



# Representation of the People Act 2000

## 2000 CHAPTER 2

### PART I

#### ELECTORAL REGISTRATION AND FRANCHISE

##### *Residence for purposes of registration*

#### **6 Notional residence: declarations of local connection**

After section 7A of the 1983 Act (as inserted by section 5 above) there shall be inserted—

##### **“7B Notional residence: declarations of local connection**

- (1) A declaration under this section (“a declaration of local connection”)—
  - (a) may be made only by a person to whom this section applies, but
  - (b) may be made by such a person despite the fact that by reason of his age he is not entitled to vote.
- (2) This section applies to any person who on the date when he makes such a declaration is—
  - (a) a person to whom section 7 above applies and who would not be entitled to be registered by virtue of residence at any place other than the mental hospital (within the meaning of that section) at which he is a patient, or
  - (b) a person to whom section 7A applies and who would not be entitled to be registered by virtue of residence at any place other than the place at which he is detained as mentioned in subsection (1) of that section, or
  - (c) a person who does not fall within paragraph (a) or (b) above (and is not otherwise in legal custody) and who is not, for the purposes of section 4 above, resident at any address in the United Kingdom (a “homeless person”).

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- (3) A declaration of local connection shall state—
- (a) the name of the declarant and either—
    - (i) an address to which correspondence for him from either the registration officer concerned or the returning officer can be delivered, or
    - (ii) that he is willing to collect such correspondence periodically from the registration officer’s office;
  - (b) the date of the declaration;
  - (c) that on the date of the declaration the declarant falls into one of the categories of persons to whom this section applies, specifying—
    - (i) the category in question, and
    - (ii) (in the case of a person falling within subsection (2)(a) or (b) above) the name and address of the mental hospital at which he is a patient or (as the case may be) of the place at which he is detained;
  - (d) the required address (as defined by subsection (4) below);
  - (e) that on the date of the declaration the declarant is a Commonwealth citizen or a citizen of the Republic of Ireland or (if the declaration is made for the purposes only of local government elections) a relevant citizen of the Union;
  - (f) whether the declarant has on the date of the declaration attained the age of 18 years, and, if he has not, the date of his birth.
- (4) For the purposes of this section “the required address” is—
- (a) in the case of a person falling within subsection (2)(a) or (b) above—
    - (i) the address in the United Kingdom where he would be residing if he were not such a patient, or detained, as mentioned in that provision, or
    - (ii) if he cannot give such an address, an address in the United Kingdom at which he has resided;
  - (b) in the case of a homeless person, the address of, or which is nearest to, a place in the United Kingdom where he commonly spends a substantial part of his time (whether during the day or at night).
- (5) Where a declaration of local connection is made for the purposes of registration in Northern Ireland, the declaration must state that the declarant has been in Northern Ireland during the whole of the period of three months ending on the date of the declaration.
- (6) Where a declaration of local connection made by a homeless person is delivered to the registration officer concerned during the period—
- (a) beginning with the date when a vacancy occurs—
    - (i) in the seat for the parliamentary constituency within which the required address falls, or
    - (ii) in the seat for any Scottish Parliament constituency or National Assembly for Wales constituency within which it falls, and
  - (b) ending on the final nomination day (within the meaning of section 13B below) for the parliamentary by-election, or (as the case may be) the election under section 9 of the Scotland Act 1998 or section 8 of the Government of Wales Act 1998, held in respect of that vacancy,

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the declaration must state that, during the period of three months ending on the date of the declaration, the declarant has commonly been spending a substantial part of his time (whether during the day or at night) at, or near, the required address.

- (7) No declaration of local connection shall be specially made by a person for the purposes of local government elections, and any such declaration made for the purposes of parliamentary elections shall have effect also for the purposes of local government elections; but—
- (a) a declaration of local connection may be made for the purposes only of local government elections by a person who is as a peer subject to a legal incapacity to vote at parliamentary elections or by a relevant citizen of the Union; and
  - (b) where so made, shall be marked to show that it is available for local government elections only, but shall in all other respects be the same as other declarations of local connection.
- (8) If a person—
- (a) makes a declaration of local connection stating more than one address under subsection (3)(d) above, or
  - (b) makes more than one declaration of local connection bearing the same date and stating different addresses under that provision,
- the declaration or declarations shall be void.
- (9) A declaration of local connection may be cancelled at any time by the declarant.
- (10) A declaration of local connection shall be of no effect unless it is received by the registration officer concerned within the period of three months beginning with the date of the declaration.

### **7C Effect of declaration of local connection**

- (1) Where a person's declaration of local connection is in force when he applies for registration, he shall be regarded for the purposes of section 4 above as—
- (a) resident on the date of the declaration at the address stated in it in accordance with section 7B(3)(d) above; and
  - (b) for the purposes of registration in Northern Ireland, as resident in Northern Ireland during the whole of the period of three months ending with that date.
- (2) A person registered in a register of electors in pursuance of a declaration of local connection is entitled to remain so registered until—
- (a) the end of the period of 12 months beginning with the date when the entry in the register first takes effect,
  - (b) the declaration is cancelled under section 7B(9) above, or
  - (c) another entry made in respect of him in any register of electors takes effect (whether or not in pursuance of a declaration of local connection),
- whichever first occurs.
- (3) Where the entitlement of such a person to remain so registered terminates by virtue of subsection (2) above, the registration officer concerned shall remove

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that person's entry from the register, unless he is entitled to remain registered in pursuance of a further declaration of local connection.

- (4) This section shall not be taken as precluding the registration of a person falling within section 7B(2)(a) or (b) above in pursuance of an application made by virtue of section 7(2) or 7A(2) above.”