
STATUTORY INSTRUMENTS

2024 No. 43

The Representation of the People (Overseas Electors etc.) (Amendment) (Northern Ireland) Regulations 2024

Part 2

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

Insertion of regulations 25A to 25C (additional supporting material)

11. After regulation 25 insert—

“Regulation 25 supplementary: additional supporting material in relation to identity

25A.—(1) This regulation prescribes the additional supporting material which, for the purposes of sections 13BA(3) and 13BC of the 1983 Act, the registration officer may require in relation to the identity of an applicant.

(2) The additional supporting material is a copy of, or, where the registration officer considers it appropriate, the original of—

(a) one of the following documents issued to the applicant—

- (i) a passport;
- (ii) a photocard driving licence (current or expired) issued in the United Kingdom or the European Economic Area or granted by a Crown Dependency;
- (iii) a biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007⁽¹⁾;
- (iv) an electoral identity card issued under section 13C(1) of the 1983 Act⁽²⁾;
- (v) an identity card issued in the European Economic Area;
- (vi) a Senior SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
- (vii) a Blind Person’s SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
- (viii) a War Disabled SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
- (ix) a 60+ SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st October 2008;

(1) 2007 c. 30. Section 5 was amended by paragraph 19 of the Schedule to the Identity Documents Act 2010 (c. 40).

(2) Section 13C was inserted by section 4(2) of the Electoral Fraud (Northern Ireland) Act 2002 (c. 13).

- (x) a Half Fare SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st April 2004;
- (xi) a statutory declaration as to the applicant's name and date of birth, or
- (b) if the applicant is unable to provide a document listed in sub-paragraph (a), two of the following documents issued to or in respect of the applicant—
 - (i) a copy of the applicant's birth certificate⁽³⁾;
 - (ii) a marriage certificate;
 - (iii) a certificate of civil partnership;
 - (iv) an adoption certificate;
 - (v) a driving licence other than a driving licence specified in sub-paragraph (a) (ii);
 - (vi) a firearms certificate issued under the Firearms (Northern Ireland) Order 2004⁽⁴⁾;
 - (vii) a certificate of naturalisation showing that the applicant has become a British citizen or Commonwealth citizen by virtue of naturalisation;
 - (viii) a document showing that the applicant has become a British citizen or Commonwealth citizen by virtue of registration;
 - (ix) a Form P45 or Form P60 issued to the applicant by their employer or former employer;
 - (x) a statement of benefits or entitlement to benefits under an enactment relating to social security, where the statement contains the applicant's national insurance number.
- (3) If the applicant is unable to provide a document listed in paragraph (2)(a) or two of the documents listed in paragraph (2)(b), the additional supporting material is an attestation which—
 - (a) confirms that the applicant is the person named in the application, and
 - (b) meets the general attestation requirements in regulation 27ZH(1).
- (4) In paragraph (1), "Crown Dependency" means the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man.

Regulation 25 supplementary: additional supporting material in relation to nationality

25B.—(1) This regulation prescribes the additional supporting material which, for the purposes of sections 13BA(3) and 13BC of the 1983 Act, the registration officer may require in relation to the nationality of an applicant.

(2) The additional supporting material is a copy of, or, where the registration officer considers it appropriate, the original of—

- (a) if the applicant is not seeking to be registered in pursuance of an overseas elector's declaration, one of the following documents issued to or in respect of the applicant—
 - (i) a copy of the applicant's birth certificate;

⁽³⁾ For the meaning of "copy of a birth certificate", see regulation 3(1) of [S.I. 2008/1741](#).

⁽⁴⁾ [S.I. 2004/702 \(N.I. 3\)](#).

- (ii) a certificate of naturalisation showing that the applicant has become a British citizen or Commonwealth citizen by virtue of naturalisation;
 - (iii) a document showing that the applicant has become a British citizen or Commonwealth citizen by virtue of registration;
 - (iv) a statutory declaration that the applicant is a British citizen, a qualifying Commonwealth citizen, a citizen of Ireland or a relevant citizen of the Union⁽⁵⁾;
 - (v) a passport issued by the Government of the United Kingdom, a member State or a Commonwealth country, or
- (b) if the applicant is seeking to be registered in pursuance of an overseas elector’s declaration, one of the following documents issued to or in respect of the applicant—
- (i) a copy of the applicant’s birth certificate;
 - (ii) a certificate of naturalisation showing that the applicant has become a British citizen by virtue of naturalisation;
 - (iii) a document showing that the applicant has become a British citizen by virtue of registration;
 - (iv) a statutory declaration that the applicant is—
 - (aa) a British citizen, or
 - (bb) an Irish citizen who was born in Northern Ireland and qualifies as a British citizen (whether or not the applicant identifies as such).
- (3) If the applicant is unable to provide a document listed in paragraph (2)(a) or (b) (whichever is relevant), the additional supporting material is an attestation which—
- (a) confirms that the nationality of the applicant is the nationality stated in the application, and
 - (b) meets the general attestation requirements in regulation 27ZH(1).
- (4) In paragraph (1)(a)(iv), “qualifying Commonwealth citizen” has the meaning given in section 4(6) of the 1983 Act⁽⁶⁾.

Regulation 25 supplementary: additional supporting material in relation to address claimed as qualifying address

25C.—(1) This regulation prescribes the additional supporting material which, for the purposes of sections 13BA(3) and 13BC of the 1983 Act, the registration officer may require in relation to the address which an applicant claims as their qualifying address.

(2) The additional supporting material is a copy of, or, where the registration officer considers it appropriate, the original of any document which—

- (a) is listed in paragraph (4), and
- (b) bears—
 - (i) the full current or former name of the applicant, and
 - (ii) the address claimed as the qualifying address.

(5) For the meaning of “relevant citizen of the Union”, see section 202(1) of the Representation of the People Act 1983 (c. 2). The definition of “relevant citizen of the Union” was inserted by S.I. 1995/1948.

(6) Section 4 was substituted by section 1(2) of the Representation of the People Act 2000 (c. 2). There are amendments to section 4, but none is relevant.

(3) Where the applicant is not seeking to be registered in pursuance of a service declaration, a declaration of local connection or an overseas elector's declaration, the document referred to in paragraph (2) must have been issued within the period of three months ending with the date of application unless it is a driving licence.

(4) The documents are—

- (a) a driving licence issued in the United Kingdom which—
 - (i) if the applicant is seeking to be registered in pursuance of a service declaration, a declaration of local connection or an overseas elector's declaration, may be current or expired;
 - (ii) otherwise, must be current;
- (b) a bill or statement of account issued by Land and Property Services (meaning that part of the Department of Finance in Northern Ireland known as Land and Property Services Executive Agency);
- (c) a utility or mobile telephone bill;
- (d) a bank or building society passbook or statement, or a letter from a bank or building society, confirming that the applicant has opened an account with that bank or building society;
- (e) a credit card statement;
- (f) a bill or statement issued by a credit union within the meaning of article 2 of the Credit Unions (Northern Ireland) Order 1985(7);
- (g) a pension statement;
- (h) an instrument of a court appointment, such as a grant of probate or letters of administration;
- (i) a letter from His Majesty's Revenue and Customs;
- (j) a letter from a school, college, university or other educational institution which confirms the attendance of, or the offer of a place for, the applicant at that institution;
- (k) a letter from Student Finance Northern Ireland;
- (l) an official copy of the land registry entry for the address claimed as the qualifying address or other proof of title for that address;
- (m) a solicitor's letter confirming the purchase of, or confirmation of the land registry registration of, the address claimed as the qualifying address;
- (n) a Form P45, Form P60, reference or payslip issued to the applicant by their employer or former employer;
- (o) a letter from an insurance provider;
- (p) a rent book issued by the Northern Ireland Housing Executive;
- (q) a statement of benefits or entitlement to benefits under an enactment relating to social security;
- (r) a letter from the Department for Communities in Northern Ireland confirming the applicant's entitlement to a state pension;
- (s) a letter from the Office of Care and Protection, confirming the registration of a lasting power of attorney.

(7) [S.I. 1985/1205 \(N.I. 12\)](#), The definition of "credit union" in article 2 was amended by paragraph 21 of Schedule 1 to the Credit Unions and Co-operative and Community Benefit Societies Act (Northern Ireland) 2016 (c. 16).

(5) If the applicant is unable to provide a document which meets the requirements of paragraph (2) and (if relevant) paragraph (3), the additional supporting material is an attestation which—

- (a) confirms the basis on which the applicant is entitled to be registered in respect of the address claimed as their qualifying address, and
- (b) meets the general attestation requirements in regulation 27ZH(1).

(6) If the applicant's name in a document provided in accordance with paragraph (2) is different from the applicant's name in their application, the additional supporting material also includes—

- (a) an explanation as to the difference in name, and
- (b) evidence confirming the change of the applicant's name.”.