

SCHEDULES

SCHEDULE 5

TRANSITIONAL PROVISION TO DO WITH PART 1

PART 1

INTRODUCTION

Applications for registration etc made before commencement

- 1 The amendments made by Part 1 of this Act do not apply in relation to an application made before the commencement date (even if it is determined later).

Meaning of “commencement date”

- 2 In this Schedule “commencement date” means the date appointed for sections 1 and 4 and Schedule 1 to come fully into force.

Meaning of “new application for registration” and “successful” new application

- 3 (1) For the purposes of this Schedule, a person (“P”) makes a “new application for registration” in a register maintained by a registration officer in Great Britain if—
- (a) an application for registration in the register under section 10ZC of the Representation of the People Act 1983 is made in respect of P, or
 - (b) an application for alteration of the register under section 10ZD of that Act is made in respect of P.
- (2) For the purposes of this Schedule, a new application for registration is “successful”—
- (a) in the case of an application within sub-paragraph (1)(a), if the officer determines that P is to be entered in the register (or that P would be entered in the register had P not already been registered);
 - (b) in the case of an application within sub-paragraph (1)(b), if the officer determines that P’s entry in the register is to be altered.

Checking of old entries and meaning of “confirmation” of entitlement to remain registered

- 4 (1) The Minister may by order require a registration officer in Great Britain to take specified steps to check whether each person who has an entry in a register maintained by the officer is entitled to remain registered.
- (2) For the purposes of this Schedule a person’s entitlement to remain registered has been “confirmed” if, having taken steps in accordance with an order under sub-paragraph (1), the registration officer is satisfied that there is evidence of a kind specified in the order to support the person’s entitlement to be registered.

Status: This is the original version (as it was originally enacted).

- (3) An order under this paragraph may make further provision about checking or confirming a person's entitlement to remain registered, including—
- (a) provision of the kind mentioned in paragraph 1A or 13(1ZB) to (1ZD) of Schedule 2 to the Representation of the People Act 1983 (inserted by Schedule 2 to this Act);
 - (b) provision requiring a registration officer to have regard to guidance given by the Minister (including guidance of the kind mentioned in section 1(4));
 - (c) provision requiring a registration officer who has confirmed a person's entitlement, to notify that person in a specified manner and within a specified period;
 - (d) provision requiring the notification to be accompanied by, or combined with, other documents.
- (4) Subsections (5) to (8) of section 53 of the Representation of the People Act 1983 (inserted by Schedule 2 to this Act) apply in relation to an order containing provision of the kind mentioned in sub-paragraph (3)(a) above as they apply in relation to the regulations mentioned in subsection (5) of that section.
- (5) Nothing in this paragraph requires a registration officer to take steps to check the entitlement of a person to remain registered in a register if—
- (a) the person's entry in the register was carried forward on the conclusion of the final old canvass (see paragraph 5(2)),
 - (b) the person has made a successful new application for registration in the register, or
 - (c) the person is a relevant person for the purposes of Part 5 or 6 of this Schedule.