
STATUTORY INSTRUMENTS

2014 No. 1808

The Representation of the People (Northern Ireland) (Amendment) Regulations 2014

Amendment of the Representation of the People (Northern Ireland) Regulations 2008

15. After regulation 53, insert—

“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;
- (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⁽¹⁾, or paragraph 1(6) or 4(11) of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985⁽²⁾, as the case may be.

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⁽³⁾; and

(1) 1985 c. 50; sections 5 to 9 were repealed in respect of England, Scotland and Wales only by section 12 of, and Part 2 of Schedule 7 to, the Representation of the People Act 2000 (c. 2); sections 5 to 9 were amended in relation to Northern Ireland only by paragraphs 12 to 17 of Schedule 6 to, and by Part 3 of Schedule 7 to, the Representation of the People Act 2000 (c. 2), and by article 6 of S.I. 2014/1116.

(2) S.I. 1985/454; Part 1 of Schedule 2 was substituted in its entirety by S.I. 1987/168; paragraph 1 was amended by S.I. 2002/2835, S.I. 2005/1969, S.I. 2010/2977 and S.I. 2014/1116; paragraph 4 was amended by S.I. 2010/2977 and S.I. 2014/1116.

(3) A person can be temporarily appointed by the Secretary of State under section 14(5) of the Electoral Law Act (Northern Ireland) 1962 (c. 14) (N.I.), which applies to the Chief Electoral Officer in his capacity as returning officer at parliamentary elections by virtue of section 26 of the Representation of the People Act 1983 (c. 2).

(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⁽⁴⁾ (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⁽⁵⁾.

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.

(4) In relation to a referendum to which Part 7 of the Political Parties, Elections and Referendums Act 2000 (c. 41) applies, the Chief Electoral Officer for Northern Ireland is the Chief Counting Officer at any referendum held only in Northern Ireland, and in any other case is treated as having been appointed as a counting officer for the whole of Northern Ireland (section 128 of that Act).

(5) The “2000 Act” is defined in regulation 2 as the Representation of the People Act 2000 (c. 2). There are no amendments to section 17 of that Act.

(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.

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⁽⁶⁾, unless a fresh application for an anonymous entry is made.”

⁽⁶⁾ Section 9C(1A) was inserted by article 3 of [S.I. 2014/1116](#).