
STATUTORY INSTRUMENTS

2023 No. 1116

**The Representation of the People and Recall Petition
(Northern Ireland) (Amendment) Regulations 2023**

PART 2

Amendments relating to Parliamentary elections

Applications for postal vote where ballot papers are to be sent to a different address

- 8.** In regulation 62 (grant or refusal of applications)(1), at the end insert—
- “(6) Paragraphs (7) and (8) apply in the following situations—
- (a) where a person makes an application to vote by post under section 6(1) of the 1985 Act (application for postal vote for indefinite period)(2) and the addresses provided in accordance with section 6(6) of that Act (address to which ballot paper should be sent) and regulation 55(2)(b) (address in the register) are different;
 - (b) where a person makes an application to vote by post under section 7(1) of the 1985 Act (application for postal vote for a particular election)(3) and the addresses provided in accordance with section 7(5) of that Act (address to which ballot paper should be sent) and regulation 55(2)(b) (address in the register) are different;
 - (c) where a person who is a proxy makes an application to vote by post under section 9(4) or (7) of the 1985 Act (application by proxy for postal vote for indefinite period or for a particular election)(4) and the addresses provided for the proxy in accordance with section 9(12) of that Act (address to which ballot paper should be sent) and regulation 55(2)(c) (proxy’s address as provided in proxy application) are different;
 - (d) where a person makes an application under section 7(2)(a)(5) of the 1985 Act (application by person registered as postal voter for indefinite period to have ballot papers sent to a different address for a particular election);
 - (e) where a person makes an application under section 9(8)(6) of the 1985 Act (application by proxy registered as postal voter for indefinite period for ballot papers to be sent to a different address for a particular election).

(1) Regulation 62 was amended by [S.I. 2018/699](#) and [S.I. 2018/1310](#).

(2) Section 6 was amended by paragraph 14 of Schedule 6 to the Representation of the People Act 2000 (c. 2), by section 3 of the Electoral Fraud (Northern Ireland) Act 2002 (c. 13), by paragraph 134 of Schedule 1 to the Electoral Administration Act 2006 (c. 22), by [S.I. 2005/3129](#), by [S.I. 2018/699](#), by [S.I. 2014/1116](#), by [S.I. 2008/699](#) and by [S.I. 2020/581](#).

(3) Section 7 was amended by paragraph 14 of Schedule 6 to the Representation of the People Act 2000 (c. 2), by section 3 of the Electoral Fraud (Northern Ireland) Act 2002 (c. 13), by [S.I. 2005/3129](#), by [S.I. 2018/699](#), by [S.I. 2014/1116](#), by [S.I. 2008/699](#) and by [S.I. 2020/581](#).

(4) Section 9 was amended by paragraph 17 of Schedule 6 to the Representation of the People Act 2000 (c. 2), by section 38(5) of the Electoral Administration Act 2006 (c. 22) and [S.I. 2014/1116](#).

(5) Subsection (2) was substituted by paragraph 15 of Schedule 6 to the Representation of the People Act 2000 (c. 2).

(6) Subsection (8) was amended by paragraph 17 of Schedule 6 to the Representation of the People Act 2000 (c. 2).

(7) Where the registration officer grants the application, the notification under paragraph (1) must include a statement that the ballot paper will be sent to the address specified in the application as the address to which the ballot paper should be sent.

(8) A notification about the application under paragraph (1), (4) or (5) must be delivered to the applicant's normal address, except where paragraph (9) applies.

(9) This paragraph applies where the applicant is—

- (a) an applicant registered in pursuance of a service declaration,
- (b) an applicant registered in pursuance of a declaration of local connection (within the meaning of section 7B of the 1983 Act⁽⁷⁾),
- (c) an applicant who is a merchant seaman (within the meaning of section 6 of the 1983 Act⁽⁸⁾), or
- (d) an applicant who has an anonymous entry.

(10) In paragraph (8), “the applicant's normal address” means—

- (a) in the situation mentioned in paragraph (6)(a) or (b), the address provided under regulation 55(2)(b) (address in the register);
- (b) in the situation mentioned in paragraph (6)(c), the address provided under regulation 55(2)(c) (proxy's address as provided in proxy application);
- (c) in the situation mentioned in paragraph (6)(d), the address recorded under section 6(3)(b) of the 1985 Act (address provided in application for postal vote as address to which ballot papers should be sent);
- (d) in the situation mentioned in paragraph (6)(e), the address recorded under section 9(6)(b) of the 1985 Act (address provided in application for postal vote by proxy as address to which ballot papers should be sent).”.

(7) Section 7B was inserted by section 6 of the Representation of the People Act 2000 (c. 2), and was amended by section 14(1)(a)(ii) of the Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13) and by S.I. 2007/1388. It is prospectively amended by paragraph 1(3) of Schedule 8 to the Elections Act 2022 (c. 37) from a date and time to be appointed. Other amendments have been made to section 7B that are not relevant to these Regulations.

(8) Section 6 was amended by paragraph 2 of Schedule 1 to the Representation of the People Act 2000 (c. 2).