



Northern Ireland (Miscellaneous Provisions) Act 2006

2006 CHAPTER 33

PART 1

REGISTRATION OF ELECTORS

Alteration of registers: pending elections

6 Alteration of registers: pending elections

- (1) In section 13B of the 1983 Act (alteration of registers: pending elections), in subsection (4)—
- (a) at the end of paragraph (a), insert “in England, Wales or Scotland”,
 - (b) in paragraph (b), after “elections” insert “in England, Wales or Scotland”,
 - (c) at the end of paragraph (d), insert “and”, and
 - (d) omit paragraph (e).
- (2) After section 13B of the 1983 Act insert—

“13BA Alteration of registers in Northern Ireland: pending elections

- (1) An alteration in a published version of a register of electors which takes effect under section 13A(2) after the final nomination day in the case of an election to which this section applies is of no effect for the purposes of that election unless the alteration—
- (a) is made in consequence of a decision or determination falling within section 13A(1)(c) or (d), and
 - (b) takes effect on or before the fifth day before the date of the poll.
- (2) Subsection (3) applies if—

Status: This is the original version (as it was originally enacted).

- (a) at any time before the appropriate publication date in the case of an election to which this section applies, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)) in connection with a determination or requirement falling within section 13A(1)(a) or (b), and
 - (b) no alteration made in consequence of that determination or requirement—
 - (i) has already taken effect, or
 - (ii) is due to take effect,under section 13A(2) on or before the final nomination day.
- (3) If, no later than the prescribed date, the Chief Electoral Officer is supplied with such additional material supporting the alteration as is prescribed, he must, on the appropriate publication date, issue a notice specifying the appropriate alteration in the register.
- (4) But a person whose entitlement to vote at an election results from an alteration under subsection (3)—
- (a) is not entitled as an elector to an absent vote at that election, and
 - (b) must not be shown in the absent voters list kept for that election under—
 - (i) section 7 of the Representation of the People Act 1985, or
 - (ii) regulation 9 of the European Parliamentary Elections (Northern Ireland) Regulations 2004.
- (5) Subsection (6) applies if—
- (a) at any time before the appropriate publication date in the case of an election to which this section applies, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)) in connection with a decision or determination falling within section 13A(1)(c) or (d), and
 - (b) no alteration made in consequence of that decision or determination—
 - (i) has already taken effect, or
 - (ii) is due to take effect,under section 13A(2) on or before the fifth day before the date of the poll.
- (6) The Chief Electoral Officer must, on the appropriate publication date, issue a notice specifying the appropriate alteration in the register.
- (7) Subsection (9) applies if—
- (a) at any time on or after the appropriate publication date in the case of an election to which this section applies but before the prescribed time on the day of the poll, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)), in connection with a notification mentioned in section 13A(1)(c), and
 - (b) in consequence of the notification—
 - (i) an entry relating to that person falls to be made in the register in respect of an address in the relevant election area, or
 - (ii) his entry in the register needs to be altered.
- (8) Subsection (9) also applies if—

- (a) at any time on or after the appropriate publication date in the case of an election to which this section applies but before the prescribed time on the day of the poll, section 13A applies to the Chief Electoral Officer for Northern Ireland (by virtue of section 13A(1)), in connection with a determination falling within section 13A(1)(d),
 - (b) the determination was made following a representation made by or on behalf of a person to the Chief Electoral Officer, and
 - (c) in consequence of the determination—
 - (i) an entry relating to that person falls to be made in the register in respect of an address in the relevant election area, or
 - (ii) his entry in the register needs to be altered.
- (9) The Chief Electoral Officer must, when—
- (a) he receives the notification referred to in subsection (7), or
 - (b) he makes the determination referred to in subsection (8),
- issue a notice specifying the appropriate alteration in the register.
- (10) In subsection (8)(b), “representation” means a representation made in accordance with prescribed requirements to the effect that the register contains a clerical error.
- (11) A notice under subsection (3), (6) or (9)—
- (a) is to be issued in the prescribed manner, and
 - (b) takes effect from the beginning of the day on which it is issued.
- (12) This section applies to—
- (a) parliamentary elections in Northern Ireland,
 - (b) elections in Northern Ireland to the European Parliament, and
 - (c) elections to the Northern Ireland Assembly.
- (13) Subsections (5) and (6) of section 13B apply for the purposes of this section as they apply for the purposes of that section.”