

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Elections Act 2022, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 7

OVERSEAS ELECTORS

PART 1

MINOR AND CONSEQUENTIAL AMENDMENTS

Representation of the People Act 1983

1 RPA 1983 is amended as follows.

Commencement Information

- I1** Sch. 7 para. 1 not in force at Royal Assent, see [s. 67\(1\)](#)
I2 [Sch. 7 para. 1](#) in force at 6.2.2023 for specified purposes by [S.I. 2023/115](#), [reg. 2\(c\)\(i\)](#)

2 In section 4 (entitlement to be registered as parliamentary or local government elector), in subsection (4)(b), for “section 2(1)” substitute “[section 1B\(1\)](#)”.

Commencement Information

- I3** Sch. 7 para. 2 not in force at Royal Assent, see [s. 67\(1\)](#)

3 In section 202(1) (general provisions as to interpretation), for the definition of “overseas elector’s declaration” substitute—
““overseas elector’s declaration” means a declaration made under and in accordance with [section 1C](#) of the Representation of the People Act 1985;”.

Commencement Information

- I4** Sch. 7 para. 3 not in force at Royal Assent, see [s. 67\(1\)](#)

4 (1) [Schedule 2](#) (provisions which may be contained in regulations as to registration etc) is amended as follows.

(2) After paragraph 3ZA insert—

“3B (1) Provision about renewal declarations (within the meaning given by [section 1D\(2\)](#) of the Representation of the People Act 1985), including in particular provision about their form and contents.

(2) Provision made under sub-paragraph (1) may include provision conferring functions on the Electoral Commission.”

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(3) In paragraph 4, after sub-paragraph (2) insert—

“(3) Provision as to the manner in which renewal declarations (within the meaning given by [section 1D\(2\)](#) of the Representation of the People Act 1985) are to be transmitted to the registration officer.”

(4) In paragraph 5, after sub-paragraph (1A) insert—

“(1AA) The provision that may be made under sub-paragraph (1A) includes provision authorising a registration officer, despite provision contained in regulations made by virtue of that sub-paragraph—

- (a) to require such other kind of evidence as the officer considers appropriate, or
- (b) to deem such other kind of evidence as the officer considers appropriate to be sufficient or conclusive evidence.”

Commencement Information

- I2** [Sch. 7 para. 1](#) in force at 6.2.2023 for specified purposes by [S.I. 2023/115](#), [reg. 2\(c\)\(i\)](#)
- I5** [Sch. 7 para. 4](#) not in force at Royal Assent, see [s. 67\(1\)](#)
- I6** [Sch. 7 para. 4](#) in force at 6.2.2023 by [S.I. 2023/115](#), [reg. 2\(c\)\(ii\)](#)

Commencement Information

- I1** [Sch. 7 para. 1](#) not in force at Royal Assent, see [s. 67\(1\)](#)
- I2** [Sch. 7 para. 1](#) in force at 6.2.2023 for specified purposes by [S.I. 2023/115](#), [reg. 2\(c\)\(i\)](#)
- I3** [Sch. 7 para. 2](#) not in force at Royal Assent, see [s. 67\(1\)](#)
- I4** [Sch. 7 para. 3](#) not in force at Royal Assent, see [s. 67\(1\)](#)
- I5** [Sch. 7 para. 4](#) not in force at Royal Assent, see [s. 67\(1\)](#)
- I6** [Sch. 7 para. 4](#) in force at 6.2.2023 by [S.I. 2023/115](#), [reg. 2\(c\)\(ii\)](#)

PROSPECTIVE

Representation of the People Act 1985

5 In section 12 of the Representation of the People Act 1985 (offences as to declarations)—

- (a) in subsection (1), for “an overseas elector’s declaration”, in both places, substitute “a relevant declaration”;
- (b) after subsection (1) insert—

“(1A) In subsection (1) “relevant declaration” means—

- (a) an overseas elector’s declaration;
- (b) a renewal declaration (within the meaning given by [section 1D\(2\)](#)).”

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Commencement Information

I7 Sch. 7 para. 5 not in force at Royal Assent, see [s. 67\(1\)](#)

PROSPECTIVE

Finance Act 1996

6 In section 200 of the Finance Act 1996 (domicile for tax purposes of overseas electors), in subsection (3)(a), for “section 1(1)(a)” substitute “section 1(2)(a)”.

Commencement Information

I8 Sch. 7 para. 6 not in force at Royal Assent, see [s. 67\(1\)](#)

PROSPECTIVE

Income Tax Act 2007

7 In section 835B of the Income Tax Act 2007 (domicile for income tax purposes of overseas electors), in subsection (3)(a), for “section 1(1)(a)” substitute “section 1(2)(a)”.

Commencement Information

I9 Sch. 7 para. 7 not in force at Royal Assent, see [s. 67\(1\)](#)

PROSPECTIVE

Constitutional Reform and Governance Act 2010

8 In section 42 of the Constitutional Reform and Governance Act 2010 (tax status of members of the House of Lords: transitional provision), omit subsection (7).

Commencement Information

I10 Sch. 7 para. 8 not in force at Royal Assent, see [s. 67\(1\)](#)

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PROSPECTIVE

Police Reform and Social Responsibility Act 2011

9 In section 102(1) of the Police Reform and Social Responsibility Act 2011 (interpretation of Part 1), for the definition of “overseas elector’s declaration” substitute—

““overseas elector’s declaration” means a declaration made under and in accordance with [section 1C](#) of the Representation of the People Act 1985.”

Commencement Information

I11 Sch. 7 para. 9 not in force at Royal Assent, see [s. 67\(1\)](#)

PROSPECTIVE

House of Lords Reform Act 2014

10 In section 4 of the House of Lords Reform Act 2014 (effect of ceasing to be a member of the House of Lords), omit subsection (6).

Commencement Information

I12 Sch. 7 para. 10 not in force at Royal Assent, see [s. 67\(1\)](#)

PROSPECTIVE

Consequential repeals

11 In consequence of section 14(1), the following are repealed—

- (a) [paragraphs 1 to 4 of Schedule 2](#) to the Representation of the People Act 2000;
- (b) section 141 of PPERA;
- (c) section 12(9) of the Electoral Administration Act 2006;
- (d) paragraph 21 of Schedule 4 to the Electoral Registration and Administration Act 2013, and the italic heading before that paragraph;
- (e) section 15(1) of the Northern Ireland (Miscellaneous Provisions) Act 2014.

Commencement Information

I13 Sch. 7 para. 11 not in force at Royal Assent, see [s. 67\(1\)](#)

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