Representation of the People Act 1983

1983 CHAPTER 2

PART I
PARLIAMENTARY AND LOCAL GOVERNMENT FRANCHISE AND ITS EXERCISE

[¶1 Entitlement to registration]

[¶17B Notional residence: declarations of local connection.

(1) A declaration under this section (“a declaration of local connection”)—
   (a) may be made only by a person to whom this section applies, but
   (b) may be made by such a person despite the fact that by reason of his age he
       is not entitled to vote.

(2) This section applies to any person who on the date when he makes such a declaration
   is—
   (a) a person to whom section 7 above applies and who would not be entitled to
       be registered by virtue of residence at any place other than the mental hospital
       (within the meaning of that section) at which he is a patient, or
   (b) a person to whom section 7A applies and who would not be entitled to be
       registered by virtue of residence at any place other than the place at which he
       is detained as mentioned in subsection (1) of that section, or
   (c) a person who does not fall within paragraph (a) or (b) above (and is not
       otherwise in legal custody) and who is not, for the purposes of section 4 above,
       resident at any address in the United Kingdom (a “homeless person”).

(3) A declaration of local connection shall state—
   (a) the name of the declarant and either—
       (i) an address to which correspondence for him from either the
           registration officer concerned or the returning officer can be
           delivered, or
       (ii) that he is willing to collect such correspondence periodically from the
           registration officer’s office;
(b) the date of the declaration;
(c) that on the date of the declaration the declarant falls into one of the categories of persons to whom this section applies, specifying—
   (i) the category in question, and
   (ii) (in the case of a person falling within subsection (2)(a) or (b) above)
       the name and address of the mental hospital at which he is a patient
       or (as the case may be) of the place at which he is detained;
(d) the required address (as defined by subsection (4) below);
(e) that on the date of the declaration the declarant is a Commonwealth citizen
   or a citizen of the Republic of Ireland or (if the declaration is made for the
   purposes only of local government elections) a relevant citizen of the Union;
(f) whether the declarant has on the date of the declaration attained the age of 18
   years, and, if he has not, the date of his birth.

(4) For the purposes of this section “the required address” is—
   (a) in the case of a person falling within subsection (2)(a) or (b) above—
       (i) the address in the United Kingdom where he would be residing if he
           were not such a patient, or detained, as mentioned in that provision, or
       (ii) if he cannot give such an address, an address in the United Kingdom
           at which he has resided;
   (b) in the case of a homeless person, the address of, or which is nearest to, a place
       in the United Kingdom where he commonly spends a substantial part of his
       time (whether during the day or at night).

(5) Where a declaration of local connection is made for the purposes of registration in
Northern Ireland, the declaration must state that the declarant has been in Northern
Ireland during the whole of the period of three months ending on the date of the
declaration.

(6) Where a declaration of local connection made by a homeless person is delivered to
the registration officer concerned during the period—
   (a) beginning with the date when a vacancy occurs—
       (i) in the seat for the parliamentary constituency within which the
           required address falls, or
       (ii) in the seat for any Scottish Parliament constituency or National
           Assembly for Wales constituency within which it falls, and
   (b) ending on the final nomination day (within the meaning of section 13B below)
       for the parliamentary by-election, or (as the case may be) the election under
       section 9 of the \[Scotland Act 1998\] or \[Government of Wales Act 2006\],
       held in respect of that vacancy,
       the declaration must state that, during the period of three months ending on the date
       of the declaration, the declarant has commonly been spending a substantial part of his
       time (whether during the day or at night) at, or near, the required address.

(7) No declaration of local connection shall be specially made by a person for the purposes
of local government elections, and any such declaration made for the purposes of
parliamentary elections shall have effect also for the purposes of local government
elections; but—
   (a) a declaration of local connection may be made for the purposes only of local
government elections by a person who is as a peer subject to a legal incapacity
to vote at parliamentary elections or by a relevant citizen of the Union; and
(b) where so made, shall be marked to show that it is available for local government elections only, but shall in all other respects be the same as other declarations of local connection.

(8) If a person—
  (a) makes a declaration of local connection stating more than one address under subsection (3)(d) above, or
  (b) makes more than one declaration of local connection bearing the same date and stating different addresses under that provision,
the declaration or declarations shall be void.

(9) A declaration of local connection may be cancelled at any time by the declarant.

(10) A declaration of local connection shall be of no effect unless it is received by the registration officer concerned within the period of three months beginning with the date of the declaration.

Annotations:

Amendments (Textual)

F1 Ss. 7B, 7C inserted (29.1.2001 for certain purposes and 16.2.2001 otherwise) by 2000 c. 2, s. 6; S.I. 2001/116, art. 2(1)(2) (with art. 2(4))
F2 Words in s. 7B(6)(b) substituted (coming into force in accordance with art. 1(2) of the amending S.I.) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1, 3, Sch. 1 para. 17

Modifications etc. (not altering text)

C2 Ss. 7-7C extended (N.I.) (with modifications) by Elected Authorities (Northern Ireland) Act 1989 (c. 3 SIF 42), ss. 2, 13(6), Sch. 1 Pt. I (as amended (16.2.2001) by 2000 c. 2, s. 8, Sch. 3 paras. 3(4), 4(2); S.I. 2001/116, art. 2(1) (with art. 2(3)-(5)))

Marginal Citations

M1 1998 c. 46.
Changes to legislation:
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Representation of the People Act 1983. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to:
- s. 7B applied (with modifications) by 2013 asp 13 s. 6 sch. 1 Pt. 12
- s. 7B extended by 2013 asp 13 s. 7
- s. 7B(5) repealed by 2014 c. 13 s. 14(1)(a)(ii)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
- Act amendment to earlier affecting provision SI 2007/1024 reg. 3(2)(3)(a) Sch. 2 by S.I. 2014/370 reg. 6(3)
- Act applied (with modifications) by S.I. 2017/67 art. 3(2)-(4) Sch. 2
- Act applied in part by S.I. 2013/3197 art. 14(2)(b) (This amendment comes into force on the date on which 2013 c. 6, Sch. 5 comes fully into force. That Sch. is brought fully into force on 19.9.2014 by S.I. 2014/414, art. 5(n))
- Act applied in part (with modifications) by 2011 c. 1 Sch. 4 para. 1(1)
- Act certain functions made exercisable concurrently by S.I. 2010/1837 art. 3
- Act functions transferred by S.I. 2015/1376 art. 3(1) Sch. 1
- Act functions transferred by S.I. 2016/997 art. 3(1) Sch. 1(a)
- Act functions transferred by S.I. 2018/644 art. 45 Sch. 1 para. 1
- Act modified by 2011 c. 1 Sch. 3 para. 8(3)
- Act modified by 2011 c. 1 Sch. 3 para. 19(3)
- Act modified by 2013 c. 6 Sch. 5 para. 30(5)
- Act power to apply (with modifications) conferred by 1998 c. 46, ss. 12(4), 12(5) (as substituted) by 2016 c. 11 s. 4(1)
- Act power to apply or incorporate (with modifications) conferred by 2011 c. 13 s. 54(2)-(5)
- Act power to apply or incorporate (with modifications) conferred by 2011 c. 13 s. 58(1)-(3)(7)
- Blanket amendment words substituted by S.I. 2011/1043 art. 34

Whole provisions yet to be inserted into this Act (including any effects on those provisions):
- s. 2(1A) inserted by 2015 asp 7 s. 1(1)(b)
- s. 7(3)(ab) inserted by 2013 c. 6 Sch. 4 para. 2
- s. 7A(3)(ab) inserted by 2013 c. 6 Sch. 4 para. 3
- s. 7B(2A)-(2C) inserted by 2015 asp 7 s. 8(2)
- s. 7B(4)(c) inserted by 2015 asp 7 s. 8(3)
- s. 7B(7A)-(7C) inserted by 2015 asp 7 s. 8(4)
- s. 7C(2)(ab) inserted by 2013 c. 6 Sch. 4 para. 4
- s. 9(5A) inserted by 2015 asp 7 s. 12
- s. 9A(2A) inserted by 2015 asp 7 s. 2(1)
- s. 9B(1), s. 9B(1A)(2) substituted for s. 9B(1)(2) by 2013 c. 6 Sch. 4 para. 7(2)
- s. 9C(1A)-(1E) inserted by S.I. 2014/1116 art. 3(3)(b)
- s. 9D inserted by 2013 c. 6 s. 4
- s. 9D power to modify conferred by 2013 c. 6 s. 7(2)
- s. 9D(3) excluded (temp. until 6.7.2018) by S.I. 2017/605 art. 4
- s. 9D(3) excluded (temp. until 6.7.2018) by S.I. 2017/610 art. 4
- s. 9D(3) excluded (temp.) by S.I. 2016/739 art. 34
- s. 9E inserted by 2013 c. 6 s. 5(1)
- s. 9E(7A) inserted by 2015 asp 7 s. 3(1)
- s. 10(4BA) inserted by 2014 c. 13 s. 13(1)(c)
- s. 10A(1ZA) inserted by S.I. 2018/699 reg. 2(4)(a)
- s. 10B inserted by S.I. 2018/699 reg. 2(5)
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Sch. 1 rule 35 amendment to earlier affecting provision SI 2001/2599 art. 3(1) Sch. 1 by 2011 c. 1 Sch. 8 para. 20(1)

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Sch. 1 rule 39 amendment to earlier affecting provision SI 2001/2599 art. 3(1) Sch. 1 by 2011 c. 1 Sch. 8 para. 25

Sch. 1 rule 43 amendment to earlier affecting provision SI 2001/2599 art. 3(1) Sch. 1 by 2011 c. 1 Sch. 8 para. 29(2)

Sch. 1 rule 44 amendment to earlier affecting provision SI 2001/2599 art. 3(1) Sch. 1 by 2011 c. 1 Sch. 8 para. 35

Sch. 1 rule 56 amendment to earlier affecting provision SI 2001/2599 art. 3(1) Sch. 1 by 2011 c. 1 Sch. 8 para. 38(3)

Sch. 1 rule 65 amendment to earlier affecting provision SI 2001/2599 art. 3(1) Sch. 1 by 2011 c. 1 Sch. 8 para. 40

Sch. 1 rule 56 applied by 2011 c. 1 Sch. 8 para. 50(7)(b)

Sch. 1 rule 22(3) applied by S.I. 2016/219 Sch. 1 para. 49

Sch. 1 rule 56 applied (with modifications) by SI 2001/497 reg. 91A(3) (as inserted) by S.I. 2013/3206 reg. 38

Sch. 1 rule 44(6) inserted by 2010 c. 25 s. 48(2)

Sch. 1 rule 45(3A) inserted by 2010 c. 25 s. 48(3)(a)

Sch. 1 rule 45(8) inserted by 2010 c. 25 s. 48(3)(b)

Sch. 1 rule 53ZA inserted by 2010 c. 25 s. 48(4)

Sch. 1 rule 37A inserted by 2011 c. 1 s. 9(1) (This amendment not applied to legislation.gov.uk. S. 9 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(a))

Sch. 1 rule 45A45B inserted by 2011 c. 1 s. 9(2) (This amendment not applied to legislation.gov.uk. S. 9 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(a))

Sch. 1 rule 46(3) inserted by 2011 c. 1 Sch. 10 para. 5(3) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

Sch. 1 rule 47(3A)(3B) inserted by 2011 c. 1 Sch. 10 para. 6(4) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

Sch. 1 rule 2(1A)(1B) inserted by 2011 c. 14 Sch. para. 11(3)

Sch. 1 rule 2(2A) inserted by 2011 c. 14 Sch. para. 11(5)

Sch. 1 rule 37(7) inserted by 2013 c. 6 s. 19(2)

Sch. 1 rule 37(4) inserted by 2013 c. 6 s. 19(3)

Sch. 1 rule 19(2AA) inserted by 2013 c. 6 s. 20(2)

Sch. 1 rule 31(2) inserted by 2013 c. 6 s. 21(1)

Sch. 1 rule 32(5) inserted by 2013 c. 6 s. 21(2)

Sch. 1 rule 31A(1A) inserted by S.I. 2014/1116 art. 3(6)

Sch. 1 rule 40(7) inserted by S.I. 2014/1116 art. 3(7)

Sch. 1 rule 40ZA inserted by S.I. 2014/1116 art. 3(8)

Sch. 1 rule 54(2)(aa) inserted by S.I. 2014/1116 art. 3(10)

Sch. 1 rule 28(2A) inserted by S.I. 2014/1880 art. 2(2)(b)

Sch. 1 rule 45C inserted by S.I. 2014/336 art. 3

Sch. 1 rule 40ZA(10A)(10B) inserted by 2001 c. 7 Sch. para. 10A (as inserted) by S.I. 2014/1116 art. 9(4)

Sch. 1 rule 22(3) modified by 2011 c. 1 Sch. 1 para. 19(2)

Sch. 1 rule 2(2)(ii) and word omitted by 2011 c. 14 Sch. para. 11(4)

Sch. 1 rule 18 substituted by 2011 c. 1 Sch. 10 para. 2 (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

Sch. 1 rule 47(4)(d) substituted by 2011 c. 1 Sch. 10 para. 6(5)(b) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
Sch. 1 rule 61(2)(c) substituted by 2011 c. 1 Sch. 10 para. 10(3) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

Sch. 1 rule 62 substituted by 2011 c. 1 Sch. 10 para. 11(1) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

Sch. 1 rule 47(1)(aa)(b) substituted for Sch. 1 rule 47(1)(b) by 2011 c. 1 Sch. 10 para. 6(2)(a) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

Sch. 1 rule 47(2)-(2E) substituted for Sch. 1 rule 47(2) by 2011 c. 1 Sch. 10 para. 6(3) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

Sch. 1 rule 46(1)(1A) substituted for rule 46(1) by 2011 c. 1 Sch. 10 para. 5(1) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

Sch. 1 rule 6A(4) words inserted by 2011 c. 14 Sch. para. 12

Sch. 1 para. 32(5) words inserted by 2017 c. 3 Sch. 12 para. 6(3)(a)

Sch. 1 para. 32(5) words inserted by 2017 c. 3 Sch. 12 para. 6(3)(b)

Sch. 1 rule 45(3) words inserted by S.I. 2014/1116 art. 3(9)(i)

Sch. 1 rule 45(5) words inserted by S.I. 2014/1116 art. 3(9)(ii)

Sch. 1 rule 55(1)(c) words inserted by S.I. 2014/1116 art. 3(11)

Sch. 1 rule 45(2A) words inserted by S.I. 2018/699 reg. 2(7)(a)

Sch. 1 rule 2(1) words omitted by 2011 c. 14 Sch. para. 11(2)

Sch. 1 rule 28(2) words omitted by S.I. 2014/1880 art. 2(2)(a)

Sch. 1 rule 29(5) words substituted by 2011 c. 1 Sch. 10 para. 3 (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

Sch. 1 rule 44(5) words substituted by 2011 c. 1 Sch. 10 para. 4 (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
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- Sch. 1 rule 47(1) words substituted by 2011 c. 1 Sch. 10 para. 6(2)(c) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
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- Sch. 1 rule 53(4) words substituted by 2011 c. 1 Sch. 10 para. 9 (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(1) words substituted by 2011 c. 1 Sch. 10 para. 10(1) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 1 words substituted by 2011 c. 14 Sch. para. 10(2)
- Sch. 1 rule 1 words substituted by 2011 c. 14 Sch. para. 10(3)
- Sch. 1 rule 1 words substituted by 2011 c. 14 Sch. para. 10(4)
- Sch. 1 rule 56(1) words substituted by 2013 c. 22 Sch. 9 para. 52
- Sch. 1 rule 56(4) words substituted by 2013 c. 22 Sch. 9 para. 52
- Sch. 1 rule 56(5)(a) words substituted by 2013 c. 22 Sch. 9 para. 52
- Sch. 1 rule 19(2B) words substituted by 2013 c. 6 s. 20(3)
- Sch. 1 rule 45(2A) words substituted by S.I. 2018/699 reg. 2(7)(b)
- Sch. 1 Appendix words substituted by 2011 c. 1 Sch. 10 para. 12(2) Sch. 12 Pt. 1 (This amendment not applied to legislation.gov.uk. Sch. 10, Sch. 12 Pt. 1 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 Appendix of Forms Form of Writ words substituted by 2011 c. 14 Sch. para. 13
- Sch. 1 Appendix of Forms words substituted by 2015 c. 25 Sch. 6 para. 1(2)
- Sch. 1 Appendix words substituted by S.I. 2015/656 reg. 2 Sch. 1
- Sch. 1 Appendix words substituted by S.I. 2015/656 reg. 3 Sch. 1
- Sch. 1 Appendix words substituted by S.I. 2015/656 reg. 4 Sch. 2
- Sch. 2 para. 1A function exercisable by the Scottish Ministers concurrently with a Minister of the Crown by S.I. 2015/692 art. 5(3)(b)
- Sch. 2 para. 3ZA function exercisable by the Scottish Ministers concurrently with a Minister of the Crown by S.I. 2015/692 art. 5(3)(b)
- Sch. 2 para. 8C function exercisable by the Scottish Ministers concurrently with a Minister of the Crown by S.I. 2015/692 art. 5(3)(b)
- Sch. 2 para. 8C function exercisable by the Scottish Ministers concurrently with a Minister of the Crown by S.I. 2015/692 art. 5(3)(b)
- Sch. 2 para. 1A inserted by 2013 c. 6 Sch. 2 para. 2
- Sch. 2 para. 8C inserted by 2013 c. 6 Sch. 2 para. 3
- Sch. 2 para. 13(1ZB)-(1ZD) inserted by 2013 c. 6 Sch. 2 para. 4
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- Sch. 2 para. 3C inserted by 2013 c. 6 Sch. 4 para. 20(5)
- Sch. 2 para. 5B inserted by 2013 c. 6 Sch. 4 para. 20(7)
- Sch. 2 para. 1A(1) words omitted by 2014 c. 13 s. 20(2)(b)
- Sch. 2 para. 8C(1)(b) words omitted by 2014 c. 13 s. 20(2)(c)(ii)
- Sch. 2 para. 8C(1)(a) words substituted by 2014 c. 13 s. 20(2)(c)(i) (This amendment comes into force on the date that 2013 c. 6, Sch. 4 para. 10 comes into force if that date is later than 13.3.2014. That provision comes into force at 10.6.2014 for E.W. and 19.9.2014 for S. by S.I. 2014/414, art. 5(m) and at 15.9.2014 for N.I. by S.I. 2014/2439, art. 2(l))
- Sch. 2 para. 1A(5) words substituted by 2018 c. 12 Sch. 19 para. 18(2)
- Sch. 2 para. 8C(2) words substituted by 2018 c. 12 Sch. 19 para. 18(3)
- Sch. 4A Pt. 2 para. 7A inserted by S.I. 2013/688 art. 2
- Sch. 4A para. 7A substituted by S.I. 2019/352 art. 2
- Sch. 5 para. 5A inserted by S.I. 2010/1158 Sch. 2 para. 33(3)(b)
| Commencement Orders yet to be applied to the Representation of the People Act 1983 |
| Commencement Orders bringing legislation that affects this Act into force: |
| – S.I. 2010/275 art. 3 commences (2006 c. 22) |
| – S.I. 2010/969 art. 2 commences (2009 c. 12) |
| – S.I. 2011/1418 art. 2 commences (2010 c. 23) |
| – S.I. 2011/2329 art. 23 commences (2011 c. 5) |
| – S.S.I. 2010/132 art. 2 commences (2009 asp 10) |
| – S.R. 2015/194 art. 2Sch. commences (S.I. 2003/435 (N.I.)) |