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## STATUTORY INSTRUMENTS

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# 2008 No. 1741

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

### PART 2

#### SERVICE AND OVERSEAS ELECTORS' DECLARATIONS

##### *Overseas elector's declarations*

##### **[<sup>F1</sup>Contents of overseas elector's declaration**

**20.**—(1) In addition to the information required or permitted by section 1C of the 1985 Act, an overseas elector's declaration must—

- (a) state the present address of the person making the declaration (“the declarant”),
- (b) state—
  - (i) where the declarant has a passport (current or expired) which describes the declarant as a British citizen, the number of that passport, together with its date and place of issue;
  - (ii) otherwise—
    - (aa) where the declarant was born in the United Kingdom before 1st January 1983, a statement as to that fact;
    - (bb) in all other cases, a statement as to when and how the declarant acquired the status of British citizen, together with the date, place and country of the declarant's birth, and
- (c) if the declaration includes a statement under section 1C(5) of the 1985 Act (statement that declarant is an eligible Irish citizen), state—
  - (i) where the declarant has an Irish passport (current or expired), the number of that passport, together with its date and place of issue;
  - (ii) otherwise, a statement as to when and how the declarant acquired the status of Irish citizen, together with the date, place and country of the declarant's birth.

(2) Where the declarant is seeking to be registered in reliance on the previous registration condition, the declaration must also—

- (a) include—
  - (i) an indication as to whether the declarant's name has changed since the declarant was last included in the register, and
  - (ii) where the indication is that the declarant's name has changed—
    - (aa) the name in respect of which the declarant was last included in the register, and

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**Changes to legislation:** *The Representation of the People (Northern Ireland) Regulations 2008, Section 20 is up to date with all changes known to be in force on or before 28 June 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) View outstanding changes*

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- (bb) the reason for the change, and
- (b) include an indication as to whether the declarant was last registered in pursuance of—
  - (i) an overseas elector’s declaration,
  - (ii) a service declaration, or
  - (iii) a declaration of local connection.
- (3) Where the declarant is seeking to be registered in reliance on the previous residence condition, the declaration must also—
  - (a) include—
    - (i) an indication as to whether the declarant’s name has changed since the last day on which the declarant was resident in the United Kingdom, and
    - (ii) where the indication is that the declarant’s name has changed—
      - (aa) the declarant’s name on the last day on which the declarant was resident in the United Kingdom, and
      - (bb) the reason for the change,
  - (b) include an indication as to whether the declarant was under 18 years old on the last day on which the declarant was resident in the United Kingdom, and
  - (c) where the declarant is seeking to be registered in reliance on the previous residence condition by virtue of section 1A(3)(b)(ii) of the 1985 Act (previous residence condition: declaration of local connection), include—
    - (i) a statement as to which of the categories of person mentioned in section 7B(2)(a) to (c) of the 1983 Act (notional residence: declarations of local connection) the declarant fell within on the last day on which the declarant was resident in the United Kingdom, and
    - (ii) where the declarant fell within the category of person mentioned in section 7B(2) (a) or (b) of the 1983 Act on that day, the name and address of the mental hospital at which the declarant was a patient or (as the case may be) the place at which the declarant was detained.
- (4) Where the declaration includes an indication that the declarant was under 18 years old on the last day on which the declarant was resident in the United Kingdom, the declarant may provide as part of the declaration any information or document described in regulation 27ZA.
- (5) In paragraph (1)(b)(ii)(aa), “the United Kingdom” has the meaning given in section 50 of the British Nationality Act 1981.]

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#### Textual Amendments

- F1** Reg. 20 substituted (16.1.2024) by [The Representation of the People \(Overseas Electors etc.\) \(Amendment\) \(Northern Ireland\) Regulations 2024 \(S.I. 2024/43\)](#), regs. 1(1), 5 (with reg. 27(1))

**Changes to legislation:**

The Representation of the People (Northern Ireland) Regulations 2008, Section 20 is up to date with all changes known to be in force on or before 28 June 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.

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**Changes and effects yet to be applied to :**

- reg. 20(1) word inserted by 2014 c. 13 s. 15(2)(a)(ii)
- reg. 20(1) word substituted by 2014 c. 13 s. 15(2)(a)(iii)
- reg. 20(1) words inserted by 2014 c. 13 s. 15(2)(a)(i)
- reg. 20(6) words substituted by 2014 c. 13 s. 15(2)(c)
- reg. 20(7) omitted by 2014 c. 13 s. 15(2)(e)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 20(5A) inserted by 2014 c. 13 s. 15(2)(b)
- reg. 20(6A)(6B) inserted by 2014 c. 13 s. 15(2)(d)
- reg. 22(3)(d) and word inserted by 2014 c. 13 s. 15(3)(b)
- reg. 22(6) inserted by 2014 c. 13 s. 15(3)(f)
- reg. 38C(3)(t) inserted by S.I. 2022/1382 reg. 41(c)