
STATUTORY INSTRUMENTS

2020 No. 581

The Representation of the People (Electronic Communications and Amendment) (Northern Ireland) Regulations 2020

PART 3

Amendments to other legislation

Recall of MPs Act 2015 (Recall Petition) Regulations 2016

13.—(1) The Recall of MPs Act 2015 (Recall Petition) Regulations 2016⁽¹⁾ are amended as follows.

(2) In regulation 46 (retention of documents: England and Wales and Northern Ireland)—

- (a) in the heading, after “Retention” insert “and disposal”;
- (b) at the beginning, insert “—(1)”;
- (c) at the end insert—

“⁽²⁾ The petition officer must retain for a year the documents referred to in regulation 44⁽²⁾ (delivery of documents to the registration officer: Northern Ireland) and then, unless otherwise directed by order of the House of Commons or any court, must cause them to be destroyed.”.

(3) In regulation 52 (absent signing at any petition for an indefinite period: Northern Ireland)⁽²⁾—

(a) for paragraph (9) substitute—

“⁽⁹⁾ For the purposes of this regulation, a person is to be treated as a person who is or will be digitally registered if the person meets the condition in paragraph (9A) or the condition in paragraph (9B).

(9A) A person meets the condition in this paragraph if—

- (a) the person’s registration in the register of parliamentary electors is or will be pursuant to an application submitted through the UK digital service, and
- (b) where, since the submission of that application, any form has been completed in respect of the person in connection with a canvass under section 10 of the 1983 Act, the last such form was submitted through the UK digital service.

(9B) A person meets the condition in this paragraph if—

- (a) the last form to be completed in respect of the person in connection with a canvass under section 10 of the 1983 Act was submitted through the UK digital service, and
- (b) where, since the submission of that form, any application for registration in the register of parliamentary electors has been made in respect of the person, the last such application was submitted through the UK digital service.”;

⁽¹⁾ [S.I. 2016/295](#).

⁽²⁾ Regulation 52 was amended by [S.I. 2018/699](#).

- (b) in paragraph (10), in the definition of “the UK digital service”, for “the reference to an application” substitute “a reference to a form or application”.
- (4) In regulation 54 (absent signing at a particular petition: Northern Ireland)(3)—
- (a) for paragraph (6) substitute—
- “(6) For the purposes of this regulation, a person is to be treated as a person who is or will be digitally registered if the person meets the condition in paragraph (6A) or the condition in paragraph (6B).
- (6A) A person meets the condition in this paragraph if—
- (a) the person’s registration in the register of parliamentary electors is or will be pursuant to an application submitted through the UK digital service, and
- (b) where, since the submission of that application, any form has been completed in respect of the person in connection with a canvass under section 10 of the 1983 Act, the last such form was submitted through the UK digital service.
- (6B) A person meets the condition in this paragraph if—
- (a) the last form to be completed in respect of the person in connection with a canvass under section 10 of the 1983 Act was submitted through the UK digital service, and
- (b) where, since the submission of that form, any application for registration in the register of parliamentary electors has been made in respect of the person, the last such application was submitted through the UK digital service.”;
- (b) in paragraph (7), in the definition of “the UK digital service”, for “the reference to an application” substitute “a reference to a form or application”.
- (5) In paragraph 1 of Schedule 3 (access to marked registers after a petition)—
- (a) in sub-paragraph (1)—
- (i) in paragraph (e)(i) omit “and Northern Ireland” where it first occurs,
- (ii) after paragraph (e)(i) insert—
- “*(ia)* for Northern Ireland—
- (aa) forwarded to the registration officer under regulation 44 (delivery of documents to the registration officer: England and Wales and Northern Ireland), regulation 114 (forwarding of documents) or regulation 141 (public notice of early termination), or
- (bb) retained by the petition officer under regulation 46(2) (retention and disposal of documents: England and Wales and Northern Ireland),”;
- (b) for sub-paragraph (2)(b) substitute—
- “(b) for Northern Ireland—
- (i) in relation to the marked register or lists to which sub-paragraph (1)(e)(ia) (aa) applies, the Clerk of the Crown for Northern Ireland;
- (ii) in relation to the marked register or lists to which sub-paragraph (1)(e)(ia) (bb) applies, the petition officer.”.
- (6) The amendments made by paragraphs (2) and (5) apply only in relation to a petition, notice of which is given by the Speaker (under section 5 of the Recall of MPs Act 2015) on or after the date on which these regulations come into force.

(7) For the purposes of paragraph (6), the date on which the notice is given is the date specified in the notice.