
STATUTORY INSTRUMENTS

2023 No. 1405

The Elections Act 2022 (Commencement No. 11, Transitional Provisions and Specified Day) and Levelling-up and Regeneration Act 2023 (Commencement No. 1) Regulations 2023

Part 2

Commencement, specified day and transitional provisions relating to the Elections Act 2022

Provisions of the 2022 Act coming into force on 16th January 2024

2. Section 14 of and Schedule 7 to the 2022 Act (overseas electors), so far as not already in force, come into force on 16th January 2024.

Specified day

3. The specified day for the purposes of paragraph 14(3) of Schedule 7 to the 2022 Act (transitional provision for overseas electors registered in pursuance of pre-commencement applications) is 16th January 2024.

Transitional provision: extended period for renewal declarations for overseas electors registered pursuant to pre-commencement applications

4.—(1) This regulation applies where—

- (a) paragraph 14 of Schedule 7 to the 2022 Act applies in respect of an elector, and
- (b) the elector's entitlement to registration has not been extended following the making of a renewal declaration in accordance with section 1D(2) and (3) of the Representation of the People Act 1985⁽¹⁾.

(2) Section 1D(2) of the Representation of the People Act 1985 applies in respect of the elector as if in paragraph (a) for “6 months” there were substituted “period”.

Transitional provision: postal vote entitlement limit for overseas electors registered pursuant to pre-commencement applications

5.—(1) This regulation applies to an elector to whom paragraph 14 of Schedule 7 to the 2022 Act applies.

(2) Paragraph 3(1B)(a) of Schedule 4 to the Representation of the People Act 2000⁽²⁾ is to be read as if for “1 November” there were substituted “date”.

(1) 1985 c. 50. Section 1D is inserted by section 14(1) of the Elections Act 2022, which is commenced by regulation 2.

(2) 2000 c. 2. Paragraph 3(1B) was inserted by paragraph 2(3) of Schedule 3 to the Elections Act 2022.

Transitional provision: notifications for postal vote entitlements resulting from pre-commencement postal voting applications

6.—(1) Regulation 60ZA of the 2001 Regulations (requirement to notify certain electors and proxies that postal vote entitlement is to end) applies in respect of a postal vote entitlement which expires in accordance with paragraph 16(3)(a) of Schedule 7 to the 2022 Act as it applies to a postal vote entitlement which was granted for the maximum period.

(2) In paragraph (1), “the 2001 Regulations” means the Representation of the People (England and Wales) Regulations 2001⁽³⁾ and the Representation of the People (Scotland) Regulations 2001⁽⁴⁾.

⁽³⁾ S.I. 2001/341, amended by S.I. 2023/1147; there are other amending instruments but none is relevant.

⁽⁴⁾ S.I. 2001/497, amended by S.I. 2023/1147; there are other amending instruments but none is relevant.