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DRAFT STATUTORY INSTRUMENTS

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**2008 No.**

**The Representation of the People  
(Northern Ireland) Regulations 2008**

**PART 2**

**SERVICE AND OVERSEAS ELECTORS' DECLARATIONS**

*Service declarations*

**Qualification for Crown servant**

**16.** The class or description of person prescribed for the purposes of section 14(1)(b) of the 1983 Act are such persons (other than members of the forces within the meaning of section 59(1) of the 1983 Act) who are employed in the service of the Crown in a post outside the United Kingdom and who are required to devote their whole working time to the duties of such a post and whose remuneration in respect of that post is paid wholly out of money provided by Parliament.

**Contents of service declaration**

**17.—(1)** In addition to the matters specified in paragraphs (a) to (f) of section 16 of the 1983 Act<sup>(1)</sup>, a service declaration shall state—

- (a) the declarant's full name and present address;
- (b) the ground on which the declarant claims a service declaration; and
- (c) such of the particulars specified in paragraphs (2), (3) or (4) as are relevant to the service qualification claimed by the declarant.

(2) Where the declarant claims a service qualification on the grounds that he is a member of the forces (within the meaning of section 59(1) of the 1983 Act) or the spouse or civil partner of such a member, the service declaration shall state—

- (a) the service (whether naval, military or air forces) in which that member serves;
- (b) the rank or rating of that member; and
- (c) the service number of that member,

and where that member serves in the military forces, the service declaration shall in addition state the regiment or corps in which he serves.

(3) Where the declarant claims a service qualification on the grounds that he is a Crown servant to whom regulation 16 applies or the spouse or civil partner of such a servant, the service declaration shall state—

- (a) the name of the Government department in which that servant works; and

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(1) Section 16 was amended by Schedule 1 to the 2000 Act, S.I. 1995/1948 and section 261(1) of, and paragraph 81 of Schedule 27 to, the Civil Partnership Act 2004 (c.33).

(b) a description of the post of that servant.

(4) Where the declarant claims a service qualification on the grounds that he is a British Council employee or the spouse or civil partner of such an employee, the service declaration shall state a description of the post of that employee.

#### **Transmission of service declaration**

**18.**—(1) A service declaration made by a person who is or will be a Crown servant or by his spouse or civil partner shall be transmitted by the declarant to the Government department in which that person or his spouse or civil partner is or will be employed or to an officer designated by that department and transmitted by that department or officer to the registration officer.

(2) A service declaration made by a person who is or will be a British Council employee or by his spouse or civil partner shall be transmitted by the declarant to the British Council and transmitted by the British Council to the registration officer.

#### **Notification by registration officer in respect of service declaration**

**19.**—(1) Where the registration officer is satisfied that the service declaration is duly made he shall so notify the declarant.

(2) Where the registration officer rejects an application for registration in pursuance of a service declaration because it—

- (a) does not contain the particulars required in paragraphs (a) to (f) of section 16 of the 1983 Act and regulation 17; or
- (b) does not comply with the requirements of sections 14 and 15 of the 1983 Act<sup>(2)</sup> or, where appropriate, regulation 17 or 18,

he shall return the declaration to the declarant setting out his reasons for so doing.

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(2) Sections 14 and 15 were amended by Schedule 1 to the 2000 Act; section 14 was amended by section 261(1) of, and paragraph 80 of Schedule 27 to, the Civil Partnership Act 2004 (c.33) and section 15(5)(a) was amended by S.I.1995/1948, section 15(2)(aa) was inserted by section 12(7) of the 2006 Act and subsections (9) to (12) were inserted by section 13 of that Act.