
STATUTORY INSTRUMENTS

2023 No. 1150

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

PART 2

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 3

Review of eligibility of relevant citizens of the Union to vote in a PCC election in Wales

Procedure for reviewing eligibility to vote in a PCC election – correspondence-based review

16.—(1) Subject to paragraph (2), where a registration officer is not satisfied following a review under regulation 15(1) that the relevant person continues to satisfy the eligibility criteria, the registration officer must—

- (a) give notice to that person containing information specified at paragraph (2) (a “first review notice”), and
- (b) enter the review in the list kept pursuant to regulation 31E of the 2001 Regulations.

(2) Where the relevant person is registered pursuant to an application for anonymous entry under section 9B of the 1983 Act and the date on which the relevant person’s entitlement to remain registered under section 9C of the 1983 Act expires is before the end of 31st January 2025, paragraph (1) is to be read as if for “must” there were substituted “may”.

(3) A first review notice must—

- (a) explain that the criteria under section 52 of the 2011 Act by which a citizen of a member State is eligible to vote in a PCC election have changed,
- (b) state that eligibility to vote in PCC elections in Wales is unrelated to eligibility to register and vote in local government elections in Wales,
- (c) state that the registration officer is not certain that the relevant person remains eligible to vote in a PCC election, and the grounds for the registration officer’s opinion,
- (d) require that the relevant person provide such further information as specified in the notice relating to whether that person meets the eligibility criteria,
- (e) provide information on how the relevant person may respond to the request for information, and
- (f) state that it is an offence to provide false information to the registration officer, and the maximum penalty for that offence.

(4) Paragraph (5) applies where—

- (a) the registration officer sends to a relevant person a first review notice, and

- (b) that person does not respond within a reasonable time from the date on which that notice is sent.
- (5) Where this paragraph applies, the registration officer must give a further notice to the relevant person, setting out the same information as at paragraph (2) (a “second review notice”).
- (6) Subject to paragraph (7), a first or second review notice may be given to a relevant person either—
 - (a) by sending it to the person’s address, or
 - (b) by electronic means.
- (7) Where the first review notice was given to a relevant person by electronic means, the second review notice must be sent to the person’s address.
- (8) The registration officer may contact the relevant person, either by telephone or by visiting the address to which a first or second review notice was delivered, to—
 - (a) obtain information requested in the notice, or
 - (b) encourage the relevant person to provide the information requested.

Commencement Information

II Reg. 16 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, Section 16.