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STATUTORY INSTRUMENTS

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**1991 No. 1674**

**REPRESENTATION OF THE PEOPLE**

**The Representation of the People (Northern Ireland) (Variation of Specified Documents and Amendment) Regulations 1991**

*Made - - - - 23rd July 1991*

*Coming into force in accordance with regulation 2*

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament; Now, therefore, in exercise of the powers conferred upon me by sections 53(1) and 201(1) of, rule 37 (1F)(2) of Schedule 1 to, and paragraph 11A of Schedule 2 to, the Representation of the People Act 1983(3) and section 6(1) of the Representation of the People Act 1985(4), having regard to section 27(2) of that Act and the definition of “prescribed” in section 202(1) of the Representation of the People Act 1983, I hereby make the following regulations:

1.—(1) These Regulations may be cited as the Representation of the People (Northern Ireland) (Variation of Specified Documents and Amendment) Regulations 1991.

(2) These Regulations extend to Northern Ireland only.

2. These Regulations, except regulation 7, shall come into force on the fourteenth day after the day on which they are made and regulation 7 shall come into force when the Representation of the People Act 1990(5) comes into force in Northern Ireland.

3. In these Regulations “the Regulations of 1986” means the Representation of the People (Northern Ireland) Regulations 1986(6).

4. After sub-paragraph (f) of rule 37(1E) (list of specified documents) of the parliamentary elections rules in Schedule 1 to the Representation of the People Act 1983(7) there shall be added the following sub-paragraph:

“(g) a card made of plastic on which the name and national insurance number of the person to whom it is issued have been embossed and which has been issued by the Department of Health and Social Security or the Department of Social Security”.

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(1) There have been amendments to section 53 which are not relevant to these Regulations.  
(2) Rule 37 (1F) was inserted by section 1(2) of the Elections (Northern Ireland) Act 1985 (c. 2).  
(3) 1983 c. 2; paragraph 11A was inserted by paragraph 87 of Schedule 4 to the Representation of the People Act 1985 (c. 50).  
(4) 1985 c. 50.  
(5) 1990 c. 32.  
(6) S.I. 1986/1091; relevant amending instruments are S.I. 1989/1304 and 1990/561.  
(7) Paragraph (1E) of rule 37 was inserted by section 1(2) of the Elections (Northern Ireland) Act 1985 (c. 2) and subparagraph (f) was added by regulation 13 of the Representation of the People (Northern Ireland) Regulations 1986 (S.I. 1986/1091).

5. In regulation 55(6) (supply of data) of the Regulations of 1986, for the words from “of the register” to “to that register:” there shall be substituted the words “of the whole or part of the register under regulation 53 above, so much of the data to which this regulation applies as relates to the part or parts of the register to which such a person is so entitled:”.

6.—(1) Regulation 56 (supply of labels) of the Regulations of 1986 shall be amended in accordance with paragraphs (2) and (3) below.

(2) In paragraph (3) for the word “constituency” there shall be substituted the words “area for which the registration officer is authorised by this regulation to supply such labels”.

(3) In paragraph (4)(8) before the words “the register” there shall be inserted the words “the whole or part of” and for the words “that register” there shall be substituted the words “the part or parts of the register to which such person is so entitled”.

7. After regulation 63 of the Regulations of 1986, there shall be inserted the following regulation:

**“Additional requirement for applicant no longer resident at qualifying address**

**63A.** An application under paragraph (aa) of section 6(2) of the Act of 1985(9) shall specify the address, if any, at which the applicant is resident at the date of the application.”.

8.—(1) Forms E (elector’s official poll card) and F (proxy’s official poll card) in Schedule 2 to the Regulations of 1986 shall be amended as follows.

(2) After paragraph (e) on the back of the card of each form there shall be inserted the following paragraph:

“(f) a card made of plastic issued by the Department of Health and Social Security or the Department of Social Security with a name and national insurance number embossed on it;”.

(3) The existing paragraph (f) on the back of the card of each form shall be renumbered “(g)”.

Northern Ireland Office  
23rd July 1991

*P. L. Brooke*  
One of Her Majesty’s Principal Secretaries of  
State

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(8) Regulation 56(4) has been amended by S.I. 1989/1304 and 1990/561.

(9) Paragraph (aa) was inserted by section 1(a) of the Representation of the People Act 1990.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Regulation 4 of these Regulations varies the list of documents in rule 37(1E) of the parliamentary elections rules in Schedule 1 to the Representation of the People Act 1983 (as inserted by section 1(2) of the Elections (Northern Ireland) Act 1985) by making an addition to it. Under rule 37(1A), as inserted, a ballot paper must not be delivered to a voter at a polling station unless he has produced a document on that list to the presiding officer or a clerk.

Regulations 5 to 8 of these Regulations amend the Representation of the People (Northern Ireland) Regulations 1986. Regulations 5 and 6 amend the said Regulations of 1986 to take further account of regulation 53(3A) of those Regulations (as inserted by S.I. 1989/1304) under which certain persons are entitled to a free copy of part of the register of electors for a constituency (in addition to those who are entitled to a free copy of the whole of the register for a constituency).

The background to regulation 7, which makes provision to give full effect to the amendments made by section 1 of the Representation of the People Act 1990 “the 1990 Act” is as follows. Section 6 of the Representation of the People Act 1985 “the 1985 Act”, as it has effect in Northern Ireland, provides for the right to an absent vote at parliamentary elections for an indefinite period and subsection (2) of that section sets out the grounds on which a person is eligible for such a vote. Section 1(a) of the 1990 Act amends section 6(2) of the 1985 Act to make a person eligible for an absent vote for an indefinite period if he is no longer resident at his qualifying address or at any other address in the same area; in spite of the reference to “an indefinite period”, the entitlement expires with the register of electors in relation to which the application was made. Section 1(b) of the 1990 Act inserts an additional subsection into section 6 of the 1985 Act to define what is the same area for these purposes. The amendment made by regulation 7 requires an applicant to give the address, if any, at which he is currently resident and thereby enables the electoral registration officer to determine whether or not the new address is in the same area as the qualifying address.

Regulation 8 makes an amendment to the back of the form for an elector’s and a proxy’s official poll cards to take account of the amendment to rule 37(1E) of the parliamentary elections rules made by regulation 4. The backs of those cards list the documents of which one must be produced at a polling station for the voter to be given a ballot paper.