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DRAFT STATUTORY INSTRUMENTS

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**2001 No.**

**Representation of the People (England  
and Wales) Regulations 2001**

**PART III  
REGISTRATION**

*Determination of applications and objections*

**Circumstances when the power in section 10A(5)(b) of the 1983 Act applies**

**33.**—(1) Paragraphs (2) and (3) below prescribe the circumstances when section 10A(5)(b) of the 1983 Act<sup>(1)</sup> applies.

(2) Where the registration officer—

- (a) has received an application under regulation 26 above which includes a statement to which paragraph (1)(c) of that regulation refers;
- (b) has received a notice under regulation 37 below;
- (c) has been given information by the elector that he has ceased to reside at the address in question or to satisfy the conditions for registration in section 4 of the 1983 Act<sup>(2)</sup>;
- (d) has obtained evidence in pursuance of regulation 35 below which shows that the elector has ceased to reside at the address in question or to satisfy the conditions for registration in section 4 of the 1983 Act; or
- (e) has been notified by a relative or executor of the elector or by the registrar of births and deaths that the elector has died.

(3) Where—

- (a) the registration officer has required any person duly entered in a register in respect of an address to give him information, or to make a declaration under regulation 24 above, for the purpose of enabling the officer to determine whether—
  - (i) that person remains resident at that address, or
  - (ii) otherwise satisfies the conditions for registration set out in section 4 of the 1983 Act, and
- (b) the person has not within the period of one month from the date of the requisition complied with it in a manner which the officer considers satisfactory (or at all).

(4) Nothing in this regulation applies to a person registered in pursuance of—

- (a) an application made by virtue of section 7(2) or 7A(2) of the 1983 Act<sup>(3)</sup>; or

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<sup>(1)</sup> Section 10A was substituted by Schedule 1 to the 2000 Act.

<sup>(2)</sup> Section 4 was substituted by section 1(2) of the 2000 Act.

<sup>(3)</sup> Sections 7 and 7A were substituted and inserted by sections 4 and 5 of the 2000 Act.

- (b) a declaration of local connection, a service declaration or an overseas elector's declaration.
- (5) In this regulation—
- “elector” means a person who is duly entered in a register in respect of an address; and
  - “relative” means a husband, wife, parent, grandparent, brother, sister, child or grandchild.