(3) To indicate that a relevant citizen of the Union is registered only in the register of local electors, the letter “G” shall be placed against his [F31entry].

(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 [F31entry].

(5) To indicate that any other person is registered only in the register of local electors, the letter “L” shall be placed against this [F31entry].

(6) To indicate that an overseas elector is registered only in the register of parliamentary electors, the letter “F” shall be placed against his [F31entry].

(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 [F31entry].

### Textual Amendments

**F31** Word in reg. 51 substituted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **13**

### Publication of register

**52.**—(1) The manner in which each revised version of the full register is to be published under section 13(1) or (3) of the 1983 Act(42) is by the registration officer—

- (a) making a printed copy of it available for inspection under supervision—
  - (i) at his office; and
  - (ii) at such places, if any, in each 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 6 of these Regulations.

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

(42) Section 13 was substituted by Schedule 1 to the [2000 Act \(c.2\)](#) and subsection (1) was substituted by section 5 of the [Miscellaneous Provisions Act \(c.33\)](#).

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## Preparation and publication of list of overseas electors

**53.**—(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 20(1).

[<sup>F32</sup>(1A) But in the case of a person who has an anonymous entry, the list of overseas electors must contain only—

- (a) the person’s electoral number, and
- (b) the date on which the person’s entitlement to remain registered anonymously will terminate under section 9C(1A) of the 1983 Act (in the absence of a further application under section 9B of that Act).]

(2) In respect of each constituency there shall be a separate part of the list of overseas electors; and the names of the persons included in each part [<sup>F33</sup>who do not have an anonymous entry] shall be listed in alphabetical order [<sup>F34</sup>, followed by the electoral numbers of persons with an anonymous entry].

(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 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 [<sup>F35</sup>(or, in the case of a person with an anonymous entry, electoral number)] 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 14(5)) shall be marked with the letter “E”.

### Textual Amendments

- F32** Reg. 53(1A) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **14(2)**
- F33** Words in reg. 53(2) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **14(3)(a)**
- F34** Words in reg. 53(2) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **14(3)(b)**
- F35** Words in reg. 53(4) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **14(4)**

### [<sup>F36</sup>Record of anonymous entries

**53A.**—(1) The registration officer must keep a record of anonymous entries.

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

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

- (a) P’s full name;
- (b) P’s electoral number;
- (c) P’s qualifying address;
- (d) where P has given in his application for an anonymous entry an address other than his qualifying address to which correspondence should be sent, that address;

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- (e) the date on which P’s entitlement to remain registered anonymously will terminate under section 9C(1A) of the 1983 Act (in the absence of a further application under section 9B of that Act).

(4) Where P’s application to vote by post or by proxy is granted, the registration officer must also enter in the record the address to which the postal ballot paper is to be sent as given in his application under section 6(6) or 9(12) of the 1985 Act, or paragraph 1(6) or 4(11) of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985, as the case may be.

#### Textual Amendments

**F36** Regs. 53A-53D inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **15**

#### Modifications etc. (not altering text)

**C10** [Reg. 53A](#) applied (with modifications) (15.9.2014) by [S.I. 2001/1184](#), [reg. 9](#), [Sch. Pt. 2](#) (as inserted by [S.I. 2014/1803](#), regs. 1(1), **8(3)(b)**)

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

**53B.**—(1) This regulation applies to—

- (a) the Chief Electoral Officer for Northern Ireland;
- (b) any temporary deputy of that officer; and
- (c) any person appointed to assist any such officer or who in the course of his employment is assigned to assist any such officer in his duties.

(2) Where the Chief Electoral Officer is also the counting officer at a referendum held by or under an Act of Parliament (and so has access to the record of anonymous entries without being supplied with a copy of it), this regulation also applies to—

- (a) the Chief Electoral Officer in that capacity,
- (b) any deputy counting officer,
- (c) any person appointed to assist any such officer or who in the course of his employment is assigned to assist any such officer in his duties in respect of the referendum in question.

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

- (a) supply to any person a copy of the record of anonymous entries,
- (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 of anonymous entries.

(6) In this regulation “enactment” has the same meaning as in section 17(2) of the 2000 Act.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

**Textual Amendments**

**F36** Regs. 53A-53D inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **15**

**Modifications etc. (not altering text)**

**C11** Reg. 53B applied (15.9.2014) by [S.I. 2001/1184](#), reg. 9, **Sch. Pt. 2** (as inserted by [S.I. 2014/1803](#), regs. 1(1), **8(3)(b)**)

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

**53C.**—(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) a police force in England and Wales;
- (b) the Police Service of Scotland;
- (c) the Police Service of Northern Ireland and the Police Service of Northern Ireland (Reserve);
- (d) the National Crime Agency;
- (e) the Police Information Technology Organisation; and
- (f) any body of constables established under an Act of Parliament.

(2) “Senior officer” means—

- (a) in the case of the forces and organisations mentioned in paragraph (1)(a), (b), (c), (e) and (f), an officer of a rank senior to that of superintendent;
- (b) in the case of the National 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 of anonymous entries,
- (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—

- (a) the prevention and detection of crime and the enforcement of the criminal law (whether in Northern Ireland or elsewhere);
- (b) the vetting of a relevant person for the purpose of safeguarding national security.

(5) In paragraph (4), “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) Any person supplied with a copy of the record of anonymous entries under this regulation must take proper precautions for its safe custody.

**Textual Amendments**

**F36** Regs. 53A-53D inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **15**



**Status:** Point in time view as at 12/02/2015.

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#### Modifications etc. (not altering text)

**C12** Reg. 53C applied (15.9.2014) by S.I. 2001/1184, reg. 9, **Sch. Pt. 2** (as inserted by S.I. 2014/1803, regs. 1(1), **8(3)(b)**)

#### Certificate of anonymous registration

**53D.**—(1) Where the 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 of anonymous registration must state—

- (a) that it has been issued by the Chief Electoral Officer for Northern Ireland;
- (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; and
- (d) the date on which the entitlement to remain registered anonymously will terminate in accordance with section 9C(1A) of the 1983 Act, unless a fresh application for an anonymous entry is made.]

#### Textual Amendments

**F36** Regs. 53A-53D inserted (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), **15**

#### Modifications etc. (not altering text)

**C13** Reg. 53D applied (15.9.2014) by S.I. 2001/1184, reg. 9, **Sch. Pt. 2** (as inserted by S.I. 2014/1803, regs. 1(1), **8(3)(b)**)

## PART 4

### ABSENT VOTERS

#### Interpretation of Part 4

**54.** In this Part—

“his allotted polling station” in relation to an elector means the polling station allotted or likely to be allotted to him under the elections rules; and

one person is “related” to another if he is the spouse or civil partner, parent, grandparent, brother, sister, child or grandchild of the other.



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## General requirements for applications for an absent vote

**55.**—(1) An application under section 6, 7, 8 or 9 of the 1985 Act<sup>(43)</sup> must comply with the requirements of this regulation and such further requirements in this Part of these Regulations as are relevant to the application.

(2) In the case of an application under section 6(1) or 7(1), the application must state, in addition to the matters required by section 6(1)(ba) to (bc) or section 7(1)(ba) to (bc) of the 1985 Act **(44)**—

- (a) the full name of the applicant;
- (b) the address in respect of which the applicant is or will be registered in the register except in the case of an application under section 9 of the 1985 Act;
- (c) in the case of such an application the proxy's address, together with the name of the elector for whom he will act as proxy and the elector's address for the purposes of subparagraph(b);<sup>F37</sup> ...
- (d) in the case of an application under section 6(1), 7(1) or 9(4) or (7) of the 1985 Act, the grounds on which the elector claims to be entitled to an absent vote [<sup>F38</sup>, and
- (e) where the applicant has, or has applied for, an anonymous entry, that fact.]

(3) The application shall be made in writing and be signed and dated by the applicant.

(4) Where an application is made to vote by proxy, it shall include an application for the appointment of a proxy which meets the requirements of regulation 56.

### Textual Amendments

**F37** Word in reg. 55(2)(c) omitted (15.9.2014) by virtue of [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **16(a)**

**F38** Reg. 55(2)(e) and word inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **16(b)**

## [<sup>F39</sup> Additional requirement for applications for ballot papers to be sent to a different address to that in register

**55A.**—(1) Paragraph (2) applies where—

- (a) in the case of an application to vote by post under section 6(1) of the 1985 Act, the addresses provided in accordance with section 6(6) of that Act and regulation 55(2)(b) are different;
- (b) in the case of an application to vote by post under section 7(1) of the 1985 Act, the addresses provided in accordance with section 7(5) of that Act and regulation 55(2)(b) are different;
- (c) in the case of an application by a proxy to vote by post under section 9(4) of the 1985 Act, the address provided in accordance with section 9(12) of that Act and the proxy's address provided in accordance with regulation 55(2)(c) are different.

(2) The application must set out why the applicant's ("A") circumstances will be or are likely to be such that A requires the ballot paper to be sent to the address provided in accordance with the provisions of the 1985 Act mentioned above.

<sup>(43)</sup> 1985 c. 50; sections 6, 7, 8 and 9 were amended by Schedule 6 to the 2000 Act; sections 6 and 7 were amended by section 3 of the 2002 Act (c.13) and paragraph 134 of Schedule 1 to the 2006 Act (c.22) also amended section 6. Section 8(5) was also amended by S.I. 2005/3129. Section 9(11A) was inserted by section 38(5) of the 2006 Act.

<sup>(44)</sup> Sections 6(1)(ba) to (bc) and 7(1)(ba) to (bc) were inserted by section 3 of the 2002 Act (c.13).

*Status: Point in time view as at 12/02/2015.*

*Changes to legislation: The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)*

[<sup>F40</sup>(3) This regulation does not apply where an applicant has, or has applied for, an anonymous entry.]

#### Textual Amendments

- F39** Regs. 55A, 55B inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **5(1)**
- F40** Reg. 55A(3) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **17**

#### Additional requirement for applications for ballot papers to be sent to different address from that shown in the record kept under section 6(3) or section 9(6) of the 1985 Act

**55B.**—[<sup>F41</sup>(1)] An application under—

- (a) section 7(2) of the 1985 Act by a person (“A”) shown as voting by post in the record kept under section 6(3) of that Act; or
- (b) section 9(8) of the 1985 Act by a person (“A”) shown as voting by post in the record kept under section 9(6) of that Act,

for A’s ballot paper to be sent to a different address from that shown in the record shall set out why A’s circumstances will be or are likely to be such that A requires the ballot paper to be sent to that address.]

[<sup>F42</sup>(2) This regulation does not apply where the applicant has, or has applied for, an anonymous entry.]

#### Textual Amendments

- F39** Regs. 55A, 55B inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **5(1)**
- F41** Reg. 55B renumbered as reg. 55B(1) (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **18**
- F42** Reg. 55B(2) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **18**

#### Additional requirements for applications for the appointment of a proxy

**56.**—[<sup>F43</sup>(1)] An application for the appointment of a proxy under section 8(6) or (7) of the 1985 Act shall state the full name and address of the person whom the applicant wishes to appoint as his proxy, together with his family relationship, if any, with the applicant, and—

- (a) if it is signed only by the applicant, shall contain a statement by him that he has consulted the person so named and that the person is capable of being and willing to be appointed to vote as his proxy; or
- (b) if it is also signed by the person to be appointed, shall contain a statement by that person that he is capable of being and willing to be appointed to vote as the applicant’s proxy.

[<sup>F44</sup>(2) Where the application mentioned in paragraph (1) is made by an elector with an anonymous entry, the application must be accompanied by an application, by the person to be appointed as proxy, under—

- (a) section 9(4) of the 1985 Act (application to vote by post as proxy at parliamentary elections for an indefinite period); or

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- (b) section 9(7) of the 1985 Act (application to vote by post as proxy at a particular election) in relation to the election.]

#### Textual Amendments

- F43** Reg. 56 renumbered as reg. 56(1) (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **19**
- F44** Reg. 56(2) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **19**

#### Additional requirements for applications on grounds of blindness or other disability

**57.**—(1) An application under section 6(2)(b)(**45**) of the 1985 Act shall specify the disability by reason of which it is made.

(2) Subject to paragraph (3), such an application shall be attested and signed by [<sup>F45</sup>a person who is registered in the register and who is]—

- (a) a registered medical practitioner;
- (b) a nurse registered on the register maintained by the Nursing and Midwifery Council under article 5 of the Nursing and Midwifery Order 2001(**46**) by virtue of qualifications in nursing;
- [<sup>F46</sup>(ba) a social worker registered under the principal part of the register maintained by the Northern Ireland Social Care Council under section 3 of the Health and Personal Services Act (Northern Ireland) 2001;]
- (c) a Christian Science practitioner;
- (d) the person registered under the Registered Homes (Northern Ireland) Order 1992(**47**) as carrying on a residential care home within the meaning of article 3 of that Order or a nursing home within the meaning of article 16 of that Order, where the applicant states that he is resident in such a home;
- (e) the person in charge of residential accommodation provided under article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972(**48**), where the applicant states that he is resident in such accommodation; or
- (f) the manager or other person in charge of premises forming one of a group of premises provided for persons of pensionable age or persons with a disability for which there is a resident manager or other person in charge, where the applicant states that he resides in such premises.

(3) The person attesting the application shall state—

- (a) his name and address and the qualification by virtue of which he attests the application;
- [<sup>F47</sup>(ab) that he is registered in the register;]
- (b) that, to the best of his knowledge and belief, the applicant has the disability specified in the application and that he cannot reasonably be expected to go in person to his allotted polling station or to vote unaided there by reason of that disability; and

(45) Section 6(2)(b) was amended by paragraph 134 of Schedule 1 to the [2006 Act \(c.22\)](#).

(46) [S.I.2002/253](#).

(47) [S.I. 1992/3204 \(N.I. 20\)](#); the definitions of “residential care home” and “nursing home” have been amended by Schedule 9 to [S.I. 1995/755 \(N.I.2\)](#).

(48) [S.I. 1972/1265 \(N.I.14\)](#).

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- (c) that, to the best of his knowledge and belief, the disability specified in the application is likely to continue either indefinitely or for a period specified by the person attesting the application.
- (4) Paragraphs (2) to (4) shall not apply where—
- (a) the application is based on the applicant's blindness and the applicant is registered as a blind person by [<sup>F48</sup>a Health and Social Care trust] which is specified in the application; or
- [<sup>F49</sup>(b) the application states that the applicant is in receipt of—
- (i) the higher rate of attendance allowance (payable under section 65 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992); or
- (ii) the highest rate of the care component or the higher rate of the mobility component (or both) of the disability living allowance (payable under section 72 and section 73 of that Act) [<sup>F50</sup>; or
- (iii) armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011,]
- because of the disability specified in the application.]
- (5) The fact that an applicant is registered with [<sup>F51</sup>a Health and Social Care trust] as a blind person shall be deemed sufficient evidence that he is eligible for an absent vote on the grounds set out in section 6(2)(b) of the 1985 Act.

#### Textual Amendments

- F45** Words in reg. 57(2) inserted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **6(2)**
- F46** Reg. 57(2)(ba) inserted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **6(3)**
- F47** Reg. 57(3)(ab) inserted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **6(4)**
- F48** Words in reg. 57(4)(a) substituted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **6(5)**
- F49** Reg. 57(4)(b) substituted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **6(6)**
- F50** Reg. 57(4)(b)(iii) and word inserted (24.12.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) (Northern Ireland) Order 2013 (S.I. 2013/3021), arts. 1, **32**
- F51** Words in reg. 57(5) substituted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **6(7)**

#### Additional requirements for applications based on occupation, service, employment or attendance on a course

- 58.**—(1) An application under section 6(2)(c) of the 1985 Act(**49**) shall state—
- (a) whether the occupation, service or employment in respect of which it is made is that of the applicant or his spouse or civil partner; or
- (b) whether it is the applicant or his spouse or civil partner who is attending the course provided by an educational institution in respect of which the application is made; and

(49) Section 6(2)(c) was amended by Schedule 6 to the 2000 Act and S.I.2005/3129.

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- (c) the nature of the occupation, service or employment or course provided by an educational institution giving rise to the application;
  - (d) where the person in respect of whose occupation, service or employment it is made (in this regulation referred to as “the employed person”) is self-employed, that fact; and in any other case the name of that person’s employer;
  - (e) the reason, relevant to the general nature of the employment, service or occupation in question or the course provided by an educational institution, why the applicant cannot reasonably be expected to go in person to his allotted polling station.
- (2) Such an application shall be attested and signed—
- (a) where the person is self-employed, by a person who—
    - (i) is aged 18 years or over;
    - (ii) knows the self-employed person; and
    - (iii) is not related to him;
  - (b) by the employer of the employed person or by another employee to whom this function is delegated by the employer; and
  - (c) in the case of a course provided by an educational institution, by the director or tutor of that course or by the principal or head of that institution or an employee to whom this function is delegated by the head or principal.
- (3) The person attesting an application made under paragraph (2) shall—
- (a) where the applicant is the employed person, self-employed person or the person attending the course, certify that the statements required by sub-paragraphs (a) to (e) of paragraph (1) to be included in the application are true; or
  - (b) where the applicant is the spouse or civil partner of the employed person, self-employed person or the person attending the course, certify that the statements included in the application in accordance with the requirements of sub-paragraphs (a) to (d) of paragraph (1) are true.
- (4) The person attesting an application under paragraph (2) shall also state—
- (a) his name and address, that he is aged 18 years or over, that he knows the employed person, self-employed person or person attending a course provided by an educational institution but is not related to him; and
  - (b) if he is attesting as or on behalf of the employer of the employed person, that he is the employer or the position he holds in the employment of that employer; or
  - (c) if he is attesting an application made on the grounds of attendance at a course provided by an educational institution, the post he holds at that institution.

#### **Additional requirements for applications in respect of a particular election**

**59.**—(1) An application under section 7(1) of the 1985 Act shall set out why the applicant’s circumstances on the date of the poll for the election in respect of which it is made will be or are likely to be such that he cannot reasonably be expected to vote in person at his allotted polling station.

- (2) Except in respect of an application to which paragraph (4), (6) or (8) applies, such an application shall be signed and attested by a person who—
- (a) is aged 18 years or over;
  - (b) resides in the United Kingdom;
  - (c) knows the applicant but is not related to him; and

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[<sup>F52</sup>(d) has not attested under this paragraph more than one other application in respect of the election for which the application he attests is made or that election taken together with any other election in Northern Ireland the poll for which is taking place on the same day.]

(3) The person attesting an application under paragraph (2) shall state—

- (a) his full name and address;
- (b) that he is aged 18 years or over;
- (c) that he resides in the United Kingdom;
- (d) that he knows the applicant but is not related to him; and

[<sup>F53</sup>(e) that he has not attested under paragraph (2) more than one other application in respect of the election for which the application he attests is made or that election taken together with any other election in Northern Ireland the poll for which is taking place on the same day.]

and shall certify that, to the best of his knowledge and belief, the statement included in the application in accordance with paragraph (1) is true.

(4) This paragraph applies in respect of an application under section 7(1) of the 1985 Act in which the circumstances set out in accordance with paragraph (1) are that the applicant will be or is likely to be ill on the date of the poll, and which—

- (a) specifies the illness which he is likely to suffer from; and
- (b) is attested and signed by [<sup>F54</sup>a person who is registered in the register and who is] one of the persons specified in sub-paragraphs (a), (b) and (c) of regulation 57(2).

(5) The person attesting an application under paragraph (4) shall state—

- (a) his name and address;

[<sup>F55</sup>(ab) that he is registered in the register;]

- (b) the qualification by virtue of which he is authorised to attest it;
- (c) that he has seen the applicant in connection with the circumstances set out in the application in accordance with paragraph (1); and
- (d) that, to the best of his knowledge and belief—
  - (i) the applicant is suffering from the illness specified in the application;
  - (ii) that he will be or is likely to be so suffering on the date of the poll; and
  - (iii) that he cannot reasonably be expected to vote in person at his allotted polling station because of that illness.

(6) This paragraph applies in respect of an application under section 7(1) of the 1985 Act—

- (a) which is received by the registration officer after 5 p.m. on the fourteenth day (calculated in accordance with regulation 61(5)) before the date of the poll at the election in question (“the standard closing date for applications”) but before 5 p.m. on the sixth day (so calculated) before the date of that poll;
- (b) in which the circumstances set out in accordance with paragraph (1) relate to the applicant’s health;
- (c) which includes a statement to the effect that, before the standard closing date for applications, the applicant could not have reasonably foreseen that those circumstances would, or would be likely to, exist on the date of the poll; and
- (d) which is attested and signed [<sup>F56</sup>a person who is registered in the register and who is] by one of the persons specified in sub-paragraphs (a), (b) and (c) of regulation 57(2).

(7) The person attesting an application under paragraph (6) shall state—

- (a) his name and address;

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- [<sup>F57</sup>(ab) that he is registered in the register;]
- (b) the qualification by virtue of which he is authorised to attest it;
  - (c) that he has seen the applicant in connection with the circumstances set out in the application in accordance with paragraph (1);
  - (d) that to the best of his knowledge and belief—
    - (i) the applicant is suffering from the illness specified in the application;
    - (ii) that he will be or is likely to be so suffering on the date of the poll; and
    - (iii) that he cannot reasonably be expected to vote in person at his allotted polling station because of that illness; and
  - (e) that, to the best of his knowledge and belief, the statement which the applicant made in accordance with paragraph (6)(c) is correct.
- (8) This paragraph applies in respect of an application under section 7(1) of the 1985 Act—
- (a) which is received by the registration officer during the period specified in paragraph (6)(a);
  - (b) in which the circumstances set out in accordance with paragraph (1) relate to the applicant’s employment either as a constable or by the returning officer on the date of the poll of the election for which the application is made for a purpose connected with that election or any other parliamentary or European Parliamentary election the poll for which is held on the same day;
  - (c) which states the employment in question; and
  - (d) in the case of a constable, which is signed by a member of the Police Service of Northern Ireland of or above the rank of chief inspector.

#### Textual Amendments

- F52** Reg. 59(2)(d) substituted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **7(2)**
- F53** Reg. 59(3)(e) substituted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **7(3)**
- F54** Words in reg. 59(4)(b) inserted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **7(4)**
- F55** Reg. 59(5)(ab) inserted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **7(5)**
- F56** Words in reg. 59(6)(d) inserted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **7(6)**
- F57** Reg. 59(7)(ab) inserted (4.2.2010) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2010 (S.I. 2010/278), regs. 1(2), **7(7)**

#### Additional requirements for applications by proxies to vote by post at a particular election

**60.** An application under [<sup>F58</sup>section 9(7)(a)] of the 1985 Act shall set out why the applicant’s circumstances on the date of the poll for the election in respect of which it is made will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to the elector under the elections rules.



**Status:** Point in time view as at 12/02/2015.

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### Textual Amendments

**F58** Words in [reg. 60](#) substituted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), [regs. 1\(1\), 20](#)

### Closing date for applications

**61.**—(1) An application under section 6(1) or (5), 8(6) or 9(4) of the 1985 Act shall be disregarded for the purposes of a particular election if it is received by the registration officer after 5 p.m. on the fourteenth day before the day of the poll at that election.

(2) Subject to paragraph (3), an application under section 7(1) or (2), 8(7) or 9(7) or (8) of the 1985 Act shall be refused if it is received by the registration officer after 5 p.m. on the fourteenth day before the day of the poll at the election for which is made.

(3) Paragraph (2) shall not apply to an application which satisfies the requirements of either paragraphs (6) and (7) or paragraph (8) of regulation 59; and such an application shall be refused if it is received by the registration officer after 5 p.m. on the sixth day before the day of the poll at the election for which it is made.

(4) An application under—

- (a) section 6(4)(a) of the 1985 Act by an elector to be removed from the record kept under section 6(3) of that Act; or
- (b) section 9(11)(a) of that Act by a proxy to be removed from the record kept under section 9(6) of that Act,

and a notice under section 8(9) of that Act by an elector cancelling a proxy's appointment shall be disregarded for the purposes of a particular election if it is received by the registration officer after 5 p.m. on the fourteenth day before the date of the poll at that election.

(5) In computing a period of days for the purposes of this regulation, Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday or a bank holiday shall be disregarded.

(6) In paragraph (5) “bank holiday” means—

- (a) in relation to a general election, a day which is a bank holiday under the Banking and Financial Dealings Act 1971(50) in any part of the United Kingdom; and
- (b) in relation to a by-election, a day which is a bank holiday under that Act in Northern Ireland,

except that where, at a parliamentary general election, any proceedings are commenced afresh by reason of a candidate's death, sub-paragraph (b), not sub-paragraph (a), shall apply.

### Grant or refusal of applications

**62.**—(1) Where the registration officer grants an application under section 6, 7, 8 or 9 of the 1985 Act, he shall, where practicable, notify the applicant of his decision.

(2) Where the registration officer grants an application for the appointment of a proxy, he shall confirm in writing to the elector that the proxy has been appointed, his name and address, and the duration of the appointment.

(3) The proxy paper (as amended for use also in respect of European Parliamentary elections) to be issued by the registration officer on the appointment of a proxy shall be in Form E.

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(4) Where the registration officer refuses an application under section 6, 7, 8 or 9 of the 1985 Act, he shall notify the applicant of his decision and, in the case of an application under section 6(1) or 9(4), of the reasons for it; and he shall date such a notification.

(5) Where under regulation 61(1) or 61(4) the registration officer disregards an application for the purposes of a particular election, he shall, where practicable, notify the applicant of this.

### Notice of appeal

**63.**—(1) A person desiring to appeal under section 58(1)(b) of the 1983 Act(**51**) against the decision of a registration officer must give notice of the appeal to the registration officer within 14 days of the receipt of the notice given under regulation 62(4), specifying the grounds of appeal.

(2) The registration officer shall forward any such notice to the appropriate county court together with a statement of the material facts which in his opinion have been established in the case, of his decision upon the whole case and on any point which may be specified as a ground of appeal.

(3) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the county court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

### Cancellation of proxy appointment

**64.** Where the appointment of a proxy is cancelled by notice given to the registration officer under section 8(9) of the 1985 Act(**52**) or ceases to be in force under that provision or is no longer in force under section 8(10)(b) of that Act, the registration officer shall—

- (a) notify the person whose appointment as proxy has been cancelled, ceases to be or is no longer in force, unless the registration officer has previously been notified by that person that he no longer wishes to act as proxy; and
- (b) remove his name from the record kept under section 6(3)(c) of that Act.

### Inquiries by registration officer

**65.**—(1) The registration officer may, at such times as he thinks fit, make inquiries of a person who is shown in the record kept under section 6(3) of the 1985 Act(**53**) by virtue of an application under that section on the grounds set out in paragraph (b) or (c) of section 6(2).

(2) In the case of a person who is shown in the record kept under section 6(3) of the 1985 Act by virtue of an application under that section on the grounds set out in section 6(2)(c), the registration officer shall make the inquiries referred to in paragraph (1) not later than three years after the granting of the application or the last such inquiries, as the case may be.

(3) The registration officer may treat the failure by a person of whom inquiries have been made to respond to such inquiries within one month of the date on which they were made as sufficient evidence of a material change in circumstances.

### Records and lists kept under sections 6, 7 and 9 of the 1985 Act

**66.**—(1) The registration officer shall, on request, supply free of charge a copy of the list kept under sections 7(4) and 9(9) of the 1985 Act(**54**) to each candidate at a parliamentary election or his election agent.

(51) 1983 c. 2; section 58 was substituted by Schedule 4 to the Miscellaneous Provisions Act 2006.

(52) Section 8(9) was substituted by Schedule 6 to the 2000 Act (c.2).

(53) Section 6(3) was amended by Schedule 6 to the 2000 Act.

(54) 1985 c. 50. Sections 7(4) and 9(9) were amended by Schedule 6 to the 2000 Act.

*Status: Point in time view as at 12/02/2015.*

*Changes to legislation: The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)*

(2) The registration officer shall make available for inspection at his office a copy of the records kept under sections 6(3) and 9(6) of the 1985 Act<sup>(55)</sup>.

[<sup>F59</sup>(2A) The registration officer must not make available for inspection under paragraph (2) a copy of any record relating to—

- (a) a person who has an anonymous entry; or
- (b) the proxy of a person who has an anonymous entry.]

(3) As soon as practicable after the sixth day before the day of the poll (calculated in accordance with regulation 61(5)) the registration officer shall publish the lists kept under sections 7(4) and 9(9) of the 1985 Act by making a copy of them available for inspection at his office.

#### Textual Amendments

**F59** Reg. 66(2A) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **21**

#### Marked register for polling stations

**67.** To indicate that an elector or his proxy is entitled to vote by post and is for that reason not entitled to vote in person, the letter “A” shall be placed against the [<sup>F60</sup>entry] of that elector in any copy of the register, or part of it, provided for a polling station.

#### Textual Amendments

**F60** Word in reg. 67 substituted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **13**

#### Certificate of employment at a parliamentary election

**68.**—(1) The form of certificate in Form F is prescribed for the purposes of rule 32(3) of the elections rules.

(2) The prescribed officer of police for those purposes is a member of the Police Service of Northern Ireland of or above the rank of chief inspector.

#### Form of Corresponding number lists

**69.**—(1) The form of the corresponding number list to be prepared by the returning officer under rule 19A<sup>(56)</sup> of the elections rules shall be in Form G.

(2) The form of the corresponding number list to be prepared by the returning officer for the purposes of rules 29(3)(e)<sup>(57)</sup> and 37(1)(c)<sup>(58)</sup> of the elections rules shall be in Form H.

(3) The form of the corresponding number list to be prepared by a returning officer under rule 19A of the elections rules, when a parliamentary election is combined with another poll under section 15 of the 1985 Act<sup>(59)</sup> shall be in Form J.

<sup>(55)</sup> Section 6(3) and 9(9) were amended by Schedule 6 to the 2000 Act.

<sup>(56)</sup> [1983 c.3](#); rule 19A was inserted by section 31 of the [2006 Act \(c.22\)](#).

<sup>(57)</sup> Sub-paragraph (e) of rule 29(3) was inserted by section 31 of the 2006 Act.

<sup>(58)</sup> Rule 37(1)(c) was amended for Northern Ireland by paragraph 90 of Schedule 1 to the 2006 Act.

<sup>(59)</sup> [1985 c.50](#); section 15 was amended by section 3 of the European Communities (Amendment) Act [1986 \(c.58\)](#), section 3(2) of the Elections Act [2001 \(c.7\)](#) and paragraph 7 of Schedule 7 to the Local Government Act [2003 \(c.26\)](#).

(4) The form of the corresponding number list to be prepared by a returning officer for the purposes of rules 29(3)(e) and 37(1)(c) of the elections rules, when a parliamentary election is combined with another poll under section 15 of the 1983 Act shall be in Form K.

## PART 5

### ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

#### Interpretation of Part 5

- 70.** For the purposes of this Part of these Regulations, unless the context otherwise requires—
- “absent voters list” means the list kept under section 7(4) of the 1985 Act;
  - “agent” includes the election agent and a person appointed to attend in the election agent’s place;
  - “ballot paper envelope” and “covering envelope” means the envelopes referred to in regulation 78;
  - “list of postal proxies” means the list kept under section 9(9) of the 1985 Act;
  - “postal ballot paper” means a ballot paper issued to a postal voter;
  - “postal voter” means an elector or proxy who is entitled to vote by post;
  - “postal voters’ ballot box” means the ballot box referred to in regulation 83(1)(a);
  - “receptacle for ballot paper envelopes”, and other references to specified receptacles, means the receptacles referred to in regulation 83(5);
  - “spoilt postal ballot paper” means a ballot paper referred to in regulation 81(1);
  - “universal postal service provider” has the meaning given in [F61Part 3 of the Postal Services Act 2011] to a “universal service provider”; and
  - “valid declaration of identity” means one falling within regulation 87(1).

#### Textual Amendments

- F61** Words in reg. 70 substituted (1.10.2011) by The Postal Services Act 2011 (Consequential Modifications and Amendments) Order 2011 (S.I. 2011/2085), art. 1(2), Sch. 1 para. 76

#### *Issue of Postal Ballot Papers*

#### Form of declaration of identity

**71.** The form of the declaration of identity for the purposes of rule 24 of the elections rules(60) shall be in—

- (a) Form L at a parliamentary election where the poll is taken alone;
- (b) Form M at a parliamentary election where the poll is taken together with the poll at [F62another] election.

(60) Rule 24 was substituted by paragraph 10(3) of Schedule 6 to the 2000 Act and then by section 37 of the 2006 Act (c.22).

*Status: Point in time view as at 12/02/2015.*

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### Textual Amendments

- F62** Word in [reg. 71\(b\)](#) substituted (12.2.2015) by [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), **2(1)**

### Persons entitled to be present at proceedings on issue and receipt of postal ballot papers

**72.**—(1) Without prejudice to the provisions of section 6A, 6B, 6C, 6D or 6E of the Political Parties, Elections and Referendums Act 2000<sup>(61)</sup> no person may be present at the proceedings on the issue or receipt of postal ballot papers at a parliamentary election other than—

- (a) the returning officer [<sup>F63</sup>and the returning officer’s clerks];
- (b) a candidate;
- (c) an election agent or any person appointed by a candidate to attend in his election agent’s place; and
- (d) any agents appointed under regulation 73.

[<sup>F64</sup>(2) Sub-paragraphs (b), (c) and (d) of paragraph (1) do not apply to proceedings on issue or receipt of tendered postal ballot papers under rule 40ZA of the elections rules.]

### Textual Amendments

- F63** Words in [reg. 72\(1\)\(a\)](#) inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **8**
- F64** [Reg. 72\(2\)](#) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **22**

### Modifications etc. (not altering text)

- C14** [Reg. 72](#) modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(2), **Sch. 8 para. 42**

### Agents of candidates who may attend proceedings on issue or receipt of postal ballot papers

**73.**—(1) Each candidate may appoint one or more agents to attend the proceedings on the issue or receipt of the postal ballot papers.

(2) The returning officer shall specify the number of agents allowed to attend proceedings under paragraph (1).

(3) The number of agents specified under paragraph (2) shall be the same for each candidate.

(4) Notice in writing of the appointment stating the names and addresses of the persons appointed shall be given by the candidate to the returning officer before the time fixed for the issue of the postal ballot papers or the opening of the postal voters’ ballot box, as the case may be.

(5) If an agent dies or becomes incapable of acting, the candidate may appoint another agent in his place and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.

(6) Agents may be appointed and notice of appointment given to the returning officer by the candidate’s election agent instead of by the candidate.

<sup>(61)</sup> 2000 c.41; sections 6A, 6B, 6C, 6D and 6E were inserted by section 29 of the 2006 Act.

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(7) In this Part of these Regulations references to agents shall be taken as references to agents whose appointments have been duly made and notified and, in the case of agents appointed under paragraph (1), who are within the number authorised by the returning officer.

(8) A candidate may himself do any act or thing which any agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.

(9) Where in this Part of these Regulations any act or thing is required or authorised to be done in the presence of the candidates or their agents, the non-attendance of any such persons or person at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

[<sup>F65</sup>(10) Nothing in this regulation applies to the issue or receipt of tendered postal ballot papers under rule 40ZA of the elections rules.]

#### Textual Amendments

**F65** Reg. 73(10) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **23**

#### Notification of requirement of secrecy

74. The returning officer shall make such arrangements as he thinks fit to ensure that every person attending the proceedings in connection with the issue or receipt of postal ballot papers has been given a copy in writing of the provisions of subsections (4) and (6) of section 66 of the 1983 Act(**62**).

#### Notice of issue of postal ballot papers

75.—(1) The returning officer shall give each candidate not less than 48 hours' notice in writing of the time and place at which he will issue postal ballot papers and of the number of agents which each candidate may appoint under regulation 73 to attend that issue.

(2) Where any subsequent issue of postal ballot papers is made, the returning officer shall notify each candidate as soon as practicable of the time and place at which he will make such subsequent issue and of the number of agents the candidate may appoint under regulation 73 to attend such issue.

[<sup>F66</sup>(3) Nothing in this regulation applies to the issue of tendered postal ballot papers under rule 40ZA of the elections rules.]

#### Textual Amendments

**F66** Reg. 75(3) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **24**

#### Procedure on issue of postal ballot paper

76.—(1) The number of the elector as stated in the register shall be marked on the corresponding number list, next to the number and unique identifying mark of the ballot paper issued to the elector.

(2) A mark shall be placed in the absent voters list or the list of postal proxies against the number of the elector to denote that a ballot paper has been issued to the elector or his proxy, but without showing the particular ballot paper issued.

(62) 1983 c.2; section 66(4) was amended by paragraph 86(c) of Schedule 1 to the 2006 Act, section 66(5) was amended by paragraph 86(d) of Schedule 1 to the 2006 Act and section 66(6) was amended by Schedule 3 to the 1985 Act.

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

(3) The number of a postal ballot paper shall be marked on the declaration of identity sent with that paper.

(4) Where the poll at one election is taken with the poll at another election, the colour of the postal ballot paper must also be marked on the declaration of identity sent with that paper.

(5) The address to which the postal ballot paper, declaration of identity and the envelopes referred to in regulation 78 are to be sent is—

- (a) in the case of an elector, the address shown in the absent voters list [<sup>F67</sup>(or, where the elector has an anonymous entry, the address that would be so shown but for section 7(4A) of the 1985 Act)];
- (b) in the case of a proxy, the address shown in the special list kept under section 9(9) of the 1985 Act [<sup>F68</sup>(or, where the proxy has an anonymous entry or is the proxy for a person who has an anonymous entry, the address that would be so shown but for section 9(9A) or (9B) of that Act)].

#### Textual Amendments

**F67** Words in reg. 76(5)(a) inserted (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), **25(a)**

**F68** Words in reg. 76(5)(b) inserted (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), **25(b)**

#### Modifications etc. (not altering text)

**C15** Reg. 76(4) modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(2), **Sch. 8 para. 44**

### Refusal to issue postal ballot paper

77. Where a returning officer is satisfied that two or more entries in the absent voters list, or the list of postal proxies or in each of those lists relate to the same elector, he shall not issue more than one ballot paper in respect of that elector.

### Envelopes

78.—(1) Paragraphs (2) and (3) prescribe the envelopes which are to be issued to a postal voter in addition to the ballot paper and declaration of identity (which are issued under rule 24 of the elections rules(**63**)).

(2) There shall be issued an envelope for the return of the postal ballot paper and the declaration of identity (referred to as a “covering envelope”) which shall be marked with the letter “B”.

(3) There shall also be issued a smaller envelope (referred to as a “ballot paper envelope”) which shall be marked with—

- (a) the letter “A”;
- (b) the words “ballot paper envelope”; and
- (c) the number of the ballot paper, unless the envelope has a window through which the number on the ballot paper (or ballot papers) can be displayed.

(4) Where the polls are taken together—

(63) Rule 24 was substituted by paragraph 10(3) of Schedule 6 to the 2000 Act and then by section 37 of the 2006 Act (c22).



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- (a) the envelope referred to in paragraph (2) must also be marked “Covering envelope for the [insert the colour of the ballot paper] coloured ballot paper”; and
- (b) on the envelope referred to in paragraph (3) after the words “Ballot paper envelope” there must be added “for the [insert colour of the ballot paper] coloured ballot paper”.

[<sup>F69</sup>(5) In regulations 87 and 88, a reference to the number on a ballot paper envelope includes, in the case of an envelope of the kind referred to in paragraph (3)(c), a reference to the number that is displayed through the window in that envelope.]

#### Textual Amendments

**F69** Reg. 78(5) inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **9(1)**

#### Modifications etc. (not altering text)

**C16** Reg. 78(4) modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(2), **Sch. 8 para. 45**

### Sealing up of completed corresponding number lists and security of special lists

**79.**—(1) As soon as practicable after the issue of each batch of postal ballot papers, the returning officer shall make up into a packet the completed corresponding number lists of those ballot papers which have been issued and shall seal such a packet.

(2) As soon as practicable after the last batch of postal ballot papers have been issued, the returning officer shall make up into a packet the marked copy of the absent voters list and the list of postal proxies and shall seal such a packet.

(3) Until the time referred to in paragraph (2), the returning officer shall take precautions for the security of the lists referred to in that paragraph.

### Delivery of postal ballot papers

**80.**—(1) For the purpose of delivering postal ballot papers, the returning officer may use—

- (a) a universal postal service provider;
- (b) a commercial delivery firm; or
- (c) clerks appointed under rule 26(1) of the elections rules.

(2) Where the services of a universal postal service provider or commercial delivery firm are to be used, envelopes addressed to postal voters shall be counted and delivered by the returning officer with such form of receipt to be endorsed by that provider or firm as may be arranged.

(3) Postage shall be prepaid on envelopes addressed to the postal voters and on the covering envelopes.

### Spoilt postal ballot papers

**81.**—(1) If a postal voter has inadvertently dealt with his postal ballot paper in such manner that it cannot be conveniently used as a ballot paper (referred to as “a spoilt postal ballot paper”) he may return (either by hand or by post) to the returning officer the spoilt ballot paper and the declaration of identity.

(2) On receipt of the documents referred to in paragraph (1), the returning officer shall issue another postal ballot paper except where those documents are received after 5p.m. on the day before the day of the poll.

**Status:** Point in time view as at 12/02/2015.

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(3) Regulations 76 (except paragraph (3)), 78, 79, and, subject to paragraph (6), 80 shall apply to the issue of a replacement postal ballot paper under paragraph (2).

(4) The spoilt postal ballot paper and the declaration of identity shall be immediately cancelled.

(5) The returning officer, as soon as practicable after cancelling those documents, shall make up those documents in a separate packet and shall seal the packet; and if on any subsequent occasion documents are cancelled as mentioned, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall be again made up and sealed.

(6) Where a postal voter applies in person, the returning officer may hand a replacement postal ballot paper to him instead of delivering it in accordance with regulation 80.

(7) The returning officer shall enter in a list kept for the purpose (“the list of spoilt ballot papers”)

- (a) the name and address of the elector as stated in the register [<sup>F70</sup>(or, in the case of an elector who has an anonymous entry, the elector’s electoral number alone)];
- (b) the number of the postal ballot paper issued under this regulation; and
- (c) where the postal voter whose ballot paper is spoilt is a proxy, his name and address [<sup>F71</sup>(or, in the case of a proxy who has an anonymous entry or is the proxy for a person with an anonymous entry, the proxy’s electoral number alone or, as the case may be, a statement that the proxy is not registered as an elector)].

#### Textual Amendments

**F70** Words in reg. 81(7)(a) added (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), 26(a)

**F71** Words in reg. 81(7)(c) added (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), 26(b)

#### <sup>F72</sup>Tendered postal ballot papers

**81A.**—(1) A tendered postal ballot paper issued to a person (“P”) under rule 40ZA of the elections rules (tendered postal ballot papers: anonymous entries in Northern Ireland) must be accompanied by—

- (a) an envelope for the return of the tendered postal ballot paper and the declaration of identity (referred to as a “covering envelope”) which must be marked with the letter “D”;
- (b) a smaller envelope which must be marked with—
  - (i) the letter “C”;
  - (ii) the words “tendered postal ballot paper envelope”; and
  - (iii) the number of the tendered postal ballot paper, unless the envelope has a window through which the number on the ballot paper can be displayed; and
- (c) a declaration of identity in the form set out in regulation 71 (form of declaration of identity) which is marked with the number of the tendered postal ballot paper.

(2) Where a parliamentary election is combined with another poll under section 15 of the 1985 Act—

- (a) the envelope referred to in paragraph (1)(a) must also be marked “Covering envelope for the [*insert the colour of the ballot paper*] coloured ballot paper”; and

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- (b) on the envelope referred to in paragraph (1)(b) after the words “tendered postal ballot paper envelope” there must be added “for the [*insert colour of the ballot paper*] coloured ballot paper”.
- (3) Subject to paragraph (5), regulation 80 (delivery of postal ballot papers) applies to the issue of a tendered postal ballot paper.
- (4) The tendered postal ballot paper, the declaration of identity and the envelopes must be sent to—
- (a) where P is an elector, the address that would be shown in the absent voters list but for section 7(4A) of the 1985 Act;
  - (b) where P is entitled to vote by post as proxy, the address that would be shown in the special list kept under section 9(9) of the 1985 Act but for section 9(9A) or (9B) of that Act.
- (5) Where P applies in person, the Chief Electoral Officer may hand a tendered postal ballot paper to P instead of delivering it in accordance with regulation 80.
- (6) The Chief Electoral Officer must enter in a list kept for the purpose (“the list of tendered postal ballot papers”)—
- (a) the entry in the register of the elector in question;
  - (b) the number of the tendered postal ballot paper issued under this regulation; and
  - (c) where P is entitled to vote by post as proxy, the proxy’s electoral number or, as the case may be, a statement that the proxy is not registered as an elector.
- (7) On receipt of a covering envelope of a tendered postal ballot paper before the close of the poll, the Chief Electoral Officer must—
- (a) separate it from the covering envelopes of the other postal ballot papers; and
  - (b) place it in a separate ballot box for the reception of tendered postal ballot papers.
- (8) As soon as practicable after the close of the poll, the Chief Electoral Officer must count and record the number of covering envelopes of tendered postal ballot papers and open each covering envelope separately.
- (9) Before proceeding under rule 40ZA(9) of the elections rules, the Chief Electoral Officer must satisfy himself that each tendered postal ballot paper—
- (a) is not void under rule 40ZA(7); and
  - (b) is accompanied by a valid declaration of identity which is marked with the same number as the tendered postal ballot paper.
- (10) Where the Chief Electoral Officer is not so satisfied, that officer must—
- (a) mark the tendered postal ballot paper as “rejected”; and
  - (b) place the tendered postal ballot paper, attached to the declaration of identity (if any), in a receptacle for rejected tendered postal votes.
- (11) The Chief Electoral Officer must seal the contents of the receptacle for rejected tendered postal votes in a separate packet.]

#### Textual Amendments

**F72** Reg. 81A inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), 27

*Status: Point in time view as at 12/02/2015.*

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## *Receipt of Postal Ballot Papers*

### **Notice of opening of postal ballot paper envelopes**

**82.**—(1) The returning officer shall give to each candidate not less than 48 hours’ notice in writing of each occasion on which a postal voters’ ballot box and the envelopes contained in it are to be opened.

(2) Such a notice shall specify—

- (a) the time and place at which such an opening is to take place; and
- (b) the number of agents a candidate may appoint under regulation 73(1) to attend each opening.

### **Postal ballot boxes and receptacles**

**83.**—(1) The returning officer shall provide a separate ballot box for the reception of—

- (a) the covering envelopes when returned by the postal voters (“postal voters’ ballot box”), and
- (b) postal ballot papers (“postal ballot box”).

(2) Each such ballot box shall be marked “postal voters’ ballot box” or “postal ballot box”, as the case may be, and with the name of the constituency for which the election is held.

(3) The postal ballot box shall be shown to the agents present on the occasion of opening the first postal voters’ ballot box as being empty.

(4) The returning officer shall then lock the postal ballot box and apply his seal in such manner as to prevent its being opened without breaking the seal; any of the agents present who wish to add their seals may then do likewise.

(5) The returning officer shall provide the following receptacles—

- (a) the receptacle for rejected votes;
- (b) the receptacle for declarations of identity; and
- (c) the receptacle for ballot paper envelopes.

(6) The returning officer shall take proper precautions for the safe custody of every ballot box and receptacle referred to in this regulation.

### **Receipt of covering envelope**

**84.**—<sup>[F73]</sup>(1) The returning officer shall, immediately on receipt (whether by hand or by post) of a covering envelope before the close of the poll, place it unopened in a postal voters’ ballot box.

<sup>[F74]</sup>(2) This regulation does not apply to the receipt of a covering envelope for a tendered postal ballot paper.]

#### **Textual Amendments**

**F73** Reg. 84 renumbered as reg. 84(1) (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **28**

**F74** Reg. 84(2) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **28**

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### Opening of postal voters' ballot box

**85.**—(1) Each postal voters' ballot box shall be opened by the returning officer in the presence of the agents.

(2) So long as the returning officer ensures that there is at least one sealed postal voters' ballot box for the reception of covering envelopes up to the time of the close of the poll, the other postal voters' ballot boxes may previously be opened by him.

(3) The last postal voters' ballot box and the postal ballot box shall be opened at the counting of the votes under rule 45(64) of the elections rules.

#### Modifications etc. (not altering text)

**C17** Reg. 85(3) modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(2), Sch. 8 para. 47

### Opening of covering envelopes

**86.**—(1) When a postal voters' ballot box is opened, the returning officer shall count and record the number of covering envelopes, and shall then open each covering envelope separately.

(2) The procedure in regulation 87 applies where a covering envelope contains both—

- (a) a declaration of identity; and
- (b) a ballot paper envelope, or if there is no ballot paper envelope, a ballot paper.

(3) Where the covering envelope does not contain the declaration of identity separately, the returning officer shall open the ballot paper envelope to ascertain whether the declaration of identity is inside.

(4) Where a covering envelope does not contain both—

- (a) a declaration of identity (whether separately or not); and
- (b) a ballot paper envelope or, if there is no ballot paper envelope, a ballot paper,

the returning officer shall mark the covering envelope "rejected", attach its contents (if any) and place it in the receptacle for rejected votes.

### Procedure in relation to declarations of identity

**87.**—(1) A declaration of identity is a valid declaration of identity for the purposes of this Part of these Regulations if—

- (a) it is duly signed by the voter and authenticated by a witness who has signed the declaration<sup>F75</sup> ...; and
- (b) in the case of an elector, the requirements of rule 45(2)(b) and (2A)(65) of the elections rules are satisfied.

[<sup>F76</sup>(1A) A person must not sign the declaration as a witness under paragraph (1)(a) unless he is—

- (a) aged 18 years or over; and
- (b) satisfied to the best of his knowledge and belief as to the identity of the voter.]

(2) The returning officer must satisfy himself that the declaration of identity is a valid declaration of identity.

(64) Rule 45 was amended by Schedule 4 to the 1985 Act (c.50), Schedule 6 to the 2000 Act (c.2), section 3(4)(c) of the 2002 Act (c.13) and Schedule 1 to the 2006 Act (c.22).

(65) Rule 45(2)(b) was amended by, and paragraph (2A) was inserted by, section 3(4)(c) of the 2002 Act.

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

(3) Where the returning officer is not so satisfied, he shall mark the declaration “rejected”, attach to it the ballot paper envelope, or if there is no such envelope, the ballot paper and, subject to paragraph (4), place it in the receptacle for rejected votes.

(4) Before placing the declaration in the receptacle for rejected votes, the returning officer shall show it to the agents and, if any of them object to his decision, he shall add the words “rejection objected to”.

(5) The returning officer shall then examine the number on the declaration of identity against the number on the ballot paper envelope and, where they are the same, he shall place the declaration and the ballot paper envelope respectively in the receptacle for declarations of identity and the receptacle for ballot paper envelopes.

(6) Where—

- (a) the number on a valid declaration of identity is not the same as the number on the ballot paper envelope; or
- (b) that envelope has no number on it [<sup>F77</sup>and the number is not displayed through a window in it],

the returning officer shall open the envelope.

(7) Paragraph (8) applies where—

- (a) there is a valid declaration of identity but no ballot paper envelope; or
- (b) the ballot paper envelope has been opened under regulation 86(3) or paragraph (6).

(8) In the circumstances described in paragraph (7), the returning officer shall place—

- (a) in the postal ballot box, any ballot paper the number on which is the same as the number on the valid declaration of identity;
- (b) in the receptacle for rejected votes, any other ballot paper, with the valid declaration of identity attached and marked “rejected”;
- (c) in the receptacle for rejected votes, any valid declaration of identity marked “rejected” where there is no ballot paper;
- (d) in the receptacle for declarations of identity, any valid declaration not disposed of under sub-paragraph (b) or (c).

#### Textual Amendments

- F75** Words in reg. 87(1)(a) omitted (12.2.2015) by virtue of [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), **2(2)(a)**
- F76** Reg. 87(1A) inserted (12.2.2015) by [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), **2(2)(b)**
- F77** Words in reg. 87(6)(b) inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **9(2)**

#### Opening of ballot paper envelopes

**88.**—(1) The returning officer shall open separately each ballot paper envelope placed in the receptacle for ballot paper envelopes.

(2) He shall place—

- (a) in the postal ballot box, any ballot paper the number on which is the same as the number on the ballot paper envelope;

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- (b) in the receptacle for rejected votes, any other ballot paper which shall be marked “rejected” and to which shall be attached the ballot paper envelope; and
- (c) in the receptacle for rejected votes any ballot paper envelope which shall be marked “rejected” because it does not contain a ballot paper.

**Modifications etc. (not altering text)**

- C18** Reg. 88(2)(a) modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(2), **Sch. 8 para. 48(2)**
- C19** Reg. 88(2)(c) modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(2), **Sch. 8 para. 48(3)**

**Sealing of receptacles**

**89.** As soon as practicable after the completion of the procedure under regulation 88, the returning officer shall make up into separate packets the contents of—

- (a) the receptacle of rejected votes; and
- (b) the receptacle of declarations of identity,

and shall seal up such packets.

**Abandoned poll**

**90.** Where a poll is abandoned or countermanded after postal ballot papers have been issued, by reason of the death of a candidate, the returning officer—

- (a) shall not take any step or further step to open covering envelopes or deal with the contents in accordance with the provisions of this Part of these Regulations; and
- (b) shall, notwithstanding regulations 86 to 88, treat all unopened covering envelopes and the contents of those that have been opened as if they were counted ballot papers.

**Modifications etc. (not altering text)**

- C20** Reg. 90 modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(2), **Sch. 8 para. 49**

**Forwarding of documents**

**91.—(1)** The returning officer shall forward to the Clerk of the Crown for Northern Ireland at the same time as he forwards the documents mentioned in rule 55(66) of the elections rules—

- (a) any packets referred to in regulations 79, 81(5)<sup>[F78]</sup>, 81A(11)] and 89, subject to regulation 90, endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the constituency for which the election was held; <sup>F79</sup> ...  
<sup>[F80]</sup>(aa) the list of spoilt ballot papers and the list of tendered postal ballot papers; and]
- (b) a completed statement in Form N.

(2) Where—

- (a) any covering envelopes are received by the returning officer after the close of the poll;

(66) Rule 55 has been amended by S.I.2001/1149, section 13(1) and (4) of the 2000 Act (c.2), sections 31, 41 and 45 of, and Schedule 1 to, the 2006 Act (c.22).



**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

- (b) any envelopes addressed to postal voters are returned as undelivered too late to be readdressed; or
- (c) any spoilt postal ballot papers are returned too late to enable other postal ballot papers to be issued,

the returning officer shall put them unopened in a separate packet, seal up that packet and endorse and forward it at a subsequent date in the manner described in paragraph (1).

(3) Rules 56(67) and 57(68) of the elections rules shall apply to any packet or document forwarded under this regulation.

(4) A copy of the statement referred to in paragraph (1)(b) shall be provided by the returning officer to the Electoral Commission.

#### Textual Amendments

- F78** Words in reg. 91(1)(a) inserted (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), 29(a)
- F79** Word in reg. 91(1)(a) omitted (15.9.2014) by virtue of The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), 29(b)
- F80** Reg. 91(1)(aa) inserted (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), 29(c)

#### Modifications etc. (not altering text)

- C21** Reg. 91 modified (16.2.2011) by Parliamentary Voting System and Constituencies Act 2011 (c. 1), s. 19(2), Sch. 8 para. 50(9)

## PART 6

### SUPPLY OF REGISTERS ETC.

#### *Interpretation and edited register*

#### Interpretation of Part 6

92.—(1) In this Part “register” includes—

- (a) any part of it; and
- (b) except in regulation 93 and in the context of the supply by the registration officer of the register and notices, any notice altering the register which is published under section 13A(2) or 13BA(3),(6) or (9) of the 1983 Act(69).

(2) In this Part—

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

“processor” has the meaning set out in regulation 113(1).

(67) Rule 56 has been amended by sections 31 and 41 of the 2006 Act.

(68) Paragraph (1) of rule 57 was amended by, paragraph (3) was substituted by, and paragraphs (4) to (9), of rule 57 were inserted by section 41 of the 2006 Act (c.22); paragraph (1A) was inserted by section 47 of, paragraph 95(3) of Schedule 1 to, the 2006 Act and paragraph (2) was substituted by section 31 of that Act. The amendments made to rule 57 by section 70 of the 2006 Act do not extend to Northern Ireland (see section 78(3)).

(69) 1983 c.2; sections 13A and 13B were substituted by Schedule 1 to the 2000 Act and section 13BA was inserted by section 6 of the Miscellaneous Provisions Act (c.33).

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(3) In this Part, any reference to an employee of a person who has access to a copy of the full register includes—

- (a) any person working or providing services for the person who has such access; and
- (b) any person employed by or on behalf of, or working for, the person referred to in subparagraph (a).

(4) Any restriction on the use of a copy of the full register or information contained in it which is imposed by any regulation in this Part shall apply to a person to whom a copy of the full register has been supplied or information contained in it has been disclosed under the equivalent regulation in the Representation of the People (England and Wales) Regulations 2001(70), as amended, or the Representation of the People (Scotland) Regulations 2001(71), as amended.

(5) Subject to any direction of the Secretary of State under section 52(1) of the 1983 Act(72), any duty on the registration officer to supply data under this Part imposes only a duty to supply data in the form in which he holds it.

(6) The registration officer shall not supply data which includes information not included in the printed version of the full register otherwise than under a provision in an enactment.

### Edited version of register

**93.**—(1) At the time when the registration officer publishes a version of the register under section 13(1) or (3) of the 1983 Act (73) (“the full register”), he shall publish a version of the register under this regulation (“the edited register”).

(2) The edited register shall omit the names and addresses of any elector included in the full register if a request has been duly made in the form referred to in section 10(4) of the 1983 Act(74) or in accordance with regulation 27 by or on behalf of that elector for his name and address to be excluded from the edited register.

[<sup>F81</sup>(2A) The edited register shall omit all anonymous entries in the register, and any information relating to them.]

(3) In other respects the edited register shall be the same as the full register and shall include any marks or dates which are required to be recorded against the names of any electors.

(4) Notwithstanding the omission of names and addresses in accordance with paragraph (2), regulation 50 shall apply to the edited register as it applies to the full register.

(5) Unless the contrary intention appears, any reference in these Regulations to the register is to the full register.

(6) The manner in which each revised version of the edited register is to be published under this regulation is—

- (a) by the registration officer making a copy of it available for inspection at his office; and
- (b) by such other means (if any) as he thinks appropriate.

(7) Each revised version of the edited register shall be published until the coming into force of the next revised version of it.

(70) S.I. 2001/341; amended by S.I.2001/1700, S.I.2002/1871, S.I. 2006/752 and S.I.2006/2910.

(71) S.I. 2001/497; amended by S.I.2001/1749, S.I.2002/1872, S.I.2003/3075, S.I.2004/1771, S.I.2004/1960, S.I.2006/834, S.I.2006/1836, S.I.2006/3406 and S.I.2007/925.

(72) The exercise of the powers in section 52(1) is made subject to section 8(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. Section 52 was amended by Schedule 4 to the 1985 Act (c.50).

(73) 1983 c2; section 13 was substituted by Schedule 1 to the 2000 Act (c.2.) and subsection (1) was substituted by section 5 of the Miscellaneous Provisions Act (c33).

(74) Section 10(4) has been amended by Schedule 4 to the Miscellaneous Provisions Act.

*Status: Point in time view as at 12/02/2015.*

*Changes to legislation: The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)*

### Textual Amendments

**F81** Reg. 93(2A) inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **30**

### *General restrictions*

#### **Restrictions on supply of full register and disclosure of information from it by the Chief Electoral Officer and his staff**

**94.**—(1) This regulation applies to—

- (a) the Chief Electoral Officer;
- (b) any temporary deputy of his; and
- (c) any person appointed to assist any such officer or who in the course of his employment is assigned to assist any such officer in his duties.

(2) Where the Chief Electoral Officer is also the counting officer at a referendum held by or under an Act of Parliament (and so has access to the full register without being supplied with a copy of it), this regulation also applies to—

- (a) the Chief Electoral Officer in that capacity;
- (b) any deputy counting officer;
- (c) any person appointed to assist any such officer or who in the course of his employment is assigned to assist any such officer in his duties in respect of the referendum in question.

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

- (a) supply to any person a copy of the full register;
- (b) disclose information contained in it (and not contained in the edited register); or
- (c) make use of such information,

otherwise than in accordance with any enactment including these Regulations.

(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 the purposes of an election or referendum.

#### **Restriction on use of the full register or information contained in it supplied in accordance with any enactment or otherwise obtained**

**95.**—(1) This regulation applies to—

- (a) any person to whom a copy of the full register has been supplied in pursuance of a relevant provision;
- (b) any person to whom information contained in the full register has been disclosed in pursuance of a relevant provision;
- (c) any person to whom a person referred to in sub-paragraph (a) or (b) has supplied a copy of the full register or information contained in it for the purposes (express or implied) of a relevant provision; and
- (d) any person who has obtained access to a copy of the full register or information contained in it by any other means.

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(2) In this regulation “relevant provision” means any enactment except these Regulations which sets out the purpose for which a copy of the full register is to be supplied or information from that register disclosed under the enactment.

- (3) No person to whom this regulation applies (except by virtue of paragraph (1)(d)) may—
- (a) supply a copy of the full register;
  - (b) disclose any information contained in it (and not contained in the edited register); or
  - (c) make use of such information,

other than for the purpose (express or implied) for which the copy was supplied or the information disclosed to the person in question under the relevant provision.

- (4) No person to whom this regulation applies by virtue of paragraph (1)(d) may—
- (a) supply a copy of the full register;
  - (b) disclose any information contained in it (and not contained in the edited register); or
  - (c) make use of such information,

other than for any purpose for which a copy could be supplied or information could be disclosed to the person in question under any enactment (including these Regulations).

#### *Supply on publication and specific restrictions*

#### **Supply of free copy of full register to the British Library**

- 96.** The registration officer shall supply, free of charge on publication, one printed copy of—
- (a) any revised version of the register published under section 13(1) or (3) of the 1983 Act; and
  - (b) any list of overseas electors,

to the British Library.

#### **Supply of free copy of full register to deputy returning officer at local elections and restrictions on use**

**97.—**(1) Not later than five days before the last date for the publication of the notice of election at a local election, the registration officer shall supply free of charge to the deputy returning officer (within the meaning of article 9(2) of the Electoral Law (Northern Ireland) Order 1972(75)) at that election as many printed copies of—

- (a) the latest revised version of the register published under section 13(1) or (3) of the 1983 Act, as the case may be; and
- (b) any notice setting out an alteration to that version of the register published under section 13A(2) or 13BA(3),(6) or (9) of that Act,

as the deputy returning officer may reasonably require for the purposes of the election, together with one copy in data form.

- (2) No person to whom a copy of the register has been supplied under this regulation may—
- (a) supply a copy of the full register;
  - (b) disclose any information contained in it (and not contained in the edited register); or
  - (c) make use of any such information,

other than for the purposes of the election.

*Status: Point in time view as at 12/02/2015.*

*Changes to legislation: The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)*

(3) The restrictions in paragraph (2) apply to a person to whom a copy of the full register has been supplied in accordance with this regulation or to whom such information has been so disclosed as it applies to the person to whom a copy of the register has been so supplied.

### **Supply of free copy of full register etc to the Northern Ireland Statistics and Research Agency and restrictions on use**

- 98.**—(1) The registration officer shall supply, free of charge on publication, one copy of—
- (a) any revised version of the register published under section 13(1) or (3) of the 1983 Act;
  - (b) any notice setting out an alteration to the register published under section 13A(2) or 13BA(3),(6) or (9) of that Act; and
  - (c) any list of overseas electors,

to the Northern Ireland Statistics and Research Agency (in this regulation referred to as “the Agency”).

(2) In paragraph (1) the duty to supply is a duty to supply in data form unless, prior to publication, the Agency has requested in writing a printed copy instead.

- (3) No person employed by the Agency may—
- (a) supply a copy of the full register other than to another such person;
  - (b) disclose any information contained in it (and not contained in the edited register) otherwise than in accordance with paragraph (4); or
  - (c) process or make use of any such information other than for statistical purposes.
- (4) Such information may not be disclosed otherwise than—
- (a) by allowing a person using the premises of the Agency to inspect it under supervision; and
  - (b) by publishing information about electors which does not include the name or address of any elector.
- (5) A person who inspects the full register may not—
- (a) make copies of any part of it; or
  - (b) record any particulars included in it,

otherwise than by means of hand-written notes.

### **Supply of free copy of full register etc to Electoral Commission**

- 99.**—(1) The registration officer shall supply, free of charge and on publication, one copy of—
- (a) any revised version of the register published under section 13(1) or (3) of the 1983 Act;
  - (b) any notice setting out an alteration to the register published under section 13A(2) or 13BA(3),(6) or (9) of that Act; and
  - (c) any list of overseas electors,

to the Electoral Commission (in this regulation referred to as “the Commission”).

(2) In paragraph (1) the duty to supply is a duty to supply in data form unless, prior to publication, the Commission has requested in writing a printed copy instead.

- (3) Neither an Electoral Commissioner nor any employee of the Commission may—
- (a) supply a copy of the full register otherwise than to an Electoral Commissioner or such an employee;
  - (b) disclose any information contained in it (and not contained in the edited register) otherwise than in accordance with paragraph (4); or

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- (c) make use of any such information otherwise than in connection with the Commission's functions under, or by virtue of, the Political Parties, Elections and Referendums Act 2000(76).
- (4) Neither the full register nor any such information may be disclosed otherwise than—
  - (a) where necessary to discharge the Commission's functions in relation to Part 4 and Part 4A(77) of the Political Parties, Elections and Referendums Act 2000; or
  - (b) by publishing information about electors which does not include the name or address of any elector.
- (5) In this regulation "Electoral Commissioner" includes a Deputy Electoral Commissioner and an Assistant Electoral Commissioner.

**Supply of free copy of full register etc to Local Government Boundary Commissioner, the Boundary Commission and the District Electoral Areas Commissioner and restrictions on use**

**100.**—(1) The registration officer shall supply, free of charge and on publication, one copy of each of the documents listed in paragraph (4) to the Boundary Commission for Northern Ireland.

(2) On the appointment of a Local Government Boundary Commissioner under section 50(1) or (4) of the Local Government Act (Northern Ireland) 1972(78), the registration officer shall supply to him free of charge one copy of each of the documents listed in paragraph (4).

(3) On the appointment of the District Electoral Areas Commissioner under article 2 or 3 of the District Electoral Areas Commissioner (Northern Ireland) Order 1984(79) the registration officer shall supply to him, free of charge one copy of each of the documents listed in paragraph (4).

(4) Those documents are—

- (a) any revised version of the register published under section 13(1) or (3) of the 1983 Act;
- (b) any notice setting out an alteration to the register published under section 13A(2) or 13BA(3),(6) or (9) of that Act; and
- (c) any list of overseas electors.

(5) In paragraphs (1) to (3) the duty to supply is a duty to supply in data form unless—

- (a) in the case of paragraph (1), prior to publication the Commission have, or
- (b) in the case of paragraphs (2) and (3), prior to supply the Commissioner has,

requested in writing a printed copy instead.

(6) In paragraph (7) "a relevant person" means—

- (a) a member of the Commission referred to in paragraph (1) or—
  - (i) a person employed by that Commission; or
  - (ii) a person appointed to assist that Commission to carry out their functions;
- (b) the Commissioner referred to in paragraphs (2) or (3) or any person appointed to assist him.

(7) A relevant person may not—

- (a) supply a copy of the full version of the register otherwise than to another relevant person;

(76) 2000 c.41.

(77) Part 4 was amended by Part 3 of the Miscellaneous Provisions Act for Northern Ireland and was modified in its application to Northern Ireland by the [Political Parties, Elections and Referendums Act 2000 \(Northern Ireland Political Parties\) Order 2007 \(S.I.2007/ 2501\)](#) and Part 4A was inserted by section 61 of the 2002 Act.

(78) 1972 c. 9 (N.I.); section 50 was substituted by the [Local Government \(Boundaries\)\(Northern Ireland\) Order 2006 \(S.I.2006/1253\)\(N.I.8\)](#).

(79) [S.I.1984/360](#); articles 2 and 3 of the 1984 Order were substituted by articles 3 and 4 of the [District Electoral Areas Commissioner \(Northern Ireland\) Order 2007 \(S.I.2007/612\)\(N.I.4\)](#) respectively.

*Status: Point in time view as at 12/02/2015.*

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- (b) disclose any information contained in it (and not contained in the edited register) otherwise than by publishing information about electors which does not include the name and address of any elector;
- (c) process or make use of any such information other than in connection with the statutory functions in question.

*Supply on request and specific restrictions*

**Supply of full register etc under regulations 102 to [F82 107A]: general provisions**

**101.**—(1) The persons or organisations falling within regulations 102 to [F83 107A] may request the registration officer to supply free of charge the relevant part (within the meaning of those regulations) of any of the following—

- (a) a revised version of the register published under section 13(1) or (3) of the 1983 Act;
- (b) any notice setting out an alteration to the register published under section 13A(2) or 13BA(3),(6) or (9) of that Act;
- (c) a list of overseas electors.

(2) Such a request shall be made in writing and shall—

- (a) specify the documents requested;
- (b) subject to paragraph (5), state whether the request is made only in respect of the current documents or whether it includes a request for the supply of any subsequent document on publication for as long as the person making the request falls within the category of person entitled to receive such copies; and
- (c) state whether a printed copy of any of the documents is requested instead of the version in data form.

(3) Unless a request has been made in advance of supply under paragraph (2)(c), the copy of a document supplied under this regulation shall be in data form.

(4) The registration officer shall supply the relevant part of the documents referred to in paragraph (1) in accordance with a request that has been duly made.

(5) A person falling within regulation 106[F84 or regulation 107A] may not make the request set out in paragraph (2)(b).

(6) A person who obtains a copy of any document under paragraph (4) may use it for any purpose for which that person would be entitled to obtain the document under this Part and any restrictions which apply under whichever of regulations 102 to [F85 107A] entitles that person to obtain the document for that purpose shall apply to such use.

**Textual Amendments**

- F82** Word in reg. 101 heading substituted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **10(1)(d)**
- F83** Word in reg. 101(1) substituted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **10(1)(a)**
- F84** Words in reg. 101(5) inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **10(1)(b)**
- F85** Word in reg. 101(6) substituted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **10(1)(c)**



### **Supply of full register etc to elected representatives and restrictions on use**

**102.**—(1) This regulation applies to—

- (a) the Member of Parliament for any constituency in Northern Ireland;
- (b) each Member of the European Parliament for the electoral region of Northern Ireland;
- (c) each Member of the Northern Ireland Assembly; and
- (d) each councillor for a district electoral area in Northern Ireland.

(2) For the purposes of regulation [101\(1\)](#) the relevant part of the documents listed in that provision—

- (a) in the case of a Member of Parliament or of the Northern Ireland Assembly, is so much of them as relate to the constituency which he represents;
- (b) in the case of a Member of the European Parliament, is the whole of them; and
- (c) in the case of a councillor for a district electoral area, is so much of them as relate to that area.

(3) No person to whom this regulation applies who has been supplied with a copy of the register may—

- (a) supply a copy of the full register to any person;
- (b) disclose any information contained in it (and not contained in the edited register); or
- (c) make use of any such information,

otherwise than for purposes in connection with the office by virtue of which he is entitled to the full register or for electoral purposes.

(4) The restrictions in paragraph (3) apply to a person to whom any of the full register has been supplied or information disclosed under that paragraph as they apply to the person to whom this regulation applies.

### **Supply of full register etc to holders of relevant elective offices and candidates**

**103.**—(1) This regulation applies to—

- (a) the holder of a relevant elective office within the meaning of paragraph 1(8) of Schedule 7 to the Political Parties, Elections and Referendums Act 2000;
- (b) a candidate at a parliamentary election or an election to the Northern Ireland Assembly.

(2) For the purposes of regulation [101\(1\)](#), the relevant part of the documents listed in that provision is the whole of them.

(3) No person to whom this regulation applies who has been supplied with a copy of the register may—

- (a) supply a copy of the full register to any person;
- (b) disclose any information contained in it (and not contained in the edited register); or
- (c) make use of any such information,

otherwise than for the purpose set out in paragraph (4).

(4) That purpose—

- (a) in the case of a person falling within paragraph (1)(a), is complying with—
  - (i) the controls on donations contained in Schedule 7 to the Political Parties, Elections and Referendums Act 2000;

*Status: Point in time view as at 12/02/2015.*

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- (ii) the controls on loans and regulated transactions in Schedule 7A to the Political Parties, Elections and Referendums Act 2000<sup>(80)</sup>;
- (b) in the case of a person falling within paragraph (1)(b), is complying with the controls on donations included in Schedule 2A to the 1983 Act<sup>(81)</sup>, including that Schedule as applied for the purposes of elections to the Northern Ireland Assembly<sup>(82)</sup>.

#### **Supply of full register etc to local constituency parties and restrictions on use**

**104.**—(1) This regulation applies to any person nominated to act for the purposes of this regulation for a particular constituency in Northern Ireland by the regional nominating officer (within the meaning of section 24 of the Political Parties, Elections and Referendums Act 2000) of a registered political party.

(2) Not more than one person for the same constituency may be nominated under paragraph (1) in respect of the same registered political party and constituency.

(3) In the case of a person to whom this regulation applies, the relevant part of the documents listed in regulation 101(1) is so much of them as relate to the constituency in question.

(4) No person to whom this regulation applies who has been supplied with a copy of the register may—

- (a) supply a copy of the full register to any person;
- (b) disclose any information contained in it (and not contained in the edited register); or
- (c) make use of any such information,

otherwise than for electoral purposes or the purposes of electoral registration.

(5) The restrictions in paragraph (4) apply to a person to whom any of the full register has been supplied or information disclosed under that paragraph as they apply to the person to whom this regulation applies.

#### **Supply of full register etc to registered political parties etc and restrictions on use**

**105.**—(1) This regulation applies to—

- (a) a registered political party other than a minor party, within the meaning of section 160(1) of the Political Parties, Elections and Referendums Act 2000;
- (b) a recognised third party within the meaning of section 85(5) of that Act, other than a registered political party; and
- (c) a permitted participant within the meaning of section 105(1) of that Act, other than a registered political party.

(2) In the case of the parties and participants to whom this regulation applies, the relevant part of the documents listed in regulation 101(1) is the whole of them.

(3) No person employed by, or assisting (whether or not for reward) a party or participant to which this regulation applies and to which a copy of the register has been supplied may—

- (a) supply a copy of the full register to any person;
- (b) disclose any information contained in it (and not contained in the edited register); or
- (c) make use of any such information,

otherwise than for the purposes set out in paragraph (4).

<sup>(80)</sup> Schedule 7A was inserted by section 61 of, and Part 6 of Schedule 1 to, the 2006 Act.

<sup>(81)</sup> Schedule 2A was inserted by Schedule 16 to the Political Parties, Elections and Referendums Act 2000 (c.41).

<sup>(82)</sup> That Schedule was so applied by Schedule 1 to the Northern Ireland Assembly (Elections) Order (S.I. 2001/2599).

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- (4) Those purposes are—
- (a) in the case of a party falling within paragraph (1)(a) or (b)—
    - (i) electoral purposes; and
    - (ii) the purpose of complying with the controls on donations under Part 4 of or, as the case may be, Schedule 11 to, the Political Parties, Elections and Referendums Act 2000; and
    - (iii) the purpose of complying with the controls on loans and regulated transactions under Part 4A of the Political Parties, Elections and Referendums Act 2000; and
  - (b) in the case of a permitted participant within the meaning of section 105(1) of that Act—
    - (i) purposes in connection with the campaign in respect of the referendum identified in the declaration made by the participant under section 106 of that Act; and
    - (ii) the purposes of complying with the controls on donations in Schedule 15 to that Act.
- (5) The restrictions in paragraph (3) apply to a person to whom any of the full register has been supplied or information disclosed under that paragraph as they apply to persons referred to in that paragraph.

#### **Supply of full register etc to certain candidates and restriction on use**

- 106.**—(1) This regulation applies to a candidate at—
- (a) a parliamentary or European Parliamentary election in Northern Ireland;
  - (b) an election to the Northern Ireland Assembly; and
  - (c) a local election in Northern Ireland.
- (2) For the purposes of regulation 101(1), the relevant part of the documents listed in that provision is so much of them as relate to the area for which the candidate is standing.
- (3) No candidate to whom a copy of the register has been supplied by virtue of this regulation may—
- (a) supply a copy of the full register to any person;
  - (b) disclose any information contained in it (and not contained in the edited register); or
  - (c) make use of any such information;
- other than for electoral purposes.

- (4) The restrictions in paragraph (3) apply to a person to whom any of the full register has been supplied or information disclosed under that paragraph as they apply to persons referred to in that paragraph.

#### **Supply of full register etc to police forces and restrictions on use**

- 107.**—(1) This regulation applies to—
- (a) a police force in Great Britain;
  - (b) the Police Service of Northern Ireland and the Police Service of Northern Ireland (Reserve);
  - (c) the Serious Organised Crime Agency;
  - (d) the Police Information Technology Organisation; and
  - (e) any body of constables established under an Act of Parliament
- (2) For the purpose of regulation 101(1), the relevant part of the documents listed in that provision is the whole of them.

**Status:** Point in time view as at 12/02/2015.

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(3) No person serving whether as a constable, officer or employee in any of the forces and organisations to which this regulation applies may—

- (a) supply a copy of the full register to any person;
- (b) disclose any information contained in it (and not contained in the edited register); or
- (c) make use of any such information,

otherwise than for the purpose of the prevention and detection of crime and the enforcement of the criminal law (whether in Northern Ireland or elsewhere).

(4) The restrictions in paragraph (3) apply to a person to whom any of the full register has been supplied or information disclosed under that paragraph as they apply to persons referred to in that paragraph.

**[<sup>F86</sup>Supply of full register etc to a registered medical practitioner and restrictions on use.**

**107A.**—(1) This regulation applies to a registered medical practitioner.

(2) For the purposes of regulation 101(1), the relevant part of the documents listed in that provision is so much of them as relate to the person (“A”) in respect of whom the registered medical practitioner’s request is made.

(3) No person to whom this regulation applies who has been supplied with a copy of the register may—

- (a) supply a copy of the full register to any person;
- (b) disclose any information contained in it (and not contained in the edited register); or
- (c) make use of any such information,

otherwise than where it is necessary for medical purposes.

(4) The restrictions in paragraph (3) apply to a person to whom any of the full register has been supplied or information disclosed under that paragraph as they apply to a person to whom this regulation applies.

(5) In paragraph (3) “medical purposes” means the provision of medical care or treatment to A or a dependant of A.

(6) For the purposes of paragraph (5) a person is a dependant of A if he or she is—

- (a) A’s spouse or civil partner;
- (b) A’s child;
- (c) A’s parent; or
- (d) a person who relies on A to make arrangements for the provision of his or her care.]

**Textual Amendments**

**F86** Reg. 107A inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **10(2)**

*Sale of edited and full register and specific restrictions*

**Sale of edited register**

**108.**—(1) The registration officer shall supply a copy of the edited register to any person on payment of a fee calculated in accordance with paragraph (2).

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- (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.

#### **Sale of full register etc: restrictions on supply, charges, etc**

**109.**—(1) The registration officer may not sell a copy of—

- (a) the full register,
- (b) any notice under section 13A(2) or 13BA(3),(6) or (9) of the 1983 Act altering the register (“a relevant notice”), or
- (c) the list of overseas electors,

except to a person who is entitled under regulation 111 or 112 to purchase them.

(2) The fee for such sale is to be calculated in accordance with paragraphs (3) to (6).

(3) Where a person purchases the full register together with any relevant notices which are published at that time altering the register, the register and the notices shall be treated as the same document for the purposes of the calculations set out in paragraph (5); and any entry in the register which is deleted by a notice shall accordingly be ignored for the purposes of the calculation.

(4) Where a person purchases a relevant notice separately from the full register, the calculations set out in paragraph (5) shall be applied to that notice.

(5) Subject to paragraph (3), in the case of the register or a relevant notice—

- (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.

(6) 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.

(7) In any copy of the full register which is sold in accordance with regulation 111 or 112, the letter “Z” shall be placed against the [F87 entry] of any person whose [F87 entry] is not included in the edited version of the register.

#### **Textual Amendments**

**F87** Word in [reg. 109\(7\)](#) substituted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), [regs. 1\(1\)](#), [13](#)

#### **Sale of full register etc: general provisions**

**110.**—(1) This regulation applies in respect of the supply on payment of a fee of copies of relevant documents in accordance with regulation 111 or 112.

**Status:** Point in time view as at 12/02/2015.

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(2) The registration officer shall not supply a printed copy of the full register under those regulations 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.

(3) In those regulations “the relevant restrictions” means the restrictions set out in paragraphs (4) and (5).

(4) No person in a body to which a copy of the register has been supplied under regulations 111 or 112 may—

- (a) supply a copy of the full register to any person;
- (b) disclose any information contained in it (and not contained in the edited register); or
- (c) make use of any such information,

other than for the purpose set out in the regulation by virtue of which the full register has been supplied.

(5) The restrictions in paragraph (4) apply to a person to whom a copy of the full register has been supplied in accordance with regulation 111 or 112 or to whom such information has been so disclosed as it applies to a person in the body to which the copy of the full register was supplied under the regulation in question.

(6) In this regulation and regulations 111 and 112, “a relevant document” means—

- (a) the full register published under section 13(1) or (3) of the 1983 Act;
- (b) any notice published under section 13A(2), 13BA(3),(6) or (9) of that Act amending it; and
- (c) the list of overseas electors.

(7) A request to purchase a relevant document must be made in writing and must—

- (a) specify the documents requested;
- (b) state whether the request is made only in respect of the current documents or whether it includes a request for the supply of any subsequent documents on publication for as long as the person making the request pays for them; and
- (c) state whether a printed copy of any document is required instead of the version in data form.

### **Sale of full register etc to government departments**

**111.**—(1) Subject to regulation 110(2), the registration officer shall supply on request and on payment of a fee calculated in accordance with regulation 109 a copy of a relevant document to a government department.

(2) Where a relevant document is supplied under paragraph (1), the relevant restrictions apply except for the purpose of—

- (a) the prevention and detection of crime and the enforcement of the criminal law (whether in Northern Ireland or elsewhere);
- (b) the vetting of employees and applicants for employment; and
- (c) supply and disclosure in accordance with paragraph (3).

(3) A government department may supply (whether or not on payment) a copy of the full register to a person (“an authorised person”) so that he may disclose information contained in it in accordance with paragraph (5).

(4) In this regulation any reference to an authorised person includes a reference to his employees.

(5) Information contained in the full register (and not contained in the edited register) may not be disclosed by an authorised person except to any person falling within regulations 102 to 106 for use

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for the purpose for which the person in question could obtain the full register under the regulation concerned.

(6) The restrictions in regulations 102 to 106 apply to a person to whom such information is disclosed under paragraph (5) as they apply to a person to whom any of those regulations applies.

[<sup>F88</sup>(7) In this regulation “government department” includes a Northern Ireland department.]

#### Textual Amendments

**F88** Reg. 111(7) inserted (4.2.2010) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2010 \(S.I. 2010/278\)](#), regs. 1(2), **11**

#### Sale of full register etc to credit reference agencies

**112.**—(1) Subject to regulation 110(2), the registration officer shall supply on request and on payment of a fee calculated in accordance with regulation 109 a copy of a relevant document to [<sup>F89</sup>a person who has permission under the Financial Services and Markets Act 2000 to furnish persons with information relevant to the financial standing of other persons] and which is carrying on the business of providing credit reference services.

(2) Where a relevant document is supplied under paragraph (1), the relevant restrictions apply except for the purposes set out in paragraph (3).

(3) Those purposes are:

- (a) vetting applications for credit or applications that can result in the giving of credit;
- (b) meeting any obligation contained in—
  - (i) the Money Laundering Regulations 2003(**83**);
  - (ii) any regulations amending or replacing those Regulations; or
  - (iii) any rules made under section 146 (money laundering rules) of the Financial Services and Markets Act 2000(**84**); and
- (c) statistical analysis of credit risk assessment in a case where no person included in the register is referred to by name or necessary implication.

(4) In this regulation—

“application for credit” includes an application to refinance or reschedule an existing credit agreement;

“credit” includes a cash loan and any other form of financial accommodation; and

“credit reference services” means the furnishing of persons with information relevant to the financial standing of individuals, which is information collected by the person furnishing it for the purpose of so furnishing it.

[<sup>F90</sup>(5) Paragraph (1) must be read with—

- (a) section 22 of the Financial Services and Markets Act 2000,
- (b) any relevant order under that section, and
- (c) Schedule 2 to that Act.]

(83) S.I. 2003/3075.

(84) 2000 c. 8.



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#### Textual Amendments

- F89** Words in [reg. 112\(1\)](#) substituted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), art. 1(2)(6), [Sch. para. 37\(a\)](#)
- F90** [Reg. 112\(5\)](#) inserted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), art. 1(2)(6), [Sch. para. 37\(b\)](#)

*[<sup>F91</sup> Supply to assist the registration officer to meet the relevant registration objectives*

#### Textual Amendments

- F91** [Reg. 112A](#) and cross-heading inserted (18.7.2013) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2013 \(S.I. 2013/1846\)](#), regs. 1(1), [4\(1\)](#)

### Supply of additional elector information to the Northern Ireland Statistics and Research Agency

**112A.**—(1) The registration officer may supply additional elector information to the Agency.

(2) In this regulation—

“the Agency” means the Northern Ireland Statistics and Research Agency;

“additional elector information” means information relating to an elector’s date of birth or nationality or both, but does not include information which was only obtained by the registration officer pursuant to a request under regulation 41;

“relevant registration objectives” has the meaning given in section 10ZB of the 1983 Act.

(3) No person employed by the Agency may—

- (a) supply a copy of the additional elector information other than to another such person;
- (b) disclose any information contained in the additional elector information (and not contained in the edited register) otherwise than by publishing information about electors which does not include the date of birth or nationality of any elector;
- (c) process or make use of the additional elector information other than for statistical purposes or for the purpose of assisting the registration officer to meet the relevant registration objectives.

(4) The restrictions in paragraph (3) apply to a person to whom any of the additional elector information has been supplied or information disclosed under that paragraph as they apply to a person to whom this regulation applies.]

*Supply to processor and offences*

### Supply of register to processor

**113.**—(1) In this Part, “processor” means a person who provides a service which consists of putting information into the form of data or processing information in such a form and any reference to a processor includes a reference to his employees.

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(2) Any person who has obtained a copy of the full register under any of regulations 99, 100, 102, 104, 105, 107, 111 and 112 may supply a copy of the full register to a processor.

(3) A processor must not supply a copy of the full register or disclose information contained in it (and not contained in the edited register) except to—

- (a) the person who supplied the register to him, or
- (b) any person who is entitled to obtain a copy of the full register under this Part or the employee of such a person.

### Offences in respect of contravention of <sup>F92</sup>Part 3 or] Part 6

114.—(1) A person is guilty of an offence—

- (a) if he contravenes any of the provisions specified in paragraph (2), or
- (b) if he is an appropriate supervisor of a person (P) who fails to comply with any of those provisions and he failed to take appropriate steps.

(2) Those provisions are regulations [<sup>F93</sup>53B(3), 53C(3),]94(3), 95(3) and (4), 97(2) and (3),98(3) and (5), 99(3)and (4), 100(7), 102(3) and (4), 103(3), 104(4) and (5), 105(3) and (5), 106(3) and (4), 107(3) and (4), 110(4) and (5), 111(5) and (6) [<sup>F94</sup>, 112A(3)] and 113(3).

(3) P is not guilty of an offence under paragraph (1) if—

- (a) he has an appropriate supervisor, and
- (b) he has complied with all the requirements imposed on him by his appropriate supervisor.

(4) A person who is not P or an appropriate supervisor is not guilty of an offence under paragraph (1) if he takes all reasonable steps to ensure that he complies with the provisions specified in paragraph (2).

(5) In paragraphs (1)(b) and (3)—

- (a) an appropriate supervisor is a person who is a director of a company or concerned in the management of an organisation in which P is employed or under whose direction or control P is;
- (b) appropriate steps are such steps as it was reasonable for the appropriate supervisor to take to secure the operation of procedures designed to prevent, so far as reasonably practicable, the occurrence of a failure to comply with the provisions in paragraph (2).

(6) A person guilty of an offence as mentioned in paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

#### Textual Amendments

**F92** Words in reg. 114 heading inserted (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), 31(2)

**F93** Words in reg. 114(2) inserted (15.9.2014) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2014 (S.I. 2014/1808), regs. 1(1), 31(3)

**F94** Words in reg. 114(2) inserted (18.7.2013) by The Representation of the People (Northern Ireland) (Amendment) Regulations 2013 (S.I. 2013/1846), regs. 1(1), 4(2)

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## PART 7

### ACCESS TO MARKED REGISTERS AND OTHER DOCUMENTS OPEN TO PUBLIC INSPECTION AFTER AN ELECTION

#### Interpretation of Part 7

**115.**—(1) In this Part references to the “marked register or lists” means any part of the marked copies of—

- (a) the full register;
- (b) the postal voters list;
- (c) the list of proxies; and
- (d) the proxy postal voters list,

retained by the Chief Electoral Officer under rule 57(1A) of the elections rules<sup>(85)</sup>.

(2) For the purposes of this Part any period of days shall be calculated in accordance with regulation 61(5).

(3) Paragraphs (2) and (3) of regulation 92, and the condition in paragraph (3) of regulation 113 shall be taken to apply to the supply and processing of information supplied under this Part as they apply to the supply and processing of the full register under Part 6.

(4) Subject to any direction by the Secretary of State under section 52(1) of the 1983 Act, any duty on a Chief Electoral Officer for Northern Ireland to supply records or lists or make them available for inspection under this Part imposes only a duty to provide that information in the form in which he holds it.

#### Modifications etc. (not altering text)

**C22** Reg. 115(1) modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(2), [Sch. 8 para. 50\(11\)](#)

#### Supply of marked registers and lists after an election

**116.**—(1) Any person entitled to be supplied, in accordance with regulation 99, 102, 104, 105, 106, 107 or 111, with copies of the full register at a particular parliamentary or local government election is also a person entitled, subject to this regulation and to regulation 118, to request that the Chief Electoral Officer for Northern Ireland supply copies of the relevant part (within the meaning of those regulations) of the marked register or lists he is required to keep.

(2) A person whose entitlement to request copies of the marked register or lists under paragraph (1) arises from his being in a category of persons to whom regulation 102, 104, 105 or 106 applies before a particular election, shall be entitled to request those documents regardless of whether he remains in an entitled category after that election.

(3) A request under paragraph (1) shall be made in writing and shall—

- (a) specify which of the marked register or lists (or the relevant part of the register or lists) are requested;
- (b) state whether a printed copy of the records or lists is requested or a copy in data form;

<sup>(85)</sup> Rule 57(1A) was inserted by paragraph 95 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

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- (c) state the purpose for which the marked register or lists will be used and why the supply or purchase of a copy of the full register or unmarked lists would not be sufficient to achieve that purpose.
- (4) The Chief Electoral Officer for Northern Ireland shall supply a copy of the relevant part of the marked register or lists where a request is duly made and—
  - (a) he is satisfied that the requestor needs to see the marks on the marked register or lists in order to achieve the purpose for which it is requested; and
  - (b) he has received payment of a fee calculated in accordance with regulation 119.
- (5) If the Chief Electoral Officer for Northern Ireland is not satisfied as mentioned in paragraph (4)(a) he may treat the request for a marked register or list as a request for information in unmarked lists under regulation 66 or for the published copy of the full register in accordance with regulation 110, or both.
- (6) A person who obtains a copy of any part of a marked register or list under this regulation may use it only for the permitted purpose specified in paragraph (2) of regulation 118, and any conditions—
  - (a) specified in that paragraph; or
  - (b) which would apply to the use of the full register under whichever of regulations 99,102,104,105, 106,107 or 111 entitled that person to obtain that document,shall apply to such use.
- (7) The conditions referred to in paragraph (6) apply to a person to whom the marked register or lists, or any information contained in it (that is not contained in the edited register) has been supplied or disclosed under those paragraphs as they apply to the person to whom those regulations apply.
- (8) Any person who has obtained or is entitled to obtain a copy of the marked register or lists under this regulation may—
  - (a) supply a copy of the marked register or lists to a processor for the purpose of processing the information contained therein, or
  - (b) procure that a processor processes and supplies to them any copy of the information in the marked register or lists which the processor has obtained under this regulation,for use in respect of the purposes for which that person is entitled to obtain such copy or information (as the case may be).

### **Inspection of documents open to public inspection**

- 117.**—(1) Any person is entitled to request that the Chief Electoral Officer for Northern Ireland make available for inspection a copy of any of the following documents (referred to in this regulation and in regulation 118 as “the documents open to public inspection”)—
- (a) the marked register or lists;
  - (b) such other documents relating to an election as the Chief Electoral Officer for Northern Ireland is required by or under any enactment to retain for any period.
- (2) A request under paragraph (1) shall be made in writing and shall specify—
- (a) which documents are requested;
  - (b) the purpose for which the information in any document will be used,
  - (c) where the request is to inspect the marked register or lists, any reason why inspecting the full register or unmarked lists would not be sufficient to achieve that purpose,
  - (d) who will inspect the documents,
  - (e) the date on which they wish to inspect the documents, and

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(f) whether they would prefer to inspect the documents in a printed or data form.

(3) Subject to paragraph (4), the Chief Electoral Officer for Northern Ireland shall make the documents open to public inspection available for inspection under supervision not later than 10 days after the date of receipt of a request that has been duly made.

(4) Where a request has been made to inspect copies of the marked register or lists under paragraph (2) and the Chief Electoral Officer for Northern Ireland is not satisfied that the purposes of the requestor cannot be met by inspection of the full register, he shall inform the requestor—

- (a) of his decision under this paragraph, and
- (b) provide the requestor with information concerning the availability of the published full register for inspection in accordance with regulation 52.

(5) A person who obtains a copy of or information in any document open to public inspection under this regulation may use it only for the permitted purposes specified in regulation 118, and any conditions—

- (a) specified in that regulation,
- (b) specified in paragraph (7), or
- (c) which would apply to the use of the full register under regulation 107 where such a person has obtained a copy of that document under paragraph (8),

shall apply to such use.

(6) Where inspection takes place by providing the records or lists on a computer screen or otherwise in data form, the Chief Electoral Officer for Northern Ireland 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.

(7) Subject to paragraph (8) a person who inspects a copy of a document open to public inspection, whether a printed copy or in data form, may not—

- (a) make copies of any part of it, or
- (b) record any particulars in it,

except that a person who inspects a copy of the marked register or lists may make hand-written notes.

(8) The Chief Electoral Officer for Northern Ireland shall on request, supply free of charge copies of any documents open to public inspection, to a person who has inspected those documents and who is entitled to be supplied with a copy of the marked register or lists by virtue of being a person to whom regulation 107 applies.

### **Conditions on the use, supply and disclosure of documents open to public inspection**

**118.**—(1) Subject to paragraphs (2) and (3) the restrictions on the supply, disclosure and use of information in regulations 94 and 95 shall apply to the documents open to public inspection as they apply to the full register.

(2) Where a person—

- (a) obtains copies of the information in the marked register or lists in accordance with regulation 116(1); or
- (b) a person inspects information in accordance with regulation 117(1),

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the permitted purpose shall mean either research purposes within the meaning of that term in section 33 of the Data Protection Act 1998 (86) or electoral purposes.

(3) Where a copy of any information was supplied in the circumstances to which regulation 117(8) applies, the permitted purpose means the purposes set out in regulation 107(3).

#### **Fees relating to the supply of marked registers and lists**

**119.** The formula used for the purpose of calculating the fee that shall be paid to the Chief Electoral Officer for Northern Ireland by a requestor prior to their being supplied with copies of the marked register or lists (or any relevant part those documents) under paragraph (3) of regulation 116 shall be the same as for calculation of the fee for sale of the full register and notices, set out in paragraph (5) of regulation 109.

Northern Ireland Office  
30th June 2008

*Paul Goggins*  
Minister of State

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

## SCHEDULE 1

### ENABLING POWERS

These Regulations are made under the following powers:

- (a) section 7(3)(aa), 7A(3)(aa), 7C(2)(aa)(87), 10A(5)(b)(88), (7) and (9), 13A(6)(89), 13BA(90), 13(C)(2)(91), 15(2)(aa)(92), 53(93) and 201(1) and (3)(94) of, rule 24(95), 37(1F)(96) and 57(97) of Schedule 1 and Schedule 2(98) to, the Representation of the People Act 1983;
- (b) section 2(2)(aa), 3(5), (6) and (7)(99) of the Representation of the People Act 1985;
- (c) having regard to the definition of “prescribed” in section 202(1) of the 1983 Act, sections 4(4)(100), 9(2)(101), 10A(1) and (3), 13(3), 13A(1)(a) and (2)(102), 14(1) (103), 16(104), 58(2)(a), (b) and (6)(a)(105), 75(3) and 89(1)(106) of the 1983 Act, and rules 19A(107), 24, 28(3) (108), 29(3A)(109) and 32(3) in Schedule 1 to, that Act;

- 
- (87) 1983 c.2 ; Paragraph (aa) of sections 7(3), 7A(3) and 7C(2) were inserted by section 12 of the 2006 Act (c.22).
  - (88) Section 10A was inserted by section 8 of, and Schedule 1 to, the 2000 Act (c.2) and subsection (5)(b) was substituted by section 12 of the 2006 Act (c.22).
  - (89) Sections 13A was inserted by section 8 of, and Schedule 1 to, the 2000 Act (c.2).
  - (90) Section 13BA was inserted by section 6 of the Miscellaneous Provisions Act (c.33).
  - (91) Section 13C was inserted by section 4 of the 2002 Act (c.13).
  - (92) Section 15(2)(aa) was inserted by 12 of the 2006 Act.
  - (93) Section 53 was amended by Schedules 4 and 5 to the 1985 Act (c.50) and Schedule 1 to the 2000 Act and subsection (4) of section 53 was inserted by paragraph 109 of Schedule 1 to the 2006 Act.
  - (94) Section 201(1) was amended by paragraphs 6(1) and (7)(a) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41) and section 201(3) was inserted by Schedule 1 to the 2000 Act and amended by paragraph 6(1) and (7)(d) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000.
  - (95) Rule 24 was substituted by paragraph 10(3) of Schedule 6 to the 2000 Act and further substituted by section 37 of the 2006 Act.
  - (96) Rule 37(1F) was inserted by section 1 of the Elections (Northern Ireland) Act 1985 (c.2) for Northern Ireland. Rule 37 was substituted for England, Wales and Scotland by paragraph 75 of Schedule 1 to the 2006 Act but this provision does not extend to Northern Ireland (see paragraph 75(2)).
  - (97) Paragraph (1) of rule 57 was amended by, paragraph (3) was substituted by, and paragraphs (4) to (9), of rule 57 were inserted by section 41 of the 2006 Act (c.22); paragraph (1A) was inserted by section 47 of, paragraph 95(3) of Schedule 1 to the 2006 Act and paragraph (2) was substituted by section 31 of that Act. The amendments made to rule 57 by section 70 of the 2006 Act do not extend to Northern Ireland (see section 78(2)).
  - (98) Schedule 2 was amended by section 4 of, and Schedules 2 and 4 to, the 1985 Act; Schedules 1 and 6 to the 2000 Act (c.2); Paragraph 1 was amended by Schedule 16 to the Local Government (Wales) Act 1994 (c.19), Schedule 1 to the 2000 Act, section 6 of the Electoral Fraud (Northern Ireland) Act 2002 (c.13) and section 7 of the Miscellaneous Provisions Act (c.33); paragraph 2A of Schedule 2 was inserted by section 5 of the Representation of the People Act 1989 (c. 28) and amended by paragraph 24 of Schedule 1 to the 2000 Act; paragraph 3A was inserted by paragraph 24 of Schedule 1 to the 2000 Act; paragraph 4 was amended by section 4 of the 1985 Act as was paragraph 5(1A) and paragraph 5A was inserted by section 11 of, and Schedule 2 to, the 1985 Act and amended by paragraphs 3 and 11(1) and (2) of Schedule 6 to the 2000 Act; paragraph 6 was amended by Schedule 1 to the 2000 Act; paragraph 8 was substituted by Schedule 4 to the 1985 Act and amended by Schedule 1 to the 2000 Act; paragraph 9 was repealed by Schedule 4 to the 1985 Act; paragraphs 10, 10A, 10B and 11 were substituted for paragraphs 10 and 11 of the Schedule as originally enacted by the section 9 of the 2000 Act; paragraph 11A was inserted by Schedule 4 to the 1985 Act and amended by Schedule 15 to the Data Protection Act 1998 (c.29); sub-paragraph (1A) was inserted by section 7 of Miscellaneous Provisions Act (c.33); paragraph 12 was amended by Schedule 6 to the 2000 Act; sub-paragraph (aa) of paragraph 12 was inserted by paragraph 94 of Schedule 1 to the 2006 Act; and paragraph 12A was inserted by the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp14); paragraph 13 was amended by Schedule 6 to the 2000 Act, sub-paragraph (1ZA) was inserted by section 7 of the Miscellaneous Provisions Act and sub-paragraph (1A) was inserted by section 9 of the 2000 Act. Schedule 2 was also amended by section 10 of the 2006 Act but these amendments do not extend to Northern Ireland (see section 78(2) of the 2006 Act).
  - (99) 1985 c.50; section 2 was substituted by Schedule 2 to the 2000 Act and subsection (2)(aa) was inserted by section 12(9) of the 2006 Act and section 3 was substituted by Schedule 2 to the 2000 Act.
  - (100) Section 4 was substituted by section 1(2) of the 2000 Act.
  - (101) Sections 9, 10A, 13, 13A and 13B were substituted by Schedule 1 to the 2000 Act.
  - (102) Subsection (2) was amended by Schedule 4 to the Miscellaneous Provisions Act 2006.
  - (103) Paragraph (e) of subsection (1) was substituted by, and paragraph (d) was amended by, Schedule 27 to the Civil Partnership Act 2004.
  - (104) Section 16 was amended by Schedule 1 to the 2000 Act, S.I. 1995/1948 and section 261(1) of, and paragraph 81 of Schedule 27 to, the Civil Partnership Act 2004 (c.33).
  - (105) Section 58 was substituted by Schedule 4 to the Miscellaneous Provisions Act 2006.
  - (106) Subsection (1) was substituted by Schedule 18 to the Political Parties, Elections and Referendums Act 2000 (c.41).
  - (107) Rule 19A was inserted by section 31(2) of the 2006 Act (c.22).
  - (108) Paragraphs (3)(d) and (e) of rule 28 was inserted by section 47 of, and paragraph 70 of Schedule 1 to, the 2006 Act.



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- (d) having regard to the definition of “prescribed” in section 202(1) of the 1983 Act and section 27(2)(**110**) of the 1985 Act, section 2(3)(**111**), 6(1) and (5)(**112**), 7(1) and (3)(**113**), 8(6) and (7)(**114**) and 9(4), (7) and (8)(**115**) and section 15(5) of the 1985 Act;
- (e) having regard to the designation(**116**) of the Secretary of State for the purposes of section 2(2) of the European Communities Act 1972(**117**) in relation to measures relating to the rights of citizens of the Union to vote at European Parliamentary elections and local elections in Northern Ireland, that section 2(2);
- (f) section 7(3) and (4) of the European Parliamentary Elections Act 2002 (**118**); and
- (g) section 42 of the Electoral Administration Act 2006.

In the case of the 1983 Act, the provisions cited include those provisions as applied with modifications by section 2(1) of, and Schedule 1 to, the 1989 Act(**119**).

## SCHEDULE 2

Regulation 2

## REVOCATIONS

| <i>1- Regulations</i>  | <i>2- References</i>          | <i>3- Extent of Revocation</i>               |
|--|-------------------------------|--|
| The Representation of the People (Northern Ireland) Regulations 2001                               | <a href="#">S.I.2001/400</a>  | The whole Regulations                        |
| The Representation of the People (Northern Ireland) (Amendment) Regulations 2001                   | <a href="#">S.I.2001/1877</a> | The whole Regulations                        |
| The Representation of the People (Northern Ireland) (Amendment) Regulations 2002                   | <a href="#">S.I.2002/1873</a> | The whole Regulations                        |
| The Local and European Parliamentary Elections (Registration of Citizens of Accession States) 2003 | <a href="#">S.I.2003/1557</a> | Paragraph 4 of Schedule 2 to the Regulations |
| The Nursing and Midwifery Order 2001 (Consequential Amendments) Order 2002                         | <a href="#">S.I.2002/881</a>  | Paragraph 22 of the Schedule to the Order    |

(**109**) Rule 29(3A) was inserted by section 13(2) of the 2000 Act.

(**110**) Subsection (2) was amended by Schedule 6 to the 2000 Act.

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

(**112**) Section 6(1) was amended for Northern Ireland by Schedules 6 and 7 of the 2000 Act and by section 3 of the 2002 Act.

(**113**) Section 7(1) was amended for Northern Ireland by Schedules 6 and 7 of the 2000 Act and by section 3 of the 2002 Act.

(**114**) Section 8(6) and (7) were amended for Northern Ireland by Schedules 6 and 7 of the 2000 Act.

(**115**) Subsections (4), (7) and (8) were amended for Northern Ireland by Schedules 6 and 7 of the 2000 Act.

(**116**) The European Communities (Designation) (No.3) Order 1993 ([S.I. 1993/2661](#)).

(**117**) [1972 c.68](#).

(**118**) [2002 c.24](#).

(**119**) [1989 c.3](#); Schedule 1 was amended by Schedule 3 to the [2000 Act \(c.2\)](#), section 7 of the [2002 Act \(c.13\)](#) and Schedule 4 to the [Miscellaneous Provisions Act \(c.33\)](#).

**Status:** Point in time view as at 12/02/2015.

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| <i>1- Regulations</i>  | <i>2- References</i>          | <i>3- Extent of Revocation</i>               |
|--|-------------------------------|--|
| The Representation of the People (Form of Canvass) (Northern Ireland) Regulations 2003 | <a href="#">S.I.2003/1942</a> | The whole Regulations                        |
| The Money Laundering Regulations 2003  | <a href="#">S.I.2003/3075</a> | Paragraph 6 of Schedule 2 to the Regulations |
| The Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) Order 2004      | <a href="#">S.I.2004/1771</a> | Paragraph 27 of the Schedule to the Order    |
| The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005      | <a href="#">S.I.2005/2114</a> | Paragraph 1 of Schedule 9 to the Order       |
| The Representation of the People (Northern Ireland) (Amendment) Regulations 2007       | <a href="#">S.I.2007/1612</a> | The whole Regulations                        |

### SCHEDULE 3

Regulation 4

#### FORMS

#### *ARRANGEMENT OF FORMS*

|          |  |
|----------|--|
| Form A:  | Elector's official poll card   |
| Form A1: | Elector's Official Postal Poll Card  |
| Form B:  | Proxy's official poll card   |
| Form B1: | Proxy's Official Postal Poll Card  |
| Form C:  | Return of expenses required by section 75 of the 1983 Act  |
| Form D:  | Declaration as to expenses required by section 75 of the 1983 Act  |
| Form E:  | Proxy paper  |
| Form F:  | Certificate of employment  |
| Form G:  | Form of Corresponding Number List for use at parliamentary election taken alone                                    |
| Form H:  | Form of Corresponding Number List for use in polling station at parliamentary election taken alone                 |
| Form J:  | Corresponding Number List for use when parliamentary election combined with a relevant election                    |
| Form K:  | Corresponding Number List for use in polling station when parliamentary election combined with a relevant election |
| Form L:  | Declaration of Identity  |

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Form M: Declaration of Identity (combined polls)

Form N: Statement as to postal ballot papers

[<sup>F95</sup>Form O: Form of Canvass]

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.....  
**Textual Amendments**

**F95** Words in [Sch. 3](#) table inserted (18.7.2013) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2013 \(S.I. 2013/1846\)](#), regs. 1(1), **5(2)**

<sup>F96</sup>Form A

.....  
**Textual Amendments**

**F96** [Sch. 3](#) Form A substituted (12.2.2015) by [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), 3(2), **Sch. 1**

**Status:** Point in time view as at 12/02/2015.

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*Front of card*

|  |                   |
|--|-------------------|
| <b>Poll card</b>   |                   |
| <b>UK Parliamentary Election</b><br>[insert name of constituency]<br><b>constituency</b> |                   |
| <b>Voting information</b>  |                   |
| Polling day  |                   |
| Polling hours  | 7.00am to 10.00pm |
| Ballot box number  |                   |
| Your polling station will be   |                   |

You do not need to take this card with you in order to vote but it will save time if you do.

**Your details:**  
[Elector's name and qualifying address details here]

**Number on register:**

**i** Remember that you will not be able to vote unless you show one of the following forms of photographic identification:

- A UK, Irish or EEA driving licence
- A UK or Irish passport
- An Electoral Identity Card
- A Translink Senior SmartPass
- A Translink 60+ SmartPass
- A Translink War Disabled SmartPass
- A Translink Blind Person's SmartPass

**Please turn over**

*Back of card*

**If you are away or cannot go to the polling station on [day] [date of poll] you can do one of the following:**

- Apply to vote by post. Completed applications must be returned by 5pm on [day] [date of deadline]. If you are given a postal vote, you will not be able to vote in person at this election.

**OR**

- Apply to vote by proxy (this means someone else can vote on your behalf). Completed applications must be returned by 5pm on [day] [date of deadline].

An application form is available on the website or can be requested from the helpline.

**i** If you need any help, require information in another format or language or wish to find out if your polling station is accessible, please contact us.  
[Insert helpline and other contact details including website]

**Electoral fraud is a crime**

Issued by the Chief Electoral Officer.

**If undelivered return to:** [insert return address]

**Status:** Point in time view as at 12/02/2015.

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### Textual Amendments

**F97** [Sch. 3 Form A1](#) substituted (12.2.2015) by [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), 3(3), **Sch. 2**

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

*Front of card*

|  |   |
|--|---|
| <p><b>Postal poll card</b></p> <hr/> <p><b>UK Parliamentary Election</b><br/> <i>[insert name of constituency]</i><br/> <b>constituency</b></p> <hr/> <p><b>Voting information</b><br/> <b>We will send your postal vote approximately 10 working days before polling day.</b></p> | <p><b>Your details:</b></p> <p><i>*[Elector's name and qualifying address details here]</i></p> <p><b>Number on register:</b></p> <p><i>*Returning Officer to omit where postal poll card sent to an anonymous elector. Postal poll card to an anonymous elector must be delivered in a sealed envelope.</i></p> <p><b>Your postal vote</b></p> <ul style="list-style-type: none"> <li>You will receive a postal vote for this election because you successfully applied to vote by post.</li> <li>You will not be able to vote in a polling station.</li> <li><b>If you have not received your postal vote by [day] [date] [name of month] please contact us.</b></li> </ul> <p style="text-align: right;"><b>Please turn over</b></p> |
|--|---|

*Back of card*

|  |   |
|--|---|
| <p><b>How to vote</b></p> <ol style="list-style-type: none"> <li>When you receive your postal vote, read the instructions carefully.</li> <li>Your postal vote includes your ballot paper and a declaration of identity.</li> <li>Complete the declaration of identity.</li> <li>Complete the ballot paper.</li> <li>Return your postal voting papers in the envelope provided.</li> <li>We need to receive your postal vote by <b>10pm on [day/date of poll]</b>. Postal voting papers cannot be accepted at polling stations.</li> </ol> <p><b>📞 If you need help to vote, you can ask someone you know or get advice by calling our helpline. If you need information in another format or language please call our helpline.</b></p> | <p><b>If you make a mistake:</b></p> <ul style="list-style-type: none"> <li>Please phone the helpline immediately.</li> <li>We can only issue a replacement postal vote if you return all your postal vote documents by <b>5pm on [day/date of deadline]</b>.</li> </ul> <p>If you would rather vote in person, or ask someone else to vote on your behalf, you must cancel your postal vote <b>before 5pm on [day/date of deadline]</b>.</p> <p><i>[*Note that if you have an anonymous entry on the register you will not be able to vote in person, but you can ask someone else to vote by post on your behalf.]</i></p> <p><i>*Returning Officer to only include on postal poll card sent to an anonymous elector.</i></p> <p><b>Electoral fraud is a crime</b></p> <p><i>[insert helpline and other contact details including website]</i></p> <p>Issued by the Chief Electoral Officer.</p> <p style="text-align: center;"><b>If undelivered return to:</b> <i>[insert return address]</i></p> |
|--|---|

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

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### Textual Amendments

**F98** Sch. 3 Form B substituted (12.2.2015) by [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), 3(4), **Sch. 3**



**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

*Front of card*

|  |                   |
|--|-------------------|
| <b>Proxy poll card</b>   |                   |
| <b>UK Parliamentary Election</b><br><i>[Insert name of constituency]</i><br>constituency |                   |
| <b>Voting information</b>  |                   |
| Polling day  |                   |
| Polling hours  | 7.00am to 10.00pm |
| Ballot box number  |                   |
| Polling station  |                   |

**Your details:**  
*[Proxy's name and address details here]*

**Remember that you will not be able to vote unless you show one of the following forms of photographic identification for yourself:**

- A UK, Irish or EEA driving licence
- A UK or Irish passport
- An Electoral Identity Card
- A Translink Senior SmartPass
- A Translink 60+ SmartPass
- A Translink War Disabled SmartPass
- A Translink Blind Person's SmartPass

**For this election you are proxy for:**  
*[Elector's name]*  
*Elector's address*  
*Elector's number on register]*

You do not need to take this card with you in order to vote but it will save time if you do.

**Please turn over**

*Back of card*

**How to vote as a proxy**  
At the polling station, tell the staff that you are a proxy for the person named on the front of this card. Show an accepted form of photographic identification for yourself. They will give you that person's ballot paper.  
**If you need any help, just ask the staff.**

**If you are away or cannot go to the polling station on [day] [date of poll]:**

- You can apply to vote by post. The deadline for completed applications is 5pm on [day] [date of deadline].
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this election.
- To find out how to apply, please contact us.

**The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.**

**Remember that you will not be able to vote unless you show one of the following forms of photographic identification for yourself:**

**If you need any help, require information in another format or language or wish to find out if your polling station is accessible, please contact us.**

*[Insert helpline and other contact details including website]*

**Electoral fraud is a crime**

Issued by the Chief Electoral Officer.

**If undelivered return to:** *[Insert return address]*

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

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### Textual Amendments

**F99** Sch. 3 Form B1 substituted (12.2.2015) by [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), 3(5), **Sch. 4**

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

*Front of card*

|  |  |
|--|--|
| <p><b>Proxy postal poll card</b></p> <hr/> <p><b>UK Parliamentary Election</b><br/> <i>[insert name of constituency]</i><br/> <b>constituency</b></p> <hr/> <p><b>Voting information</b><br/> <b>We will send your postal vote approximately 10 working days before polling day.</b></p> <hr/> <p><b>For this election you are proxy for:</b><br/> <i>*[(Elector's name)</i><br/> <i>(Elector's address)</i><br/> <i>(Elector's number on register)]</i><br/> <i>[the person with this elector number: (Insert elector's number on register)].</i><br/> <i>*If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets.</i></p> | <p><b>Your details:</b><br/> <i>*[Proxy's name and address details here]</i></p> <p><i>*Returning Officer to omit where proxy postal poll card sent to the proxy of an anonymous elector. Proxy postal poll card to proxy of an anonymous elector must be delivered in a sealed envelope.</i></p> <p><b>Your postal vote</b></p> <ul style="list-style-type: none"> <li>You will receive a postal vote for this election because you successfully applied to vote by post.</li> <li>You will not be able to vote as a proxy in a polling station.</li> <li><b>If you have not received your postal vote by [day] [date] [name of month] please call the helpline.</b></li> </ul> <p style="text-align: right;"><b>Please turn over</b></p> |
|--|--|

*Back of card*

|  |  |
|--|--|
| <p><b>How to vote</b></p> <ol style="list-style-type: none"> <li>When you receive your postal vote, read the instructions carefully.</li> <li>Your postal vote includes your ballot paper and a declaration of identity.</li> <li>Complete the declaration of identity.</li> <li>Complete the ballot paper.</li> <li>Return your postal voting papers in the envelope provided.</li> <li>We need to receive your postal vote by <b>10pm on [day/date of poll]</b>. Postal voting papers cannot be accepted at polling stations.</li> </ol> <hr/> <p><b>📞 If you need help to vote, you can ask someone you know or get advice by calling our helpline. If you need information in another format or language please call our helpline below.</b></p> | <p><b>If you make a mistake:</b></p> <ul style="list-style-type: none"> <li>Please phone the helpline immediately.</li> <li>We can only issue a replacement postal vote if you return all your postal vote documents <b>by 5pm on [day/date of deadline]</b>. If you would rather vote in person, you must cancel your postal vote <b>before 5pm on [day/date of deadline]</b>. For more information, please call the helpline.</li> </ul> <p><i>[*Note that if you are a proxy for a person with an anonymous entry on the register you will not be able to vote in person.]</i><br/> <i>*Returning Officer to only include on proxy postal poll card sent to the proxy of an anonymous elector.</i></p> <p><b>Electoral fraud is a crime</b></p> <p><i>[Insert helpline and other contact details including website]</i></p> <p>Issued by the Chief Electoral Officer.</p> <p style="text-align: center;"><b>If undelivered return to: [Insert return address]</b></p> |
|--|--|

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

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Regulation 10(1)

Form C: RETURN OF EXPENSES REQUIRED BY SECTION 75 OF THE 1983 ACT  
REPRESENTATION OF THE PEOPLE ACTS  
ELECTION IN THE

---

CONSTITUENCY

Date of publication of notice of election

---

The expenses shown below were authorised in writing in accordance with the provisions of section 75 of the Representation of the People Act 1983.

They were authorised

by

---

(name of election agent)

for the candidate

---

(name of candidate) in the above-mentioned election.

They were incurred by

---

(person/association/body of persons).

The agent's written authority is attached to this return.

Amount of expenses incurred: £

---

Signature

---

Date

---

Form D

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

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Regulation 10(1)

Form D: DECLARATION AS TO EXPENSES REQUIRED BY SECTION 75 OF THE 1983 ACT  
REPRESENTATION OF THE PEOPLE ACTS  
ELECTION IN THE

---

CONSTITUENCY

---

Date of publication of notice of election

---

Name of candidate

---

Name of election agent

I declare that—

1. I am [the person] or [a director, general manager, secretary or similar officer of the association, organisation or body of persons]\* named as incurring expenses in the accompanying return of expenses required by section 75 of the Representation of the People Act 1983.
2. To the best of my knowledge and belief that return is complete and correct.
3. The matter for which the expenses referred to in that return were incurred is as follows

---

Signature

---

Office held

---

(In the case of an association, organisation or body of persons)

---

Date

---

\*enter as appropriate

---

**Status:** Point in time view as at 12/02/2015.

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**Textual Amendments**

**F100** Sch. 3 Form E substituted (12.2.2015) by [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), 3(6), **Sch. 5**

|  |  |
|--|--|
| <b>Proxy Paper</b>   |  |
| <b>UK Parliamentary Election</b><br><i>[insert name of constituency]</i> constituency  |  |
| Name of Proxy  |  |
| Address of Proxy   |  |
| <p>You have been appointed as proxy for _____ (name of elector)</p> <p>who is qualified to be registered at<br/>(Qualifying address) _____</p> <p>to vote for them at *[Local Council/Parliamentary/European Parliamentary/Assembly] elections.</p> <p>Signature _____ (Electoral Registration Officer)</p> <p>Date _____</p> <p>* Delete whichever is inappropriate</p> |  |

1. This proxy paper gives you the right to vote as a proxy for the elector who is named above.
2. You may not vote as proxy at the same election for more than two electors, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
3. You may vote as proxy at the polling station allotted to the elector on whose behalf you are appointed. Shortly before polling day you will be sent a proxy poll card telling you where the polling station is. You do not need to take either the poll card or this paper with you to vote but it will save time if you do take the poll card with you.
4. If you cannot vote in person at the polling station, contact the helpline or visit our website.
5. If you have been appointed as a proxy on behalf of an elector who has an anonymous entry in the register, you can only vote by post. If you have not already been granted a postal vote, you should contact the electoral registration officer.

*[Insert helpline and other contact details including website]*

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

<sup>F101</sup>Form F

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**Textual Amendments**

**F101** Sch. 3 Form F substituted (12.2.2015) by [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), 3(7), **Sch. 6**



**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

**Certificate of Employment**

**UK Parliamentary Election**

**[insert name of constituency] constituency**

Date of election [day] [date] [month] [year]

Ballot box number:

The person named below is entitled to vote at any polling station in the above constituency on production and surrender of this certificate to the Presiding Officer.

I certify that \_\_\_\_\_ (name of elector)

who is numbered \_\_\_\_\_ in the register of electors for the constituency named above cannot reasonably be expected to go in person to the polling station allotted to them at this election by reason of his/her employment on the above date for a purpose connected with this election:

- as a constable\*
- by me (Only applies to Returning Officer's staff)\*

Signature \_\_\_\_\_ Returning Officer: Police Officer (Chief Inspector or above)\*

Date \_\_\_\_\_

\* Person completing the form to do etc whichever does not apply.

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

Regulation 69(1)  
FORM: G

**Form G**  
**Corresponding Number List**  
**(to be used at a parliamentary election taken alone)**

Constituency: .....

Date of Poll: .....

Sheet No: .....

| <b>Ballot Paper Number</b> | <b>Unique Identifying Mark</b> | <b>Elector Number</b><br><i>(to be completed only in respect<br/>of ballot papers issued to postal<br/>voters)</i> |
|----------------------------|--------------------------------|--|
|----------------------------|--------------------------------|--|

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

Form H

Regulation 69(1)  
FORM: H

Form H  
**Corresponding Number List**  
**(to be used in polling stations at Parliamentary election taken alone)**

Constituency: .....

Date of Poll: .....

Sheet No: .....

**Ballot Paper Number**

**Elector Number**

Form J

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

Regulation 69(3)  
FORM: J

**Form J**  
**Corresponding Number List**  
**(to be used when a parliamentary election is combined with another election)**

Constituency/  
Area(s): .....

Date of Poll: .....

Sheet No: .....

| <b>Ballot Paper Number</b><br><i>Identify the number issued<br/>for election</i> | <b>Unique Identifying Mark</b><br><i>Identify the mark for each<br/>ballot paper</i> | <b>Elector Number</b><br><i>(to be completed only in respect<br/>of ballot papers issued to postal<br/>voters)</i> |
|--|--|--|
|--|--|--|

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

Form K

Regulation 69(4)  
FORM: K

**Form K**  
**Corresponding Number List**  
**(to be used in polling stations when a parliamentary election is combined with another election)**

Constituency/  
Area(s): .....

Date of Poll: .....

Polling Station: .....

Sheet No: .....

**Ballot Paper Number**  
**(Identify number issued for election)**

**Elector Number**

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

<sup>F102</sup>Form L

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**Textual Amendments**

**F102** Sch. 3 Form L substituted (12.2.2015) by [The Parliamentary Elections \(Forms\) \(Northern Ireland\) Regulations 2015 \(S.I. 2015/221\)](#), regs. 1(2), 3(8), **Sch. 7**

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

*Front of declaration*

**Declaration of Identity**

|   |
|---|
| <b>UK Parliamentary Election</b>                  |
| <b>[insert name of constituency] constituency</b> |
| Date of election [day] [date] [month] [year]      |

**Important – you must fill in and return this declaration of identity with your completed ballot paper for it to be counted.**

**Please read the instructions on the back of this form carefully.**

\*Name \_\_\_\_\_ Ballot paper number \_\_\_\_\_

\* Returning Officer to omit name where sent to an anonymous elector

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** or *(insert helpline number)*.

|  |                      |                      |                      |
|--|----------------------|----------------------|----------------------|
| <b>I am the person the ballot paper numbered above was sent to.</b>        |                      |                      |                      |
| <b>My Date of Birth is:</b>  | <input type="text"/> | <input type="text"/> | <input type="text"/> |
|  | Day                  | Month                | Year                 |
| <b>*My Signature is:</b>   | <input type="text"/> |                      |                      |
| <i>*Returning Officer to omit where elector has been granted a waiver.</i> |                      |                      |                      |
| <b>We will check this information against our records for security.</b>    |                      |                      |                      |

|  |
|--|
| <b>The voter has signed this declaration in my presence.</b>   |
| <b>Witness signature</b> _____   |
| The witness must be aged 18 or over and satisfied to the best of their knowledge and belief as to the identity of the voter. |

**Please turn over**



**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

*Back of declaration*

**i Instructions for voting by post**

**Please read through carefully. If you need help, please contact us.**

1. For your vote to be counted, you must fill in, in the presence of a witness, and return this declaration of identity with your ballot paper.
2. Make sure you have filled in all the information on this declaration of identity and your witness has signed it.
3. Vote **only once** by putting a cross  in the box next to your choice on the ballot paper.
4. Do not mark the ballot paper in any other way or your vote may not count.
5. Put the ballot paper in the smaller envelope marked "A" and seal it. Then put the envelope marked "A", together with this declaration of identity, in the larger envelope marked "B".
6. We must receive your postal vote in the envelope provided by **10pm on [day] [date of poll]**.
7. After receiving this postal vote, you cannot vote in person at a polling station in this election.

**i Getting Help**

- If you need help to vote, you can ask someone you know or get advice by calling the helpline. The person helping you must not tell anyone how you voted.
- Please call the helpline if you need information in another format or language.
- If you make a mistake you can get a replacement if you return all your postal vote documents. Call us immediately as **we can only issue a replacement before 5pm on [day] [date] [month]**.

*[Insert helpline and other contact details including website]*

**Electoral fraud is a crime.**

---

Issued by the Chief Electoral Officer.

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

### Textual Amendments

**F103** Sch. 3 Form M substituted (12.2.2015) by The Parliamentary Elections (Forms) (Northern Ireland) Regulations 2015 (S.I. 2015/221), regs. 1(2), 3(9), **Sch. 8**

#### Front of declaration

(for use when a parliamentary poll is combined with another poll)

|   |
|---|
| <b>Declaration of Identity</b>                    |
| <b>UK Parliamentary Election</b>                  |
| <b>[insert name of constituency] constituency</b> |
| Date of election [day] [date] [month] [year]      |

To be returned with the [insert colour of ballot paper] colour red ballot paper.

**Important – you must fill in and return this declaration of Identity with your completed ballot paper for it to be counted.**

**Please read the instructions on the back of this form carefully.**

\*Name \_\_\_\_\_ Ballot paper number \_\_\_\_\_

\* Returning Officer to omit name where sent to an anonymous elector

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** or (insert helpline number).

**I am the person the ballot paper numbered above was sent to.**

**My Date of Birth is:**                         
Day                      Month                      Year

**\*My Signature is:**   
\*Returning Officer to omit where elector has been granted a waiver.

**We will check this information against our records for security.**

**The voter has signed this declaration in my presence.**

**Witness signature**


The witness must be aged 18 or over and satisfied to the best of their knowledge and belief as to the identity of the voter.

**Please turn over**


**Status:** Point in time view as at 12/02/2015.


**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

*Back of declaration*

** Instructions for voting by post**

**Please read through carefully. If you need help, please contact us.**

1. For your vote to be counted, you must fill in, in the presence of a witness, and return this declaration of identity with your ballot paper. You must do this even if you have already signed a similar declaration of identity for another election to be held on the same day.
2. Make sure you have filled in all the information on this declaration of identity and your witness has signed it.
3. Vote **only once** by putting a cross  in the box next to your choice on the ballot paper.
4. Do not mark the ballot paper in any other way or your vote may not count.
5. Different colours are used for the ballot papers for each election. Each ballot paper has its own ballot paper envelope (the smaller envelope marked "A"), declaration of identity and covering envelope (the larger envelope marked "B"). The covering envelope and declaration of identity will refer to the colour of the ballot paper. It is important to use the correct envelopes and declaration of identity.
6. Place each ballot paper in the correct smaller envelope marked "A" and seal it. Then put the envelope marked "A", together with the correct declaration of identity, in the correct larger envelope marked "B" and seal it.
7. We must receive your postal vote in the envelope provided by **10pm on [day] [date of poll]**.
8. After receiving this postal vote, you cannot vote in person at a polling station in this election.

** Getting Help**

- If you need help to vote, you can ask someone you know or get advice by contacting us. The person helping you must not tell anyone how you voted.
- Please contact us if you need information in another format or language.
- If you make a mistake you can get a replacement if you return all your postal vote documents. Call us immediately as we can only issue a replacement before **5pm on [day] [date] [month]**.

*[Insert helpline and other contact details including website]*

**Electoral fraud is a crime.**

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Issued by the Chief Electoral Officer.

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

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### Textual Amendments

- F104** Sch. 3 Form N: para. 10A, 10B words: "10A. Number of tendered postal ballot papers issued 10B. Number of covering envelopes for tendered postal ballot papers received" inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **32(8)(a)**
- F105** Sch. 3 Form N: para. 14 words: "14. Number of tendered postal ballot papers marked rejected" inserted (15.9.2014) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2014 \(S.I. 2014/1808\)](#), regs. 1(1), **32(8)(b)**

**Status:** Point in time view as at 12/02/2015.

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Regulation 91(1)(b)

Form N: STATEMENT AS TO POSTAL BALLOT PAPERS

REPRESENTATION OF THE PEOPLE ACTS

PARLIAMENTARY ELECTION

Constituency

---

Date of poll

---

*A. Issue of postal ballot papers*

*Number*

1. Total number of postal ballot papers issued under regulation 76
2. Total number of postal ballot papers issued under regulation 81(2) (where the first ballot paper was spoilt and returned for cancellation)
3. Total number of postal ballot papers issued (1+2)

*B. Receipt of postal ballot papers*

*Number*

4. Number of covering envelopes received by the returning officer or at a polling station before the close of poll (excluding any undelivered or returned under regulation 81(1) with spoilt ballot papers)
5. Number of covering envelopes received by the returning officer after the close of poll, excluding any returned as undelivered
6. Number of postal ballot papers returned spoilt for cancellation under regulation 81(1) in time for another ballot paper to be issued
7. Number of postal ballot papers returned as spoilt too late for another ballot paper to be issued
8. Number of covering envelopes returned as undelivered (up to the date of this statement)
9. Number of covering envelopes not received by the returning officer by the date of this statement
10. Total Nos. 4 to 9 (This number should be the same as that in 3. above)

*C. Count of postal ballot papers*

*Number*

11. Number of covering envelopes received by the returning officer before the close of poll (excluding any undelivered or returned under regulation 81(1) with spoilt ballot papers)
12. Number of ballot papers returned by postal voters which were included in the count of ballot papers
13. Number of cases in which a covering envelope or its contents were marked "Rejected" (cancellations under regulation 81(4) are not rejections and should be included in items 2 and 6 above)

Date

---

Signed

---

Returning Officer

Address

---

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

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### Textual Amendments

**F106** Sch. 3 Form O inserted (18.7.2013) by [The Representation of the People \(Northern Ireland\) \(Amendment\) Regulations 2013 \(S.I. 2013/1846\)](#), regs. 1(1), 5(3), **Sch.**

**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)



## CANVASS FORM

Please read the notes overleaf carefully before completing the form.

Please complete this form using BLACK ink and CAPITAL letters, sign the form and return it using the freepost envelope.

| YOUR DETAILS  |                      | Ward: ENO:  |                      |
|---|----------------------|---|----------------------|
| Surname   | <input type="text"/> | Previous Surname Please provide your most recent previous surname   | <input type="text"/> |
| Forename(s)   | <input type="text"/> | Previous address Please provide your most recent previous address   | <input type="text"/> |
| The address where I am now living is as below   |                      | Postcode  | <input type="text"/> |
| Address   |                      | <input type="text"/>  |                      |
| Phone number (optional)   | <input type="text"/> | Other address Only fill in this section if you have another address in the United Kingdom where you are, or have applied to be, registered.   | <input type="text"/> |
| We will only use this number if we need to check anything   |                      | Postcode  | <input type="text"/> |
| Date of birth (DD/MM/YYYY)  | <input type="text"/> | <b>RESIDENCE (see notes)</b>  |                      |
| Nationality (for example British, Irish, French)  | <input type="text"/> | I have lived in Northern Ireland for the three months prior to 15 October 2013. <input type="checkbox"/> Yes <input type="checkbox"/> No  |                      |
| <b>NATIONAL INSURANCE NUMBER (see notes)</b>  |                      | <b>EDITED REGISTER (see notes)</b>  |                      |
| <input type="text"/>  |                      | Anyone can buy a copy of the edited register, including companies that send junk mail. If you don't want your details to appear on the edited register, tick here. <input type="checkbox"/> |                      |
| e.g. AB123456G  |                      |   |                      |
| Tick here if you have never had a National Insurance number <input type="checkbox"/>  |                      |   |                      |
| <b>DECLARATION</b>  |                      |   |                      |
| <ul style="list-style-type: none"> <li>I am a British, Irish, Commonwealth or European citizen</li> <li>To the best of my knowledge, the information I have given on this form is correct.</li> </ul>                   |                      |   |                      |
| You must <b>SIGN</b> this form in the box below, unless you are unable because of an incapacity or because you are unable to read. No-one else can sign it for you.   |                      |   |                      |
| <input type="text"/>  |                      | *** Please keep all of your signature inside the white box, otherwise we may return the form to you.  |                      |
| Date  |                      | <input type="text"/>  |                      |
| If you cannot sign the form you must ask a witness to fill in the section below for you.  |                      |   |                      |
| The person whose details are given on this form has told me that the information is correct. That person is unable to sign the form "because of an incapacity/because they are unable to read" (*delete as appropriate) |                      |   |                      |
| Signature of witness  | Address of witness   |   |                      |
| <input type="text"/>  | <input type="text"/> |   |                      |



**Status:** Point in time view as at 12/02/2015.

**Changes to legislation:** The Representation of the People (Northern Ireland) Regulations 2008 is up to date with all changes known to be in force on or before 18 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)

## Useful information

### About this form

The Electoral Register contains the name and address of everyone entitled to vote. The information you give on this form will be used to compile the Electoral Register which will be published on 2 December 2013. **You are required by law to give the information asked for which must be accurate on 15 October 2013.** You should complete the form whether you are currently registered or you are registering for the first time. If you do not give the information requested you could be fined up to £1000. Providing false information is a criminal offence for which you could be sent to prison for up to six months or fined £5000 or both. **If you do not return this form you may not be included on the electoral register and will not be able to vote at future elections.**

This form is available in large print, Braille and audio formats and a range of different languages upon request. Contact our Helpline 0800 4320 712 or [info@ecni.org.uk](mailto:info@ecni.org.uk) to request a copy in an alternative format.

If you require additional forms check if some have been delivered to your household in a supplementary stationery pack. If not, forms can be downloaded from our website [www.eoni.org.uk](http://www.eoni.org.uk) or phone our Helpline 0800 4320 712.

### Who can complete this form

- We need one form for each person born on or before 30 November 1996.
- You must be a British, Irish, Commonwealth or European Union citizen, and you must give your nationality on the form.

### Completing and returning the form

- If this form is pre-printed with the name and address that is currently held on the electoral register, please check the details and amend as necessary.
- If it is not pre-printed please give the necessary details on the form.
- You must give your date of birth and your National Insurance number (this can be found on your national insurance number card or on a letter issued by HM Revenue and Customs)
- In order to be included on the electoral register, you must have lived in Northern Ireland for the three months before 15 October 2013 and indicate this by ticking the relevant box in the residence section of the form. If you normally live in Northern Ireland but have been away temporarily (e.g. a student/on holiday) you should still tick the 'yes' box.
- Remember to sign the form personally in the declaration section and return it as soon as possible.

This form contains personal information. You should return it only to the Electoral Office for Northern Ireland (EONI) in the freepost envelope provided or to an authorised employee of EONI. It should be returned as soon as possible and no later than **Registration Day - 27 September 2013**.

If you have mislaid your freepost envelope please return the completed form to the address given in the contact section below.

### The full and edited electoral registers

The full register lists the name and address of everyone who is registered to vote. By law, certain public organisations and people, including politicians, can receive the full register. Anyone can look at it but it is a crime to supply or use the information for purposes other than those allowed by law. Credit-reference agencies can use the full register, but only to check your name and address if you are applying for credit.

The edited register is available for general sale and can be used for any purpose. It can be bought by any person, company or organisation and can be used for commercial activities such as marketing. If you do not want your details to appear on the edited register please tick the 'edited register' box.

### Use of personal information

The information given on your application form may be provided to bodies responsible for auditing and administering public funds for the purposes of preventing and detecting fraud. We may also supply this information to the Northern Ireland Statistics and Research Agency (NISRA) for registration purposes. For further details please see our website or contact the Information Officer at the address below.

### How to contact us

Telephone (Freephone): **0800 4320 712**. Our Helpline is open weekdays between **9am and 6pm**  
Textphone: 0800 3284 502  
Address: Electoral Office for Northern Ireland, St Anne's House, 15 Church Street, Belfast, BT1 1ER  
Website: [www.eoni.org.uk](http://www.eoni.org.uk)

**Status:** Point in time view as at 12/02/2015.

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## SCHEDULE 4

Regulation 14

APPLICATION WITH MODIFICATIONS OF PROVISIONS OF THE 1983 AND 1985 ACTS  
FOR REGISTRATION OF EUROPEAN PARLIAMENTARY OVERSEAS ELECTORS

| <i>1 Provision applied</i>                          | <i>2 Modification</i>  |
|---|--|
| PART 1: THE 1983 ACT                                |  |
| Section 4(5) (attainers)( <b>120</b> )              |  |
| Section 9 (register of electors)( <b>121</b> )      | In subsection (1)(a) omit “for each constituency or part of a constituency”.<br><br>In subsection (2) omit “subject to section 9B(3) below”.<br><br>Omit subsection (2)(b).<br><br>Omit subsections (5) to (8).  |
| Section 13 (publication of registers)( <b>122</b> ) | For subsection (1) to (3) substitute:<br><br>“(1) Where a register under section 3 of the 1985 Act is in force, a revised version of it shall be published when a revised version of the registers of parliamentary and local government electors is published under this section as it has effect for the purposes of such registers”.<br><br>In subsection (5) omit the words “, 13B or 13BA”. |
| Section 13A (alteration of register)( <b>123</b> )  | In subsection (2)(b) omit the words “(subject to sections 13B(1) and 13BA(1) below)”.<br><br>In subsection (3)(a) omit “or 3”.<br><br>In subsection (3)(b) for “section 13(1)(a)” substitute “section 13(1)”.<br><br>Omit subsection (4).<br><br>In subsection (5) omit “and section 13B or 13BA below”.   |

(**120**) 1983 c.2; section 4 was substituted by section 1(2) of the 2000 Act (c.2).

(**121**) Section 9 was substituted by Schedule 1 to the 2000 Act. Subsection (2) was amended by paragraph 4 of Schedule 1 to the 2006 Act (c.22) but these amendments (which inserted the words “subject to section 9B(3)”) do not extend to Northern Ireland. Subsection (5) was also amended by the 2006 Act but these amendments do not extend to Northern Ireland. Subsection (6) was omitted by section 9(2) of the 2006 Act but this amendment does not extend to Northern Ireland.

(**122**) Sections 13 to 13B were substituted by Schedule 1 to the 2000 Act. Subsection 13(1) was substituted by section 5(1) of the Miscellaneous Provisions Act (c.33). The words “or 13BA” were inserted by Schedule 4 to the Miscellaneous Provisions Act 2006.

(**123**) Subsections (1), (2), (4) and (5) were amended by Schedule 4 to the Miscellaneous Provisions Act. Subsections (2A) and (2B) were inserted by section 1 of the 2002 Act (c.13). Subsection (3) was amended by section 5 of the Miscellaneous Provisions Act. The amendments made to section 13A by section 11 of the 2006 Act do not extend to Northern Ireland.

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| <i>1 Provision applied</i>                                 | <i>2 Modification</i>   |
|--|---|
| Section 50 (effect of misdescription)                      | For paragraphs (a), (b) and (c) substitute “in the register”.   |
| Section 52 (discharge of registration duties)(124)         | In subsections (1), (2) and (4) after the word “Act” insert “and regulation 14 of the Representation of the People (Northern Ireland) Regulations 2008.”  |
| Section 54 (payment of expenses of registration)(125)      | In subsection (1) after the word “Act” in the first place where it occurs, insert “and Regulation 14 of the Representation of the People (Northern Ireland) Regulations 2008”.  |
|  | Omit subsection (3).  |
| Section 58 (registration appeals: Northern Ireland)(126)   | In subsection (4) omit “and 13BA”.  |
|  | In subsection (5) for “,13A(2) or 13BA(6) or (9)” substitute “or 13A(2)”.   |
| Section 63 (breach of official duty)(127)                  | In subsection (3)—<br>(a) for paragraphs (a) to (d) substitute:<br>“(a) any registration officer;”<br>and<br>(b) for the words from “relating to” to the end of the subsection substitute “relating to the registration of European Parliamentary overseas electors”. |
| <b>PART 2: THE 1985 ACT</b>                                |   |
| Section 2 (registration of British citizens overseas)(128) | In subsection (1)(a) omit “constituency or”.  |
|  | In paragraph (c) of subsection (2) for the words from “parliamentary” to the end of that paragraph, substitute “local electors”.  |
|  | In subsection (4)(a) for “section 1” substitute “section 3”.  |
|  | In subsection (7) for “any constituency or part of a constituency” substitute “the electoral region”.   |
|  | In subsection (8) for “section 1(1)(a)” substitute “section 3(1)(a)”.   |

(124) Section 52 was amended by Schedule 4 to the 1985 Act (c.50) and subsection (1A) was inserted by Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(125) Section 54 was amended by Schedule 4 to the 1985 Act.

(126) Section 58 was substituted by Schedule 1 to the 2000 Act and then, for Northern Ireland, by Schedule 4 to the Miscellaneous Provisions Act.

(127) Section 63 was substituted by Schedule 4 to the 1985 Act. Subsection (3) was amended by section 41(8) of the 2006 Act and S.I.2001/1149. Subsections (4) and (5) were inserted by section 46(6) of the 2006 Act.

(128) Section 2 was substituted by Schedule 2 to the 2000 Act and subsection (2)(aa) was inserted by section 12(9) of the 2006 Act.

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| <i>1 Provision applied</i>  | <i>2 Modification</i>  |
|---|--|
| In section 12 (offences as to declarations etc), subsections (1), (2) and (4) | In subsection (1)(a) for word “parliamentary” substitute “European Parliamentary”. |

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## SCHEDULE 5

Regulation 27

### Form of words about two versions of the register

#### **What are the “full register” and the “edited register”?**

There are two versions of the Electoral Register - the full Register and the edited Register.

**Please say in your registration form if you wish your name and address to appear only in the full register.**

#### **The full Register**

The full register lists the names and addresses of everyone who is entitled to vote. By law, certain people and organisations are allowed copies of the register. A list of these people and the purposes for which they can use the register is available at [www.eoni.org.uk](http://www.eoni.org.uk) or by telephoning 08004320712. Anyone can look at the full register but it is a crime to use the information for purposes other than those allowed by law. For example, credit reference agencies can use the full register but only to check your name and address if you are applying for credit.

If you want to check the full register, you can inspect it at any Area Electoral Office or District Council Office.

#### **The edited Register**

The edited register can be bought by anyone who asks for a copy and they may use it for any purpose. For example, it can be used by marketing companies who send advertising. If you do not wish your name to appear on the edited register tick here

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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 2001(S.I.2001/400), as amended (“the 2001 Regulations”). These Regulations are needed in consequence of changes made by the Electoral Administration Act 2006 (c.22)(“ the 2006 Act”).

Part 1 of these Regulations is based on Part 1 of the 2001 Regulations (as amended). Regulations 5 and 6 of these Regulations differ from the equivalent provisions in the 2001 Regulations to facilitate the use of electronic communications in making representations.

The official poll card and the proxy’s official poll card have been amended in the light of the replacement of counterfoils made by section 31 of the 2006 Act and to make it clear that voters in Northern Ireland must show a specified form of photographic identification when voting.

Part 2 of these Regulations repeats Part 2 of the 2001 Regulations (as amended).

Part 3 of these Regulations is in substance the same as Part 3 of the 2001 Regulations (as amended). Regulation 24 differs from the equivalent provision in the 2001 Regulations and does not contain the previous offence in regulation 23 of the 2001 Regulations of providing false information in pursuance of a requisition of information by the registration officer. Section 15 of the 2006 Act has amended section 13D of the Representation of the People Act 1983 (c.2) (“the 1983 Act”), creating a broader offence of providing false information to registration officers. Regulation 24 also enables the Chief Electoral Officer to request documentation as well as information and to specify the form in which the information he requests must be provided.

Regulation 25 provides that the deadline for “late registration” of electors is to be the eleventh day before the date of the poll. This later deadline for registration means that the registration officer will not have time to make the normal checks on the information provided by the elector before polling day. In order to avoid electoral fraud, electors who apply for late registration will have to provide such of the original documents set out in regulation 25 as the registration officer may request. Regulation 25 provides, among other things, that a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Standards Scheme is acceptable evidence. Further information about this scheme can be obtained from the British Retail Consortium, 21 Dartmouth Street, London, SW1H 9BP (tel: 020 7854 8900) or on the website [www.pass-scheme.org.uk](http://www.pass-scheme.org.uk).

Regulations 28 and 30 differ from the equivalent provisions in regulations 27 and 29 of the 2001 Regulations so as to make provision for objections made in respect of persons already entered in the register. The amendment made to section 10A of the 1983 Act by section 12(4) of the 2006 Act clarified that such objections could be made. Regulation 30 additionally provides for the registration officer to be able to determine objections without a hearing where he is of the opinion that the objection in question is clearly without merit.

Regulation 33 is a new provision which allows for the determination of objections relating to applications for registration which have been allowed, but where corresponding changes to the register have yet to take effect.

Regulations 34 to 38 are new provisions for which there were no equivalents in the 2001 Regulations. Section 12 of the 2006 Act amended the provisions of the 1983 Act set out in new regulation 34, to confer powers on the registration officer to make determinations of a person’s entitlement to be registered other than in relation to determining applications for registration and objections. These new regulations provide for the manner in which these powers are to be exercised. They provide for

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the registration officer to undertake a review of a person's entitlement to registration (regulation 36) and to maintain a list of such reviews (regulation 37). Provision is made for when such reviews must be heard (regulation 36) and how they are to be heard (regulation 38). New regulation 35 provides that this procedure does not apply in specified circumstances, where it is clear that a person has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act, for the purposes of a determination under section 10A(5)(b) of that Act.

Regulation 40 makes provision in relation to representations made by or on behalf of an elector that the electoral register contains a clerical error.

Regulation 33 of the 2001 Regulations, which prescribed circumstances for the purposes of section 10A(5)(b) of the 1983 Act, has not been replicated in these Regulations. This conferred a power on the registration officer to determine in the circumstances so prescribed that a person had ceased to satisfy the requirements for registration set out in section 4 of that Act. However, section 12(5)(b) of the 2006 Act, substituted a broader power that is now subject to the procedure set out in regulation 30.

Regulation 44(3) is a new provision which is not found in regulation 36 of the 2001 Regulations which preceded it. Paragraph (3) specifies the prescribed time for the purposes of section 13BA(7) and (8) of the 1983 Act. Section 13BA of the 1983 Act (as inserted by section 6 of the [Northern Ireland \(Miscellaneous Provisions\) Act 2006\(c.33\)](#)) allows alterations to be made to the electoral register in consequence of a court ruling or to correct a clerical error up to a prescribed time on the day of the poll.

Regulation 45, which is new, provides that where a notice of alteration is issued by a registration officer on polling day as a result of a court ruling or to correct a clerical error, the registration officer must communicate the contents of the notice to the presiding officer. Where such a communication takes place, the presiding officer is required to make a note as to the contents of the notice and forward it to the returning officer after the day of the poll.

Regulation 44 of the 2001 Regulations, which required the registration officer to supply the Secretary of State with information about electors, has not been reproduced in these Regulations. This is because regulation 44 had not been used and was considered otiose.

Part 4 of these Regulations repeats the substance of Part 4 of the 2001 Regulations. However, regulation 69 prescribes the form of corresponding number lists to be used at parliamentary elections at polling stations and for postal ballot papers. This is consequential on sections 30 (ballot paper design) and 31 (replacement of counterfoils) of the 2006 Act.

Part 5 of these Regulations repeats the substance of Part 5 of the 2001 Regulations. In regulations 76 and 79 references to counterfoils attached to ballot papers, which appeared in the 2001 Regulations, are replaced with references to the corresponding number list, following amendments made by section 31 of the 2006 Act.

Regulation 72 differs from regulation 67 of the 2001 Regulations in consequence of changes made by section 29 of the 2006 Act.

Part 6 of the Regulations repeats the substance of Part 6 of the 2001 Regulations. However, changes have been made in provisions which relate to the supply of the electoral register to ensure that where a registration officer is required to supply a person with a copy of the register, the register is taken to include any notices of alteration issued by the registration officer under section 13BA(3), (6) or (9) of the 1983 Act as inserted by section 6 of the Northern Ireland (Miscellaneous Provisions) Act 2006.

The District Electoral Areas Commissioner has been added to the list of people who can receive the register under regulation 100.

The offences in regulation 114 differ from those previously found in regulation 109 of the 2001 Regulations in order to bring the offences for breach of conditions on the use of information in the full register in line with that for misuse of documents after an election.



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Part 7 is new and makes provision requiring the Chief Electoral Officer for Northern Ireland to supply or disclose information in documents that have been used or marked at parliamentary elections and places conditions on the use of information in those documents. An offence for breach of those conditions is set out in section 66B of the 1983 Act which was inserted by section 41(9) of the 2006 Act.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.



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