

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Elections Act 2022, Schedule 2. (See end of Document for details)

SCHEDULES

SCHEDULE 2

Section 2

POWER TO MAKE REGULATIONS ABOUT REGISTRATION, ABSENT VOTING AND OTHER MATTERS

Amendments to the Representation of the People Act 1983

- 1 In section 53 of RPA 1983 (power to make regulations as to registration etc), in subsection (1)—
- (a) omit the “and” at the end of paragraph (b);
 - (b) after paragraph (b) insert—
 - “(ba) with respect to applications under sections 13BD, 13BE and 13C and documents or cards issued under any of those sections; and”.

Commencement Information

- I1** Sch. 2 para. 1 not in force at Royal Assent, see [s. 67\(1\)](#)
I2 [Sch. 2 para. 1](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

- 2 Schedule 2 to RPA 1983 (provision which may be contained in regulations as to registration etc) is amended in accordance with paragraphs 3 to 11.

Commencement Information

- I3** Sch. 2 para. 2 not in force at Royal Assent, see [s. 67\(1\)](#)
I4 [Sch. 2 para. 2](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

- 3 (1) Paragraph 1 is amended as follows.
- (2) In sub-paragraph (2A)—
- (a) omit “in Great Britain”;
 - (b) in paragraph (a), for “or 10ZD” substitute “, 10ZD, 13BD, 13BE or 13C”;
 - (c) in the closing words, for “paragraph 3ZA(5)” substitute “paragraphs 3ZA(5) and 3A(6)”.
- (3) After sub-paragraph (5) insert—
- “(5A) References in this paragraph to a registration officer’s registration duties include references to—
- (a) in the case of a registration officer in Great Britain, the officer’s functions—
 - (i) under sections 13BD and 13BE, and
 - (ii) in relation to applications under paragraph 3, 4 or 6 of Schedule 4 to the Representation of the People Act 2000,

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- other than applications in relation to a local government election, or local government elections, in Scotland or Wales;
- (b) in the case of the Chief Electoral Officer for Northern Ireland, the Chief Electoral Officer's functions—
 - (i) under section 13C, and
 - (ii) in relation to applications under section 6, 7 or 8 of the Representation of the People Act 1985.”

Commencement Information

- I5** Sch. 2 para. 3 not in force at Royal Assent, see [s. 67\(1\)](#)
I6 [Sch. 2 para. 3](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

- 4 (1) Paragraph 1A is amended as follows.
- (2) In sub-paragraph (1)(a), for the words from the first “who is” to the end substitute “within sub-paragraph (1A).”.
- (3) After sub-paragraph (1) insert—
- “(1A) The following persons are within this sub-paragraph—
- (a) a person who is registered in a register maintained by the registration officer;
 - (b) a person who is named in—
 - (i) an application for registration in, or alteration of, a register,
 - (ii) an application (including a partially completed application) under section 13BD, 13BE or 13C, or
 - (iii) a relevant absent voting application.
- (1B) In sub-paragraph (1A)(b)(i), the reference to an application for registration in, or alteration of, a register includes a reference to a partially completed application submitted through the UK digital service.”
- (4) After sub-paragraph (5) insert—
- “(6) In sub-paragraph (1), the reference to disclosing information includes, in relation to verifying information relating to a person who is named in a relevant registration application or a relevant absent voting application, references to disclosing evidence provided by a person in connection with the application.
- (7) In this paragraph—
- (a) “relevant absent voting application” means—
 - (i) an application (including a partially completed application) under paragraph 3, 4 or 6 of Schedule 4 to the Representation of the People Act 2000, other than an application in relation to a local government election, or local government elections, in Scotland or Wales, or
 - (ii) an application (including a partially completed application) under section 6, 7 or 8 of the Representation of the People Act 1985;

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- (b) “relevant registration application” means an application (including a partially completed application) for registration in, or alteration of—
 - (i) a register of parliamentary electors, or
 - (ii) a register of local government electors in England,
 and includes a form (or partially completed form) in connection with a canvass under section 10;
 - (c) “the UK digital service” means a digital service provided by a Minister of the Crown for the registration of electors, and the reference in sub-paragraph (1B) to an application submitted through the UK digital service is a reference to an application submitted using that service as an intermediary.
- (8) A notice, including a partially completed notice, under section 8(9) of the Representation of the People Act 1985 (cancellation of proxy appointment) is to be treated as a relevant absent voting application for the purposes of this paragraph.”

Commencement Information

I7 Sch. 2 para. 4 not in force at Royal Assent, see [s. 67\(1\)](#)

I8 [Sch. 2 para. 4](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

- 5 (1) Paragraph 3ZA is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “or 10ZD” substitute “, 10ZD, 13BD or 13BE”;
 - (b) in paragraph (b), after “applications” insert “and any such declarations”.
- (3) After sub-paragraph (2) insert—
- “(2A) Provision made under sub-paragraph (1) in relation to applications within sub-paragraph (2B) may include provision—
- (a) conferring functions on the Secretary of State to enable applications to be made in a particular manner;
 - (b) authorising the Secretary of State, in prescribed circumstances, to complete applications in part for people.
- (2B) The following applications are within this sub-paragraph—
- (a) an application for registration in, or alteration of—
 - (i) a register of parliamentary electors,
 - (ii) a register of local government electors in England, or
 - (iii) a register of local government electors in Scotland or Wales, where the application is submitted through the UK digital service;
 - (b) an application under section 13BD or 13BE.”
- (4) After sub-paragraph (3) insert—
- “(3A) Provision requiring a person making an application under section 13BD or 13BE to provide evidence that the person is the person named in the application.”

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(5) In sub-paragraph (4), after “(3)” insert “or (3A)”.

(6) In sub-paragraph (6), after “(3)” insert “or (3A)”.

(7) After sub-paragraph (6) insert—

“(7) In sub-paragraph (2B)(a)(iii), “the UK digital service” means a digital service provided by a Minister of the Crown for the registration of electors, and the reference to an application submitted through the UK digital service is a reference to an application submitted using that service as an intermediary.”

Commencement Information

I9 Sch. 2 para. 5 not in force at Royal Assent, see [s. 67\(1\)](#)

I10 [Sch. 2 para. 5](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

6 For paragraph 3A substitute—

“3A (1) Provision about—

- (a) applications for registration in Northern Ireland and applications under section 13C, including in particular provision about—
 - (i) the form and contents of applications and of any declarations to be made in connection with them;
 - (ii) the manner in which applications and any such declarations are to be made;
- (b) the manner in which forms in connection with a canvass under section 10 are to be submitted.

(2) Provision made under sub-paragraph (1) may include provision—

- (a) conferring functions on the Secretary of State or the Chief Electoral Officer for Northern Ireland to enable applications to be made, or forms to be submitted, in a particular manner;
- (b) conferring other functions on the Chief Electoral Officer for Northern Ireland;
- (c) conferring functions on the Electoral Commission;
- (d) authorising the Secretary of State or the Chief Electoral Officer for Northern Ireland, in prescribed circumstances, to complete applications or forms in part for people.

(3) Provision requiring a person making an application for registration in Northern Ireland—

- (a) to provide evidence that the person is the person named in the application;
- (b) to provide evidence of entitlement to be registered.

(4) Provision requiring a person making an application under section 13C to provide evidence that the person is the person named in the application.

(5) Provision made under sub-paragraph (3) or (4) must specify the kind of evidence that a person is required to provide.

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- (6) Examples of the evidence that may be specified include a person's date of birth or national insurance number.
- (7) Provision made under sub-paragraph (3) or (4) may require a person to provide the evidence to the Chief Electoral Officer for Northern Ireland or to some other prescribed person (or person of a prescribed description).
- (8) Provision about how any requirement for an applicant to provide a signature in connection with—
 - (a) an application for registration in Northern Ireland, or
 - (b) a form submitted in connection with a canvass under section 10, may be satisfied.”

Commencement Information

I11 Sch. 2 para. 6 not in force at Royal Assent, see [s. 67\(1\)](#)

I12 [Sch. 2 para. 6](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

7 After paragraph 5 insert—

- “5ZA (1) Provision about the manner in which relevant absent voting applications are to be made.
- (2) Provision made under sub-paragraph (1) may include provision—
- (a) conferring functions on the Secretary of State, registration officers, or local or public authorities in Great Britain, to enable applications to be made in a particular manner;
 - (b) conferring other functions on registration officers;
 - (c) conferring functions on the Electoral Commission;
 - (d) authorising the Secretary of State or the Chief Electoral Officer for Northern Ireland, in prescribed circumstances, to complete applications in part for people.
- (3) Provision imposing requirements to be met in relation to a relevant absent voting application.
- (4) Provision about how any requirement for an applicant to provide a signature in connection with a relevant absent voting application may be satisfied.
- (5) In this paragraph “relevant absent voting application” has the same meaning as in paragraph 1A.
- (6) A notice under section 8(9) of the Representation of the People Act 1985 (cancellation of proxy appointment) is to be treated as a relevant absent voting application for the purposes of this paragraph.”

Commencement Information

I13 Sch. 2 para. 7 not in force at Royal Assent, see [s. 67\(1\)](#)

I14 [Sch. 2 para. 7](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

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8 In paragraph 8B(1), for “or 10ZD” substitute “, 10ZD, 13BD, 13BE or 13C”.

Commencement Information

I15 Sch. 2 para. 8 not in force at Royal Assent, see [s. 67\(1\)](#)

I16 [Sch. 2 para. 8](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

9 After paragraph 8B insert—

“8BA (1) Provision requiring a registration officer in Great Britain to keep records of—

- (a) applications made to the officer under sections 13BD and 13BE;
- (b) documents issued by the officer under those sections.

(2) Provision requiring the Chief Electoral Officer for Northern Ireland to keep records of—

- (a) applications made to the Chief Electoral Officer under section 13C;
- (b) electoral identity cards issued under that section.

(3) Provision made under sub-paragraph (1) or (2) may include provision about information to be shown in a record.

(4) Provision authorising or requiring a relevant registration officer—

- (a) to supply a copy of a record kept by the officer by virtue of provision made under sub-paragraph (1) or (2), or
- (b) to disclose information contained in such a record, to such persons and for such purposes as may be prescribed.

(5) In sub-paragraph (4), “relevant registration officer” means—

- (a) in relation to a record referred to in sub-paragraph (1), a registration officer in Great Britain;
- (b) in relation to a record referred to in sub-paragraph (2), the Chief Electoral Officer for Northern Ireland.”

Commencement Information

I17 Sch. 2 para. 9 not in force at Royal Assent, see [s. 67\(1\)](#)

I18 [Sch. 2 para. 9](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

10 In paragraph 8C(1)—

- (a) in paragraph (a), for “or 10A” substitute “, 10A, 13BD, 13BE or 13C”;
- (b) in paragraph (c), after “3ZA” insert “, 3A or 8BA”.

Commencement Information

I19 Sch. 2 para. 10 not in force at Royal Assent, see [s. 67\(1\)](#)

I20 [Sch. 2 para. 10](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

11 In paragraph 13, after sub-paragraph (1) insert—

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“(1ZZA) References in sub-paragraph (1)(b) to a registration officer’s registration duties include references to—

- (a) in the case of a registration officer in Great Britain, the officer’s functions—
 - (i) under sections 13BD and 13BE, and
 - (ii) in relation to applications under paragraph 3, 4 or 6 of Schedule 4 to the Representation of the People Act 2000, other than applications in relation to a local government election, or local government elections, in Scotland or Wales;
- (b) in the case of the Chief Electoral Officer for Northern Ireland, the Chief Electoral Officer’s functions—
 - (i) under section 13C, and
 - (ii) in relation to applications under section 6, 7 or 8 of the Representation of the People Act 1985.”

Commencement Information

I21 Sch. 2 para. 11 not in force at Royal Assent, see [s. 67\(1\)](#)

I22 [Sch. 2 para. 11](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

Commencement Information

I1 Sch. 2 para. 1 not in force at Royal Assent, see [s. 67\(1\)](#)

I2 [Sch. 2 para. 1](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I3 Sch. 2 para. 2 not in force at Royal Assent, see [s. 67\(1\)](#)

I4 [Sch. 2 para. 2](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I5 Sch. 2 para. 3 not in force at Royal Assent, see [s. 67\(1\)](#)

I6 [Sch. 2 para. 3](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I7 Sch. 2 para. 4 not in force at Royal Assent, see [s. 67\(1\)](#)

I8 [Sch. 2 para. 4](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I9 Sch. 2 para. 5 not in force at Royal Assent, see [s. 67\(1\)](#)

I10 [Sch. 2 para. 5](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I11 Sch. 2 para. 6 not in force at Royal Assent, see [s. 67\(1\)](#)

I12 [Sch. 2 para. 6](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I13 Sch. 2 para. 7 not in force at Royal Assent, see [s. 67\(1\)](#)

I14 [Sch. 2 para. 7](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I15 Sch. 2 para. 8 not in force at Royal Assent, see [s. 67\(1\)](#)

I16 [Sch. 2 para. 8](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I17 Sch. 2 para. 9 not in force at Royal Assent, see [s. 67\(1\)](#)

I18 [Sch. 2 para. 9](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I19 Sch. 2 para. 10 not in force at Royal Assent, see [s. 67\(1\)](#)

I20 [Sch. 2 para. 10](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

I21 Sch. 2 para. 11 not in force at Royal Assent, see [s. 67\(1\)](#)

I22 [Sch. 2 para. 11](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

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PROSPECTIVE

Power to remove signature requirements

- 12 (1) The Secretary of State may by regulations—
- (a) amend Schedule 4 to the Representation of the People Act 2000 (absent voting in Great Britain) by removing any requirement for an application under paragraph 3, 4 or 7 of that Schedule, other than an excluded application, to contain the applicant's signature;
 - (b) amend section 6 or 7 of the Representation of the People Act 1985 (absent voting at parliamentary elections in Northern Ireland) by removing any requirement for an application under either of those sections to contain the applicant's signature.
- (2) In sub-paragraph (1), "excluded application" means an application in relation to a local government election, or local government elections, in Scotland or Wales.
- (3) Regulations under sub-paragraph (1) may make—
- (a) different provision for different purposes;
 - (b) consequential, supplementary, incidental, transitional, transitory or saving provision.
- (4) The consequential provision that may be made by virtue of sub-paragraph (3)(b) includes provision amending any provision made by the Representation of the People Acts.
- (5) Regulations under sub-paragraph (1) are to be made by statutory instrument.
- (6) A statutory instrument containing regulations under sub-paragraph (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

Commencement Information

I23 Sch. 2 para. 12 not in force at Royal Assent, see [s. 67\(1\)](#)

PROSPECTIVE

Power to make provision about unique reference numbers: elections in Northern Ireland

- 13 (1) The Secretary of State may by regulations make provision about the issuing or use of unique reference numbers in connection with—
- (a) applications for registration in a register of parliamentary electors, or a register of local electors, in Northern Ireland;
 - (b) applications to vote by post or proxy at parliamentary or local elections in Northern Ireland;
 - (c) a canvass under section 10 of RPA 1983 (maintenance of registers: duty to conduct canvass in Northern Ireland).
- (2) Regulations under sub-paragraph (1) may in particular make provision—

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- (a) amending or repealing section 10B of RPA 1983 or any other provision made by the Representation of the People Acts about unique reference numbers allocated under that section;
 - (b) amending or repealing any provision made by the Elected Authorities (Northern Ireland) Act 1989 about such unique reference numbers;
 - (c) changing how unique reference numbers are referred to in any provision made by the Representation of the People Acts or the Elected Authorities (Northern Ireland) Act 1989.
- (3) Regulations under sub-paragraph (1) may make—
- (a) different provision for different purposes;
 - (b) consequential, supplementary, incidental, transitional, transitory or saving provision.
- (4) The consequential provision that may be made by virtue of sub-paragraph (3)(b) includes provision amending any provision made by the Representation of the People Acts or the Elected Authorities (Northern Ireland) Act 1989.
- (5) Regulations under sub-paragraph (1) are to be made by statutory instrument.
- (6) A statutory instrument containing regulations under sub-paragraph (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

Commencement Information

I24 Sch. 2 para. 13 not in force at Royal Assent, see [s. 67\(1\)](#)

Consequential repeals

- 14 The following are repealed—
- (a) section 2(2) of the Elections (Northern Ireland) Act 1985;
 - (b) paragraph 24(5) of Schedule 1 to the Representation of the People Act 2000;
 - (c) paragraph 20(4) of Schedule 4 to the Electoral Registration and Administration Act 2013.

Commencement Information

I25 Sch. 2 para. 14 not in force at Royal Assent, see [s. 67\(1\)](#)

I26 [Sch. 2 para. 14\(a\)](#) in force at 16.1.2023 by [S.I. 2022/1401](#), [reg. 2\(e\)](#) (with [reg. 3\(1\)](#))

I27 [Sch. 2 para. 14\(b\)\(c\)](#) in force at 27.8.2022 by [S.I. 2022/916](#), [art. 2\(e\)](#)

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