
STATUTORY INSTRUMENTS

2013 No. 1846

The Representation of the People (Northern Ireland) (Amendment) Regulations 2013

Conduct of a canvass

3.—(1) After regulation 46 of the 2008 Regulations insert—

“Prescribed form for canvass

46A. The form prescribed for the purpose of section 10(4) of the 1983 Act shall be in Form O.

Retention of entries on the register following a canvass

46B.—(1) Where—

- (a) a person (P) is entered in the register in respect of any address, and
- (b) conditions A, B and C are met,

section 10A(6) of the 1983 Act⁽¹⁾ does not apply for the duration of the relevant period and the registration officer is authorised to retain P’s entry in the register.

(2) Condition A is that on the conclusion of a canvass under section 10(1A) of the 1983 Act⁽²⁾, either—

- (a) the registration officer is unable to satisfy himself that P was, on the 15th October in question, resident at that address because—
 - (i) the form mentioned in section 10(4) of the 1983 Act relating to P was not returned in respect of that address, or
 - (ii) for any other reason, insufficient information was obtained as to whether P was resident at that address on that date; or
- (b) the form mentioned in section 10(4) of the 1983 Act relating to P was returned in respect of that address, but it does not include all of the information relating to P required by virtue of section 10(4A) of the 1983 Act.

(3) Condition B is that in the 12 month period before the conclusion of the canvass—

- (a) P made an application under section 10A(1) or 13A(1) of the 1983 Act and the registration officer determined that P was entitled to be registered in the register;
- (b) information received by the registration officer pursuant to regulation 41 indicates that P is resident at that address and that the required information⁽³⁾ in relation to P is accurate;

(1) Section 10A(6) was amended by section 1 of the 2002 Act.
(2) Section 10(1A) was inserted by section 2 of the NIMPA 2006.
(3) “The required information” is defined in section 10ZB of the 1983 Act.

- (c) inquiries made by the registration officer pursuant to sections 10(5) or 10A(5B)(4) of the 1983 Act indicate that P is resident at that address and that the required information in relation to P is accurate;
 - (d) P has confirmed orally or in writing⁽⁵⁾ that P is resident at that address and that the required information in relation to P is accurate; or
 - (e) any other information received by the registration officer indicates that P is resident at that address and that the required information in relation to P is accurate.
- (4) Condition C is that the registration officer is satisfied that it is likely that P is resident at that address and that the required information in relation to P is accurate.
- (5) Nothing in this regulation prevents the registration officer from removing P’s entry from the register before the expiry of the relevant period if section 10A(5)(b) or 10A(5A)(b) of the 1983 Act⁽⁶⁾ applies.
- (6) In this regulation—
- “relevant period” means the period beginning with the conclusion of the canvass mentioned in paragraph (2) and expiring with the publication of a revised version of the register under section 13(1) of the 1983 Act in the second calendar year following that in which the canvass was conducted; and
- “required information” has the meaning given in section 10ZB of the 1983 Act⁽⁷⁾.”

(4) Section 10A(5B) was inserted by section 12 of the Electoral Administration Act 2006 (“the EAA 2006”).

(5) By Schedule 1 of the Interpretation Act 1978, “writing” includes typing, printing, lithography, photography and other modes of representing or reproducing words in a visible form.

(6) Section 10A(5) was amended by section 1 of the 2002 Act and Schedule 2 to the EAA 2006. Section 10A(5A) was inserted by section 1 of the 2002 Act.

(7) Section 10ZB was inserted by section 4 of the NIMPA 2006.