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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision related to the change in franchise for citizens of the European Union for local government elections in England, and for Police and Crime Commissioner (“PCC”) elections in England and Wales.

Part 2 provides, at Chapter 2, a process for the review of the entitlement of citizens of member States of the European Union to remain registered on the register of local government electors in England following the change in registration criteria in section 4 of the Representation of the People Act 1983 (c. 2) (“the 1983 Act”). Chapter 3 of that Part provides a similar process for the review of the eligibility of registered citizens of member States of the European Union to vote in PCC elections in Wales following the change in eligibility criteria in section 52(1C) of the Police Reform and Social Responsibility Act 2011 (c. 13).

Chapter 4 of Part 2 also provides for registration officers to supply anonymised information to the Electoral Commission on steps taken in each of the review processes, which (with limited exceptions) is to be concluded by the end of 31st January 2025. Regulation 28 requires the Electoral Commission to create designs of some of the communications and notices to be used by registration officers in these review processes.

Part 3 provides for a revised date for the end of which revised versions of certain electoral registers for 2024 must be published by electoral registration officers under section 13 of the 1983 Act. Part 3 also contains transitional provisions relating to PCC elections conducted prior to the end of the review process under Chapter 3 of Part 2.

Part 4 makes amendments to the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) as to the content of applications for registration on the register of local government electors in England and Wales, due to the changes to registration entitlement and PCC election voting eligibility. The amendments also give a power to registration officers to seek further evidence from applicants where necessary to determine eligibility to vote in PCC elections in Wales.

Part 5 makes amendments to the Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917) (“the 2012 Order”) and the Police and Crime Commissioner (Welsh Forms) Order 2021 (S.I. 2021/291). Amendments to the 2012 Order in relation to England reflect the change in franchise of citizens of the European Union to register on the register of local government electors, and to act as proxies in PCC elections; and amendments in relation to Wales introduce a procedure to review from time to time the eligibility of registered EU citizens to vote in PCC elections in Wales.

Part 6 makes amendments to the Neighbourhood Planning (Referendums) Regulations 2012 (S.I. 2012/2031) in relation to business referendums, to reflect the revised eligibility of citizens of the European Union to vote on behalf of a business at such a business referendum.

A full impact assessment of the effect that this instrument will have on the costs of businesses, the voluntary sector and the public sector is available from the Department for Levelling Up, Housing and Communities at 2 Marsham Street, London, SW1P 4DF and published with the Explanatory Memorandum alongside this instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).

**Changes to legislation:**

There are currently no known outstanding effects for the The Representation of the People (Franchise Amendment and Eligibility Review) Regulations 2023.