

Status: Point in time view as at 27/04/2016.

Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Cross Heading: The 1983 Act. (See end of Document for details)

SCHEDULES

SCHEDULE 1

AMENDMENTS

PART 1

ANONYMOUS REGISTRATION

The 1983 Act

2 The 1983 Act is amended in accordance with paragraphs 3 to 16.

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

Commencement Information

I1 Sch. 1 para. 2 wholly in force at 1.1.2007, see [s. 77](#) and [S.I. 2006/3412](#), **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in [Sch. 2](#))

3 In section 4 (entitlement to be registered as parliamentary or local government elector), after subsection (5) insert—

“(5A) If a person entitled to be registered by virtue of subsection (5) above has an anonymous entry in the register, the references in paragraphs (a) and (b) of that subsection to his entry in the register are to be read as references to his entry in the record of anonymous entries prepared in pursuance of paragraph 8A of Schedule 2 below.”

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

Commencement Information

I2 Sch. 1 para. 3 wholly in force at 1.1.2007, see [s. 77](#) and [S.I. 2006/3412](#), **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in [Sch. 2](#))

4 (1) Section 9 (registers of electors) is amended as follows.

^{F1}(2)

(3) In subsection (5), for “names” substitute “entries”.

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Textual Amendments

F1 Sch. 1 para. 4(2) omitted (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by virtue of Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 23 (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l)

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 2(2)(a)

Commencement Information

I3 Sch. 1 para. 4 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

F25

Textual Amendments

F2 Sch. 1 para. 5 omitted (10.6.2014 for E.W., 19.9.2014 for S.) by virtue of Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 23 (with Sch. 5); S.I. 2014/414, art. 5(m)

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 2(2)(a)

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I4 Sch. 1 para. 5 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

6 (1) Section 10A (maintenance of the registers: registration of electors) is amended as follows.

F3(2)

(3) In subsection (5) the words “the name of” are omitted.

Textual Amendments

F3 Sch. 1 para. 6(2) omitted (10.6.2014 for E.W., 19.9.2014 for S.) by virtue of Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 23 (with Sch. 5); S.I. 2014/414, art. 5(m)

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by The Anonymous Registration (Northern Ireland) Order 2014 (S.I. 2014/1116), arts. 1(1), 2(2)(a)

Commencement Information

I5 Sch. 1 para. 6 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, art. 3, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

7 In section 49 (effect of registers), after subsection (4) insert—

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“(4A) Subsection (4) applies to an entry in the record of anonymous entries as it applies to an entry in the register of parliamentary or local government electors.”

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

Commencement Information

I6 Sch. 1 para. 7 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

8 In section 56 (registration appeals), in subsection (1) after paragraph (aa) (inserted by section 12(8) of this Act) insert—

“(ab) from a determination of the registration officer under section 9B(2) above.”

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

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I7 Sch. 1 para. 8 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

9 (1) Section 62 (offences as to declarations) is amended as follows.

(2) After subsection (1) insert—

“(1A) A person who makes a declaration under section 9B(1)(b) above—

(a) except as permitted by this Act, when he knows that he is subject to a legal incapacity to vote, or

(b) when he knows that it contains a statement which is false,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.”

(3) In subsection (2) for “the reference in subsection (1) above to a legal incapacity to vote refers” substitute “ the references in subsections (1) and (1A) above to a legal incapacity to vote refer ”.

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

Commencement Information

I8 Sch. 1 para. 9 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

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10 (1) Section 91 (candidate's right to send election address post free) is amended as follows.

(2) After subsection (2) insert—

“(2A) The candidate may require the returning officer to make arrangements with the universal service provider for communications under subsection (1)(b) to be sent to persons who have anonymous entries in the register.

(2B) Arrangements under subsection (2A) shall be such as to ensure that it is not disclosed to any other person that the addressee of such a communication has an anonymous entry.”

(3) In subsection (4)(b)—

(a) after “in that register” insert “ (or, in the case of a person who has an anonymous entry in the register, in the record of anonymous entries) ”, and

(b) after “from the register” insert “ (or from the record) ”.

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

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I9 Sch. 1 para. 10 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

11 In section 121 (presentation and service of parliamentary election petition), after subsection (1) insert—

“(1A) The reference in subsection (1)(a) to a person who voted as an elector at an election or who had the right so to vote does not include a person who had an anonymous entry in the register of electors.”

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

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I10 Sch. 1 para. 11 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

12 In section 128 (presentation of petition questioning local election), after subsection (1) insert—

“(1A) The reference in subsection (1) to a person who voted as an elector at an election or who had the right so to vote does not include a person who had an anonymous entry in the register of electors.

(1B) Subsection (1A) does not apply to a local government election in Scotland.”

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Modifications etc. (not altering text)

- C1** Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

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- II1** Sch. 1 para. 12 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

13 (1) Section 202(1) (general provisions as to interpretation) is amended as follows.

(2) Before the definition of “citizen of the Union” insert—

““anonymous entry”, in relation to a register of electors, shall be construed in accordance with section 9B above and “the record of anonymous entries”, means the record prepared in pursuance of regulations made by virtue of paragraph 8A of Schedule 2 to this Act;”.

(3) In the definition of “elector”—

- (a) for “whose name is for the time being” substitute “ who has for the time being an entry ”, and
- (b) after “shown in the register” insert “ (or, in the case of a person who has an anonymous entry in the register, in the record of anonymous entries) ”.

Modifications etc. (not altering text)

- C1** Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

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- II2** Sch. 1 para. 13 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

14 (1) Schedule 1 (parliamentary elections rules) is amended as follows.

(2) In rule 7 (subscription of nomination paper), after paragraph (6) insert—

“(7) But, in this rule, “elector” does not include a person who has an anonymous entry in the register.”

(3) In rule 28 (issue of official poll cards) after paragraph (3) insert—

“(3A) In the case of an elector with an anonymous entry, instead of containing the matter mentioned in paragraph (3)(b) above the polling card shall contain such matter as is prescribed.”

(4) In rule 29 (equipment of polling stations), in paragraph (3)(c) for “names of” substitute “ entries relating to ”.

(5) In rule 40 (tendered ballot papers) after paragraph (4) insert—

“(4A) This rule applies to an elector who has an anonymous entry subject to the following modifications—

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- (a) in paragraphs (2)(b) and (3) the references to the name of the voter must be ignored;
- (b) otherwise, a reference to a person named on a register or list must be construed as a reference to a person whose number appears on the register or list (as the case may be)."

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

Commencement Information

I13 Sch. 1 para. 14 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

- 15 (1) Schedule 2 (provisions which may be contained in regulations as to registration etc.) is amended as follows.
- (2) In paragraph 1(3), for “name” substitute “ entry ”.
 - (3) After paragraph 2A insert—
 - “2B Provisions requiring registration officers to remind persons with anonymous entries in registers of the need to make a fresh application and declaration in order for them to remain so registered.”
 - (4) After paragraph 3A insert—
 - “3B Provisions as to the form and content of applications for an anonymous entry and declarations to be made in connection with such applications.”
 - (5) In paragraph 5, after sub-paragraph (1A) insert—
 - “(1B) Provisions as to the evidence which shall or may be deemed sufficient or conclusive evidence that a person's safety would be at risk as mentioned in section 9B(10) of this Act.”
 - (6) After paragraph 8 insert—
 - “8A Provisions requiring the registration officer to prepare a record of those persons with anonymous entries in the register showing, in relation to each such person, such information as is prescribed.”
 - (7) In paragraph 10, after sub-paragraph (1) insert—
 - “(1A) The edited version shall also omit anonymous entries.”

Modifications etc. (not altering text)

C1 Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

Commencement Information

I14 Sch. 1 para. 15 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in Sch. 2)

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- 16 In Schedule 2A (control of donations to candidates), the existing text of paragraph 10 becomes sub-paragraph (1) of the paragraph and after sub-paragraph (1) insert—
- “(2) If the statement states that the candidate's election agent has seen evidence of such description as is prescribed by the Secretary of State in regulations that an individual donor has an anonymous entry in an electoral register, the statement must be accompanied by a copy of the evidence.
- (3) Sub-paragraph (2) does not apply to local government elections in Scotland.”

Modifications etc. (not altering text)

- C1** Sch. 1 paras. 2-16 extended (N.I.) (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)(a)**

Commencement Information

- I15** Sch. 1 para. 16 wholly in force at 1.1.2007, see s. 77 and S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to transitional provisions in [Sch. 2](#))

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