

This draft Statutory Instrument supersedes the draft of the same title which was laid before Parliament on 10th December 2014 and published on 12th December 2014 (ISBN 978-0-11-112484-0). It is being issued free of charge to all known recipients of that Statutory 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

2015 No. 0000

REPRESENTATION OF THE PEOPLE, SCOTLAND

The Representation of the People (Scotland) (Amendment) Regulations 2015

Made - - - - 2015
Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 9D(3) and (4), 10ZC(3), 10ZD(3) and 53(1) and (3) of, and paragraphs 1, 1A, 1B, 3ZA and 12 of Schedule 2 to, the Representation of the People Act 1983(1) and, having regard to the meaning of “prescribed” in section 202(1), by sections 13A(2), 13AB(2) and 13B(3), (3B) and (3D) of that Act(2).

The Secretary of State has consulted the Electoral Commission, the Information Commissioner and such other persons as he considered appropriate in accordance with section 53(5) of that 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. Sections 9D, 10ZC and 10ZD were inserted by, respectively, sections 4 and 1 of and paragraph 1 of Schedule 1 to the Electoral Registration and Administration Act 2013 (c.6). Section 53(1) and (3) was amended by paragraphs 1 and 13 of Schedule 1, and Schedule 7, 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). Relevant amendments were made to paragraph 1 of Schedule 2 to the 1983 Act by section 2 of, and paragraphs 1 and 20 of Schedule 4 to, the 2013 Act. Paragraph 1A was inserted by paragraphs 1 and 2 of Schedule 2 to the 2013 Act. Paragraph 1B was inserted by paragraphs 1 and 20 of Schedule 4 to the 2013 Act. Paragraph 3ZA was inserted by section 2 of the 2013 Act. Paragraph 12 was amended by paragraphs 3 and 11 of Schedule 6 to the Representation of the People Act 2000 and by paragraphs 69 and 94 of Schedule 1 to the Electoral Administration Act 2006 (c.22).
- (2) Sections 13A and 13B were substituted by paragraphs 1 and 6 of Schedule 1 to the Representation of the People Act 2000. Section 13A(2) was amended by paragraph 4 of Schedule 4 to the Northern Ireland (Miscellaneous Provisions) Act 2006 (c.33). Section 13AB was inserted by section 16 of the Electoral Registration and Administration Act 2013. Section 13B(3B) and (3D) was inserted by section 11 of the Electoral Administration Act 2006. Section 202 has been amended but the amendments are not relevant to this instrument.
- (3) Section 53(5) was inserted by paragraph 5 of Schedule 2 to the Electoral Registration and Administration Act 2013.
- (4) 2000 c.41. There are amendments to section 7 but none is relevant to this instrument.

In accordance with section 201(2) of the Representation of the People Act 1983⁽⁵⁾, 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 2015 and come into force on the day after the day on which they are made.

Amendments to the Representation of the People (Scotland) Regulations 2001

2. The Representation of the People (Scotland) Regulations 2001⁽⁶⁾ are amended in accordance with regulations 3 to 9.

3. In regulation 26A (application for alteration of register in respect of name)—

- (a) in paragraph (4), for the words from “a copy” to the end substitute “documentary evidence of the applicant’s change of name”;
- (b) in paragraph (5), for “one of the documents in paragraph (4)” substitute “any documentary evidence”;
- (c) in paragraph (6), for “the copy document” substitute “any copy document”.

4. In regulation 29ZA(1) (verification of information in an application) for “on a paper application form” substitute “otherwise than through the digital service”.

5. In regulation 32ZA(3) (annual canvass) for sub-paragraph (f) substitute—

- “(f) include a statement that the information provided in response to the form will be processed in accordance with the Data Protection Act 1998”.

6. In regulation 32ZA(3)(i)—

- (a) omit “signed”;
- (b) for “signing the declaration” substitute “making the declaration”;
- (c) for “they are signing” substitute “they are making it”.

7. Omit regulation 34 (retaining entries in register).

8. In regulation 36(2)(b) (notices in connection with registration), for “regulation 31C(2)(d)” substitute “regulation 31C(2)(b)(ii) or (iii)”.

9. In regulation 78A(1) (cancellation of postal ballot papers) omit “or local government”.

(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. 2001/497](#), amended by [S.I. 2002/1872](#), [2007/925](#) and [2013/3206](#); there are other amendments which are not relevant to this instrument.

Signed by authority of the Secretary of State

Dover House, London
Date

Name
Parliamentary Under Secretary of State
Scotland Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend certain regulations in the Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497) which relate to the new system of individual electoral registration.

Regulation 3 provides that, where people wish to change their name in the electoral register, the requirement to provide documentary evidence of the change of name is not limited to particular documents.

The effect of regulation 6 is that responses to the annual canvass form do not have to be made by completing and returning the form.

Regulations 4 and 5 and 7 to 9 make minor clarificatory and correcting amendments. Regulation 9 relates to Part V of the 2001 Regulations.

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>.