
STATUTORY INSTRUMENTS

2007 No. 925

**The Representation of the People
(Scotland) (Amendment) Regulations 2007**

PART 2

Registration

Amendment to interpretation regulation

2. In regulation 3(1)(1) after the definition of “candidate” insert—
““certificate of anonymous registration” means a certificate issued in pursuance of regulation 45F(2);”.

Repeal of offence of giving false information to registration officer

3. In regulation 23 omit paragraph (2)(b) and the “, or” preceding it.

Amendment in relation to evidence as to age and nationality

4. After regulation 24(4) insert—
“(4A) Paragraph (4) does not apply where the declarant has, or has applied for, an anonymous entry.”.

Reminders to persons who have an anonymous entry

5. After regulation 25 insert—

“Reminders to persons who have an anonymous entry

25A.—(1) This regulation applies to each person who has an anonymous entry.

(2) Subject to paragraph (3), the registration officer must, during the relevant period, send to a person to whom this regulation applies a reminder that—

- (a) his entitlement to registration will terminate at the end of the period of 12 months beginning with the date on which his entry in the register first took effect;
- (b) if he wishes to remain entered in the register after that period, he must make a fresh application for registration in accordance with the requirements prescribed for the purposes of section 10A(1)(a) of the 1983 Act(3);

(1) There are amendments to regulation 3, but none are relevant.

(2) Regulation 45F is inserted by regulation 18 of these Regulations.

(3) 1983 c. 2; section 10A was substituted together with section 10 for section 10 as originally enacted by paragraph 4 of Schedule 1 to the Representation of the People Act 2000 (c. 2).

(c) if he wishes to remain entered in the register anonymously, the application for registration must be accompanied by a fresh application for an anonymous entry.

(3) Paragraph (2) does not apply where the registration officer has already received from that person a fresh application for registration made in accordance with the requirements prescribed for the purposes of section 10A(1)(a) which is accompanied by a fresh application for an anonymous entry.

(4) In this regulation, “the relevant period” must be construed in accordance with regulation 25(3)(a)(4).”.

Amendments to procedure for applications for registration

6.—(1) Regulation 26(5) is amended as follows.

(2) In paragraph (1)(e) after “applicant” insert “whose application is not accompanied by an application for an anonymous entry and”.

(3) After paragraph (1)(f) insert—

“(g) in the case of an applicant whose application is accompanied by an application for an anonymous entry, that fact.”.

(4) After paragraph (9) insert—

“(10) Paragraphs (6) to (9) do not apply to an application for registration which is accompanied by an application for an anonymous entry.”.

Amendments to procedure for making objections to registration

7.—(1) Regulation 27 is amended as follows.

(2) In paragraph (1)(b) at the beginning insert “in the case of an objection made before that person is entered in the register,”.

(3) After paragraph (1)(b) insert—

“(ba) in the case of an objection made after that person is entered in the register, the electoral number and qualifying address of that person contained in the register;”.

Applications for registration accompanied by applications for anonymous entry not available for public inspection

8.—(1) Regulation 28 is amended as follows.

(2) The existing text of regulation 28 becomes paragraph (1).

(3) After paragraph (1) insert—

“(2) This regulation does not apply to an application for registration which is accompanied by an application for an anonymous entry.”.

Amendments to procedure for determining applications for registration and objections without a hearing

9.—(1) Regulation 29 is amended as follows.

(2) In paragraph (1) for “and 31” substitute “to 31A”.

(3) For paragraph (2) substitute—

(4) Regulation 25(3)(a) was inserted by [S.I. 2006/3406](#).

(5) Relevant amending instruments are [S.I. 2002/1872](#), [2006/834](#) and [2006/1836](#).

“(2) The registration officer must keep separate lists of–

- (a) applications for registration, other than applications accompanied by an application for an anonymous entry;
- (b) objections made before the person against whom the objection is made is entered in the register;
- (c) objections made after the person against whom the objection is made is entered in the register.

(2A) On receipt of an application (other than an application accompanied by an application for an anonymous entry) the registration officer must enter the name of the applicant and the address claimed as his qualifying address in the list he keeps in pursuance of paragraph (2)(a).

(2B) On receipt of an objection made before the person against whom the objection is made is entered in the register, the registration officer must enter–

- (a) in the list he keeps in pursuance of paragraph (2)(b), the name and qualifying address of the objector together with the particulars referred to in paragraph (2A); and
- (b) in the list he keeps in pursuance of paragraph (2)(a), the particulars of the objection.

(2C) On receipt of any other objection, the registration officer must enter the name and qualifying address of the objector together with the particulars referred to in paragraph (2A) in the list he keeps in pursuance of paragraph (2)(c).”.

(4) At the beginning of paragraph (4) insert “Subject to paragraph (4A),”.

(5) In paragraph (4) for “five days of” substitute “the period of five days beginning with the day following”.

(6) After paragraph (4) insert–

“(4A) In the case of an application for registration accompanied by an application for an anonymous entry, the registration officer may allow the former application without a hearing at any time.”.

(7) In paragraph (5) omit the words from “or the objection” to “has expired”.

(8) After paragraph (5) insert–

“(5A) The registration officer may disallow an objection without a hearing if he is of the opinion that the objection is clearly without merit.

(5B) Where the registration officer disallows an objection under paragraph (5A), he must send to the objector a notice stating that the application has been disallowed on that basis and the grounds for his opinion.

(5C) An objector may require the objection to be heard by giving notice to the registration officer within three days from the date of the notice given under paragraph (5B).

(5D) A notification under paragraph (5C) is not to prevent the application to which the objection relates from being allowed.”.

(9) After paragraph (7) insert–

“(8) In this regulation, “qualifying address” includes the address specified in an overseas elector’s declaration in accordance with section 2(4)(b) or (c)(ii) of the 1985 Act(6).”.

(6) 1985 c. 50; section 2 was substituted by paragraph 3 of Schedule 2 to the Representation of the People Act 2000 (c. 2).

Objections relating to applications that have been allowed, but before alterations to register have taken effect

10. After regulation 31 insert—

“Objections relating to applications that have been allowed, but before alterations to register have taken effect

31A.—(1) This regulation applies where—

- (a) an application for registration has been allowed (whether without or following a hearing); and
- (b) either—
 - (i) an objection is later made to that application, or
 - (ii) an objector whose objection in respect of that application has been disallowed in pursuance of regulation 29(5A) notifies the registration officer, in accordance with regulation 29(5C), that he requires the objection to be heard, and
- (c) no alteration to the register has yet taken effect in respect of that application by virtue of section 13(5), 13A(2) or 13B(3) of the 1983 Act(7).

(2) Where the registration officer—

- (a) is able to determine the objection before the alteration to the register is due to take effect; and
- (b) allows the objection,

the application is to be treated as if it had been disallowed.

(3) Where the registration officer is not able to determine the objection before the alteration to the register is due to take effect, the objection is to be treated as if it was made after the person against whom it is made is entered in the register.

(4) Where paragraph (3) applies, the registration officer must transfer the entry relating to the objection from the list he keeps in pursuance of paragraph (2)(b) of regulation 29 to the list he keeps in pursuance of paragraph (2)(c) of that regulation.”.

Procedure for other determinations by registration officer of entitlement to registration

11. After regulation 31A insert—

“Other determinations by registration officer of entitlement to registration

31B.—(1) A registration officer must discharge the functions specified in paragraph (2) in accordance with regulations 31C to 31F.

(2) The functions specified in this paragraph are—

- (a) determining, under the following provisions, whether a person was entitled to be registered—
 - (i) sections 7(3)(aa), 7A(3)(aa), 7C(2)(aa), and 15(2)(aa) of the 1983 Act(8), and

(7) 1983 c. 2; sections 13, 13A and 13B were substituted by paragraph 6 of Schedule 1 to the Representation of the People Act 2000 (c. 2); section 13B(2), which relates to the operation of subsection (3) of that section, was substituted by section 11(3) of the Electoral Administration Act 2006 (c. 22).

(8) 1983 c. 2. Section 7 was substituted, and sections 7A and 7C were inserted by, respectively, sections 4, 5 and 6 of the Representation of the People Act 2000 (c. 2). Section 15(2) was substituted by paragraph 8(2) of Schedule 1 to that Act.

- (ii) section 2(2)(aa) of the 1985 Act(9);
- (b) determining under section 10A(5)(b) of the 1983 Act(10) whether a person—
 - (i) was entitled to be registered;
 - (ii) has ceased to be resident at the address in respect of which he is entered in the register or otherwise ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act(11).

Summary procedure for determining in specified circumstances person has ceased to satisfy conditions for registration

31C.—(1) In any of the circumstances specified in paragraph (2) the registration officer may make the determination specified in regulation 31B(2)(b)(ii) without following the procedure set out in regulations 31D to 31F.

- (2) The circumstances specified in this paragraph are where the registration officer—
 - (a) has received an application under regulation 26(12) which includes a statement to which paragraph (1)(c) of that regulation refers;
 - (b) has received a notice under regulation 37;
 - (c) has been given information by the elector that he has ceased to reside at the address in question or has otherwise ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act;
 - (d) has been notified by a relative or executor of the elector or by the Registrar General of Births, Deaths and Marriages for Scotland that the elector has died.
- (3) In paragraph (2)—
 - “elector” means a person who is duly entered in a register in respect of an address;
 - “relative” means a spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

Procedure for reviewing entitlement to registration

31D.—(1) A registration officer may, for the purposes of making a determination of the nature specified in regulation 31B(2), conduct a review in respect of a person entered in the register.

- (2) Where the registration officer is not satisfied that the subject of the review is entitled to be registered, he must—
 - (a) send to that person such notice, of a kind specified in paragraph (4), as he considers appropriate; and
 - (b) enter the review in the list kept in pursuance of regulation 31E.
- (3) Paragraph (2)(b) does not apply where the subject of a review has an anonymous entry.
- (4) A notice is specified for the purposes of this paragraph if it—

Sections 7(3)(aa), 7A(3)(aa), 7C(2)(aa) and 15(2)(aa) were inserted by, respectively, section 12(1), (2), (3) and (7) of the Electoral Administration Act 2006 (c. 22).

(9) 1985 c. 50; section 2 was substituted by paragraph 3 of Schedule 2 to the Representation of the People Act 2000 (c. 2); subsection (2)(aa) was inserted by section 12(9) of the Electoral Administration Act 2006 (c. 22).

(10) 1983 c. 2; section 10A was substituted together with section 10 for section 10 as originally enacted by paragraph 4 of Schedule 1 to the Representation of the People Act 2000 (c. 2); subsection (5)(b) was substituted by section 12(5)(b) of the Electoral Administration Act 2006 (c. 22).

(11) 1983 c. 2; section 4 was substituted by section 1(2) of the Representation of the People Act 2000 (c. 2).

(12) Amended by S.I. 2002/1872; there are other amending instruments but none is relevant.

- (a) states that the registration officer is of the opinion that the subject of the review is not entitled to be registered and the grounds for his opinion;
- (b) states the reason for the review and requires the subject of the review to provide such further information as might be specified in the notice or requires him to make a declaration under regulation 24 or both; or
- (c) states the reason for the review and that the registration officer intends to conduct a hearing of it.

(5) Where—

- (a) the registration officer sends to the subject of the review a notice in the form specified in paragraph (4)(a); and
- (b) that person does not, within 14 days beginning with the date of that notice, notify the registration officer that he requires the review to be heard,

the registration officer may determine without a hearing that the subject of the review was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act.

(6) Paragraph (7) applies where—

- (a) the registration officer sends to the subject of the review a notice in the form specified in paragraph (4)(b); and
- (b) that person does not respond to the registration officer's satisfaction, or at all, within the period of 28 days beginning with the date of that notice.

(7) The registration officer may send a notice to the subject of the review which states that he is not satisfied that that person is entitled to be registered and the grounds for his opinion.

(8) Where—

- (a) the registration officer sends to the subject of the review a notice in pursuance of paragraph (7); and
- (b) the subject of the review does not, within the period of 14 days beginning with the date of that notice, notify the registration officer that he requires the review to be heard,

the registration officer may determine without a hearing that the subject of the review was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act.

(9) In making a determination under paragraph (5) or (8), the registration officer must take into account any written representations made to him by the subject of the review and may take into account the written representations of any other person who appears to him to be interested.

(10) In this regulation and regulations 31E and 31F—

- “review” must be construed in accordance with paragraph (1);
- “the subject of the review” means the person in respect of whom the review is conducted.

List of reviews

31E.—(1) The registration officer must keep a list of reviews.

(2) The list must contain, in relation to each review, the following particulars—

- (a) the full name of the subject of the review;

- (b) his electoral number;
 - (c) his qualifying address; and
 - (d) the reason for the review.
- (3) The list must be made available for inspection at the registration officer's office.
- (4) This regulation does not apply to any review where the subject of the review has an anonymous entry.

Hearings of reviews

31F.—(1) Where the registration officer determines that a hearing of the review should be conducted, the notice given under regulation 31D(4)(c) must also state the time and place at which he proposes to hear the review.

(2) Where the subject of the review requires the review to be heard, the registration officer must send to that person a notice stating the time and place at which he proposes to hear the review.

(3) The time fixed for the hearing must not be earlier than the third day after the date of the notice in which that time is stated.

(4) The persons entitled to appear and be heard are—

- (a) the subject of the review;
- (b) any other person who appears to the registration officer to be interested.

(5) Paragraphs (2) to (4) of regulation 31 apply to the hearing of a review as they apply to the hearing of an application for registration or objection.

(6) The registration officer may determine that the subject of the review was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act, despite the failure of that person (or any other person entitled to appear and be heard) to attend.

(7) In making a determination under paragraph (6), the registration officer must take into account any written representations made to him by the subject of the review and may take into account the written representations of any other person who appears to him to be interested.”.

Anonymous registration: procedure

12. After regulation 31F insert—

“Anonymous registration: applications and declarations

31G.—(1) An application for an anonymous entry must state—

- (a) the applicant's full name;
- (b) the address given in accordance with regulation 26(1)(b);
- (c) the reason for the application; and
- (d) the date of the application.

(2) The application must be in writing and signed by the applicant.

(3) The application must be accompanied by evidence of the nature prescribed in regulation 31H or 31J.

(4) Where the evidence mentioned in paragraph (3) relates not to the applicant, but to another person of the same household as the applicant, the application must be accompanied by evidence that that person is of that household.

- (5) The application must be accompanied by a declaration made by the applicant that—
- (a) the particulars given in accordance with paragraph (1) are true;
 - (b) so far as he is aware, the evidence provided in pursuance of paragraph (3) is genuine; and
 - (c) where paragraph (4) applies—
 - (i) the person to whom the evidence relates is a person of the same household of the applicant, and
 - (ii) so far as he is aware, the evidence provided in pursuance of paragraph (4) is genuine.

(6) The application may give an address to which the registration officer must send correspondence, other than the address given in accordance with paragraph (1)(b).

Anonymous registration: determination of applications by registration officer

31H.—(1) Paragraph (2) applies where—

- (a) the registration officer determines that the applicant for an anonymous entry is entitled to be registered; and
- (b) the application for an anonymous entry is made in accordance with regulation 31G(1), (2) and (5).

(2) The registration officer must determine that the safety test is satisfied (and accordingly allow the application for an anonymous entry) where he is satisfied—

- (a) that the evidence provided in support of the application in pursuance of regulation 31G(3) constitutes evidence of the nature prescribed in regulation 31I or 31J; and
- (b) in the case of an application where regulation 31G(4) applies, that the evidence provided in pursuance of that paragraph establishes that the person in question is a person of the same household as the applicant.

Anonymous registration: evidence consisting of relevant court orders or injunctions

31I.—(1) Evidence which meets the following conditions is prescribed for the purposes of regulations 31G(3) and 31H(2)(a).

(2) The first condition is that the evidence is, or is a copy of, a relevant order or injunction.

(3) A relevant order or injunction is—

- (a) an injunction for the purpose of restraining a person from pursuing any conduct which amounts to harassment granted in proceedings under section 3 of the Protection from Harassment Act 1997(13);
- (b) an injunction granted under section 3A(2) of the Protection from Harassment Act 1997(14);

(13) 1997 c. 40; section 3(1) was amended by the Serious Organised Crime and Police Act 2005 (c. 15), section 125(4).

(14) 1997 c. 40; section 3A was inserted by the Serious Organised Crime and Police Act 2005 (c. 15), section 125(5).

- (c) a restraining order made under section 5(1) of the Protection from Harassment Act 1997⁽¹⁵⁾;
 - (d) a restraining order on acquittal made under section 5A(1) of the Protection from Harassment Act 1997⁽¹⁶⁾;
 - (e) a non harassment order made under section 8(5)(b)(ii) of the Protection from Harassment Act 1997;
 - (f) a non harassment order made under section 234A(2) of the Criminal Procedure (Scotland) Act 1995⁽¹⁷⁾;
 - (g) a non molestation order made under section 42(2) of the Family Law Act 1996⁽¹⁸⁾.
- (4) The second condition is that the relevant order or injunction is made for the protection, or otherwise for the benefit, of—
- (a) the applicant for an anonymous entry; or
 - (b) another person of the same household as him.
- (5) The third condition is that the relevant order or injunction is in force on the day on which the application for an anonymous entry is made.

Anonymous registration: evidence by attestation

31J.—(1) An attestation within the meaning of this regulation is prescribed for the purposes of regulations 31G(3) and 31H(2)(a).

- (2) The attestation must—
- (a) certify that the safety of the applicant, or of another named person of the same household as him, would be at risk if the register contained the name of the applicant or his qualifying address;
 - (b) state the date on which it is made; and
 - (c) be in writing and signed by a qualifying officer.
- (3) The attestation must state the period for which it has effect, being a period of between one and five years beginning with the date on which the attestation is made.
- (4) Qualifying officer means—
- (a) the chief officer of police of any police force in England and Wales;
 - (b) the chief constable of any police force in Scotland;
 - (c) the Chief Constable of the Police Service of Northern Ireland;
 - (d) the Director General of the Security Service;
 - (e) the Director General of the Serious Organised Crime Agency;
 - (f) any chief social work officer in Scotland within the meaning of section 3 of the Social Work (Scotland) Act 1968⁽¹⁹⁾;

⁽¹⁵⁾ 1997 c. 40; section 5 was amended by the Serious Organised Crime and Police Act 2005 (c. 15), section 125(6) and the Domestic Violence, Crime and Victims Act 2004 (c. 28), section 12(1) to (4), Schedule 10, paragraph 43, Schedule 11.

⁽¹⁶⁾ 1997 c. 40; section 5A was inserted by section 12(5) of the Domestic Violence, Crime and Victims Act 2004 (c. 28).

⁽¹⁷⁾ 1995 c. 46; section 234A was inserted by section 11 of the Protection from Harassment Act 1997 (c. 40).

⁽¹⁸⁾ 1996 c. 27; section 42 was amended by paragraph 36 of Schedule 10 to the Domestic Violence, Crime and Victims Act 2004 (c. 28) and by paragraph 9 of Schedule 9 to the Civil Partnership Act 2004 (c. 33).

⁽¹⁹⁾ 1968 c. 49, as substituted by section 45 of the Local Government etc. (Scotland) Act 1994 (c. 39).

- (g) any director of adult social services in England within the meaning of section 6(A1) of the Local Authority Social Services Act 1970⁽²⁰⁾;
- (h) any director of children’s services in England within the meaning of section 18 of the Children Act 2004⁽²¹⁾;
- (i) any director of social services in Wales within the meaning of section 6(1) of the Local Authority Social Services Act 1970⁽²²⁾.”.

Amendment to registration appeals

13. For regulation 32(1) substitute–

- “(1) This regulation makes provision in connection with the right of appeal–
- (a) under section 56(1)(a) of the 1983 Act⁽²³⁾, from the decision of a registration officer regarding an application for registration;
 - (b) under section 56(1)(aa) of the 1983 Act⁽²⁴⁾, from the decision of a registration officer made in accordance with regulations 31C to 31F⁽²⁵⁾ that a person was not entitled to be registered or, as the case may be, has ceased to satisfy the conditions for registration set out in section 4 of the 1983 Act;
 - (c) under section 56(1)(ab) of the 1983 Act⁽²⁶⁾, from a determination of the registration officer under section 9B(2) of the 1983 Act⁽²⁷⁾, made in accordance with regulation 31H.”.

Revocation of circumstances prescribed under section 10A(5)(b) of the 1983 Act

14.—(1) Omit regulation 33.

(2) For regulation 34(2)(c) substitute–

- “(c) that person was registered at that address otherwise than in pursuance of–
- (i) an application made by virtue of section 7(2) or 7A(2) of the 1983 Act, or
 - (ii) a declaration of local connection, a service declaration or an overseas elector’s declaration.”.

(3) In regulation 36(2)(b) for “regulation 33(2)(a)(v)” substitute “regulation 31C(2)(d)”.

Anonymous entries

15. After regulation 41 insert–

“Anonymous entries

41A.—(1) An anonymous entry of a person consists of that person’s electoral number with the letter “N” placed against it.

(2) The entry is to be entered in the register–

(20) 1970 c. 42; inserted by paragraph 2(2)(a) of Schedule 2 to the Children Act 2004 (c. 31). See the transitional provision made in regulation 55 of these Regulations.

(21) 2004 c. 31.

(22) As amended by paragraph 2(2)(b) of Schedule 2 to the Children Act 2004 (c. 31); the amendment is not yet in force.

(23) 1983 c. 2; subsection (1)(a) was amended by paragraph 14(1) and (2) of Schedule 1 to the Representation of the People Act 2000 (c. 2).

(24) 1983 c. 2; subsection (1)(aa) was inserted by section 12(8) of the Electoral Administration Act 2006 (c. 22).

(25) Inserted by regulation 11 of these Regulations.

(26) 1983 c. 2; subsection (1)(ab) was inserted by paragraph 8 of Schedule 1 to the Electoral Administration Act 2006 (c. 22).

(27) 1983 c. 2; section 9B was inserted by section 10 of the Electoral Administration Act 2006 (c. 22).

- (a) at the end of the part of the register which relates to the qualifying address of the person entitled to the entry;
- (b) beneath the heading of “Other electors” as mentioned in regulation 41(3)(b); and
- (c) following the names grouped together beneath that heading in pursuance of that regulation.”.

Amendments to references to names

16. In regulations 42, 62 and 110(7)(28), wherever it occurs, for “name” substitute “entry”.

Information about register: anonymous entries

- 17.—(1) In regulation 44(1) after “paragraphs (2) to (4)” insert “and (6)”.
- (2) After regulation 44(5) insert—
- “(6) The document referred to in paragraph (1) shall state the total number of electors who have an anonymous entry.”.

Record of anonymous entries and certificates of anonymous entry

18. After regulation 45, insert—

“Record of anonymous entries

- 45A.—(1) The registration officer must keep a record of anonymous entries.
- (2) The registration officer must enter in the record each person who is entered in the register with an anonymous entry.
- (3) The entry in the record must contain the following particulars—
- (a) the full name of the person to whom the entry relates;
 - (b) his electoral number;
 - (c) his qualifying address;
 - (d) where he has given in his application for an anonymous entry an address other than his qualifying address to which correspondence should be sent, that address;
 - (e) the date on which the anonymous entry in the register took effect.
- (4) Where the application of a person with an anonymous entry to vote by post is granted, the registration officer must also enter in the record the address to which the postal ballot paper should be sent as given in the application (in accordance with regulation 51(2)(d)(29)).

Duties of registration officer and his staff in relation to record of anonymous entries

- 45B.—(1) This regulation applies to—
- (a) the registration officer; and
 - (b) any person appointed to assist that officer or who in the course of his employment is assigned to assist that officer in his registration duties.
- (2) Where the registration officer is also the returning officer at any election or counting officer at a referendum (and in consequence has access to the record of anonymous entries without being supplied with a copy of it), this regulation applies to—

(28) Regulation 110 was inserted by S.I. 2002/1872 and amended by S.I. 2006/834.

(29) Regulation 51(2) was amended by S.I. 2006/834.

- (a) the registration officer acting in that other capacity; and
 - (b) any person appointed to assist that officer or who in the course of his employment is assigned to assist that officer in his duties in respect of the election or referendum in question.
- (3) No person to whom this regulation applies may—
- (a) supply to any person a copy of the record;
 - (b) disclose information contained in it; or
 - (c) make use of such information,

otherwise than in accordance with an enactment (including these Regulations) or the order of any court or tribunal made at any hearing or during the course of any proceedings.

(4) Nothing in paragraph (3) applies to the supply or disclosure by a person to whom this regulation applies to another such person in connection with his registration duties or for the purposes of an election or referendum.

(5) The persons to whom this regulation applies must take proper precautions for the safe custody of the record.

- (6) In this regulation and regulation 45C—
- “counting officer” means the counting officer at a referendum held by or under any Act of Parliament;
 - “enactment” has the same meaning as in section 17(2) of the 2000 Act⁽³⁰⁾.

Supply of record of anonymous entries to returning and counting officers

45C.—(1) Paragraph (2) applies whenever the registration officer supplies a copy of the full register, or any part of it, to a returning officer or counting officer.

- (2) The registration officer must supply—
- (a) together with the copy of the register, a copy of the record of anonymous entries;
 - (b) together with any part of the register, a copy of the record so far as it relates to that part.

(3) A registration officer may supply a copy of the record to a returning officer or counting officer at any other time.

- (4) No person to whom a copy of the record has been supplied under this regulation may—
- (a) supply a copy of the record;
 - (b) disclose any information contained in it; or
 - (c) make use of any such information,

other than for the purposes of an election or referendum (as the case may be).

(5) Each person supplied with a copy of the record under this regulation must take proper precautions for its safe custody.

Supply of record of anonymous entries to the security services

45D.—(1) This regulation applies where the registration officer supplies a copy of the full register to—

- (a) the Security Service;
- (b) the Government Communications Headquarters;

⁽³⁰⁾ The reference is to the Representation of the People Act 2000 (c. 2).

(c) the Secret Intelligence Service.

(2) The registration officer must supply a copy of the record of anonymous entries together with the register.

(3) No person serving as an officer or employee in the organisations mentioned in paragraph (1) may—

- (a) supply to any person a copy of the record;
- (b) disclose any information contained in it; or
- (c) make use of any such information,

otherwise than for purposes connected with the carrying out of any of their statutory functions.

(4) Each person supplied with a copy of the record under this regulation must take proper precautions for its safe custody.

Supply of the record of anonymous entries to police forces and other organisations

45E.—(1) The registration officer must supply a copy of the record of anonymous entries, at the request in writing of a senior officer, to—

- (a) any police force in Great Britain;
- (b) the Police Service of Northern Ireland or the Police Service of Northern Ireland (Reserve);
- (c) the Police Information Technology Organisation;
- (d) any body of constables established under an enactment; or
- (e) the Serious Organised Crime Agency.

(2) Senior officer means—

- (a) in the case of the forces and organisations mentioned in paragraph (1)(a) to (d), an officer of a rank senior to that of superintendent;
- (b) in the case of the Serious Organised Crime Agency, the Director General of that Agency.

(3) No person serving whether as a constable, officer or employee of any of the forces and organisations mentioned in paragraph (1) may—

- (a) supply to any person a copy of the record;
- (b) disclose any information contained in it; or
- (c) make use of any such information,

otherwise than for the purposes specified in paragraph (4).

(4) The purposes are—

- (a) the prevention and detection of crime and the enforcement of the criminal law (whether in Scotland or elsewhere);
- (b) the vetting of a relevant person for the purpose of safeguarding national security.

(5) Relevant person means—

- (a) a constable or officer or prospective constable or officer of the force or organisation;
- (b) an employee of, or applicant for employment by, the force or organisation.

(6) Each person supplied with a copy of the record under this regulation must take proper precautions for its safe custody.

Certificate of anonymous registration

45F.—(1) Where a registration officer enters a person in the record of anonymous entries, he must issue to that person a certificate of anonymous registration.

(2) A certificate of anonymous registration must be in writing and signed by the registration officer.

(3) A certificate of anonymous registration must state—

- (a) the name of the area for which the registration officer acts;
- (b) the name, electoral number and qualifying address of the person who has the anonymous entry;
- (c) the date on which the anonymous entry took effect;
- (d) that unless a fresh application for an anonymous entry is made, the entitlement to remain registered anonymously will terminate no later than at the end of the period of 12 months beginning with the date stated in accordance with sub paragraph (c).

Certificate of anonymous registration prescribed for purposes of paragraph 10(2) of Schedule 2A

45G. The evidence prescribed for the purposes of paragraph 10(2) of Schedule 2A to the 1983 Act⁽³¹⁾ is a certificate of anonymous registration.”.

Anonymous registration: amendment to regulation 51

19.—(1) Regulation 51B⁽³²⁾ is amended as follows.

(2) After regulation 51B(1) insert—

“(1A) Paragraph (1) does not apply where an applicant has, or has applied for, an anonymous entry.”.

(3) Omit paragraph (2).

Anonymous registration: amendment to additional requirements for applications for proxy vote in respect of a particular election

20.—(1) Regulation 55⁽³³⁾ is amended as follows.

(2) After regulation 55(1) insert—

“(1A) This regulation does not apply where the applicant has an anonymous entry.”.

(3) Omit paragraph (4).

Anonymous registration: amendments to procedure on issue of postal ballot papers

21.—(1) Regulation 72⁽³⁴⁾ is amended as follows.

(2) In paragraph (7) insert at the beginning “Subject to paragraph (8),”.

(3) After paragraph (7) insert—

⁽³¹⁾ 1983 c. 2; Schedule 2A was inserted by Schedule 16 to the Political Parties, Elections and Referendums Act 2000 (c. 41) and paragraph 10(2) of Schedule 2A was inserted by paragraph 16 of Schedule 1 to the Electoral Administration Act 2006 (c. 22).

⁽³²⁾ Regulation 51B was inserted by S.I. 2006/834.

⁽³³⁾ Regulation 55 was substituted by S.I. 2006/834 and is also amended by regulation 31 of these Regulations.

⁽³⁴⁾ Regulation 72 was amended by S.I. 2002/1872.

“(8) Where a person has an anonymous entry in the register, the items specified in paragraph (7) must be sent (as the case may be) to the address to which postal ballot papers should be sent—

- (a) as shown in the record kept under paragraph 3(4) or 7(6) of Schedule 4(35); or
- (b) as given in pursuance of an application made under paragraph 4(1) or 7(4)(b) of Schedule 4(36).”.

Anonymous registration: amendments relating to list of spoiled postal ballot papers and list of lost postal ballot papers

22. At the end of each of regulations 77(8)(a) and 78(4)(a)(37) insert “(or, in the case of an elector who has an anonymous entry, his electoral number alone)”.

Anonymous registration: amendment relating to edited version of the register

23. After regulation 93(2)(38) insert—

“(2A) The edited register shall omit all anonymous entries in the register, and any information relating to them.”.

(35) The reference is to Schedule 4 to the Representation of the People Act 2000 (c. 2).

(36) The reference is to Schedule 4 to the Representation of the People Act 2000 (c. 2); paragraph 4(1)(b) was amended by section 14(2)(a) of the Electoral Administration Act 2006 (c. 22).

(37) Regulations 77 and 78 were amended by S.I. 2006/834.

(38) Regulation 93(2) was inserted by S.I. 2002/1872.