

STATUTORY INSTRUMENTS

1986 No. 105

REPRESENTATION OF THE PEOPLE

**The Representation of the People (Northern Ireland) (Amendment)
Regulations 1985***Approved by both Houses of Parliament*

<i>Made - - - -</i>	<i>22nd November 1985</i>
<i>Laid before Parliament</i>	<i>28th November 1985</i>
<i>Coming into Operation</i>	<i>3rd February 1986</i>

In exercise of the powers conferred upon me by sections 53 and 201(1) of, and paragraphs 11 and 11A of Schedule 2 to, the Representation of the People Act 1983(a), having regard to the definition of “prescribed” in section 202(1) of that Act, I hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Representation of the People (Northern Ireland) (Amendment) Regulations 1985.

(2) These Regulations shall, subject to their having been approved by resolution of each House of Parliament, come into operation on 3rd February 1986.

Provided that these Regulations shall not have effect in respect of any register of electors prior to the registers of electors which are required to be published not later than 15th February 1986 or any data relating to such registers.

(3) These Regulations extend to Northern Ireland only.

2. In these Regulations the expression “the principal Regulations” means the Representation of the People (Northern Ireland) Regulations 1983(b).

3. In Regulation 3(1) of the principal Regulations (interpretation):

(a) after the definition of “British Council employee” there shall be inserted the following—

“candidate” means a person who is nominated as a candidate at the election, or is declared by himself or by others to be a candidate on or after the day of the issue of the writ for the election, or after the dissolution or vacancy in consequence of which the writ was issued;

(a) 1983 c. 2; paragraph 11A was inserted by paragraph 87(c) of Schedule 4 to the Representation of the People Act 1985 (c. 50).
(b) S.I. 1983/436.

“constituency” means a parliamentary constituency;’; and

- (b) after the definition of “Crown servant” there shall be inserted the following:—

‘“data” and “data user” have the same meanings as in section 1 of the Data Protection Act 1984(a);’.

4. In Regulation 17 of the principal Regulations (sale of register) for the words “15p for each thousand (or part of one thousand)” there shall be substituted the words “20p for each thousand (or remaining part of one thousand)” and paragraph (b) shall be omitted.

5. After Regulation 17 of the principal Regulations, there shall be inserted the following Regulations:—

‘Supply of data

17A.—(1) This Regulation applies where the registration officer is a data user.

(2) In this Regulation:—

“data to which this Regulation applies” means data consisting of the names of those persons included in the register of electors, together with any data, other than data to which paragraph (3) below applies, consisting of information relating to them including—

- (i) their electoral numbers;
- (ii) except where the address is excluded from the register under Rule 20(1A) of the Registration Rules in Schedule 3 to the Act of 1962 (as inserted by Article 3(1) of the Electoral Law (Registration Rules) (Variation No. 2) Order (Northern Ireland) 1980(b)), their addresses, and
- (iii) any distinguishing letter; and

“holds” has the same meaning as in section 1(5) of the Data Protection Act 1984.

(3) The registration officer shall not supply data which consists of information (including addresses) which is not required to be published in the register of electors in accordance with those provisions of the Act of 1983, these Regulations or the Act of 1962 which relate to the registration of electors.

(4) Any obligation on the registration officer to supply data under this Regulation imposes only an obligation to supply such data recorded in the form in which he holds it.

(5) The registration officer shall, on payment of a fee determined in accordance with paragraph (6) below, supply to a person, who is entitled to a free copy (or copies) of the register under Regulation 16, so much of the data to which this Regulation applies as relates to that register:

(a) 1984 c. 35.

(b) S.R. (N.I.) 1980 No. 354.

Provided that not more than one person in respect of the same candidature shall be so supplied by virtue of the entitlement deriving from sub-paragraph (b) of Regulation 16(1).

(6) The fee for a person supplied with data under paragraph (5) above shall be at the rate of £1.50 for each thousand (or remaining part of one thousand) names in the data supplied, or £25, whichever is the greater.

Supply of labels

17B.—(1) This Regulation applies where the registration officer is a data user.

(2) In this Regulation:—

“relevant information” means the name and address of any elector whose name and address appear on the register of electors; and such other information as appears on the register as the registration officer thinks fit, but not information constituting data to which Regulation 17A(3) applies.

(3) An application under this Regulation may request the registration officer to supply labels containing relevant information extracted from data to which Regulation 17A applies in respect of part only of the constituency; and, if the registration officer supplies labels under this Regulation he shall comply with that request.

(4) The registration officer may, on payment of a fee at the rate of £10 for each thousand (or remaining part of one thousand) labels supplied, supply to a person, who is entitled to a free copy (or copies) of the register under paragraph (1) of Regulation 16, labels containing relevant information extracted from so much of the data to which Regulation 17A applies as relates to that register:

Provided that not more than one person in respect of the same candidature shall be so supplied by virtue of the entitlement deriving from sub-paragraph (b) of Regulation 16(1).’.

Northern Ireland Office.
22nd November 1985.

Tom King,
One of Her Majesty’s Principal
Secretaries of State.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Representation of the People (Northern Ireland) Regulations 1983 ("the principal Regulations"). They make three main changes.

First, the rate of the fee (set out in Regulation 17(a) of the principal Regulations) for the sale of further copies of the register of electors to persons who have already been supplied with copies of it free of charge pursuant to Regulation 16 of those Regulations is increased from 15p for each thousand names in the register to 20p for each thousand names (Regulation 4).

Second, paragraph (b) of Regulation 17 of the principal Regulations is omitted. That paragraph concerns the sale of the register of electors to persons other than those who have been supplied with copies of the register pursuant to Regulation 16 of these Regulations. The provision made by that paragraph for the sale of the register is the same as the provision made by Rule 26(2)(b) of the Registration Rules in Schedule 3 to the Electoral Law Act (Northern Ireland) 1962 (1962 c. 14 (N.I.)) (as substituted by Article 5 of the Electoral Law (Registration Rules) (Variation) Order (Northern Ireland) 1980 (S.R.(N.I.) 1980 No. 16) and amended by the Electoral Law (Registration Rules) (Variation) Order (Northern Ireland) 1983 (S.R.(N.I.) 1983 (No. 319)). The register is prepared under the Registration Rules. Persons requiring copies of the register can therefore apply under Rule 26(2)(b) and Regulation 17(b) of the principal Regulations is unnecessary.

Third, Regulation 5 of these Regulations inserts new provisions into the principal Regulations providing for the supply of data (which, by virtue of the amendment made by Regulation 3(b) of these Regulations, has the same meaning as in the Data Protection Act 1984) and labels containing relevant information extracted from data. The new provisions apply only where the registration officer is a data user (within the meaning of the Data Protection Act 1984). The registration officer is required by Regulation 17A(5) of the principal Regulations (as inserted by Regulation 5 of these Regulations) to supply data consisting of information which is published in the register of electors to persons supplied with free copies of the register under Regulation 16 on payment of the fee set out in Regulation 17A(6) (as inserted). The supply of labels containing relevant information extracted from data under Regulation 17B (as inserted) to such persons on payment of the fee set out in Regulation 17B(4) is discretionary.

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