This draft statutory instrument supersedes the draft of the same title which was laid before Parliament on 23rd October 2013. It is being issued free of charge to all known recipients of that draft instrument.

Draft Regulations laid before Parliament under section 201(2) of the Representation of the People Act 1983, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No.

REPRESENTATION OF THE PEOPLE, SCOTLAND

The Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013

Made - - - -

Coming into force in accordance with regulation 1

The Secretary of State, in exercise of the powers(**1**) conferred by the provisions set out in Schedule 1 to this instrument makes the following Regulations:

The Secretary of State has consulted the Electoral Commission and the Information Commissioner and such other persons as he considered appropriate in accordance with section 53(5) of the Representation of the People Act 1983(**2**) and section 7(1) and (2)(e) of the Political Parties, Elections and Referendums Act 2000(**3**).

In accordance with section 201(2) of the Representation of the People Act 1983(**4**), a draft of this instrument has been laid before and approved by resolution of each House of Parliament.

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013.

(2) The following provisions come into force on the day after the day on which these Regulations are made—

(**1**) Under article 3 of the Lord President of the Council Order 2010 (S.I. 2010/1837) these powers are exercisable concurrently by the Secretary of State and the Lord President of the Council.

(**2**) 1983 c.2; section 53(5) was inserted by paragraph 5 of Schedule 2 to the Electoral Registration and Administration Act 2013 (c.6).

(**3**) 2000 c.41.

(**4**) Section 201(2) was substituted by paragraph 69 of Schedule 4 to the Representation of the People Act 1985 (c.50) and amended by paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act (c.41) and article 5(b) of S.I. 1991/1728.

(a) regulation 1;

(b) regulation 21; and

(c) regulation 30.

(3) The following provisions come into force on the day on which section 14 of the Electoral Registration and Administration Act 2013 comes into force for all purposes—

(a) regulation 2 in so far as it relates to entries 2, 3, 5 and 6 in the table at Schedule 2;

(b) regulations 23 to 29;

(c) regulations 31 to 38;

(d) regulation 46; and

(e) regulations 48 to 52 and Schedule 4.

(4) Regulations 43 to 45 come into force on the day on which section 16 of the Electoral Registration and Administration Act 2013 comes into force for all purposes.

(5) The following provisions come into force on 10th June 2014—

(a) regulation 2 in so far as it relates to entries 1 and 4 in the table at Schedule 2;

(b) regulations 3 to 20;

(c) regulation 22; and

(d) regulations 39 to 42, 47 and Schedule 3.

(6) In the following provisions of these Regulations, unless otherwise stated, any reference to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in the Representation of the People (Scotland) Regulations 2001(**5**).

(7) These Regulations extend to Scotland only.

Revocations

2. The instruments listed in column 1 of Schedule 2 to these Regulations (which have the references in column 2) are revoked to the extent indicated in column 3 of that Schedule.

Amendments in relation to interpretation

3. Regulation 3 is amended as follows—

(a) after the definition of "data form" insert—

> ""digital service" means the Individual Electoral Registration Digital Service, which is the digital service provided by the Lord President of the Council for the purpose of processing online applications under sections 10ZC and 10ZD of the 1983 Act(**6**) and for the purpose of verifying information under regulation 29ZA;";

(b) after paragraph (3) insert—

> "(3A) For the purposes of regulations 26, 26A, 26B, 29, 32ZC, 32ZD, 32ZE, 32ZF, 32ZG and 32ZH a document may be given to a person—
>
> (a) by delivering it to the person;
>
> (b) by leaving it at the person's address; or
>
> (c) by sending it to the person by post.".

(**5**) S.I. 2001/497: relevant amending enactments are the Counter-Terrorism Act 2008 (c.28) (Schedules 1 and 9), S.I. 2001/1749, 2002/1872, 2003/1892, 2004/1960, 2005/2114, 2006/1836, 2006/834, 2007/925, 2008/305, 2009/725 and 2010/980.

(**6**) 1983 c.2; section 10ZC was inserted by section 1 of the Electoral Registration and Administration Act 2013 (c.6), and section 10ZD was inserted by paragraph 1 of Schedule 1 to that Act.

Amendment in relation to supply of forms

4. In regulation 4(1)(a), for "section 10A(1)(a) and (3) of the 1983 Act", substitute "applications made under sections 10ZC(1)(a) and 10ZD(1)(a) of the 1983 Act".

Amendment in relation to communication of applications, notices etc.

5.—(1) Regulation 5 is renumbered as paragraph (1) of that regulation.

(2) In that paragraph for "application, notice, representation or objection" substitute "application, notice or representation".

(3) After that paragraph insert—

"(2) Paragraph (1) does not apply to notice of a requirement to register given under regulation 32ZE(1) or notice of a civil penalty given under regulation 32ZF(2).".

Amendment in relation to electronic signatures and related certificates

6. In regulation 6(1) for "application, notice, representation or objection" substitute "application, notice or representation".

Amendment in relation to power to require information

7. In regulation 23, after paragraph (1) insert—

"(1A) A registration officer may not use the power conferred by paragraph (1) to require a person who has made an application under section 10ZC or 10ZD of the 1983 Act to provide information to assist the registration officer in determining, in connection with that application, whether the applicant is the person named in the application or is entitled to be registered.".

Amendment in relation to evidence as to age

8. In regulation 24(2)(a), omit "or a statutory declaration as to the person's date of birth".

Amendment in relation to reminders to persons who have an anonymous entry

9. In regulation 25A(2)(b), for "section 10A(1)(a) of the 1983 Act", substitute "section 10ZC(1)(b) of the 1983 Act".

Amendments in relation to applications for registration

10. For regulation 26, substitute—

"**Applications for registration**

26.—(1) An application for registration as a parliamentary or local government elector (or both) under section 10ZC or an application for alteration in respect of address under section 10ZD of the 1983 Act ("an application") must be in writing and must state—

(a) the applicant's full name and any previous name by which the applicant has been known within 12 months before the date of the application;

(b) except in the case of an application being made in pursuance of a service declaration or an overseas elector's declaration, the address in respect of which the applicant applies to be registered and at which they are resident on the date of the application;

(c) any address at which the applicant has ceased to reside within 12 months before the date of the application and, where that address is not in the United Kingdom, an indication of whether the person was registered in pursuance of an overseas elector's declaration during this period;

(d) an indication of whether the applicant is resident at any other address, including at any address in respect of which the applicant is currently registered as an elector and in respect of which the applicant claims to be entitled to remain registered;

(e) the applicant's date of birth or, if they are not able to provide that information, the reason why they are not able to do so and a statement as to whether the applicant is under 18 years old;

(f) the applicant's national insurance number or, if they are not able to provide that information, the reason why they are not able to do so;

(g) except in the case of a person applying to be registered in pursuance of an overseas elector's declaration, the applicant's nationality or nationalities or, if they are not able to provide that information, the reason why they are not able to do so;

(h) an indication of whether the applicant requests that their name and address are omitted from the edited version of the register;

(i) in the case of an applicant whose application is accompanied by an application for an anonymous entry, that fact;

(j) a declaration by the applicant that the information provided in the application is true; and

(k) the date of the application.

(2) In the case of a person applying to be registered as a parliamentary or local government elector (or both) in pursuance of a service declaration, a declaration of local connection or an overseas elector's declaration, an application under paragraph (1) must include the appropriate declaration.

(3) The Electoral Commission must design a paper application form which requires the information and declarations in paragraphs (1) and (2) and includes—

(a) a statement that the information provided in the application will be processed in accordance with the Data Protection Act 1998(**7**) and as to what information will appear on the electoral register;

(b) a statement that persons without lawful immigration status are ineligible to register to vote, and that registration officers may request checks in relation to an applicant's immigration status against Home Office records;

(c) a statement that it is an offence to provide false information to the registration officer, together with a statement of the maximum penalty for that offence;

(d) space for a bar code, local authority reference number and security code unique to each form;

(e) space for the email address and telephone number or numbers of the applicant and an explanation that provision of this information is not mandatory;

(f) space for the registration officer to include local authority information and details of how the registration officer may be contacted;

(g) an indication of whether the applicant wishes to be able to cast an absent vote;

(h) an explanation of what the edited register is, using the short version of the form of words prescribed by regulation 47 of and Schedule 3 to the Representation

(**7**) 1998 c.29.

of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013; and

(i) the web site address of the digital service.

(4) The paper application form for persons applying to be registered in pursuance of a service declaration must—

(a) instead of the information required in paragraph (1)(b), request the applicant's correspondence address or British Forces Post Office Number;

(b) in the case of an application in pursuance of a service declaration on the grounds that the applicant is a member of the forces (within the meaning of section 59(1) of the 1983 Act) or the spouse or civil partner of a member of the forces (within the meaning of section 59(1) of the 1983 Act), also include a statement that the applicant must renew their application for registration every 5 years but may cancel it at any time.

(5) The paper application form for persons applying to be registered in pursuance of an overseas elector's declaration must, instead of the information required in paragraph (1)(b), request—

(a) the last address at which the applicant was registered as an elector; and

(b) the address at which the applicant can be contacted.

(6) The Electoral Commission must obtain the approval of the Lord President of the Council to the design of the application forms under paragraphs (3), (4) and (5) and must then make the forms available to registration officers.

(7) Where a registration officer gives a paper application form to a person resident in Scotland, it must be accompanied by a pre-addressed reply envelope, return postage of which must be prepaid.

(8) A registration officer may authorise the applicant to provide the information required by paragraph (1) to the registration officer by telephone or in person and, where the officer does so, the registration officer must—

(a) provide the applicant with an explanation of what the edited register is, using the short version of the forms of words prescribed by regulation 47 of and Schedule 3 to the Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013; and

(b) transfer the information provided by the applicant into an application in writing.

(9) An application under paragraph (1) may be made through the digital service and, where it is, the Lord President of the Council must request the applicant's email address and telephone number or numbers and provide an explanation of the purpose for which this information will be used.

(10) A registration officer may, but need not, accept an application in pursuance of an overseas elector's declaration through the digital service.

(11) The Lord President of the Council must send to the registration officer any application he receives together with—

(a) the applicant's email address and telephone numbers (if provided); and

(b) a reference number unique to that application.".

11. After regulation 26 insert—

"**Application for alteration of register in respect of name under section 10ZD**

26A.—(1) An application for alteration in respect of name under section 10ZD of the 1983 Act must be in writing and must state—

(a) the applicant's full name;

(b) the full name in respect of which the applicant is currently registered;

(c) the date of the change of name;

(d) the address in respect of which the applicant is registered;

(e) a declaration by the applicant that the information provided in the application is true;

(f) the date of the application.

(2) The Electoral Commission must design a form for applications for alteration in respect of name under section 10ZD of the 1983 Act, which requires the information in paragraph (1) and includes—

(a) a statement that the information provided in the application will be processed in accordance with the Data Protection Act 1998(**8**) and as to what information will appear on the electoral register;

(b) space for a bar code, local authority reference number and security code unique to each form; and

(c) space for the registration officer to include local authority information and details of how the registration officer may be contacted.

(3) The Electoral Commission must obtain the approval of the Lord President of the Council to the design of the application form under paragraph (2) and must then make the form available to registration officers.

(4) A person making an application for alteration in respect of name under paragraph (1) must give to the registration officer as part of their application a copy of one of the following documents as evidence of the applicant's change of name—

(a) marriage or civil partnership certificate;

(b) overseas marriage or civil partnership certificate if it has been deposited in the General Register Office for England & Wales, the General Register Office for Scotland or the General Register Office for Northern Ireland; or

(c) deed poll or amended birth certificate.

(5) Where a person is unable to provide one of the documents in paragraph (4), they must provide their date of birth or national insurance number as part of their application or, if they are not able to provide their date of birth or national insurance number, the reason why they are not able to do so.

(6) Where the registration officer considers it appropriate, the officer may require that the applicant provide the original of the copy document provided under paragraph (4) after the application has been made.

Power to request additional evidence where certain information is unavailable or where the registration officer considers it necessary

26B.—(1) This regulation applies where a registration officer considers additional evidence is necessary to verify the identity of a person or determine their entitlement to register in respect of their application under section 10ZC or 10ZD of the 1983 Act,

(**8**) 1998 c.29.

including where that is necessary because the person is not able to state the information required by any of sub-paragraphs (e), (f) or (g) of regulation 26(1).

(2) The registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of one of the following documents—

(a) the applicant's passport;

(b) the applicant's identity card issued in the European Economic Area;

(c) the applicant's biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the Borders Act 2007(**9**);

(d) the applicant's electoral identity card issued in Northern Ireland; or

(e) the applicant's photocard driving licence granted in the United Kingdom or driving licence granted by a Crown Dependency, which bears a photograph of the applicant.

(3) Where an applicant is not able to give one of the documents in paragraph (2), the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of—

(a) one of the following documents, which, except in relation to paragraph (vii), must have been issued in the United Kingdom or Crown Dependencies—

(i) the applicant's birth certificate;

(ii) the applicant's marriage or civil partnership certificate;

(iii) the applicant's adoption certificate;

(iv) the applicant's firearms certificate granted under the Firearms Act 1968(**10**);

(v) the record of a decision on bail made in respect of the applicant in accordance with section 5(1) of the Bail Act 1976(**11**);

(vi) the applicant's driving licence, which is not in the form of a photocard; or

(vii) the applicant's driving licence granted other than in the United Kingdom or Crown Dependencies, which bears a photograph of the applicant and which must be valid for at least 12 months from the date the applicant entered the United Kingdom; and

(b) two other documents, each of which may be either from sub-paragraph (a) or from paragraph (4).

(4) Where the applicant is not able to give documents in accordance with paragraph (3), the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of four documents, each of which may be any of the following kinds of evidence and which must bear the applicant's full name—

(a) a financial statement, including but not limited to—

(i) a mortgage statement;

(ii) a bank or building society statement or a letter from a bank or building society confirming that the applicant has opened an account with that bank or building society;

(iii) a credit card statement;

(**9**) 2007 c.30.
(**10**) 1968 c.27.
(**11**) 1976 c.63.

(iv) a pension statement;

(b) a council tax demand letter or statement;

(c) a utility bill;

(d) a Form P45 or Form P60 issued to the applicant by their employer or former employer;

(e) a statement of benefits or entitlement to benefits, such as a statement of child benefit, within the meaning of section 141 of the Social Security Contributions and Benefits Act 1992(**12**), or a letter confirming that the applicant is entitled to housing benefit, within the meaning of section 130 of that Act.

(5) If an applicant is unable to give the documentary evidence required under paragraphs (2) to (4), the registration officer may require that the applicant give an attestation as set out in paragraph (6).

(6) An attestation must—

(a) confirm that the applicant is the person named in the application;

(b) state that the person signing the attestation is aware of the penalty for providing false information to a registration officer;

(c) be in writing and signed by a person—

(i) whom the registration officer is satisfied is of good standing in the community;

(ii) who is registered as an elector in the same local authority area as the applicant;

(iii) who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant; and

(iv) who has not already signed attestations under this regulation for two applicants since the last revised version of the register was published under section 13(1)(**13**) of the 1983 Act;

(d) state the full name, date of birth, address, electoral number and occupation of the person signing the attestation; and

(e) state the date on which it is made.

(7) Paragraphs (2) to (6) do not apply where the application is made pursuant to the following declarations—

(a) a service declaration on the grounds that the applicant is a Crown servant (within the meaning of regulation 14) or the spouse or civil partner of a Crown servant (within the meaning of regulation 14);

(b) a service declaration on the grounds that the applicant is a member of the forces (within the meaning of section 59(1) of the 1983 Act);

(c) a service declaration on the grounds that the applicant is the spouse or civil partner of a member of the forces (within the meaning of section 59(1) of the 1983 Act); or

(d) an overseas elector's declaration.

(8) In the case of an application in pursuance of a declaration within paragraph (7)(a) or (c), the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of one of the following documents, which has been certified by a Crown servant (within the meaning of regulation 14) or British

(**12**) 1992 c.4.
(**13**) 1983 c.2; section 13(1) was substituted by section 5(1) of the Northern Ireland (Miscellaneous Provisions) Act 2006 c.33.

Council employee or an officer of the forces (within the meaning of section 59(1) of the 1983 Act) who is not the applicant's spouse or civil partner—

(a) the applicant's passport; or

(b) the applicant's identity card issued in the European Economic Area.

(9) In the case of an application in pursuance of a declaration within paragraph (7)(b), the registration officer may require that the applicant give an attestation which must—

(a) confirm that the applicant is the person named in the application;

(b) be in writing and signed by an officer of the forces (within the meaning of section 59(1) of the 1983 Act) who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant;

(c) state the full name, address and rank of the person signing the attestation and the service (whether naval, military or air forces) in which they serve; and

(d) state the date on which it is made.

(10) In the case of an application in pursuance of a declaration within paragraph (7)(d), the registration officer may require that the applicant give an attestation which must—

(a) confirm that the applicant is the person named in the application;

(b) be in writing and signed by a registered elector who is a British citizen living overseas and who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant;

(c) state the full name, address and occupation of the person signing the attestation;

(d) state the attestor's British passport number together with its date and place of issue; and

(e) state the date on which it is made.

(11) Where a registration officer considers that additional evidence is necessary in order to determine whether the applicant is a qualifying Commonwealth citizen, the registration officer may require that the applicant provide evidence relating to the applicant's immigration status, including, if applicable, the applicant's biometric immigration document issued in the United Kingdom.

(12) In this regulation—

(a) "Crown Dependency" means the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man;

(b) "qualifying Commonwealth citizen" has the same meaning as in section 4 of the 1983 Act.".

Amendment in relation to objections to registration

12. In regulation 27(3), for "representations made against an application for registration under section 13A(1)(a) of the 1983 Act", substitute "representations made against an application for registration under section 13A(1)(za) of the 1983 Act".

Amendment in relation to inspection of applications and objections

13. In regulation 28(1)—

(a) for "An application for registration" substitute "An entry on the list of applications for registration kept under regulation 29(2)(a)"; and

(b) after "the application" insert "to which the entry relates".

Amendments in relation to determination of applications and objections

14.—(1) Before regulation 29 insert—

"**Verification of information provided in an application**

29ZA.—(1) On receipt of an application under section 10ZC or 10ZD of the 1983 Act made on a paper application form, a registration officer must disclose the name or names, date of birth and national insurance number given under regulation 26(1)(a), (e) and (f) or under regulation 26A(1)(a), 26A(1)(b) and 26A(5) to the Lord President of the Council in such a format and through such a conduit system as the Lord President may have notified to the registration officer in writing.

(2) Following receipt of the information from the registration officer or (in the case of an application made through the digital service) from the applicant, the Lord President of the Council may disclose the information to the Secretary of State.

(3) Where information has been disclosed to the Secretary of State under paragraph (2), the Secretary of State may compare it against—

(a) the name, date of birth and national insurance number of individuals appearing in the following types of databases kept by the Secretary of State—

(i) databases kept for the purposes of functions relating to social security (including such information kept on behalf of the Department for Social Development); and

(ii) databases relating to working tax credit, child tax credit and child benefit (being information kept on behalf of Her Majesty's Revenue and Customs); and

(b) any other information contained in those databases which relates to the information disclosed under paragraph (2).

(4) The Secretary of State may disclose the results of the comparison to the Lord President of the Council.

(5) On receipt of such results, the Lord President of the Council may disclose them to the registration officer in whose register the applicant has applied to be registered.

(6) Where the Lord President of the Council does so, the registration officer must take the results into account in determining the application.

(7) In this regulation—

(a) "conduit system" has the same meaning as in paragraph 1 of Schedule 2 to the Telecommunications Act 1984(**14**);

(b) "the Secretary of State" means the Secretary of State for the Department for Work and Pensions.

Processing of information provided in connection with an application under section 10ZC or 10ZD

29ZB.—(1) If a person provides an original document under regulation 26A(4), 26B(2) to (4) or 26B(8), the registration officer must make a copy of that document and return the original document to the person who provided it.

(2) In respect of any application under section 10ZC or 10ZD of the 1983 Act, the registration officer must retain until the application has been determined—

(**14**) 1984 c.12; paragraph 1 has been amended but no amendments are relevant to these Regulations.

(a) the application form or, in the case of an application made through the digital service, the information contained in the application;

(b) any other information or documents provided to the registration officer in connection with the application or, in the case of original documents which are returned under paragraph (1), a copy of such documents.

(3) Subject to paragraph (4), the registration officer may retain the application form, information and documents in paragraph (2) after the application has been determined but, if they do so, must delete the applicant's national insurance number from the application form, information and documents in paragraph (2) by no later than the date which is 13 months from the date on which the registration officer determined the application under section 10ZC or 10ZD.

(4) The requirement to delete the national insurance number in paragraph (3) does not apply where the application, information and documents in paragraph (2) are required for the purpose of any civil or criminal proceedings.

(5) Information disclosed under regulation 29ZA may not be disclosed to any other person, except—

(a) for the purpose of determining the application in connection with which the information was disclosed; or

(b) for the purpose of any civil or criminal proceedings.

(6) A person who discloses information in breach of paragraph (5) is guilty of an offence and liable—

(a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or to both;

(b) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both.

(7) Any person who discloses information under regulation 29ZA must process it in accordance with any requirements as to the processing of information that may have been imposed by the Lord President of the Council in writing, including requirements as to the transfer, storage, destruction and security of that information.

(8) Any requirements, in accordance with which a person must process information, must be imposed by the Lord President before a registration officer is required to disclose that information under regulation 29ZA(1).

(9) "Copy" in this regulation includes an electronic copy.".

(2) A person—

(a) who will attain voting age within the period beginning with 1st December 2014 and ending with 30th November 2015; and

(b) who is specified in a form completed in respect of an address in connection with the annual canvass for 2013 referred to in the Electoral Registration (Postponement of 2013 Annual Canvass) Order 2013(**15**) as a person who is entitled (apart from any requirement as to age) to be registered in a register; but

(c) who was not registered in any of the registers published following that canvass because the form was received before 1st December 2013,

is to be treated as having made an application under section 10ZC of the 1983 Act.

(3) In the application of regulation 29ZA to a person who fulfils the conditions in paragraph (2)—

(**15**) S.I. 2013/794.

(a) in paragraph (3)(a), for "national insurance number" substitute "address including postcode";

(b) in paragraph (5), for "has applied" substitute "is entitled (apart from any requirement as to age)";

(c) in paragraph (6), for "the application" substitute "whether the person is entitled (apart from any requirement as to age) to be registered".

Amendment in relation to procedure for determining applications for registration and objections without a hearing

15. In regulation 29—

(a) in paragraph (1) for "an application for registration under section 10A(1) or 13A(1)(a) of the 1983 Act and an objection under section 10A(3) of that Act" substitute "an application under section 10ZC(1)(a) or 10ZD(1)(a) of the 1983 Act or considering an objection under section 10ZC(2), 10ZD(2) or 10ZE(5)(a) of that Act";

(b) in paragraph (2A) after "name" insert "and nationality";

(c) after paragraph (2A) insert—

"(2AA) The registration officer must acknowledge receipt of an application to register other than an application made in response to an invitation to register under section 9E(1) of the 1983 Act by notification in writing to the address in respect of which the applicant applies to be registered, on receipt of that application.

(2AB) An acknowledgement under paragraph (2AA) must contain a direction requesting that any person who receives the acknowledgement inform the registration officer if the addressee is not resident at that address.

(2AC) The registration officer must give confirmation that an application made in response to an invitation to register under section 9E(1) of the 1983 Act has been successful, by notification in writing, before either—

(a) publication of the revised register to which the applicant will be added under section 13(1) of that Act; or

(b) issue of a notice of alteration under section 13A(2) of that Act specifying that the applicant's name will be added to the register,

whichever is appropriate.

(2AD) In the case of an application to register in pursuance of a service declaration, or an overseas elector's declaration, the address to which notification in writing must be given in accordance with paragraph (2AA) or (2AC) is the address the applicant has given under regulation 26(4)(a) or 26(5)(b), as appropriate.

(2AE) The Electoral Commission must—

(a) design the forms of notification to be used under paragraphs (2AA) and (2AC);

(b) obtain the approval of the Lord President of the Council to the forms; and

(c) then make them available to registration officers.".

Amendment in relation to other determinations by registration officer of entitlement to registration

16. In regulation 31B, for paragraph (2) substitute—

"(2) The functions specified in this paragraph are—

(a) determining, under the following provisions, whether a person was entitled to be registered—

(i) sections 7(3)(aa), 7A(3)(aa), 7C(2)(aa), 10ZE(1)(a) and 15(2)(aa) of the 1983 Act; and

(ii) section 2(2)(aa) of the 1985 Act;

(b) determining, under the following provisions, whether a person was registered or their entry has been altered as a result of an application made by another person—

(i) sections 7(3)(ab), 7A(3)(ab), 7C(2)(ab), 10ZE(1)(c) and 15(2)(ab) of the 1983 Act; and

(ii) section 2(2)(ab) of the 1985 Act;

(c) determining under section 10ZE(1)(b) of the 1983 Act whether a person has ceased to be resident at the address or has otherwise ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act.".

Amendment in relation to summary procedure for determining person has ceased to satisfy conditions for registration

17. For regulation 31C substitute—

"**Summary procedure for determining in specified circumstances person has ceased to satisfy conditions for registration**

31C.—(1) In any of the circumstances specified in paragraph (2) the registration officer may make a determination under section 10ZE of the 1983 Act in respect of an elector without following the procedure set out in regulations 31D to 31F.

(2) The circumstances specified in this paragraph are where either—

(a) the registration officer has received information either through the digital service or from another registration officer that—

(i) the elector has made an application under section 10ZC or 10ZD of the 1983 Act in respect of an address which is different from the one in respect of which they are registered;

(ii) in that application the elector has in accordance with regulation 26(1)(c) identified the address in respect of which they are registered as being an address at which they have ceased to reside; and

the relevant registration officer has determined that the person should be entered on the register maintained by that officer; or

(b) the registration officer—

(i) has information from at least two sources that support such a determination;

(ii) has been provided with a death certificate in respect of the elector; or

(iii) has been notified by the registrar of births and deaths that the elector has died.

(3) In this regulation "elector" means a person who is duly entered in a register in respect of an address.".

Amendment in relation to procedure for reviewing entitlement to registration

18.—(1) Regulation 31D is amended as follows.

(2) In paragraph (1) for "may" substitute "must".

(3) In paragraph (4)(a) for "is not entitled to be registered" substitute "is or was not entitled to be registered, or has an entry in the register which results from or was altered as the result of an application made by another person,".

(4) In paragraph (5)—

(a) after "not entitled to be registered" insert ", that the subject of the review was registered and their entry has been altered as the result of an application made by another person,"; and

(b) after "as the case may be," insert "that the subject of the review".

(5) In paragraph (7) for "is entitled to be registered" substitute "is or was entitled to be registered, or that the person's entry in the register does not result from or has not been altered as the result of an application made by another person,".

(6) In paragraph (8)—

(a) after "was not entitled to be registered" insert ", that the subject of the review was registered and their entry has been altered as the result of an application made by another person,"; and

(b) after "as the case may be," insert "that the subject of the review".

Amendments in relation to hearing of reviews

19. In regulation 31F(6)—

(a) after "not entitled to be registered" insert ", that the subject of the review was registered and their entry has been altered as the result of an application made by another person,"; and

(b) after "as the case may be," insert "that the subject of the review".

20. After regulation 31F insert—

"**Determinations of entitlement to remain registered during the annual canvass**

31FA. If a registration officer is required by section 10ZE(5)(b) of the 1983 Act to consider making a determination under section 10ZE(1) of that Act as a result of information received in response to the canvass conducted under section 9D of that Act, the registration officer must so far as reasonably practicable take any relevant steps under regulations 31D to 31F so as to enable the relevant determination to be made before the registration officer publishes a revised version of the register under section 13(1)(a) of the 1983 Act.".

Amendments in relation to anonymous registration

21.—(1) In regulation 31I(3)—

(a) for sub-paragraph (e) substitute—

"(e) a non-harassment order, interdict or interim interdict made under section 8 or 8A of the Protection from Harassment Act 1997(**16**);";

(b) at the end of sub-paragraph (k), insert—

"(l) a matrimonial interdict within the meaning of section 14 of the Matrimonial Homes (Family Protection) (Scotland) Act 1981(**17**);

(**16**) 1997 c.40; section 8 was amended by section 1(1) of the Domestic Abuse (Scotland) Act 2011 asp 13 and section 16 of, and Schedule 2 to, the Damages (Scotland) Act 2011 asp 7. Section 8A was inserted by section 1(2) of the Domestic Abuse (Scotland) Act 2011.

(**17**) 1981 c.59; section 14 was amended by section 10 of, and Schedule 3 to, the Family Law (Scotland) Act 2006 asp 2 and by article 6 of the Family Law (Scotland) Act 2006 (Consequential Modifications) Order 2006 (S.S.I. 2006/384).

(m) a domestic interdict within the meaning of section 18A of the Matrimonial Homes (Family Protection) (Scotland) Act 1981(**18**);

(n) a relevant interdict within the meaning of section 113 of the Civil Partnership Act 2004(**19**);

(o) an interdict that has been determined to be a domestic abuse interdict within the meaning of section 3 of the Domestic Abuse (Scotland) Act 2011(**20**);

(p) any interdict with an attached power of arrest made under section 1 of the Protection from Abuse (Scotland) Act 2001(**21**);

(q) a forced marriage protection order or interim forced marriage protection order made under any of the following provisions—

(i) Part 4A of the Family Law Act 1996(**22**);

(ii) section 2 of, and paragraph 1 of Schedule 1 to, the Forced Marriage (Civil Protection) Act 2007(**23**);

(iii) section 1 of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011(**24**); and

(iv) section 5 of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011.”.

(2) In regulation 31J(4)(b) for “any police force in Scotland” substitute “the Police Service of Scotland”.

Amendments in relation to the annual canvass, invitations to apply for registration, requiring a person to make an application for registration and civil penalties

22. After regulation 32, insert—

“**Annual canvass**

32ZA.—(1) The annual canvass required by section 9D(1) of the 1983 Act must be conducted in accordance with the following paragraphs.

(2) The Electoral Commission must—

(a) design a canvass form;

(b) obtain the approval of the Lord President of the Council to the form; and

(c) then make the form available to registration officers.

(3) The canvass form in paragraph (2) must—

(a) require the full name and nationality of each person aged 16 and over who is eligible to register and is residing at the address to which the form is given;

(b) require an indication as to whether—

(i) there is no one residing at the address;

(ii) the address is solely of business premises;

(**18**) Section 18A was inserted by section 31(3) of the Family Law (Scotland) Act 2006.
(**19**) 2004 c.33; section 113 was amended by sections 33 and 45(2) of, and paragraph 8 of Schedule 1 and Schedule 3 to, the Family Law (Scotland) Act 2006 and by article 10 of the Family Law (Scotland) Act 2006 (Consequential Modifications) Order 2006 (S.S.I. 2006/384).
(**20**) 2011 asp 13.
(**21**) 2001 asp 14; section 1 was amended by sections 32 and 45(2) of, and Schedule 3 to, the Family Law (Scotland) Act 2006 asp 2.
(**22**) 1996 c.27; Part 4A was inserted by section 1 of the Forced Marriage (Civil Protection) Act 2007 c.20.
(**23**) 2007 c.20.
(**24**) 2011 asp 15.

(iii) none of the people residing at the address is entitled to be registered by reason of their nationality, together with a statement of their nationalities;

(iv) none of the people residing at the address is entitled to be registered for any reason other than their nationality and a statement of why they are not so entitled;

(c) include space for a bar code, local authority reference number and security code unique to each form;

(d) include a statement that the occupier or (if there is no occupier or it is not reasonably practicable for the occupier to provide the required information) the person in charge of the premises, must provide the required information to the registration officer for the area which includes the address to which the form was delivered, and the manner in which the recipient may do so;

(e) include an explanation of the requirements for entitlement to register to vote and state that this form is not an application to register;

(f) include a statement that the information provided in the application will be processed in accordance with the Data Protection Act 1998 and as to what information will appear on the electoral register;

(g) include a statement that failure to provide the information required by the canvass form to the registration officer may be an offence and a statement of the maximum penalty for that offence;

(h) include a statement that it is an offence to provide false information to the registration officer, and a statement of the maximum penalty for that offence;

(i) include a signed declaration that the information provided is true, to be made by a named person at the address to which the form is given and includes an indication, if the person who is signing the declaration is not resident at the address, of the capacity in which they are signing;

(j) include space for the email address and telephone number or numbers of each person residing at the address who is entitled to register to vote and an explanation that provision of this information is not mandatory;

(k) include space for the registration officer to provide local authority information and details of how the registration officer may be contacted;

(l) include the web site address of the digital service; and

(m) require the date of completion of the form.

(4) Each registration officer must send a canvass form in the form designed by the Electoral Commission to each residential address in the area for which the officer acts and the canvass form must be accompanied by a pre-addressed reply envelope, the postage of which has been prepaid.

(5) Before sending a canvass form under paragraph (4), the registration officer must, if practicable, print on the form any information required by the canvass form which the officer already holds in respect of each person who is registered at the address to which the canvass form is provided, with the exception of persons registered as mentioned in section 9D(6) of the 1983 Act.

(6) Where the registration officer has printed on the canvass form information in accordance with paragraph (5) the registration officer must include on the canvass form—

(a) an explanation of what the edited register is, using the short version of the form of words, which is prescribed in regulation 47 of, and Schedule 3 to, the

Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013;

(b) an indication of whether the name and address of each person, who is currently registered as an elector in respect of that address, are omitted from the edited register; and

(c) an indication that the person should contact their registration officer if they wish to request that their name and address be included in or omitted from the edited register, as the case may be, and an explanation that return of the canvass form will not constitute a request for the purpose of regulation 93A.

Steps to be taken by a registration officer where no information in response to an annual canvass form is received in respect of a particular address

32ZB.—(1) If a registration officer has sent an annual canvass form to an address but has not received information in response to the annual canvass form in respect of that address within a reasonable time of sending the form, the officer must send a second canvass form to that address.

(2) If no information in response is received in respect of a second form sent under paragraph (1) within a reasonable time of sending the second form, the registration officer must send a third canvass form to that address.

(3) A registration officer may visit the address at any stage in order to obtain the information required by the canvass form and must make or have made one visit if no information has been received in response to a third canvass form sent under paragraph (2).

(4) The second and third canvass forms, if required, must be in the same form as the first canvass form.

(5) The registration officer must take the steps required by paragraphs (1) to (3) before publishing a revised register under section 13(1)(a) of the 1983 Act.

(6) This regulation does not apply where a registration officer, having inspected records under regulation 35, concludes that there is no-one residing at the address or that the address is solely of business premises.

Invitations to apply for registration

32ZC.—(1) The Electoral Commission must—

(a) design an invitation to apply for registration;

(b) obtain the approval of the Lord President of the Council to the invitation; and

(c) then make the invitation available to registration officers.

(2) The invitation in paragraph (1) must include—

(a) the full name and address of the person to be invited;

(b) an explanation of how to make an application for registration; and

(c) a statement as to the circumstances in which a civil penalty may be imposed under section 9E of the 1983 Act, and the amount of the civil penalty.

(3) Where a registration officer is required by section 9E(1) of the 1983 Act to give a person an invitation to apply for registration—

(a) the registration officer must give the invitation as soon as reasonably practicable and in any event within 28 days of the conditions in section 9E(1) being satisfied;

(b) the invitation must be in the form designed by the Electoral Commission under paragraph (1);

(c) the invitation must be accompanied by an application form in the form designed by the Electoral Commission under regulation 26(3), on which the registration officer has, if practicable, printed the full name and address of the person to be invited; and

(d) the invitation, the application form and a pre-addressed reply envelope, return postage of which has been prepaid, must be given in an envelope on which is printed—

(i) a direction requesting that the envelope is not redirected if it is incorrectly addressed; and

(ii) a direction requesting that any other person who receives the envelope who is resident at the address to which the invitation is addressed inform the registration officer if the addressee is not resident at that address and the registration officer's contact details in order that they may do so.

Steps to be taken by a registration officer to encourage a person to make an application for registration in response to an invitation to do so

32ZD.—(1) If a registration officer has given a person an invitation to apply for registration under section 9E(1) of the 1983 Act and the person has not made an application to register within a reasonable time of receipt of the invitation, the registration officer must give the person a second invitation.

(2) If no application is received in respect of the second invitation within a reasonable time of receipt of the second invitation, the registration officer must give the person a third invitation.

(3) The registration officer may visit the address at which the first invitation was given in order to encourage the person to make an application for registration at any time and must make or have made one visit if no application has been received in response to the third invitation.

(4) The second and third invitations to apply for registration, if required, must be in the same form as the first invitation to apply for registration.

(5) Paragraphs (1) to (3) do not apply if the registration officer is satisfied that—

(a) the person is not entitled to be registered at the address at which the invitation or invitations to register was or were given; or

(b) the person is registered at a different address.

Requiring a person to make an application for registration

32ZE.—(1) Where a registration officer requires a person to make an application for registration by a specified date under section 9E(4) of the 1983 Act, the registration officer must give the person notice in writing of the requirement.

(2) A registration officer may not require a person to apply for registration unless—

(a) the registration officer has taken the last of the steps required by regulation 32ZD;

(b) the registration officer has established that the person—

(i) has received an invitation to apply for registration;

(ii) has been informed how to make an application for registration; and

(iii) has been informed that the registration officer may impose a civil penalty if the person is required to make an application but does not do so; and

(c) the registration officer has established that the person is resident at the address at which the invitations to apply for registration were given.

(3) A notice under paragraph (1) must state—

(a) the date by which the person must make an application for registration;

(b) that, if the person does not make an application by that date, the registration officer may impose a civil penalty on that person;

(c) the amount of any such civil penalty and the rate of interest payable if the penalty is not paid on time;

(d) that, if the person is not entitled to be registered, they must, before the date in sub-paragraph (a), inform the registration officer of that fact and explain why they are not so entitled, and the person is not required to make an application for registration;

(e) that, if the person is registered at another address, they must, before the date in sub-paragraph (a), inform the registration officer of that fact and provide that address, and the person is not required to make an application for registration;

(f) that the person may make other representations before the date in sub-paragraph (a) as to why they should not be required to make an application to register by the specified date, or why a civil penalty should not be imposed if they do not do so.

(4) The registration officer must give with the notice an application form in the form designed by the Electoral Commission under regulation 26(3) on which the registration officer has, if practicable, printed the full name and address of the person.

(5) A registration officer must cancel a requirement to make an application for registration, and give the person concerned notice in writing of the cancellation, if—

(a) the registration officer is satisfied that the person is not entitled to be registered at the address at which the invitations to register were given; or

(b) the registration officer is satisfied that the person is registered at a different address; or

(c) any of the requirements in paragraph (2) has not been met.

(6) A registration officer may cancel a requirement to make an application for registration if the registration officer considers it appropriate to do so and must give the person concerned notice in writing of the cancellation.

Notice of Civil Penalty

32ZF.—(1) The amount of the civil penalty, which a registration officer may impose under section 9E(7) of the 1983 Act, is £80.

(2) Where the registration officer imposes a civil penalty under that section, the registration officer must give the person notice in writing that the penalty has been imposed and specify the reasons for imposing it.

(3) The notice in paragraph (2) must state that the person must—

(a) within 28 days of the date of the notice, make an application to register;

(b) within 28 days of the date of the notice, pay the full amount of the civil penalty; or

(c) within 14 days of the date of the notice, request a review of the decision to impose the civil penalty.

(4) The notice in paragraph (2) must also state—

(a) the amount due;

(b) how to make payment;

(c) the rate of interest payable if the penalty is not paid on time; and

(d) that making an application to register within 28 days will prevent the person being liable to pay the civil penalty.

Payment, enforcement and cancellation of civil penalty

32ZG.—(1) Subject to paragraph (2), a person on whom a civil penalty is imposed under section 9E(7) of the 1983 Act must pay the amount of the penalty to the registration officer who imposed it within 28 days of the date of the notice given under regulation 32ZF(2).

(2) If a person on whom a civil penalty is imposed requests a review under regulation 32ZH(1) or brings an appeal under regulation 32ZI(1), the 28 day period in paragraph (1) ceases to run whilst that review or appeal is being considered, and in the calculation of that period—

(a) the day on which the review is requested or the appeal brought shall be excluded; and

(b) the day on which the review or appeal is concluded shall be included.

(3) If the person does not pay the civil penalty as required by paragraph (1) or (2), interest at 8% per annum will be charged from the date payment becomes overdue to the date of payment.

(4) A civil penalty not paid in accordance with paragraph (1) or (2) and any interest on the civil penalty is recoverable as a civil debt.

(5) A registration officer must cancel a civil penalty, and give the person concerned notice in writing of the cancellation, if—

(a) the person makes an application for registration at any time before the time for payment of the civil penalty in paragraph (1) or (2) has elapsed;

(b) the registration officer is satisfied that—

(i) the person is not entitled to be registered at the address at which the invitations to register were given; or

(ii) the person is registered at a different address; or

(c) any of the requirements in regulation 32ZE(2) has not been met.

(6) A registration officer may cancel the civil penalty if the registration officer considers it appropriate to do so and must give the person concerned notice in writing of the cancellation.

Review of registration officer's decision to impose a civil penalty

32ZH.—(1) A person on whom a civil penalty has been imposed may request a review of the registration officer's decision to impose the penalty.

(2) A request under paragraph (1) must be made in writing within 14 days of the date of the notice given under regulation 32ZF(2).

(3) Where a person requests a review of the registration officer's decision under paragraph (1), the registration officer must within 7 days of receiving the request give notice in writing to the person—

(a) acknowledging the request;

(b) informing the person that they may within 14 days of the date of the notice—

(i) make representations explaining why they have not made an application to register or why the civil penalty should be cancelled;

(ii) submit evidence in support of such representations; and

(c) explaining how such representations may be made and such evidence may be submitted.

(4) The registration officer must carry out a review, and such review may not start before the earlier of—

(a) the end of the fourteenth day after the date of the notice sent under paragraph (3); or

(b) the receipt of any representations or evidence.

(5) Following a review under paragraph (4), the registration officer may—

(a) uphold the decision to issue a civil penalty; or

(b) cancel the civil penalty.

(6) The registration officer must inform the person in writing of the outcome of the review.

(7) If the registration officer upholds the decision to impose a civil penalty, the notice must also state that the person on whom the penalty has been imposed—

(a) may appeal against that decision to the First-tier Tribunal, and how to make such an appeal; and

(b) must pay the penalty by a specified date, which shall be the date on which the 28 day period in regulation 32ZG(1) or (2) expires.

Appeals to the First-tier Tribunal against a notice of civil penalty

32ZI.—(1) If a registration officer upholds the decision to issue a civil penalty under regulation 32ZH(5)(a), the person on whom the penalty was imposed may appeal to the First-tier Tribunal.

(2) On an appeal under paragraph (1) the First-tier Tribunal may—

(a) uphold the registration officer's decision to impose the civil penalty; or

(b) cancel the civil penalty.".

Amendment in relation to requirements for application for a proxy vote

23. After regulation 55(3B) insert—

"(4) Where an application under paragraph 4(2) of Schedule 4 is made—

(a) on grounds relating to the applicant's occupation, service or employment; and

(b) after 5 p.m. on the sixth day before the date of the poll at the election for which it is made,

the requirements of regulation 55A as to the matters to be specified and the attestation shall apply.".

Additional requirements for application for an emergency proxy vote in respect of a particular election

24. After regulation 55 insert—

"**Additional requirements for application for an emergency proxy vote in respect of a particular election**

55A.—(1) This regulation sets out the requirements referred to in regulation 55(4).

(2) The application must (in addition to providing the information required by regulation 55(1)) state—

(a) where the applicant is self-employed, that fact; and, in any other case, the name of the applicant's employer;

(b) that the reason provided in accordance with regulation 55(1) relates to the applicant's occupation, service or employment; and

(c) the date on which the applicant became aware of that reason.

(3) Paragraphs (4), (5) and (6) apply unless the applicant is or will be registered as a service voter.

(4) The application must be attested and signed—

(a) where the applicant is self-employed, by a person who—

(i) is aged 18 years or over;

(ii) knows the applicant; and

(iii) is not related to the applicant;

(b) where the applicant is not self-employed, by the applicant's employer or by another employee to whom this function is delegated by the employer.

(5) The person attesting an application under paragraph (4) (the "attestor") must certify that the statements required by paragraph (2) and the information required by regulation 55(1) are true to the best of their knowledge and belief.

(6) The attestor shall also state—

(a) the attestor's name and address, and

(b) if the attestor is attesting—

(i) where the applicant is self-employed, that the attestor is aged 18 years or over and that the attestor knows, but is not related to, the applicant; or

(ii) as or on behalf of the employer of the applicant, that the attestor is the employer, or the position the attestor holds in the employment of that employer.

(7) For the purposes of this regulation, one person ('A') is related to another ('B') if A is the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of B.".

Amendments in relation to the closing date for applications

25.—(1) After regulation 56(3A)(a) insert—

"(aa) on grounds relating to the applicant's occupation, service or employment and the applicant became aware of those grounds after 5 p.m. on the sixth day before the date of poll at the election for which it is made; or".

(2) After regulation 56(5) insert—

"(5A) Any application or notice mentioned in this regulation shall be disregarded for the purposes of a particular parliamentary or local government election if, before the application or notice is considered by the registration officer, the elector or proxy has returned a postal ballot paper to the returning officer (except where it has been returned in accordance with regulation 77 or 78 (spoilt and lost postal ballot papers)).".

Requirement to provide fresh signature following rejection of a postal voting statement

26. After regulation 60A insert—

"**Requirement to provide fresh signatures following rejection of a postal voting statement**

60B.—(1) Where an absent voter is notified under regulation 61C that the signature does not match the example held on the personal identifiers record, and the absent voter continues to be shown on the relevant record as voting by post, the registration officer may require the absent voter to provide a fresh signature for the personal identifiers record.

(2) In doing so the registration officer must—

(a) issue a notice in writing to the absent voter, requiring the provision of a fresh signature, and

(b) inform the absent voter of the date (six weeks from the sending of the notice) on which the absent voter would cease to be entitled to vote by post in the event of a failure or refusal to provide a fresh signature.

(3) The registration officer must, if the absent voter has not responded to the notice within three weeks from the date on which the notice was sent, as soon as practicable send a copy of the notice to the absent voter.

(4) The notice and any copy must be sent by the registration officer to the current or last known address of the absent voter.

(5) Where a notice or copy of a notice is sent by post, the registration officer may use—

(a) a universal postal service provider; or

(b) a commercial delivery firm,

and postage must be prepaid.

(6) A notice or copy of a notice sent to an absent voter in accordance with paragraph (2) or (3) must be accompanied by a pre-addressed reply envelope and, in the case of any notice or copy of a notice sent to an address in the United Kingdom, return postage must be prepaid.

(7) Following the date specified in the notice sent to the absent voter, the registration officer must determine whether the absent voter has failed or refused to provide a fresh signature.

(8) Where the registration officer determines that the absent voter has refused or failed to provide a fresh signature, the registration officer must remove that person's entry from the records kept pursuant to paragraph 3(4) or 7(6) of Schedule 4 and from the postal voters list or proxy postal voters list (as the case may be) kept under paragraph 5(2) or 7(8) of that Schedule.

(9) Where a registration officer removes an absent voter's entry in the circumstances to which paragraph (8) refers—

(a) the registration officer shall inform the absent voter, where appropriate, of the location of the polling station allotted or likely to be allotted to the voter under the appropriate rules (as defined in paragraph 1 of Schedule 4);

(b) regulations 57(4) and 58 shall apply as if the registration officer were refusing an application under Schedule 4; and

(c) in the case of an entry removed from the proxy postal voters list, the registration officer must also notify the elector who appointed the proxy whose entry has been removed.

(10) The registration officer shall include in the notice to be sent to an absent voter regarding their removal from the records kept pursuant to paragraph 3(4) or 7(6) of Schedule 4 and from the postal voters list or proxy postal voters list (as the case may be) kept under paragraph 5(2) or 7(8) of that Schedule, information—

(a) explaining the effect of such removal; and

(b) reminding the absent voter that they may make a fresh application under Schedule 4 to vote by post or by proxy (as the case may be).

(11) Where an absent voter has provided a registration officer with a fresh signature in response to a notice issued by the registration officer under this paragraph, or in response to a notice issued by the registration officer under any other enactment following the rejection of the absent voter's postal voting statement at an election or referendum, the registration officer may use that signature and enter it in the records kept in accordance with regulation 61B and paragraphs 3(4), 4(6) and 7(12) of Schedule 4.".

Amendments relating to records and lists kept under Schedule 4

27. In regulation 61 after paragraph (6), insert—

"(6A) At a parliamentary election, the registration officer must, on a request made at any time, supply the returning officer for any constituency or part of a constituency for which he is the registration officer with so much of the lists kept under paragraphs 5 and 7(8) of Schedule 4 as relate to that constituency or part of a constituency.".

Notification of a rejected postal vote

28. After regulation 61B insert—

"**Notification of a rejected postal voting statement**

61C.—(1) Where an absent voter (whether an elector or a proxy), appears on the list created under regulation 87(4) then—

(a) the registration officer responsible for the personal identifier record that contains information in respect of the absent voter must notify them (and the elector if the absent voter is a proxy) that the ballot paper concerned was rejected because the returning officer was not satisfied that the postal voting statement was duly completed;

(b) the registration officer must send the notification within the period of three months beginning with the date of the poll at which the ballot paper was rejected; and

(c) the notification must include information as to which of the specified reasons referred to in regulation 87(5) applied to the absent voter's postal voting statement.

(2) The registration officer is not obliged to send a notification—

(a) to any person who is no longer shown as voting by post in the relevant record at the time the registration officer proposes to send out the notification; or

(b) where the returning officer suspects that an offence may have been committed in relation to the postal ballot paper, postal voting statement or the absent voter's registration as an elector.

(3) A notification issued under paragraph (1) may also include any other information that the registration officer considers appropriate, but a notification must not include information held on the personal identifiers record.".

Time when postal ballot papers are to be issued

29. For regulation 71 substitute—

"**Time when postal ballot papers are to be issued**

71. Postal ballot papers (and postal voting statements) must be issued by the returning officer as soon as it is practicable to do so.".

Amendment in relation to lost postal ballot papers

30. In regulation 78(1), for "third" substitute "fourth".

Cancellation of postal ballot papers

31. After regulation 78 insert—

"**Cancellation of postal ballot papers**

78A.—(1) Where, after the final nomination day at a parliamentary or local government election, an application under—

(a) paragraph 3(5)(a) of Schedule 4 to the 2000 Act (application to be removed from the record of absent voters),

(b) paragraph 3(6) or 4(3)(b) of that Schedule (application to vote by proxy by a person recorded as voting by post),

(c) paragraph 3(7) of that Schedule (application to vote by post by person recorded as voting by proxy),

(d) paragraph 4(3)(a) of that Schedule (application for postal ballot paper to be sent to different address),

(e) paragraph 6(7) or (8) of that Schedule (appointment of proxy),

(f) paragraph 7(7) of that Schedule (application from postal proxy voter for postal ballot paper to be sent to a different address), or

(g) paragraph 7(9)(a) of that Schedule (application by proxy to be removed from record of postal proxies),

is granted or a notice under paragraph 6(10) of that Schedule (cancellation of proxy appointment) is received, and the application or notice is not to be disregarded for the purposes of that election under regulation 56, the registration officer must notify the returning officer who must immediately cancel any postal ballot paper issued to the elector or proxy and, in the case of an application mentioned in sub-paragraph (d) or (f), must issue a replacement ballot paper.

(2) Where a person returns a postal ballot paper that has been or is to be cancelled in accordance with paragraph (1) (whether to the registration officer or the returning officer), it must be dealt with as follows—

(a) the ballot papers, together with any other ballot papers, postal voting statements or covering envelopes which are returned to the registration officer must be given by the registration officer to the returning officer;

(b) any document returned in accordance with this paragraph but not cancelled in accordance with paragraph (1) must be immediately cancelled;

(c) the returning officer, as soon as practicable after receiving and cancelling those documents, shall make up those documents in a separate packet and shall seal the packet, and if on any subsequent occasion documents are returned in accordance with this paragraph, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall be again made up and sealed.

(3) The returning officer must enter in a list kept for the purpose of recording postal ballot papers cancelled under this regulation ("the list of cancelled postal ballot papers")—

(a) the name and number of the elector as stated in the register of electors (or, in the case of an elector who has an anonymous entry, their electoral number alone);

(b) the number of the cancelled postal ballot paper;

(c) the number of any replacement postal ballot paper issued under paragraph (1); and

(d) where the postal voter is a proxy, their name and address.

(4) Regulations 72 (except paragraph (3)), 74, 75 and 76 apply to a replacement postal ballot paper issued under paragraph (1).

(5) In this regulation "the final nomination day" has the meaning given by section 13B(5) of the 1983 Act(**25**).".

Amendments in relation to opening of covering envelopes

32.—(1) In regulation 84, omit paragraphs (1A) and (4A).

(2) For regulation 84(2) substitute—

"(2) The procedure in regulation 85A applies where a covering envelope (including an envelope to which regulation 82(2) above applies) contains a postal voting statement.".

(3) For regulation 84(4) substitute—

"(4) Where a covering envelope does not contain a postal voting statement (whether separately or not), the returning officer shall mark the covering envelope "provisionally rejected", attach its contents (if any) and place it in the receptacle for rejected votes.".

Amendments to the procedure in relation to postal voting statements

33.—(1) For regulation 85A(1) substitute—

"(1) This regulation applies in the circumstances described in regulation 84(2).".

(2) In regulation 85A(3), after "if there is no such envelope" insert "but there is a ballot paper".

Amendments in relation to retrieval of cancelled postal ballot papers

34. In regulation 86A(2)—

(a) in sub-paragraph (c) after "postal voting statements" insert "(verification procedure)";

(b) in sub-paragraph (e) after "77(6)" insert "or 78A(2)".

(**25**) "the 1983 Act" is defined by regulation 3(1) of S.I. 2001/497 to mean the Representation of the People Act 1983 (c.2); section 13B was inserted by Schedule 1 to the Representation of the People Act 2000 (c.2).

Amendments in relation to lists of rejected postal ballot papers

35.—(1) In regulation 87(1), for "two separate lists of" substitute "three separate lists relating to".

(2) After regulation 87(3) insert—

"(4) In the third list, he shall record for every postal voting statement within the receptacle for rejected votes (verification procedure) immediately prior to sealing—

(a) the elector's name and address (and the name of the address of the proxy if the elector has a proxy),

(b) the elector's number on the register of electors (and that of the proxy if the elector has a proxy),

(c) the specified reason or reasons for the rejection of the postal voting statement, and

(d) any other information relating to the rejection that the returning officer considers appropriate, but not the ballot paper number.

(5) The specified reasons that may be given under paragraph (4)(c) for the rejection of a postal voting statement are as follows—

(a) the signature does not match the example held on the personal identifiers record,

(b) the date of birth does not match the one held on the personal identifiers record,

(c) the signature field is blank, or

(d) the date of birth field is blank.".

Amendments in relation to sealing of receptacles

36. In regulation 89(1)—

(a) omit sub-paragraph (b);

(b) in sub-paragraph (d), for "spoilt and lost" substitute "spoilt, lost or cancelled".

Amendments in relation to retention of documents

37. In regulation 91—

(a) in paragraph (1)(a) after "78(2C)," insert "78A(2),";

(b) after paragraph (1)(b) insert—

"(c) any list compiled under regulation 87(4).";

(c) at the end of paragraph (4) insert "save that in applying rules 56 and 57 to the list provided for by regulation 87(4), this list and any extracts from it are to be treated as if they were counted ballot papers.".

Amendments in relation to forwarding of documents

38. After regulation 91 insert—

"**91A. Forwarding of documents**

(1) Before the returning officer seals up the counted and rejected ballot papers as provided by rule 54 of the elections rules, the returning officer must—

(a) where any list compiled under regulation 87(4) relates to a constituency contained within a single local government area, send a copy of the list to the registration officer for that local government area;

(b) where any list compiled under regulation 87(4) relates to a constituency which comprises any part of more than one local government area, send a copy of such

extracts of the list as are relevant to each of the registration officers for those local government areas.

(2) A registration officer may only use the information sent in accordance with paragraph (1) for the purposes of notifying voters in accordance with regulation 61C and requiring fresh signatures to be provided in accordance with regulation 60B.

(3) Rule 56 of the elections rules, as modified by rule 58 of those rules, shall apply to the copy of the list, or extracts of the list, sent in accordance with paragraph (1) as if—

(a) references in rule 56 to counted ballot papers in the custody of the returning officer were to references to the copy of the list, or extracts of the list, sent to a registration officer in accordance with paragraph (1);

(b) references to the returning officer (as modified by rule 58 of the elections rules) were to references to a registration officer who was sent a list, or extracts of a list, provided in accordance with paragraph (1).

(4) Except as provided for by virtue of paragraph (3), no other person shall be allowed to inspect the copy of the list, or extracts of the list, sent to a registration officer in accordance with paragraph (1).

(5) The registration officer must cause the copy of the list, or extracts of the list, sent in accordance with paragraph (1) to be destroyed—

(a) as soon as practicable after the registration officer has complied with the requirements of regulation 61C, and issued any notices under regulation 60B, in relation to the information provided in the copy of the list, or extracts of the list; and

(b) in any event, within 4 months of receipt.".

Amendments relating to edited version of register

39. In regulation 92(1)(b) for "regulation 93" substitute "regulations 93 and 93A".

40. In regulation 93(2) after "if a request has been duly made", for "in the form referred to in section 10(4) of the 1983 Act or in accordance with regulation 26 above by or on behalf of that elector", substitute "to the registration officer in accordance with regulation 26 or regulation 93A by that elector".

41. For regulation 93(3) substitute—

"(3) In other respects the edited register shall be identical to the full register (and, accordingly, shall include any mark or date which is required to be recorded against the name of any elector), except that it shall take account of alterations in respect of which the registration officer has issued a notice under section 13A of the 1983 Act.

(3A) The registration officer must publish a revised version of the edited register incorporating any alterations which are required to be made by virtue of a request under either regulation 26 or regulation 93A and any alterations to the edited register in respect of which the registration officer is required to issue a notice under section 13A of the 1983 Act.

(3B) The registration officer must publish the revised version of the edited register in accordance with paragraph (3A)—

(a) on the first day of the month which follows the date the request was received or, if the first day of the month is less than 14 days after the date the request was received, on the first day of the month immediately following that month; or

(b) on the day the registration officer is required to publish the notice of alteration in accordance with section 13A;

whichever is appropriate.

(3C) Where no alterations are required to be made the duty in regulation 93(3A) does not apply.".

Amendments relating to edited register preference

42. After regulation 93 insert—

"**Notifying registration officer of change to edited register preference**

93A.—(1) A person must make a request to the registration officer for the area in which the person resides if that person wishes to be included in or omitted from the edited register otherwise than in accordance with an application under regulation 26.

(2) A person making a request under paragraph (1) must provide the registration officer with the person's full name, address and an indication of whether the person wishes to be included in or omitted from the edited register.

(3) A registration officer may not treat information received in response to a canvass form given under regulation 32ZA(4) or 32ZB(1), (2) or (3) as a request for the purpose of this regulation.

(4) Where a person has made a request in accordance with paragraph (1), the registration officer must notify the person in writing of the following—

(a) confirmation that the person has requested that they are included in or omitted from the edited register;

(b) when a revised version of the edited register reflecting the request will be published under regulation 93(3A);

(c) the manner in which the person may contact the registration officer if this information is not correct.".

Amendments in consequence of the Fixed-term Parliaments Act 2011

43. In regulation 97(4)(a)(i) for "the announcement of Her Majesty's intention to dissolve Parliament" substitute "the dissolution of Parliament in accordance with section 3(1) of the Fixed-term Parliaments Act 2011(**26**)".

Amendments in relation to alterations to the register

44. In each place where it occurs in regulations 7(5)(b), 31A(1)(c), 36(2), 92(1)(b), 97(1)(b), 97(3)(b), 97A(1)(b), 98(1)(b), 99(1)(b), 100(2)(b), 101(1)(b), 108A(1)(b), 110(1)(b), 110(7), 111(1), 111(6)(b), and in paragraph (c) of Schedule 1, after "13A(2)" insert "13AB(2),".

45. After regulation 99(2) insert—

"(2A) Each registration officer shall, if the Commission has made a written request, supply the Commission free of charge with one copy of any revised version of the register created following the publication of a notice of alteration in the register under section 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of the 1983 Act.

(2B) In paragraph (2A) the duty to supply is a duty to supply in data form unless the Commission in the written request for the revised register has requested a paper copy instead.".

(**26**) 2011 c.14.

Amendments in relation to documents open to public inspection

46. After regulation 118(1)(b)(iii) insert—

"(iv) the list required to be compiled under regulation 87(4), and any extracts produced from that list.".

Prescribed form of words about the two versions of the register

47.—(1) Schedule 3 to these Regulations is to have effect and the forms of words set out in that Schedule are prescribed as the wording to be used by electoral registration officers for the purpose specified in paragraph 10(2) of Schedule 2 to the 1983 Act.

(2) The long form of the form of words set out in Schedule 3 to these Regulations is prescribed to be used except as provided for in regulations 26(3)(h), 26(8) and 32ZA(6)(a) of the Representation of the People (Scotland) Regulations 2001.

Amendment of form of official poll cards

48. In Schedule 3, for Forms A, A1, B and B1 substitute Forms A, A1, B and B1 set out in Schedule 4 to these Regulations.

Amendment of form of certificate of employment

49. In Schedule 3, for Form F substitute Form F set out in Schedule 4 to these Regulations.

Amendment of form of postal voting statements

50. In Schedule 3, for Forms G, H and J substitute Forms G, H and J set out in Schedule 4 to these Regulations.

Amendment of form of statement as to postal ballot papers

51.—(1) In Schedule 3, in Form K in the first column—

(a) in entry 2, for "and regulation 78 (lost or not received)" substitute ", regulation 78 (lost or not received) and regulation 78A (cancelled due to change of address).";

(b) after entry 4 (total number of postal ballot papers issued) insert—

"5.	Total number of postal ballot papers cancelled under regulation 78A.";

(c) omit entry 15 (number of postal voting statements not subject to verification procedure rejected as not completed).

(2) In consequence of the amendments made by paragraph (1)—

(a) re-number the existing entries 5 to 14 as 6 to 15 respectively;

(b) in entry 14 (as renumbered) for "5 to 12" substitute "6 to 13";

(c) in entry 19 (number of cases in which a covering envelope or its contents were marked "Rejected") after "78" insert ", 78A", and for "2, 3, 7 and 9" substitute "2, 3, 5, 8 and 10".

Amendments relating to modification of provisions for registration of European Parliamentary overseas electors

52. In Schedule 4, in the table, after the entry for section 13B (alteration of registers: pending elections)—

(a) in column 1 (provision applied) insert—

"Section 13AB (alteration of registers: interim publication dates)"; and

(b) in column 2 (modification) insert—

"For subsection (4) substitute—

"(4) This section applies to elections to the European Parliament.""

Signed by the Secretary of State

Name
Secretary of State
Scotland Office

Date

SCHEDULE 1

Preamble

ENABLING POWERS

These Regulations are made under the following powers:

(a) sections 9B(1)(c)(**27**), 9E(2), (3) and (6)(**28**), 10ZC(2) and (3)(**29**), 10ZD(2) and (3)(**30**), 10ZE(4) and (6)(a)(**31**), 53(1), (3) and (4)(**32**) and 201(1) and (3)(**33**) of the Representation of the People Act 1983 ("the 1983 Act")(**34**);

(b) Schedule ZA1(**35**), rules 24(**36**), 28(3) and (3A)(**37**) and 32(3) of Schedule 1 and paragraphs 1(2)(**38**) and (2A)(**39**), 1A(**40**), 3ZA(**41**), 5(1B)(**42**), 5A(**43**), 8C(**44**), 10B(**45**), 11(1) and (2)(**46**), 12(**47**) and 13(1ZB)(**48**) and (1A)(**49**) of Schedule 2 to the 1983 Act;

(c) having regard to the definition of "prescribed" in section 202(1) of the 1983 Act, section 13AB of that Act(**50**);

(d) section 3(6)(b) of the Representation of the People Act 1985(**51**);

(e) having regard to the definition of "prescribed" in section 202(1) of the 1983 Act and paragraph 1(2) of Schedule 4 to the Representation of the People Act 2000(**52**), paragraphs 4(2) and 6(8) of that Schedule; and

(f) paragraphs 7B(**53**) and 7E(**54**) of Schedule 4 to the Representation of the People Act 2000.

(**27**) Section 9B(1)(c) was inserted by section 10(1) of the Electoral Administration Act 2006 (c.22).
(**28**) Section 9E(2), (3) and (6) were inserted by section 5 of the Electoral Registration and Administration Act 2013 (c.6).
(**29**) Section 10ZC(2) and (3) were inserted by section 1 of the Electoral Registration and Administration Act 2013 (c.6).
(**30**) Section 10ZD(2) and (3) were inserted by paragraph 1 of Schedule 1 to the Electoral Registration and Administration Act 2013 (c.6).
(**31**) Section 10ZE(4) and (6) were inserted by paragraph 1 of Schedule 1 to the Electoral Registration and Administration Act 2013 (c.6).
(**32**) Section 53(1)(b) was substituted by section 8 of and paragraphs 1 and 13(b) of Schedule 1 to the Representation of the People Act 2000 (c.2); section 53(3) was amended by paragraph 13 of Schedule 4 to the Representation of the People Act 1985 (c.50); section 53(4) was inserted by section 74(1) of and paragraphs 104 and 109 of Part 7 of Schedule 1 to the Electoral Administration Act 2006 (c. 22).
(**33**) Section 201(3) was inserted by paragraphs 1 and 21 of Schedule 1 to the Representation of the People Act 2000 (c.2).
(**34**) 1983 c. 2.
(**35**) Schedule ZA1 was inserted by Schedule 3 to the Electoral Registration and Administration Act 2013 (c.6).
(**36**) Rule 24 was substituted by section 37 of the Electoral Administration Act 2006 (c.22).
(**37**) Rule 28(3) was amended by paragraphs 69, 70(1) and (3) of Schedule 1 to the Electoral Administration Act 2006 (c.22).
(**38**) Paragraph 1(2) was amended by section 13(1) of and paragraphs 1, 20(1) and (2)(a) of Schedule 4 to the Electoral Registration and Administration Act 2013 (c.6).
(**39**) Paragraph 1(2A) was inserted by section 2 of and Schedule 2 to the Electoral Registration and Administration Act 2013 (c.6).
(**40**) Paragraph 1A was inserted by section 2 of and Schedule 2 to the Electoral Registration and Administration Act 2013 (c.6).
(**41**) Paragraph 3ZA was inserted by section 2 of and Schedule 2 to the Electoral Registration and Administration Act 2013 (c.6).
(**42**) Paragraph 5(1B) was inserted by section 10(2) and paragraphs 2, 15(1) and (5) of Schedule 1 to the Electoral Administration Act 2006 (c.22).
(**43**) Paragraph 5A was inserted by Schedule 2 to the Representation of the People Act 1985 and amended by paragraphs 3 and 11 of Schedule 6 to the Representation of the People Act 2000 (c.2).
(**44**) Paragraph 8C was inserted by section 2 of and Schedule 2 to the Electoral Registration and Administration Act 2013 (c.6).
(**45**) Paragraph 10B was inserted by section 9 of the Representation of the People Act 2000 (c.2).
(**46**) Paragraph 11 was substituted by section 9 of the Representation of the People Act 2000 (c.2).
(**47**) Paragraph 12 was amended by paragraphs 69 and 94 of Schedule 1 to the Electoral Administration Act 2006 (c.22).
(**48**) Paragraph 13(1ZB) was inserted by section 2 of and Schedule 2 to the Electoral Registration and Administration Act 2013 (c.6).
(**49**) Paragraph 13(1A) was inserted by section 9 of the Representation of the People Act 2000 (c.2).
(**50**) Section 13AB was inserted by section 16 of the Electoral Registration and Administration Act 2013 (c.6).
(**51**) 1985 c.50.
(**52**) 2000 c.2.
(**53**) Paragraph 7B was inserted by section 14 of the Electoral Administration Act 2006 (c.22).
(**54**) Paragraph 7E was inserted by section 22 of the Electoral Registration and Administration Act 2013 (c.6).

SCHEDULE 2 Regulation 2

REVOCATIONS

1	*2*	*3*
Regulations revoked	*References*	*Extent of revocation*
1. The Representation of the People (Scotland) Regulations 2001	S.I. 2001/497	Regulation 20.
2. The Representation of the People (Scotland) Regulations 2001	S.I. 2001/497	Regulations 81(5)(b), 85 and 85B.
3. The Representation of the People (Scotland) (Amendment) Regulations 2002	S.I. 2002/1872	Regulation 13.
4. The Representation of the People (Form of Canvass) (Scotland) Regulations 2006	S.I. 2006/1836	The whole of the regulations.
5. The Representation of the People (Scotland) (Amendment) Regulations 2007	S.I. 2007/925	Regulation 35(3), (4), (5) and (6). Regulations 54(b)(ii) and 55. In Schedule 2, Forms A, A1, B, B1, G, H and J.
6. The Representation of the People (Scotland) (Amendment) Regulations 2008	S.I. 2008/305	Regulation 9. Regulation 10, insofar as it inserts regulation 85B into S.I. 2001/497. Regulation 12(1). In the Schedule, Forms A1, B1, G, H and J.

SCHEDULE 3 Regulation 47

Form of words about the two versions of the register

Short version of the form of words

There are two registers. Why?

Using information received from the public, registration officers keep two registers – the electoral register and the open register (also known as the edited register).

The electoral register lists the names and addresses of everyone who is registered to vote in public elections. The register is used for electoral purposes, such as making sure only eligible people can vote. It is also used for other limited purposes specified in law, such as:

- detecting crime (e.g. fraud)
- calling people for jury service

- checking credit applications.

The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details.

Your name and address will be included in the open register unless you ask for them to be removed. Removing your details from the open register does not affect your right to vote.

Long version of the form of words

There are two registers. Why?

Using information received from the public, registration officers keep two registers – the electoral register and the open register (also known as the edited register).

The electoral register lists the names and addresses of everyone who is registered to vote in public elections.

The register is used for electoral purposes – such as making sure only eligible people can vote – and for other limited purposes specified in law. The personal data in the register must always be processed in line with data-protection legislation.

Who uses the electoral register?

- Election staff, political parties, candidates and holders of elected office use the register for electoral purposes.
- Your local council and the British Library hold copies that anyone may look at under supervision. A copy is also held by the Electoral Commission, the Boundary Commissions (which set constituency boundaries for most elections) and the Office for National Statistics.
- The council can use the register for duties relating to security, enforcing the law and preventing crime. The police and the security services can also use it for law enforcement.
- The register is used when calling people for jury service.
- Government departments may buy the register from local registration officers and use it to help prevent and detect crime. They can also use it to safeguard national security by checking the background of job applicants and employees.
- Credit reference agencies can buy the register. They help other organisations to check the names and addresses of people applying for credit. They also use it to carry out identity checks when trying to prevent and detect money laundering.

It is a criminal offence for anyone to supply or use the register for anything else.

The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details. The personal data in the register must always be processed in line with data-protection legislation.

Your name and address will be included in the open register unless you ask to be removed from it. Removing your details from the open register would not affect your right to vote.

Who uses the open register?

Users of the open register include:

- businesses checking the identity and address details of people who apply for their services such as insurance, goods hire and property rental, as well as when they shop online.
- businesses selling age-restricted goods or services, such as alcohol and gambling online, to meet the rules on verifying the age of their customers.

- charities and voluntary agencies, for example to help maintain contact information for those who have chosen to donate bone marrow and to help people separated by adoption to find each other.
- charities, to help with fundraising and contacting people who have made donations.
- debt-collection agencies when tracing people who have changed address without telling their creditors.
- direct-marketing firms when maintaining their mailing lists.
- landlords and letting agents when checking the identity of potential tenants.
- local councils when identifying and contacting residents.
- online directory firms to help users of the websites find people, such as when reuniting friends and families.
- organisations tracing and identifying beneficiaries of wills, pensions and insurance policies.
- private-sector firms to verify details of job applicants.

SCHEDULE 4

Regulations 48, 49 and 50

FORMS

Arrangement of forms

Form A:	Official poll card (to be sent to an elector voting in person)
Form A1:	Official postal poll card (to be sent to an elector voting by post)
Form B:	Official proxy poll card (to be sent to an appointed proxy voting in person)
Form B1:	Official proxy postal poll card (to be sent to an appointed proxy voting by post)
Form F:	Certificate of employment
Form G:	Postal voting statement (for use at parliamentary election taken alone)
Form H:	Postal voting statement (for use when postal ballots are combined)
Form J:	Postal voting statement (for use when a parliamentary poll is combined with another poll but the postal ballots are not combined)

Form A: Official poll card (to be sent to an elector voting in person)

Front of card

Poll card

Election of Member of Parliament for the *[insert name of constituency]* constituency

Date of election ***[Day] [Date] [Name of the Month] [Year]***

Voting information	
Polling day	
Voting hours	
Your polling station will be	

Please turn over

Your details:

* *[Elector's name and qualifying address details here]*

* *Returning Officer to omit where poll card sent to an anonymous elector. Poll card to an anonymous elector must be delivered in a sealed envelope*

Number on register:

** [You do not need to take this card with you in order to vote.]

** [You must have this card with you. You cannot vote without it.]

** *If anonymous elector omit the words in the first set of brackets, if not omit the words in the second set of brackets.*

[Insert helpline and other details including website].

Back of card

This space for map or other information such as helpline and website details

It is an offence to:

- vote more than once at this election, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this election for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

If you need any help or to find out if your polling station is accessible, please contact us.
[Returning Officer to add contact details including website if appropriate]

If undelivered return to:
[Insert return address]

If you are away or cannot go to the polling station on *[day] [date of poll]* you can do one of the following:

- Apply to vote by post. Completed applications must reach us **before 5pm on *[day] [date of deadline]***. If you are given a postal vote, you will not be able to vote in person at this election.

OR

- Apply to vote by proxy (this means someone else can vote on your behalf). Completed applications must reach us **before 5pm on *[day] [date of deadline]***. If you appoint a proxy, you can vote if you wish, but only if your proxy has not already voted on your behalf and has not got a postal vote for you.

If after 5pm on *[the sixth day before the date of the poll]* you are unable to vote in person because you:

- **Have a medical emergency after 5pm on *[day] [date of deadline]***
- **Learn you cannot go to the polling station because of work reasons**

You can apply to vote by proxy. Completed applications must reach us **before 5pm on *[day] [date of deadline]***. To find out how to apply, call the helpline immediately.

The Returning Officer issued this card.

Form A1: Official postal poll card (to be sent to an elector voting by post)

Front of card

Postal poll card

Election of Member of Parliament for the *[insert name of constituency]* constituency

Date of election ***[Day] [Date] [Name of the Month] [Year]***

Voting information

We will send your postal vote around *[name of day] [date] [name of month] [year]* *[addressed to:]

**[Elector's name and address]*

Please turn over

Your details:

** [Elector's name and qualifying address details here]*

** Returning Officer to omit in both places where poll card sent to an anonymous elector. Poll card to an anonymous elector must be delivered in a sealed envelope*

Number on register:

Your postal vote

- You will receive a postal vote for this election because you asked to vote by post.
- You will not be able to vote in a polling station.
- **If you have not received your postal vote by *[day] [date] [name of month]* call *[insert helpline number]*.**

Back of card

How to vote

1. When you receive your postal vote, read the instructions carefully.
2. Your postal vote includes your ballot paper and a postal voting statement.
3. Complete both of these and return them immediately.
4. We need to receive your postal vote by **10pm on *[day/date of poll]***.

If you need information in another format, please call our helpline below.

If you need help to vote, you can ask someone you know or get independent help by calling our helpline:

[Insert helpline and other details including website]

If you lose your postal vote or make a mistake

- Please phone the helpline immediately.
- We can only issue a replacement postal vote **before 5pm on *[day/date of deadline]***.

If you would rather vote in person, or ask someone else to vote on your behalf, you must cancel your postal vote **before 5pm on *[day/date of deadline]***. For more information, please call the helpline.

It is an offence to:

- vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper
- vote more than once at this election, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this election for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Returning Officer issued this card.

If undelivered return to
[Insert return address]

Form B: Official proxy poll card (to be sent to an appointed proxy voting in person)

Front of card

Proxy poll card

Election of Member of Parliament for the *[insert name of constituency]* constituency

Date of election ***[Day] [Date] [Name of the Month] [Year]***

Voting information	
Polling day	
Voting hours	
Your polling station will be	

Please turn over

Your details:

* *[Proxy's name and qualifying address details here]*

* *Returning Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of an anonymous elector must be delivered in a sealed envelope.*

You will receive a proxy vote

** [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this election.

** [You do not need to take this card with you to vote.] [You must have this card with you when you vote. You cannot vote as a proxy without it.]

** *If sent to the proxy of an anonymous elector omit the words in each of the first sets of brackets, if not omit the words in each of the second sets of brackets.*

[Insert helpline and other details including website].

Back of card

For this election you are proxy for:

* *[(Elector's name)*
(Elector's address)
(Elector's number on register)]
[the person with this elector number (Insert elector's number on register)]

* *If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.

This space for map or other information such as helpline and website details

If you need any help or to find out if your polling station is accessible, please contact us.
[Returning Officer to add contact details including website if appropriate]

How to vote as a proxy

1. * [At the polling station, tell the staff that you are a proxy for the person named above. They will give you that person's ballot paper.] *[At the polling station, ask to speak to the presiding officer and show them this card. They will give you the ballot paper of the person you are proxy for.]
   * *If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*
2. Go to one of the voting booths.
3. Follow the instructions on how to mark the ballot paper.
4. Fold the ballot paper and put in the ballot box.

If you need any help, just ask the staff.

If you are away or cannot go to the polling station on *[day] [date of poll]*

- You can apply to vote by post. The deadline for completed applications is **5pm on *[day] [date of deadline]***.
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this election.
- **To find out how to apply, please call us on *[insert helpline number or other contact details].***

It is an offence to:

- vote more than once at this election, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this election for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Returning Officer issued this card.

If undelivered return to
[Insert return address]

Form B1: Official proxy postal poll card (to be sent to an appointed proxy voting by post)

Front of card

Proxy postal poll card

Election of Member of Parliament for the *[insert name of constituency]* constituency

Date of election ***[Day] [Date] [Name of the Month] [Year]***

Voting information

We will send your postal vote around *[name of day] [date] [name of month] [year]* *[addressed to:]

** [Proxy's name and qualifying address details here]*

** Returning Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of an anonymous elector must be delivered in a sealed envelope.*

Please turn over

Voting as a proxy

** [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this election.

*** If sent to the proxy of an anonymous elector omit the words in the first set of brackets, if not omit the words in the second set of brackets.*

Your postal vote

- You will receive a postal vote for this election because you asked to vote by post.
- You will not be able to vote as a proxy in a polling station.
- **If you have not received your postal vote by *[day] [date] [name of month]* call *[insert helpline number]*.**

Back of card

For this election you are proxy for:

* *[(Elector's name)*
(Elector's address)
(Elector's number on register))]

[the person with this elector number: (*insert elector's number on register*)]

* *If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

How to vote

1. When you receive your postal vote, read the instructions carefully.
2. Your postal vote includes your ballot paper and a postal voting statement.
3. Complete both of these and return them straight away.
4. We need to receive your postal vote by **10pm on** ***[day/date of poll]***.

If you need information in another format, please call our helpline below.

If you need help to vote, you can ask someone you know or get independent help by calling our helpline:

[insert helpline or other details including website]

If you lose your postal vote or make a mistake

- Please phone the helpline straightaway.
- We can only issue a replacement postal vote before **5pm on** ***[day/date of deadline]***.

If you would rather vote in person, you must cancel your postal vote before **5pm on** ***[day/date of deadline]***. For more information, please call the helpline.

It is an offence to:

- vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper
- vote more than once at this election, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this election for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Returning Officer issued this card.

If undelivered return to
[insert return address]

Form F: Certificate of employment

Certificate of Employment

Election of Member of Parliament for the *[insert name of constituency]* Constituency

Date of election *(insert name of day) (insert date) (name of month) (year)*

The person named below is entitled to vote at any polling station in the above constituency on production and surrender of this certificate to the Presiding Officer.

I certify that _____ (name of elector)

who is numbered* _____ in the register of electors for the constituency named above, cannot reasonably be expected to go in person to the polling station allotted to them at this election by reason of his/her employment on the above date for a purpose connected with this election:

– as a constable**
– by me (Only applies to Returning Officer's staff)**

Signature _____ Returning Officer/Police Officer *(Inspector or above)***

Date _____

* The elector's number can be found on the poll card which was sent to them shortly after the election was announced, or can be checked by contacting the Electoral Registration Officer.
** Person completing the form to delete whichever does not apply.

Form G: Postal voting statement (for use at a parliamentary election taken alone)

Front of statement

Postal voting statement

[Space for barcode]

Election of Member of Parliament for the *[insert name of constituency]* constituency

Date of election ***[day] [date] [name of month] [year]***

Important – you must fill in and return this postal voting statement with your completed ballot paper for it to be counted.

Please read the instructions carefully and use a black pen.

* Name_____ Ballot paper number_____

* *Returning Officer to insert name but omit where sent to an anonymous elector*

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** on (*insert helpline number*).

I am the person the ballot paper numbered above was sent to.

My Date of Birth is: ☐☐ Day ☐☐ Month ☐☐☐☐ Year

* **My Signature is: (You must sign inside the box)**
* *Returning Officer to omit box where the elector has been granted a waiver*

We will check this information against our records for security.

It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once (unless you are appointed as a proxy) at the same election.

Returning Officer to add pictorial guidance as appropriate.

Back of statement

Instructions for voting by post

Please read through carefully. If you need help, please call us on *[insert helpline number]*

1. For your vote to be counted, you must fill in and return this postal voting statement with your ballot paper.
2. Make sure you have filled in the **date of birth *[and signature] box[es]** on this postal voting statement.
   **Returning Officer to delete where elector is granted a waiver.*
3. Vote for **only one candidate** by putting a cross ☒ in the box next to your choice on the ballot paper.
4. Do not mark the ballot paper in any other way or your vote may not count.
5. We must get your postal vote by 10pm on ***[day] [date of poll]***. If you miss the post, you can hand it in at our office or at any polling station in the constituency before **10pm on *[day] [date of poll]*.**
6. After receiving this postal vote, you cannot vote in person at a polling station in this election.

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on *[insert helpline number]*. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot paper or this statement, you can obtain a replacement. Call us immediately as **we can only issue a replacement before 5pm on *[day] [date] [name of month]***. If you apply after 5pm on ***[day]*** before poll we can only issue a replacement if you return this ballot pack by hand. You will need to return all the contents of this postal voting pack to us.

Electoral fraud is a crime. It is an offence to vote more than once in this election unless you are voting on your own behalf and as a proxy for another person.

The Returning Officer issued this statement.
Returning Officer to add pictorial guidance as appropriate.

Form H: Postal voting statement (for use when postal ballots are combined)

Front of statement

Postal voting statement

[Space for barcode]

Election of Member of Parliament for the *[insert name of constituency]* constituency
[Returning Officer to insert title(s) of other elections as appropriate]

Date of elections ***[day] [date] [name of month] [year]***

Important – you must fill in and return this postal voting statement with your completed ballot papers for them to be counted.

Please read the instructions carefully and use a black pen.

* Name_____ Ballot paper numbers_____

* *Returning Officer to insert name but omit where sent to an anonymous elector*

(!) Check that the numbers on the backs of your ballot papers match the numbers shown above. If they do not match, call us **immediately** on (*insert helpline number*).

I am the person the ballot papers numbered above were sent to.

My Date of Birth is: ☐☐ ☐☐ ☐☐☐☐
Day Month Year

* **My Signature is: (You must sign inside the box)**
* *Returning Officer to omit box where the elector has been granted a waiver*

We will check this information against our records for security.

It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once (unless you are appointed as a proxy) at the same election.

Returning Officer to add pictorial guidance as appropriate.

Back of statement

Instructions for voting by post

Please read through carefully. If you need help, please call us on *[insert helpline number]*

- For your votes to be counted, you must fill in and return this postal voting statement with **all** your ballot papers (listed below)
- Make sure you have filled in the **date of birth *[and signature] box[es]** on this postal voting statement.
  **Returning Officer to delete where elector is granted a waiver.*

*** UK Parliamentary election (*[insert colour]* ballot paper)**

- Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.

*** Scottish local government election (*[insert colour]* ballot paper)**

- [Vote using numbers
- Put the number 1 in the box next to the name of the candidate who is your first choice
- Then put the number 2 in the box next to the name of the candidate who is your second choice
- Then put the number 3 in the box next to your third choice
- Then put the number 4 in the box next to your fourth choice, and so on
- You can mark as many choices as you wish]

*** European Parliamentary election (*[insert colour]* ballot paper)**

- [Vote **only once** by putting a cross ☒ in the box next to your choice.]

*** *[Name of election/referendum]* election/referendum (*[insert colour]* ballot paper)**

- [Vote according to the instructions on your ballot paper.]

** Returning Officer to add/amend as appropriate.*

(!) Do not mark the ballot papers in any other way or your votes may not count.

(!) We must get your postal vote by **10pm on *[day] [date of poll]***. If you miss the post, you can hand it in at our office or at any polling station in the constituency before **10pm on *[day] [date of poll]***.

(!) After receiving this postal vote, you cannot vote in person at a polling station in this election.

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on *[insert helpline number]*. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot papers or this statement, you can get a replacement. Call us immediately as **we can only issue a replacement before 5pm on *[day] [date] [name of month]***. If you apply after 5pm on ***[day]*** before poll we can only issue a replacement if you return this ballot pack by hand. You will need to return all the contents of this postal voting pack to us.

Electoral fraud is a crime. It is an offence to vote more than once in this election unless you are voting on your own behalf and as a proxy for another person.

The Returning Officer issued this statement.
Returning Officer to add pictorial guidance as appropriate.

Form J: Postal voting statement (for use when a parliamentary poll is combined with another poll but the postal ballots are not combined)

Front of statement

Postal voting statement

[Space for barcode]

Election of Member of Parliament for the *[insert name of constituency]* constituency

Date of election ***[day] [date] [name of month] [year]***

Important – you must fill in and return this postal voting statement with your completed ballot paper for it to be counted.

Please read the instructions carefully and use a black pen.

* Name_____ Ballot paper number_____

* *Returning Officer to insert name but omit where sent to an anonymous elector*

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** on (*insert helpline number*).

I am the person the ballot paper numbered above was sent to.

My Date of Birth is: ☐☐ Day ☐☐ Month ☐☐☐☐ Year

* **My Signature is: (You must sign inside the box)**
* *Returning Officer to omit box where the elector has been granted a waiver*

We will check this information against our records for security.

It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once (unless you are appointed as a proxy) at the same election.

Returning Officer to add pictorial guidance as appropriate.

Back of statement

Instructions for voting by post

Please read through carefully. If you need help, please call us on *[insert helpline number]*

- For your vote to be counted, you must fill in and return this postal voting statement with your ballot paper for the **UK Parliamentary election**.
- Make sure you have filled in the **date of birth *[and signature] box[es]** on this postal voting statement.
  **Returning Officer to delete where elector is granted a waiver.*

UK Parliamentary election (*[insert colour]* ballot paper)

- Vote for **only one candidate** by putting a cross ☒ in the box next to your choice on the ballot paper.
- Do not mark the ballot paper in any other way or your vote may not count.
- We must get your postal vote by 10pm on ***[day] [date of poll]***. If you miss the post, you can hand it in at our office or at any polling station in the constituency before **10pm on *[day] [date of poll]***.
- After receiving this postal vote, you cannot vote in person at a polling station in this election.

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on *[insert helpline number]*. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot paper or this statement, you can obtain a replacement. Call us immediately as **we can only issue a replacement before 5pm on *[day] [date] [name of month]***. If you apply after 5pm on ***[day]*** before poll we can only issue a replacement if you return this ballot pack by hand. You will need to return all the contents of this postal voting pack to us.

Electoral fraud is a crime. It is an offence to vote more than once in this election unless you are voting on your own behalf and as a proxy for another person.

The Returning Officer issued this statement.
Returning Officer to add pictorial guidance as appropriate.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Representation of the People (Scotland) Regulations 2001 ("the principal Regulations") in order to implement the Electoral Registration and Administration Act 2013, which amends the Representation of the People Act 1983 ("the 1983 Act"). The Electoral Registration and Administration Act 2013 provides for a new system of individual electoral registration in Great Britain and makes various electoral administrative changes relating mainly to absent voters and the timetable for issuing forms to voters.

Regulations 10 and 11 amend and expand regulation 26 of the principal Regulations to deal with applications for registration under the new system and insert new regulation 26A into the principal Regulations. The amended regulation 26 prescribes the form and content of applications under sections 10ZC or 10ZD of the 1983 Act, in particular requiring the applicant to provide their date of birth and national insurance number as evidence that they are the person named in the application. Regulation 26(3) confers the function of designing the paper application form on the Electoral Commission and prescribes the information which must be included in it. Regulation 26(9) allows applications to be made online through the Individual Electoral Registration Digital Service. Regulation 26(8) allows an electoral registration officer to accept applications through assisted means, either by telephone or in person.

The new regulation 26A deals with applications for alteration of a name on the register. Regulation 26B makes provision for cases where certain information required by regulation 26 is not available or where a registration officer considers that additional evidence is necessary to verify the identity of a person. The registration officer may require prescribed alternative or additional documentary evidence that a person is the person named in the application. If the person is unable to provide that evidence, they may instead be required to provide an attestation under regulation 26B(5).

There are special provisions relating to service electors and overseas electors.

Regulation 14 inserts into the principal Regulations new regulations 29ZA and 29ZB on the verification of information provided in an application. Regulation 29ZB deals with the processing of information, including the retention and deletion of information, and provides that an offence will be committed if information is disclosed in breach of the regulation.

Regulation 21 amends regulation 31I of the principal Regulations to include additional orders for the purpose of an application for an anonymous entry in the electoral register.

Regulation 22 inserts new regulations 32ZA to 32ZI into the principal Regulations. Regulation 32ZA provides for the annual canvass, including requirements for the design of the annual canvass form and the manner in which forms must be given. Regulation 32ZB provides for the steps a registration officer must take when no information is received in response to a form. Regulations 32ZC and 32ZD provide for invitations to apply for registration and the steps to be taken by a registration officer to encourage a person to make an application for registration. Regulation 32ZE sets out the conditions under which a registration officer may require a person to apply for registration, including provision for the giving of a notice of the requirement. Regulations 32ZF to 32ZI allow for the imposition of a civil penalty under section 9E(7) of the 1983 Act and give details of the requirements for notice of the penalty, the payment, enforcement and cancellation of the penalty and the review of and appeals against a penalty.

Regulation 24 amends the principal Regulations to allow a voter to apply for a proxy voting arrangement after 5 p.m. on the sixth day before the date of the poll (an emergency proxy vote) on grounds relating to occupation, service or employment.

Regulation 25 amends regulation 56 of the principal Regulations to provide that, notwithstanding the deadline otherwise provided for in that regulation, an application to cancel or change an absent vote cannot be made after a postal vote has been returned.

Regulations 26, 27, 29 and 31 make provision about cancellation of postal ballot papers, requiring postal voters to provide fresh signatures to registration officers, requiring registration officers to provide information to returning officers and the time when ballot papers are to be issued. Regulation 28 concerns notification of rejected postal voting statements.

Regulation 30 amends the principal Regulations to amend the time at which a postal voter may apply for a replacement ballot paper.

Regulations 32 to 34 amend the principal Regulations to make provision for a returning officer to check the personal identifiers (date of birth and signature) on every returned postal voting statement against the identifiers held on file.

Regulations 35 to 38 amend the principal Regulations to require a returning officer to keep a list recording the details of every postal voting statement that was rejected and to forward that to the relevant registration officers.

Regulations 39 to 42 make provision in relation to the edited register. Regulation 47 introduces Schedule 3 and prescribes a long version and a short version of a form of words which registration officers must use to describe the electoral registers and the purposes for which they are used.

Regulations 44 to 45 amend the principal Regulations so as to require registration officers to provide the Electoral Commission on request one copy of any revised version of the register and make consequential amendments.

An overall impact assessment in relation to the individual electoral registration scheme is available on the Cabinet Office website at http://www.cabinetoffice.gov.uk/sites/default/files/resources/IER-Impact .