
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294) (“the 2004 Regulations”) as a result of changes introduced by the Electoral Administration Act 2006 (c.22). The Regulations also make amendments to the form of directions for the guidance of voters to improve clarity.

Regulation 2 revokes regulations 7 and 9 and Schedules 1 and 3 of the 2004 Regulations. Regulation 7 and Schedule 1 are revoked because those provisions related specifically to the conduct of the 2004 European Parliamentary elections and are now no longer required. Regulation 9 and Schedule 3 substituted a new Form H (the declaration of identity to be used when there is joint issue and receipt of postal ballots) for the Form H as set out in the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341). That Form H has now been superseded by the Form H (postal voting statement to be used when there is joint issue and receipt of postal ballots) which is substituted by regulation 66 of the Representation of the People (England and Wales) (Amendment) (No. 2) Regulations (S.I. 2006/2910).

Regulation 3 amends regulation 5 of the 2004 Regulations to insert reference to three new functions of a returning officer that were introduced by the Electoral Administration Act. The functions relate to the creation of a corresponding number list (rule 19A), the creation of a marked postal voters list and proxy postal voters list (rule 31A) and the verification of personal identifiers on postal voting statements (rule 45(1B)(d)).

Regulation 4(2) and (3) modifies the paragraphs to be inserted into the parliamentary elections rules to reflect the revised paragraph numbering following changes made by the Electoral Administration Act.

Regulation 4(4) to (11) amends the modifications to rules 35, 37, 41A, 45, 54, 55 and 60 of the parliamentary elections rules as set out in Schedule 2 to the 2004 Regulations, to reflect changes made to the parliamentary elections rules by the Electoral Administration Act 2006.

Regulation 4(12) amends the form of directions for the guidance of voters at combined polls to provide improved clarity for voters.

Regulation 4(13) amends Note 2 to the form of declaration to be made by the companion of a voter with disabilities. The specific reference to the European Parliamentary elections rules is replaced by a general reference to the “relevant” elections rules, which will be determined by reference to the different types of polls which are being combined. The reference to “incapacity” is replaced by a reference to “disability”, to reflect the change of terminology introduced by the Electoral Administration Act 2006.