

2022 No. 47

**EXITING THE EUROPEAN UNION, NORTHERN
IRELAND**

REPRESENTATION OF THE PEOPLE

**The Representation of the People (Amendment) (Northern
Ireland) (EU Exit) Regulations 2022**

<i>Sift requirements satisfied</i>	<i>11th January 2022</i>
<i>Made - - - -</i>	<i>17th January 2022</i>
<i>Laid before Parliament</i>	<i>18th January 2022</i>
<i>Coming into force - -</i>	<i>8th February 2022</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(a).

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations)(b) have been satisfied.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Representation of the People (Amendment) (Northern Ireland) (EU Exit) Regulations 2022.

(2) They come into force on the twenty-first day after the day on which they are laid before Parliament.

(3) They extend to Northern Ireland only.

Amendment of the Electoral Law Act (Northern Ireland) 1962

2.—(1) Rule 34(6)(b) of Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (local elections rules)(c) is amended as follows.

(2) For “a Member State of the European Community” substitute “the United Kingdom or of a member State(d)”.

(a) 2018 c. 16. Section 8 was amended by section 27 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) (“the 2020 Act”). Paragraph 21 of Schedule 7 was amended by Paragraph 53(2) of Schedule 5 to the 2020 Act.
(b) Paragraph 3 of Schedule 7 was amended by paragraph 50(b) of Schedule 5 to the 2020 Act.
(c) 1962 c. 14 (N.I.). Schedule 5 was substituted by S.I. 1985/454 and rule 34(6) was amended by S.I. 1995/1948, 2002/2835, 2003/1245, 2010/2977.
(d) “member State” is defined for the purposes of Northern Ireland legislation by section 24 of the Interpretation Act 1978 (c. 30).

Amendment of the Northern Ireland Assembly (Elections) Order 2001

3.—(1) Schedule 1 to the Northern Ireland Assembly (Elections) Order 2001 (application and modification of provisions of primary legislation relating to elections)(a) is amended as follows.

(2) In the table, in the entry for rule 37 of Schedule 1 to the Representation of the People Act 1983 (parliamentary elections rules)(b), for the entry modifying paragraph (1E)(b) substitute “In paragraph (1E)(b) for “by the Government of the Republic of Ireland” substitute “of a member State(c)”.”.

17th January 2022

Conor Burns
Minister of State
Northern Ireland Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by sections 8(1), and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(d)(ii) of that Act) arising from the withdrawal of the UK from the European Union.

Regulation 2 amends the entry dealing with passports in the list of voter identification documents permitted at Northern Ireland local elections at rule 34(6) of Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (1962 c. 14 (N.I.)) so that it also includes passports issued by the Government of the United Kingdom. Regulation 3 makes an equivalent amendment to S.I. 2001/2599 in respect of elections to the Northern Ireland Assembly.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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- (a) S.I. 2001/2599. Schedule 1 was amended by section 14 of the Electoral Registration and Administration Act 2013 (c. 6) and S.I. 2002/1964, 2003/2752, 2003/2989, 2007/308, 2009/256, 2010/2892, 2014/1804, 2015/222, 2015/1610, 2015/1939, 2018/699.
- (b) 1983 c. 2; rule 37 as it extends to Northern Ireland was amended by sections 1 and 2 of the Elections (Northern Ireland) Act 1985 (c. 2), sections 2 and 4 of the Electoral Fraud (Northern Ireland) Act 2002 (c. 13), paragraphs 75 and 90 of Schedule 1 to the Electoral Administration Act 2006 (c. 22), paragraph 6 of Schedule 4 to the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33) and section 19 of the Electoral Registration and Administration Act 2013 (c. 6) and S.I. 1986/1091, 2001/400, 2002/1873, 2003/1156, 2008/1741 and 2010/278.
- (c) Defined in Schedule 1 to the Interpretation Act 1978 (c. 30), as amended by paragraph 22 of Schedule 8(2) to the European Union (Withdrawal) Act 2018 (c. 16).

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