

STATUTORY INSTRUMENTS

2023 No. 1150

**The Representation of the People (Franchise
Amendment and Eligibility Review) Regulations 2023**

PART 2 **E+W**

Review of registration entitlement of relevant citizens of the Union in England and
of eligibility of relevant citizens of the Union to vote in PCC elections in Wales

CHAPTER 4 **E+W**

Supplementary provisions for Chapters 2 and 3

Applications to register during correspondence-based review **E+W**

24.—(1) This regulation applies where a registration officer receives an application from a relevant person pursuant to section 10ZC(1)(a) of the 1983 Act—

- (a) following the sending of a first or second review notice, notification of possible removal or request for further information to that relevant person in accordance with Chapter 2, and
- (b) before the registration officer has—
 - (i) issued a notice pursuant to regulation 11(1) or 13(2), or
 - (ii) made a determination pursuant to regulation 12(4).

(2) This regulation also applies where a registration officer receives an application from a relevant person pursuant to section 10ZC(1)(a) of the 1983 Act—

- (a) following the sending of a first or second notice of review, notification of possible ineligibility, or request for further information to that relevant person in accordance with Chapter 3, and
- (b) before the registration officer has—
 - (i) issued a notice pursuant to regulation 20(1), or 22(2), or
 - (ii) made a determination pursuant to regulation 21(4).

(3) The registration officer must treat information provided within the application in relation to regulation 26(1)(fa) of the 2001 Regulations as a response to a review notice, notification of possible removal or ineligibility or request for information (as the case may be).

Commencement Information

II [Reg. 24](#) in force at 7.5.2024, see [reg. 1\(2\)](#)

Information about operation of procedures for reviewing entitlement to registration E+W

25.—(1) As soon as practicable after 31st January 2025, a registration officer in England must supply to the Electoral Commission the information required by paragraph (2).

(2) The information referred to in paragraph (1) must be contained in a document which must state the name of the area in respect of which the registration officer has been appointed, and must list the following in respect of that area—

- (a) the number of relevant persons reviewed pursuant to regulation 6,
- (b) the number of relevant persons to whom a confirmation notice was sent pursuant to regulation 11 following the review pursuant to regulation 6, and of those—
 - (i) the number of qualifying EU citizens(1), and
 - (ii) the number of EU citizens with retained rights(2),
- (c) the respective numbers of relevant persons who received—
 - (i) a first review notice pursuant to regulation 7(1),
 - (ii) a second review notice pursuant to regulation 7(5), or
 - (iii) a notification of possible removal pursuant to regulation 8(2),
- (d) the number of relevant persons who received a request for further information pursuant to regulation 10,
- (e) the number of relevant persons treated as having responded to a first or second review notice, notification of possible removal, or request for further information by way of application to register, in accordance with regulation 24,
- (f) the number of relevant persons to whom a confirmation notice was sent pursuant to regulation 11 following a notice, notification or request under regulations 7 to 10,
- (g) the number of relevant persons to whom regulation 7(2) applies and whose eligibility to remain registered was determined by the registration officer in accordance with Chapter 2, and of those—
 - (i) the number of qualifying EU citizens, and
 - (ii) the number of EU citizens with retained rights,
- (h) the number of relevant persons to whom a notice was delivered pursuant to regulation 12(2),
- (i) the number of relevant persons who requested a review hearing pursuant to regulation 12(2)(d),
- (j) the number of relevant persons to whom a notification was delivered pursuant to regulation 13(2)(b)(i),
- (k) the number of relevant persons whose eligibility to remain registered was reviewed other than in accordance with these Regulations, between the coming into force of this regulation and the end of 31st January 2025, and
- (l) the number of persons registered as qualifying EU citizens or as EU citizens with retained rights as at the end of 31st January 2025.

Commencement Information

I2 Reg. 25 in force at 7.5.2024, see [reg. 1\(2\)](#)

(1) See section 203A of the Representation of the People Act 1983 (c. 2) for the meaning of “qualifying EU citizen”.

(2) See section 203B of the Representation of the People Act 1983 for the meaning of “EU citizens with retained rights”.

Information about operation of procedures for reviewing eligibility to vote in PCC elections

E+W

26.—(1) As soon as practicable after 31st January 2025, a registration officer in Wales must supply to the Electoral Commission the information required by sub-paragraph (2).

(2) The information referred to in paragraph (1) must be contained in a document which must state the name of the area in respect of which the registration officer has been appointed, and must list the following in respect of that area—

- (a) the number of relevant persons reviewed pursuant to regulation 15(1),
- (b) the number of relevant persons to whom a confirmation notice was sent pursuant to regulation 20(1), following the review pursuant to regulation 15(1), and of those—
 - (i) the number of qualifying EU citizens, and
 - (ii) the number of EU citizens with retained rights,
- (c) the respective number of persons who, in the course of a correspondence-based review pursuant to these Regulations, received—
 - (i) first review notice pursuant to regulation 16(1),
 - (ii) second review notice pursuant to regulation 16(5), or
 - (iii) notification of possible ineligibility pursuant to regulation 17(2),
- (d) the number of relevant persons who received a request for further information pursuant to regulation 19(1),
- (e) the number of relevant persons treated as having responded to a first or second review notice, notification of possible ineligibility, or request for further information by way of application to register, in accordance with regulation 24,
- (f) the number of relevant persons to whom a confirmation notice was sent pursuant to regulation 20(1) following a notice, notification or request under regulations 16 to 19,
- (g) the number of relevant persons to whom ^{F1}regulation 16(2)] applies and whose eligibility to remain registered was determined by the registration officer in accordance with Chapter 3, and of those—
 - (i) the number of qualifying EU citizens, and
 - (ii) the number of EU citizens with retained rights,
- (h) the number of relevant persons to whom a notice was delivered pursuant to regulation 21(1),
- (i) the number of relevant persons who requested a review hearing pursuant to regulation 21(2)(e),
- (j) the number of persons to whom a notification was delivered pursuant to regulation 22(2), and
- (k) the number of persons registered as qualifying EU citizens or as EU citizens with retained rights as at the end of 31st January 2025.

Textual Amendments

- F1** Words in [reg. 26\(2\)\(g\)](#) substituted (7.5.2024 immediately before S.I. 2023/1150, reg. 11 comes into force) by [The Representation of the People \(Overseas Electors etc.\) \(Amendment\) Regulations 2023 \(S.I. 2023/1406\)](#), regs. 1(4), [16\(7\)](#)

Commencement Information

I3 [Reg. 26](#) in force at 7.5.2024, see [reg. 1\(2\)](#)

Electoral Commission requirements **E+W**

27.—(1) The Electoral Commission must—

- (a) design communications and notices to be used by registration officers under—
 - (i) regulations [7\(1\)\(a\)](#), [8\(2\)](#), [11\(1\)\(a\)](#), [12\(2\)](#) and [13\(2\)\(b\)\(i\)](#), and
 - (ii) regulations [16\(1\)\(a\)](#), [17\(2\)](#), [20\(1\)\(a\)](#), [21\(2\)](#), and [22\(2\)](#),
- (b) obtain the approval of the Secretary of State to the communications and notices, and
- (c) having obtained that approval, make the communications and notices available to registration officers.

(2) Before giving approval in respect of the design of any communication or notice referred to in paragraph (1)(a)(ii), the Secretary of State must consult the Welsh Ministers.

Commencement Information

I4 [Reg. 27](#) in force at 7.5.2024, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Representation of the People (Franchise Amendment and Eligibility Review) Regulations 2023, CHAPTER 4.