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## STATUTORY INSTRUMENTS

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# 2008 No. 1741

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

### PART 3

#### REGISTRATION

##### *Determination of applications and objections*

#### **[<sup>F1</sup>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
- (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.

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**Changes to legislation:** *The Representation of the People (Northern Ireland) Regulations 2008, Section 38B is up to date with all changes known to be in force on or before 14 August 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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(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).]

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**Textual Amendments**

**F1** 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**

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

**C1** [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)**)

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**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\(c\)](#)