

*This Statutory Instrument is being issued free of charge to all known recipients of SI 2013/3206, which it amends.*

*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.*

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## DRAFT STATUTORY INSTRUMENTS

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**2014 No. 0000**

# REPRESENTATION OF THE PEOPLE, SCOTLAND

## The Representation of the People (Scotland) (Amendment) Regulations 2014

Made - - - - 2014

Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the following powers:

sections 9E(2), (3) and (6), 10ZC (2) and (3), 10ZD (2) and (3), 10ZE(4) and (6)(a), 53(1) and (3) and 201(1) and (3) of the Representation of the People Act 1983 (“the 1983 Act”)(1);

Schedule ZA1 and paragraphs 1(2) and (2A), 1A, 3ZA, 8C, 10B, 11(1) and (2) and 13(1ZB) and (1A) of Schedule 2 to the 1983 Act(2);

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 1983 Act(3) and (in the case of the Electoral Commission) with section 7(1) and (2)(e) of the Political Parties, Elections and Referendums Act 2000(4).

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- (1) 1983 c.2. Section 9E was inserted by section 5 of the Electoral Registration and Administration Act 2013 (c.22). Section 10ZC was inserted by section 1 of the Electoral Registration and Administration Act 2013. Sections 10ZD and 10ZE were inserted by paragraph 1 of Schedule 1 to the Electoral Registration and Administration Act 2013. Section 53(1) and (3) was amended by paragraphs 1 and 13 of Schedule 1 to the Representation of the People Act 2000 (c.2) and paragraph 13 of Schedule 4 to the Representation of the People Act 1985 (c.50). Section 201(3) was inserted by paragraphs 1 and 21 of Schedule 1 to the Representation of the People Act 2000. See section 202(1) for the definition of “prescribed”.
- (2) Schedule ZA1 was inserted by Schedule 3 to the Electoral Registration and Administration Act 2013. Paragraph 1(2) was amended by paragraphs 1, 20(1) and (2)(a) of Schedule 4 to the Electoral Registration and Administration Act 2013. Paragraph 1(2A) was inserted by Schedule 2 to the Electoral Registration and Administration Act 2013. Paragraph 1A was inserted by paragraph 2 of Schedule 2 to the Electoral Registration and Administration Act 2013. Paragraph 3ZA was inserted by section 2 of the Electoral Registration and Administration Act 2013. Paragraph 8C was inserted by paragraph 3 of Schedule 2 to the Electoral Registration and Administration Act 2013. Paragraph 10B was inserted, and paragraph 11 substituted, by section 9 of the Representation of the People Act 2000. Paragraph 13(1ZB) was inserted by paragraph 4 of Schedule 2 to the Electoral Registration and Administration Act 2013. Paragraph 13(1A) was inserted by section 9 of the Representation of the People Act 2000.
- (3) Section 53(5) was inserted by paragraph 5 of Schedule 2 to the Electoral Registration and Administration Act 2013.
- (4) 2000 c.41.

In accordance with section 201(2) of the 1983 Act<sup>(5)</sup>, a draft of these Regulations has been laid before and approved by a resolution of each House of Parliament.

### **Citation and commencement**

1. These Regulations may be cited as the Representation of the People (Scotland) (Amendment) Regulations 2014 and come into force on the day after the day on which they are made.

### **Amendments to the Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013**

2. The Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013<sup>(6)</sup> are amended as follows.

3. In regulation 1(5) (citation, commencement, interpretation and extent), for “10th June 2014” substitute “19th September 2014”.

4. In regulation 22 (amendments in relation to invitations to apply for registration etc.), in regulation 32ZD of the Representation of the People (Scotland) Regulations 2001<sup>(7)</sup> (steps following invitation to apply for registration), as inserted by regulation 22, after paragraph (5) insert—

“(6) Paragraphs (1) to (3) do not apply in relation to a person whom the registration officer has reason to believe would, if registered, be registered—

- (a) in pursuance of an application made by virtue of section 7(2) or 7A(2) of the 1983 Act<sup>(8)</sup>;
- (b) in pursuance of a declaration of local connection, service declaration or overseas elector’s declaration; or
- (c) with an anonymous entry.”

Date

*Name*  
Scotland Office

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(5) Section 201(2) was substituted by paragraph 69 of Schedule 4 to the Representation of the People Act 1985 and amended by paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 and article 5(b) of [S.I. 1991/1728](#).

(6) [S.I. 2013/3206](#).

(7) [S.I. 2001/497](#).

(8) Section 7 was substituted by section 4 of the Representation of the People Act 2000 and amended by section 12(1) of and paragraphs 1 and 2 of Schedule 4 to the Electoral Administration Act 2006 and by [S.I. 2005/2078](#) and [S.S.I. 2005/465](#). Section 7A was inserted by section 5 of the Representation of the People Act 2000 and amended by section 12(1) of and paragraphs 1 and 3 of Schedule 4 to the Electoral Administration Act 2006 and by [S.I. 2005/2078](#) and [S.S.I. 2005/465](#).

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013 (S.I. 2013/3206) as part of the introduction of a new system of individual electoral registration in Great Britain.

Regulation 3 provides for a commencement date of 19th September 2014 for the new rules on individual electoral registration in Scotland.

Regulation 4 provides that, where a registration officer has invited a person whom he has reason to believe would be a special category elector such as an overseas elector or a person with a service declaration, or would have an anonymous entry in the register, to apply to be registered, the officer does not have to carry out follow-up steps such as visiting the elector.

An overall impact assessment in relation to the individual electoral registration scheme is available on the Cabinet Office website at <https://www.gov.uk/government/publications/individual-electoral-registration-impact-assessment>.