

## SCHEDULE 1

Regulation 6

### APPLICATION OF THE 2001 FRANCHISE REGULATIONS WITH MODIFICATIONS

#### **Modification of the 2001 Franchise Regulations: interpretation**

1.—(1) Regulation 1(2) of the 2001 Franchise Regulations (citation, interpretation and extent) is modified as follows.

(2) After the definition of “the 1983 Act” insert—

““Accession State” means any of the following states—

- (a) the Czech Republic,
- (b) the Republic of Estonia,
- (c) the Republic of Cyprus,
- (d) the Republic of Latvia,
- (e) the Republic of Lithuania,
- (f) the Republic of Hungary,
- (g) the Republic of Malta,
- (h) the Republic of Poland,
- (i) the Republic of Slovenia, or
- (j) the Slovak Republic;”;

““citizen of an Accession State” means a national of one of the Accession States and “relevant citizen of an Accession State” means such a citizen who is not a Commonwealth citizen or a citizen of the Republic of Ireland;”.

#### **Modification of the 2001 Franchise Regulations: entitlement to be registered**

2. In regulation 4 of the 2001 Franchise Regulations (entitlement of relevant citizen of the Union to be registered as European parliamentary elector)—

(a) in paragraph (1)(c), after “is a relevant citizen of the Union” insert “or, subject to paragraph (1C) below, a relevant citizen of an Accession State”.

(b) after paragraph (1), insert—

“(1A) The entry in the register maintained under regulation 5(2) below for a relevant citizen of an Accession State shall, subject to paragraph (1B) below, include a mark against his name in the register consisting of the letter “Y” to indicate that he is registered as a relevant citizen of an Accession State and, before the date on which that State accedes to the European Union, he shall not be treated as an elector for any purposes other than those of an election the poll for which is held on or after that date.

(1B) Where a relevant citizen of an Accession State is registered in the register maintained under regulation 5(2) below, and that State accedes to the European Union on 1st May 2004, the mark referred to in paragraph (1A) above shall be removed from his entry in the register.

(1C) From 1st May 2004, no relevant citizen of an Accession State shall be entitled to be registered in the register maintained under regulation 5(2) below under paragraph (3) (c) unless he has become a relevant citizen of the Union following the accession to the European Union of the Accession State of which he is a national.”.

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

**Modification of the 2001 Franchise Regulations: registration officers**

3. In regulation 5(1) (registration officers), after “registration of relevant citizens of the Union” insert “and relevant citizens of the Accession States”.

**Modification of the 2001 Franchise Regulations: application for registration**

4. In regulation 6 (form of application and declaration required by regulation 4(1))—
- (a) in paragraph (1), after “relevant citizen of the Union” insert “or of an Accession State”;
  - (b) in paragraph (2)(c), after “in the Member State” insert “or Accession State”;
  - (c) in paragraph (3), after “relevant citizens of the Union” insert “or of an Accession State”.

**Modification of the 2001 Franchise Regulations: applications and declarations to be sent to the appointed person**

5. In regulation 8 (copies of certain applications and declarations to be sent to the Secretary of State) as amended by regulation 5 of these Regulations—
- (a) in paragraph (1), after “relevant citizen of the Union” insert “or of an Accession State”;
  - (b) in paragraph (2), after “relevant citizen of the union” insert “or of an Accession State”;
  - (c) in paragraph (3), after “Member State” insert “and Accession State”.

**Modification of the 2001 Franchise Regulations: application of the 1983 Act**

6. In regulation 9(1) (application, with modifications, of provisions of the 1983 Act and Representation of the People Regulations), after “relevant citizens of the Union” insert “and of the Accession States”.

**Modification of the 2001 Franchise Regulations: removal of names from the register**

7. In regulation 10 (removal of names from the register)—
- (a) in paragraph (2), after “relevant citizen of the Union” insert “and, subject to paragraph (5) below, a relevant citizen of an Accession State”;
  - (b) in paragraph (4), substitute “Lord Chancellor” for “Secretary of State”;
  - (c) after paragraph (4), insert—  
“(5) The registration officer shall remove the name of a relevant citizen of an Accession State registered in a register of electors maintained under regulation 5(2) if the Accession State of which he is a citizen does not accede to the European Union on 1st May 2004.”.

**Modification of the 2001 Franchise Regulations: Schedule**

8.—(1) The Schedule (application, with modifications, of provisions of the 1983 Act and Representation of the People Regulations) shall be modified as follows.

(2) In Part I, in column 2, for the entry (b) relating to subsection (3) of section 63 of the 1983 Act, substitute—

- “(b) for the words from “relating to” to the end, substitute “relating to the registration of relevant citizens of the Union or relevant citizens of the Accession States as European Parliamentary electors”.”.

(3) In column 2, in the entry relating to section 202 of the 1983 Act, add the following additional definitions—

““Accession State” means any of the following states—

- (a) the Czech Republic,
- (b) the Republic of Estonia,
- (c) the Republic of Cyprus,
- (d) the Republic of Latvia,
- (e) the Republic of Lithuania,
- (f) the Republic of Hungary,
- (g) the Republic of Malta,
- (h) the Republic of Poland,
- (i) the Republic of Slovenia, or
- (j) the Slovak Republic;” and

““citizen of an Accession State” means a national of one of the Accession States and “relevant citizen of an Accession State” means such a citizen who is not a Commonwealth citizen or a citizen of the Republic of Ireland;”.

(4) In column 2, for the entry relating to regulation 24 of the Representation of the People (England and Wales) Regulations 2001(1), substitute—

“In paragraph (2), for sub-paragraphs (b) to (d) substitute “(b) evidence of his status as a national of a Member State or of an Accession State or a statutory declaration as to that nationality.”.”

(5) In column 2, for the entry relating to regulation 24 of the Representation of the People (Scotland) Regulations 2001(2), substitute—

“In paragraph (2), for sub-paragraphs (b) to (d) substitute “(b) evidence of his status as a national of a Member State or of an Accession State or a statutory declaration as to that nationality.”.”

(6) In column 2, for the entry relating to regulation 24 of the Representation of the People (Northern Ireland) Regulations 2002, substitute—

“In paragraph (2), for sub-paragraphs (b) to (d) substitute “(b) evidence of his status as a national of a Member State or of an Accession State or a statutory declaration as to that nationality.”.”

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(1) S.I.2001/341.  
(2) S.I. 2001/497.