

SCHEDULES

SCHEDULE 1

Section 1

REGISTER OF ELECTORS: ALTERATIONS AND REMOVAL

1 After section 10ZC of the Representation of the People Act 1983 insert—

“10ZD Registration of electors in Great Britain: alterations

- (1) A registration officer in Great Britain must alter the name or address in respect of which a person (“P”) is registered in a register maintained by the officer if—
 - (a) an application for alteration is made by someone who appears to the officer to be P,
 - (b) any requirements imposed by or under this Act in relation to the application are met, and
 - (c) P appears to the officer to be entitled to be registered in the register in respect of the new name or the new address (as the case may be).
- (2) In determining an application under this section, the officer must consider any objection made in accordance with the prescribed requirements by another person whose name appears in the register.
- (3) Regulations may make provision about the procedure for determining applications under this section.

10ZE Removal of electors in Great Britain from register

- (1) Where a person is entered in a register in respect of an address in Great Britain, the person is entitled to remain registered until the registration officer concerned determines that—
 - (a) the person was not entitled to be registered in respect of the address,
 - (b) the person has ceased to be resident at the address or has otherwise ceased to satisfy the conditions for registration set out in section 4, or
 - (c) the person was registered as the result of an application under section 10ZC made by some other person or the person’s entry has been altered as the result of an application under section 10ZD made by some other person.
- (2) Where a person’s entitlement to remain registered terminates by virtue of subsection (1), the officer must remove the person’s entry from the register.
- (3) A registration officer may make house to house inquiries for the purpose of deciding whether or not to make a determination under subsection (1).
- (4) Regulations may make provision about the procedure for making determinations under subsection (1), which may include provision requiring an officer to take prescribed steps before making a determination.

Status: This is the original version (as it was originally enacted).

- (5) A registration officer in Great Britain must consider whether to make a determination under subsection (1) if the officer—
 - (a) receives an objection to a person’s registration in a register maintained by the officer, or
 - (b) otherwise becomes aware of information that causes the officer to suspect that a condition in subsection (1)(a) to (c) may be met in relation to a person’s entry in such a register.
 - (6) Subsection (5)(a)—
 - (a) applies only if the objection to the person’s registration is made in accordance with the prescribed requirements by someone whose name appears in the register, and
 - (b) does not apply if the person has an anonymous entry in the register.
 - (7) Nothing in this section applies in relation to the registration of persons in pursuance of—
 - (a) applications for registration made by virtue of section 7(2) or 7A(2), or
 - (b) declarations of local connection, service declarations or overseas electors’ declarations.
 - (8) In this section “resident” means resident for the purposes of section 4.”
- 2 (1) Registration officers in Great Britain must have regard to any guidance given by the Minister about the determination of applications under section 10ZD of the Representation of the People Act 1983.
- (2) The guidance that may be given includes guidance about the process for determining whether the conditions in subsection (1) of that section are met and the relative weight to be given to different kinds of evidence.
- (3) Sub-paragraphs (1) and (2) cease to have effect at the end of the period of 5 years beginning with the day on which they come fully into force.
- 3 In section 13A(1)(d) of the Representation of the People Act 1983 (alteration of registers to correct clerical errors), at the end insert “or, in the case of a registration officer in Great Britain, determines that the register contains any information that is incorrect.”

SCHEDULE 2

Section 2

SHARING AND CHECKING INFORMATION ETC

- 1 Schedule 2 to the Representation of the People Act 1983 (provisions which may be contained in regulations as to registration etc) is amended as follows.
- 2 After paragraph 1 insert—
- “1A (1) Provision authorising or requiring a person to disclose information to another person for the purpose of assisting a registration officer in Great Britain—

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

- (a) to verify information relating to a person who is registered in a register maintained by the officer or who is named in an application for registration in, or alteration of, a register,
 - (b) to ascertain the names and addresses of people who are not registered but who are entitled to be registered, or
 - (c) to identify those people who are registered but who are not entitled to be registered.
 - (2) Provision made under sub-paragraph (1) may authorise or require the person to whom the information is disclosed—
 - (a) to compare it with other information;
 - (b) to disclose the results of the comparison to a registration officer for the purpose mentioned in that sub-paragraph.
 - (3) The provision that may be made under sub-paragraph (1) or (2) includes provision—
 - (a) conferring other functions on a person;
 - (b) authorising the Secretary of State to make grants to a person on whom functions are conferred;
 - (c) authorising a person to disclose or otherwise process information only in accordance with an agreement;
 - (d) authorising or requiring a person to disclose or otherwise process information only in accordance with requirements imposed by the Secretary of State;
 - (e) regulating the manner in which information is disclosed;
 - (f) requiring the retention or disposal, or otherwise regulating the processing, of information disclosed.
 - (4) Provision made under this paragraph has effect despite any statutory or other restriction on the disclosure of information.
 - (5) In this paragraph “processing” has the same meaning as in the Data Protection Act 1998.”
- 3 After paragraph 8B (inserted by section 2) insert—
- “8C (1) Provision requiring the retention or disposal, or otherwise regulating the processing, of—
 - (a) information provided in an application under section 10ZC or 10ZD;
 - (b) information provided to a person in accordance with a requirement imposed by a registration officer in Great Britain under provision made by virtue of paragraph 1(2);
 - (c) information provided to a person by virtue of provision made under paragraph 3ZA.
- (2) In this paragraph “processing” has the same meaning as in the Data Protection Act 1998.”
- 4 In paragraph 13, after sub-paragraph (1ZA) insert—
- “(1ZB) Provision making it an offence, in prescribed circumstances, for a person to process information in breach of provision made under paragraph 1A(3)(e) or (f) or 8C.

(1ZC) Provision made under sub-paragraph (1ZB) creating an offence may not—

- (a) provide for the offence to be punishable on conviction on indictment by imprisonment for a term exceeding two years;
- (b) provide for the offence to be punishable on summary conviction by imprisonment for a term exceeding the relevant maximum;
- (c) provide for the offence to be punishable on summary conviction by a fine exceeding the statutory maximum or level 5 on the standard scale (as appropriate).

(1ZD) In sub-paragraph (1ZC)(b) “the relevant maximum”—

- (a) in relation to an offence triable either on indictment or summarily, means—
 - (i) in England and Wales or Scotland, 12 months, and
 - (ii) in Northern Ireland, 6 months;
- (b) in relation to an offence triable only summarily, means—
 - (i) in England and Wales, 51 weeks, and
 - (ii) in Scotland or Northern Ireland, 6 months.”

5 In section 53 of the Representation of the People Act 1983 (power to make regulations as to registration etc), after subsection (4) insert—

“(5) Before making regulations containing provision under paragraph 1A of Schedule 2, or paragraph 13(1ZB) of that Schedule so far as relating to that paragraph, the Secretary of State must consult—

- (a) the Electoral Commission,
- (b) the Information Commissioner, and
- (c) any other person the Secretary of State thinks appropriate.

(6) The Secretary of State may require the Electoral Commission to—

- (a) prepare a report on specified matters relating to the operation of any provision made under paragraph 1A of Schedule 2, and
- (b) give the Secretary of State a copy of the report by no later than a specified date.

(7) The Secretary of State must publish a copy of the report.

(8) A registration officer in Great Britain must comply with any request made by the Electoral Commission for information that it reasonably requires in connection with the preparation of a report under subsection (6).”

SCHEDULE 3

Section 5

CIVIL PENALTY FOR FAILING TO MAKE APPLICATION WHEN REQUIRED BY REGISTRATION OFFICER

In the Representation of the People Act 1983, before Schedule A1 insert—

“SCHEDULE ZA1

Section 9E

CIVIL PENALTIES UNDER SECTION 9E

Introduction

- 1 This Schedule is about civil penalties under section 9E.

Amount

- 2 The amount of a civil penalty is to be specified in regulations.

Procedure

- 3 (1) The procedure for imposing a civil penalty on a person is to be set out in regulations.
(2) The regulations must, in particular, require the registration officer to give the person written notice specifying—
(a) the amount of the penalty,
(b) the reasons for imposing it, and
(c) the date by which and manner in which it is to be paid.
- 4 Regulations may specify steps that a registration officer must take before imposing a civil penalty.

Reviews and appeals

- 5 (1) Regulations may give a person on whom a civil penalty is imposed—
(a) a right to request a review of the decision to impose the penalty;
(b) a right to appeal against the decision to the First-tier Tribunal.
- (2) Regulations under this paragraph may, in particular—
(a) specify the grounds on which a person may request a review or appeal;
(b) specify the time within which a person must request a review or appeal;
(c) require a person to request a review before appealing;
(d) make provision about the procedure for a review;
(e) make further provision about reviews and appeals (including provision as to the powers available on a review or appeal).

Power to create exceptions

- 6 Regulations may specify circumstances in which—
(a) a civil penalty may not be imposed, or
(b) a civil penalty may be cancelled.

Accounts and record keeping

- 7 Regulations may impose duties on registration officers about the keeping of accounts and other records in connection with civil penalties.

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

Interest and enforcement etc.

- 8 Regulations may—
- (a) allow interest to be charged on a civil penalty that is paid late;
 - (b) allow an additional penalty to be imposed for late payment.
- 9 In this Schedule “civil penalty” includes any interest or additional penalty.
- 10 Regulations may make provision about the recovery of civil penalties by registration officers.
- 11 A civil penalty received by a registration officer is to be paid into the Consolidated Fund.

Power to make further provision

- 12 Regulations may make further provision about civil penalties.”

SCHEDULE 4

Section 13

AMENDMENTS TO DO WITH PART 1

Representation of the People Act 1983 (c. 2)

- 1 The Representation of the People Act 1983 is amended as follows.
- 2 In section 7 (residence: patients in mental hospitals who are not detained offenders or on remand), in subsection (3), after paragraph (aa) insert—
- “(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC made by some other person or that the person’s entry has been altered as the result of an application under section 10ZD made by some other person, or”.
- 3 In section 7A (residence: persons remanded in custody etc), in subsection (3), after paragraph (aa) insert—
- “(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC made by some other person or that the person’s entry has been altered as the result of an application under section 10ZD made by some other person, or”.
- 4 In section 7C (effect of declaration of local connection), in subsection (2), after paragraph (aa) insert—
- “(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC made by some other person or that the person’s entry has been altered as the result of an application under section 10ZD made by some other person,”.
- 5 In section 9 (registers of electors), in subsection (2)—
- (a) for the words from the beginning to “register” substitute “Subject to any other provision of this Act, each register”;
 - (b) for paragraph (a) substitute—

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- “(a) the names of persons who appear to the registration officer to be entitled to be registered in it and in respect of whom a successful application for registration has been made;”.
- 6 (1) Section 9A (registration officers: duty to take necessary steps) is amended as follows.
- (2) At the end of subsection (1) insert “and for the purpose of securing that, so far as is reasonably practicable, persons who are entitled to be registered in a register (and no others) are registered in it”.
- (3) In subsection (2)(a), for “section 10” substitute “section 9D”.
- 7 (1) Section 9B (anonymous registration) is amended as follows.
- (2) For subsections (1) and (2) substitute—
- “(1) An application under this section (an application for an anonymous entry) may be made—
- (a) by any person, in conjunction with an application for registration under section 10ZC, or
- (b) by a person who already has an anonymous entry, for the purposes of remaining registered with such an entry (see section 9C(3)).
- (1A) An application for an anonymous entry must be made in accordance with prescribed requirements and must be accompanied by—
- (a) a declaration made in accordance with prescribed requirements, and
- (b) such evidence in support as may be prescribed.
- (2) A registration officer who receives an application for an anonymous entry must determine whether the safety test is satisfied (unless, in the case of an application under subsection (1)(a), the person’s application for registration has been rejected otherwise than by virtue of this section).”
- (3) In subsection (5), after “a person” insert “as the result of an application under subsection (1)(a)”.
- (4) For subsection (6) substitute—
- “(6) If a person makes an application under subsection (1)(a) and the registration officer determines that the safety test is not satisfied, no entry is to be made in the register as a result of the person’s application under section 10ZC (whether an anonymous entry or otherwise).”
- (5) In subsection (7)(b), omit the words from “(including an application” to the end.
- 8 (1) Section 9C (removal of anonymous entries) is amended as follows.
- (2) In subsection (1), omit “in pursuance of the application for registration mentioned in section 9B(1)”.
- (3) In subsection (3), omit “a further application for registration accompanied by”.
- 9 (1) Section 10 (maintenance of the registers: duty to conduct canvass) is amended as follows.
- (2) Omit subsection (1).
- (3) In subsection (2), omit “(1) or”.

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- (4) In subsection (3)—
- (a) after “canvass” insert “under this section”;
 - (b) omit paragraph (c) and the “or” before it.
- (5) For subsection (4) substitute—
- “(4) The form to be used for the purposes of a canvass under this section must be a form prescribed for those purposes.”
- (6) In subsection (4A), omit “for the purposes of a canvass in Northern Ireland”.
- (7) In subsection (5), for “a registration officer” substitute “under this section the Chief Electoral Officer for Northern Ireland”.
- (8) In subsection (6), for “a registration officer” substitute “under this section the Chief Electoral Officer for Northern Ireland”.
- (9) In the heading, after “canvass” insert “in Northern Ireland”.
- 10 (1) Section 10A (maintenance of the registers: registration of electors) is amended as follows.
- (2) In subsection (1), for “A registration officer” substitute “The Chief Electoral Officer for Northern Ireland”.
 - (3) In subsection (2A), omit “(subject to section 13BB(2))”.
 - (4) In subsection (3)—
 - (a) for “A registration officer” substitute “The Chief Electoral Officer for Northern Ireland”;
 - (b) after “registration” insert “in Northern Ireland”.
 - (5) Omit subsection (3B).
 - (6) In subsection (4), before “asking” insert “in Northern Ireland”.
 - (7) In subsection (5)—
 - (a) after “in respect of any address” insert “in Northern Ireland”;
 - (b) for “the registration officer concerned” substitute “the Chief Electoral Officer for Northern Ireland”;
 - (c) for “the registration officer is” substitute “the Officer is”.
 - (8) In subsection (5A)(b), for “the registration officer” substitute “the Chief Electoral Officer for Northern Ireland”.
 - (9) In subsection (5B), for “A registration officer” substitute “The Chief Electoral Officer for Northern Ireland”.
 - (10) In subsection (6), for “the registration officer concerned” substitute “the Chief Electoral Officer for Northern Ireland”.
 - (11) In subsection (7), for “a registration officer” substitute “the Chief Electoral Officer for Northern Ireland”.
 - (12) In the heading, after “electors” insert “in Northern Ireland”.
- 11 (1) Section 13 (publication of registers) is amended as follows.

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- (2) In subsection (2)(b), after “13A(3)” insert “or (3A)”.
- (3) In subsection (5)(b), for “13BB” substitute “13BA”.
- 12 (1) Section 13A (alteration of registers) is amended as follows.
- (2) In subsection (1)—
- (a) before paragraph (a) insert—
- “(za) is required by section 10ZC(1) to enter a person in the register;
- (zb) is required by section 10ZD(1) to alter a person’s entry in the register;”;
- (b) in paragraph (a), after “registration” insert “in Northern Ireland”.
- (3) After subsection (3) insert—
- “(3A) Subsection (2)(a)(ii) also does not require a registration officer in Great Britain to issue a notice under subsection (2) in a case where the month which follows that in which the relevant time falls is the month containing the date on which a revised version of the register is next due to be published in accordance with section 13(1)(a); and in such a case the alteration in question shall be made in that revised version of the register.”
- (4) In subsection (5), for “13B or 13BA below or section 13BB below” substitute “section 13B or section 13BA below”.
- 13 In section 13B (alteration of registers in Great Britain: pending elections), in subsection (2)(a), for “paragraphs (a) to (d)” substitute “paragraphs (za), (zb), (b), (c) and (d)”.
- 14 Omit section 13BB (election falling within canvass period).
- 15 In section 15 (service declaration), in subsection (2), after paragraph (aa) insert—
- “(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC made by some other person or that the person’s entry has been altered as the result of an application under section 10ZD made by some other person.”.
- 16 (1) Section 49 (effect of registers) is amended as follows.
- (2) In subsection (5)—
- (a) in paragraph (b), for the words from “is not” to “was not” substitute “is not or was not at any particular time”;
- (b) in paragraph (c), for the words from “is, or” to “was,” substitute “is or was at any particular time”.
- (3) Omit subsection (6).
- 17 In section 54(1) (payment of expenses of registration), after “under this Act” insert “or the Electoral Registration and Administration Act 2013”.
- 18 In section 56(1) (registration appeals: England and Wales), for paragraphs (a) and (aa) substitute—
- “(a) from any decision of a registration officer not to register a person following an application under section 10ZC,

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- (aza) from any decision of a registration officer to register a person following an application under section 10ZC in a case where an objection has been made under that section,
 - (azb) from any decision of a registration officer not to alter a register following an application under section 10ZD,
 - (azc) from any decision of a registration officer to alter a register following an application under section 10ZD in a case where an objection has been made under that section,
 - (azd) from any decision of a registration officer under section 10ZE, or any other provision of this Act, as a result of which a person's entitlement to remain registered terminates,
 - (aa) from any decision of a registration officer not to make a determination under section 10ZE(1) following an objection under section 10ZE(5)(a)."
- 19 In section 62 (offences as to declarations), in subsection (1A), for "section 9B(1)(b)" substitute "section 9B(1A)(a)".
- 20 (1) Schedule 2 (provisions which may be contained in regulations as to registration etc) is amended as follows.
- (2) In paragraph 1—
- (a) in sub-paragraph (2), after "authorising" insert "or requiring";
 - (b) in sub-paragraph (3)(a)—
 - (i) for "so required" substitute "by virtue of regulations under sub-paragraph (2) required";
 - (ii) after "so registered" insert "or to determine whether the person is the person who made the application under section 10ZC or 10ZD".
- (3) After paragraph 1A (inserted by Schedule 2) insert—
- "1B (1) Provision as to the information that a registration officer may or must require persons to give by virtue of regulations under paragraph 1(2), or must provide to persons, when conducting a canvass in Great Britain (whether as part of a canvass form or otherwise).
- (2) Provision authorising or requiring a registration officer in Great Britain to complete canvass forms in part for people.
- (3) Provision as to the form and contents of declarations to be made by those responding to a canvass in Great Britain."
- (4) In paragraph 3A (regulations as to form and content of applications for registration etc), after "registration" insert "in Northern Ireland".
- (5) After paragraph 3B insert—
- "3C (1) Provision authorising or requiring a registration officer conducting a canvass in Great Britain to take specified steps for the purpose of obtaining information where no response is received in respect of a particular address.
- (2) Provision authorising or requiring a registration officer in Great Britain to take specified steps to encourage a person to make an application under section 10ZC or 10ZD in response to an invitation to do so made by the officer.

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- (3) Examples of the steps that a registration officer may be authorised or required to take under sub-paragraph (1) or (2) include writing to the person or visiting the person’s address to speak to the person.”
- (6) In paragraph 5(2) (provision as to evidence of age or nationality which may be required), after “required” insert “by the Chief Electoral Officer for Northern Ireland”.
- (7) After paragraph 5A insert—
- “5B (1) Provision as to the steps that a registration officer in Great Britain must take, before appointing a person as proxy to vote for another, to ensure that the appointment complies with paragraph 6(3) or (3A) of Schedule 4 to the Representation of the People Act 2000.
- (2) Provision under sub-paragraph (1) may require another registration officer (including the Chief Electoral Officer for Northern Ireland) to provide information about whether the person has or will have an entry in a register maintained by that officer.”

Representation of the People Act 1985 (c. 50)

- 21 In section 2 of the Representation of the People Act 1985 (registration of British citizens overseas), in subsection (2), after paragraph (aa) insert—
- “(ab) the registration officer determines in accordance with regulations that the person was registered as the result of an application under section 10ZC of the principal Act made by some other person or that the person’s entry has been altered as the result of an application under section 10ZD of that Act made by some other person,”.

Representation of the People Act 2000 (c. 2)

- 22 In Schedule 1 to the Representation of the People Act 2000 (registration: amendments of Representation of the People Act 1983), omit paragraph 12(3) and (4).

Electoral Administration Act 2006 (c. 22)

- 23 In Schedule 1 to the Electoral Administration Act 2006 (amendments), omit paragraphs 4(2), 5 and 6(2).

Political Parties and Elections Act 2009 (c. 12)

- 24 In the Political Parties and Elections Act 2009 the following are repealed—
- (a) section 23(1) (which inserted section 13BB of the Representation of the People Act 1983);
 - (b) sections 30 to 34 (electoral registration: provision of identifying information);
 - (c) sections 35 and 36 (data schemes);
 - (d) section 37 (interpretation).

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

SCHEDULE 5

Section 13

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.
- (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));

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- (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.

PART 2

REMOVAL OF EXISTING REGISTRATIONS BY END OF THE THIRD NEW CANVASS

Removal of certain existing registrations after the first new canvass

- 5 (1) A registration officer in Great Britain must, immediately before the publication of a register following the first new canvass, remove the entry of a person ("P") if—
- (a) P's entry was carried forward on the conclusion of the final old canvass,
 - (b) P has not made a new application for registration in the register, and
 - (c) at the first new canvass, no canvass form has been completed and returned in respect of P and the address to which the entry relates.
- (2) For the purposes of sub-paragraph (1), P's entry on the register was carried forward on the conclusion of the final old canvass if—
- (a) P's entitlement to remain registered in the register terminated on the conclusion of the final old canvass by virtue of section 10A(5)(a) of the Representation of the People Act 1983, but
 - (b) in accordance with regulations under section 10A(7) of that Act, P's entry was not removed from the register.
- (3) In this paragraph "the final old canvass" means the final canvass under section 10(1) of the Representation of the People Act 1983.

Removal of existing registrations after the third new canvass

- 6 A registration officer in Great Britain must, immediately before the publication of a register following the third new canvass, remove the entry of any person who has neither—
- (a) had his or her entitlement to remain registered confirmed, nor
 - (b) made a successful new application for registration in the register.

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

This Part not to apply to persons within Part 5 or 6 below

- 7 In this Part of this Schedule, references to a person who has an entry in a register do not include a person who is a relevant person for the purposes of Part 5 or 6 of this Schedule.

PART 3

ENCOURAGING NEW APPLICATIONS

Registration officers to invite applications in year of first new canvass from those with existing registrations

- 8 (1) A registration officer in Great Britain must, within a prescribed period, give an invitation to make a new application for registration in a register maintained by the officer to each person who—
- (a) has an entry in the register but has not had his or her entitlement to remain registered confirmed, and
 - (b) has not made a new application for registration.
- (2) But the officer need not give an invitation at a time when the officer has reason to believe, from records available to the officer, that the person is no longer resident at the address to which the entry relates.
- (3) The period prescribed for the purposes of this paragraph must begin in the year in which the first new canvass begins.

Powers to delay canvasses and timing of canvasses

- 9 (1) The Minister may by order—
- (a) postpone any canvass to be conducted under section 10(1) of the Representation of the People Act 1983;
 - (b) make provision about the period during which canvass forms to be used for the purpose of such a canvass are to be given.
- (2) The Minister may by order postpone the first new canvass.
- (3) Any canvass forms to be used by a registration officer for the purpose of the first new canvass must be given within the period prescribed for the purposes of paragraph 8.
- (4) The Minister may by order make provision about the period during which any canvass forms to be used for the purpose of the second new canvass are to be given.
- (5) A registration officer is not required, before the commencement date, to do anything for the purpose of conducting any canvass under section 10(1) of the Representation of the People Act 1983 by reference to residence on the 15 October after the commencement date.
- (6) An order under sub-paragraph (1) or (2) postponing a canvass must specify the period during which it is to be conducted; and the period must not end later than the 1 April after it begins.
- (7) An order under sub-paragraph (1) or (2) postponing a canvass does not postpone or remove a duty to conduct any other canvass.

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

Canvass forms need not be supplied to addresses to which invitations supplied

- 10 (1) At the first new canvass, a registration officer is not required to supply a canvass form to an address if the officer thinks that it is unnecessary to do so and—
- (a) the officer has given a person an invitation under paragraph 8 in respect of the address,
 - (b) the officer has given a person an invitation under section 9E of the Representation of the People Act 1983 in respect of the address, or
 - (c) a person is registered in respect of the address in a register maintained by the officer and the person’s entitlement to remain registered in the register has been confirmed.
- (2) In deciding whether it is necessary to supply a canvass form to an address the registration officer must, in particular, consider whether supplying the canvass form is likely to result in the officer finding out about people residing at the address whom the officer might not otherwise find out about.

Registration officers to invite applications in year of second new canvass from those with existing registrations

- 11 (1) A registration officer in Great Britain must, on or as soon as reasonably practicable after the relevant date, give a person an invitation to make a new application for registration in a register maintained by the officer if the person—
- (a) has an entry in the register but has not had his or her entitlement to remain registered confirmed, and
 - (b) has not made a successful new application for registration in the register.
- (2) “The relevant date” means whichever of the following comes first—
- (a) the date on which, at the second new canvass, a canvass form is completed and returned in respect of the address to which the person’s entry in the register relates;
 - (b) the date on which it appears to the officer that, at the second new canvass, no canvass form will be completed and returned in respect of that address;
 - (c) 31 October in the year of the second new canvass.
- (3) But the officer need not give an invitation at a time when—
- (a) the officer has reason to believe, from records available to the officer, that the person is no longer resident at that address, or
 - (b) the person has made a new application for registration which has not been determined.

Invitations under paragraph 8 or 11 and power to require application following invitation

- 12 The Minister may by order make provision in connection with invitations under paragraph 8 or 11, including provision of the kind mentioned in—
- (a) section 9E(2) and (3) of the Representation of the People Act 1983, or
 - (b) paragraph 3C(2) of Schedule 2 to that Act.
- 13 (1) A registration officer who gives a person an invitation under paragraph 8 or 11 may subsequently require the person to make an application for registration by a specified date.

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

- (2) A requirement under sub-paragraph (1) is of no effect if the person is not entitled to be registered.
- (3) The Minister may by order make provision of the kind mentioned in section 9E(6) of the Representation of the People Act 1983 in connection with requirements under sub-paragraph (1).
- (4) A registration officer may impose a civil penalty on a person who fails to comply with a requirement imposed by the officer under sub-paragraph (1).
- (5) The Minister—
 - (a) must by order make provision of the kind mentioned in paragraphs 2 and 3 of Schedule ZA1 to the Representation of the People Act 1983 in connection with a civil penalty under sub-paragraph (4), and
 - (b) may by order make any other provision of the kind mentioned in that Schedule in connection with a civil penalty under that sub-paragraph.
- (6) A civil penalty under sub-paragraph (4) received by a registration officer is to be paid into the Consolidated Fund.

Power to require additional information on poll cards at 2014 European Parliamentary election

- 14 Regulations under section 7(1) of the European Parliamentary Elections Act 2002 may include provision for the purpose of requiring a poll card to be used at the 2014 European Parliamentary general election to include information relating to changes made by Part 1 of this Act.

Certain provisions of this Part not to apply to persons within Part 5 or 6 below

- 15 In this Part of this Schedule, references to a person who has an entry in a register do not include a person who is a relevant person for the purposes of Part 5 or 6 of this Schedule.

PART 4

ABSENT VOTING

Applicant for absent vote must have made successful new application for registration or had registration confirmed

- 16 (1) For the purposes of an absent voting application made on or after the commencement date, a person is to be regarded as registered in a register in Great Britain only if the person—
 - (a) was registered in the register immediately before the commencement date and has had his or her entitlement to remain registered confirmed, or
 - (b) has made a successful new application for registration.
- (2) “Absent voting application” means an application under paragraph 3(1) or (2) or 4(1) or (2) of Schedule 4 to the Representation of the People Act 2000.

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

- (3) This paragraph does not apply in relation to a person who is a relevant person for the purposes of Part 5 or 6 of this Schedule.

Entitlement to absent vote ceases after first new canvass if no successful new application for registration or confirmation of registration

- 17 (1) Sub-paragraph (2) applies if, on the day on which a registration officer in Great Britain publishes a register following the first new canvass—
- (a) a person is shown in the absent voters' record as the result of an application made in reliance on the person's registration in the register, and
 - (b) the person was registered in the register immediately before the commencement date and has not had his or her entitlement to remain registered confirmed or made a successful new application for registration in the register.
- (2) The officer must remove the person's entry from the absent voters' record so far as the entry concerns elections of the kind to which the register relates.
- (3) "Absent voters' record" means the record kept under paragraph 3 of Schedule 4 to the Representation of the People Act 2000.
- (4) Sub-paragraph (5) applies if, on the day on which a registration officer in Great Britain publishes a register following the first new canvass—
- (a) a person is shown in an absent voters' list as the result of an application made in reliance on the person's registration in the register, and
 - (b) the person was registered in the register immediately before the commencement date and has not had his or her entitlement to remain registered confirmed or made a successful new application for registration in the register.
- (5) The officer must remove the person's entry from the absent voters' list.
- (6) "Absent voters' list" means the list mentioned in paragraph 5(2) or (3) of Schedule 4 to the Representation of the People Act 2000.
- (7) If a registration officer removes a person's entry from an absent voters' record or list, the officer must—
- (a) notify the person in the prescribed manner, and
 - (b) take any other prescribed steps.
- (8) This paragraph does not apply in relation to a person who is a relevant person for the purposes of Part 5 or 6 of this Schedule.

Proxies to have made successful new application for registration or had registration confirmed

- 18 A person is to be regarded as registered in a register in Great Britain for the purposes of paragraph 6(3) or (3A) of Schedule 4 to the Representation of the People Act 2000 (as substituted by section 3 of this Act) only if the person—
- (a) was registered in the register immediately before the commencement date and has had his or her entitlement to remain registered confirmed, or
 - (b) has made a successful new application for registration.

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

Proxy for existing absent voter need not have made successful new application for registration or had registration confirmed until after first new canvass

- 19 (1) The amendment made by section 3 (read with paragraph 18 above) does not apply in relation to a proxy appointment for an existing absent voter (or the proxy's entitlement to vote) until the registration officer who made the appointment publishes the relevant register following the first new canvass.
- (2) In this paragraph—
- (a) “proxy appointment” means an appointment of a person as proxy under paragraph 6(7) or (8) of Schedule 4 to the Representation of the People Act 2000 (whether made before, on or after the commencement date);
 - (b) “existing absent voter”, in relation to a proxy appointment, means a person whose absent voting application was made before the commencement date;
 - (c) “absent voting application” means the application under paragraph 3(2) or 4(2) or (3) of Schedule 4 to the Representation of the People Act 2000 by virtue of which the proxy appointment is made;
 - (d) “relevant register” means the register in which the existing absent voter is registered and which relates to elections of the same kind as those to which the proxy appointment relates.
- (3) If a proxy appointment ceases to be in force because sub-paragraph (1) ceases to preserve it, the officer must—
- (a) notify the proxy and the existing absent voter in the prescribed manner, and
 - (b) take any other prescribed steps.
- (4) This paragraph does not apply in relation to an existing absent voter who is a relevant person for the purposes of Part 5 or 6 of this Schedule.

PART 5

PERSONS WITH EXISTING REGISTRATIONS BY VIRTUE OF DECLARATIONS ETC

Meaning of “relevant person”

- 20 (1) In this Part of this Schedule “relevant person” means a person who falls within sub-paragraph (2) or (3).
- (2) A person falls within this sub-paragraph if the person—
- (a) is for the time being registered in a register in pursuance of a declaration of local connection, a service declaration or an overseas elector's declaration, and
 - (b) has been registered in pursuance of a declaration of that kind since immediately before the commencement date.
- (3) A person falls within this sub-paragraph if the person—
- (a) has for the time being an anonymous entry in a register, and
 - (b) has had such an entry since immediately before the commencement date.

Relevant person's first renewal of registration after 3-month transitional period: successful new application required

- 21 (1) On the first occasion after the transitional period on which a relevant person's entry in a register comes up for renewal, the person is not entitled to remain registered unless the person has made a successful new application for registration (in addition to complying with any other requirements).
- (2) "Transitional period" means the period of 3 months beginning with the commencement date.
- (3) For the purposes of this paragraph, a relevant person's entry in a register comes up for renewal when an event mentioned in the applicable provision occurs in relation to that entry.
- (4) "The applicable provision" means—
- (a) section 7C(2) or 15(2) of the Representation of the People Act 1983 or section 2(2) of the Representation of the People Act 1985, or
 - (b) section 9C(1) of the Representation of the People Act 1983;
- (as applicable).

Application for absent vote before first renewal of registration after 3-month transitional period: relevant person need not have made successful new application for registration

- 22 (1) An absent voting application made by a relevant person on or after the commencement date is not to be refused merely because the person has not made a successful new application for registration (but see paragraph 21).
- (2) "Absent voting application" means an application under paragraph 3(1) or (2) or 4(1) or (2) of Schedule 4 to the Representation of the People Act 2000.

Proxy for relevant person need not have made successful new application for registration until relevant person's first successful new application for registration

- 23 (1) The amendment made by section 3 of this Act (read with paragraph 18 above) does not apply in relation to a proxy appointment for a relevant person (or the proxy's entitlement to vote) until the first occasion on which the relevant person makes a successful new application for registration in the relevant register.
- (2) In this paragraph—
- (a) "proxy appointment" means an appointment of a person as proxy under paragraph 6(7) or (8) of Schedule 4 to the Representation of the People Act 2000 (whether made before, on or after the commencement date);
 - (b) "relevant register" means the register which relates to elections of the same kind as those to which the proxy appointment relates.
- (3) If a proxy appointment ceases to be in force because sub-paragraph (1) ceases to preserve it, the officer must—
- (a) notify the proxy and the relevant person in the prescribed manner, and
 - (b) take any other prescribed steps.

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PART 6

PERSONS WITH EXISTING REGISTRATIONS BY VIRTUE OF SECTION 7(2) OR 7A(2) OF THE REPRESENTATION OF THE PEOPLE ACT 1983

Meaning of “relevant person”

- 24 In this Part of this Schedule “relevant person” means a person who—
- (a) is for the time being registered in a register by virtue of an application made under section 7(2) or 7A(2) of the Representation of the People Act 1983, and
 - (ab) has been registered by virtue of an application of that kind since immediately before the commencement date.

Amendments not to apply to application made by relevant person before first renewal of registration after 3-month transitional period

- 25 (1) The amendments made by Part 1 of this Act do not apply to an application made by a relevant person by virtue of section 7(4) or 7A(4) of the Representation of the People Act 1983 in relation to a case where the person’s entry in a register comes up for renewal during the transitional period.
- (2) “Transitional period” means the period of 3 months beginning with the commencement date.
- (3) For the purposes of this paragraph, a relevant person’s entry in a register comes up for renewal when an event mentioned in section 7(3) or 7A(3) of the Representation of the People Act 1983 occurs in relation to that entry.

Application for absent vote before first renewal of registration after 3-month transitional period: relevant person need not have made successful new application for registration

- 26 (1) An absent voting application made by a relevant person on or after the commencement date is not to be refused merely because the person has not made a successful new application for registration (but see paragraph 25).
- (2) “Absent voting application” means an application under paragraph 3(1) or (2) or 4(1) or (2) of Schedule 4 to the Representation of the People Act 2000.

Proxy for relevant person need not have made successful new application for registration until relevant person’s first successful new application for registration

- 27 (1) The amendment made by section 3 of this Act (read with paragraph 18 above) does not apply in relation to a proxy appointment for a relevant person (or the proxy’s entitlement to vote) until the first occasion on which the relevant person makes a successful new application for registration in the relevant register.
- (2) In this paragraph—
- (a) “proxy appointment” means an appointment of a person as proxy under paragraph 6(7) or (8) of Schedule 4 to the Representation of the People Act 2000 (whether made before, on or after the commencement date);
 - (b) “relevant register” means the register which relates to elections of the same kind as those to which the proxy appointment relates.

- (3) If a proxy appointment ceases to be in force because sub-paragraph (1) ceases to preserve it, the officer must—
- (a) notify the proxy and the relevant person in the prescribed manner, and
 - (b) take any other prescribed steps.

PART 7

SUPPLEMENTARY

Power to bring forward effect of paragraph 6

- 28 (1) The Minister may by order provide for paragraph 6 to have effect as if the reference to the third new canvass were a reference to the second new canvass.
- (2) An order under sub-paragraph (1) may be made only in the period of 3 months beginning with 1 June in the year in which the second new canvass begins.
- (3) A statutory instrument containing provision under sub-paragraph (1) only is subject to annulment in pursuance of a resolution of either House of Parliament (and section 11(2) does not apply to it).

Power to make supplementary provision

- 29 The Minister may by order make provision for supplementing, or provision incidental to, the provision made by this Schedule.

Interpretation of this Schedule

- 30 (1) In this Schedule—
- “the first new canvass” means the first canvass under section 9D of the Representation of the People Act 1983;
 - “prescribed” means prescribed by order made by the Minister;
 - “the second new canvass” means the second canvass under section 9D of the Representation of the People Act 1983;
 - “the third new canvass” means the third canvass under section 9D of the Representation of the People Act 1983.
- (2) In this Schedule references to publication of a register are to publication of the revised version of the register under section 13(1)(a) of the Representation of the People Act 1983.
- (3) In this Schedule—
- (a) references to a person who is registered in a register immediately before the commencement date include a person who becomes registered in the register on or after that date as the result of an application made before that date;
 - (b) references to a person who has an anonymous entry in a register immediately before the commencement date include a person whose anonymous entry is made in the register on or after that date as the result of an application made before that date.
- (4) For the purposes of this Schedule a document may be given to a person—

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- (a) by delivering it to the person,
 - (b) by leaving it at the person's address, or
 - (c) by sending it to the person by post.
- (5) The Representation of the People Act 1983 and this Schedule are to have effect as if this Schedule were contained in Part 1 of that Act.
- (6) References in an enactment other than one contained in this Schedule or the Representation of the People Act 1983 to Part 1 of that Act include a reference to this Schedule.