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STATUTORY INSTRUMENTS

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**2001 No. 84**

**REPRESENTATION OF THE PEOPLE**

**The Holders of Hereditary Peerages (Overseas Electors) (Transitional Provisions) Order 2001**

<i>Made</i>	- - - -	<i>15th January 2001</i>
<i>Laid before Parliament</i>		<i>25th January 2001</i>
<i>Coming into force</i>	- -	<i>16th February 2001</i>

The Secretary of State in exercise of the powers conferred on him by section 5(3) and (4) of the House of Lords Act 1999<sup>(1)</sup>, hereby makes the following Order:

**1.**—(1) This Order may be cited as the Holders of Hereditary Peerages (Overseas Electors) (Transitional Provisions) Order 2001 and shall come into force on 16th February 2001.

(2) The Holders of Hereditary Peerages (Extension of the Franchise) (Transitional Provisions) Order 1999<sup>(2)</sup> is hereby revoked.

**2.** In the case of the holder of a hereditary peerage to whom section 3(1) of the House of Lords Act 1999 applies, any reference in section 1(3) or (4)(b) of the Representation of the People Act 1985 (conditions as to qualification as an overseas elector)<sup>(3)</sup> to a register of parliamentary electors shall include—

- (a) any register of local government electors in Great Britain; and
- (b) any register of local electors in Northern Ireland,

which was required to be published on any date not later than 15th February 2000.

Home Office  
15th January 2001

*Mike O'Brien*  
Parliamentary Under-Secretary of State

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(1) 1999 c. 34.

(2) S.I. 1999/3322.

(3) 1985 c. 50; section 1 was substituted by Schedule 2 to the Representation of the People Act 2000 (c. 2).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

This Order replaces the Order (“the 1999 Order”) revoked by article 1(2) of this Order.

The effect of article 2 of this Order is the same as that of article 3 of the 1999 Order. However, the new provision is needed consequent on the replacement of section 1 of the Representation of the People Act 1985 with the new section set out in Schedule 2 to the Representation of the People Act 2000.

Under section 1(3) of the 1985 Act (as substituted) a person not resident in the United Kingdom can rely on his registration as a parliamentary elector during the period of 20 years ending immediately before the date on which he makes an overseas elector’s declaration as entitling him to make such a declaration. Section 1(4)(b) (as substituted) makes provision for a person who was by reason only of his age incapable of being included in a register of parliamentary electors in force on the last day on which he was resident in the United Kingdom. Article 2 of this Order allows a peer to whom section 3(1) of the House of Lords Act 1999 applies (and who is thereby entitled to vote at parliamentary elections) to rely on his registration as a local government elector in respect of any register prior to the date when such peers were entitled to be included in a register of parliamentary electors for the purposes of section 1(3). It converts the reference to a register of parliamentary electors in section 1(3) and (4)(b) into a reference to a register of local government electors.

The remaining provisions of the 1999 Order (which applied only to the registers of electors which cease to have effect on 16th February 2001) are spent.