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STATUTORY INSTRUMENTS

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**2023 No. 1116**

**The Representation of the People and Recall Petition  
(Northern Ireland) (Amendment) Regulations 2023**

**PART 3**

Amendments relating to recall petitions

**Signing procedure**

**18.**—(1) Regulation 28 (signing procedure: Northern Ireland) is amended as follows.

(2) In paragraph (1), for “and (5)” substitute “to (7C)”.

(3) After paragraph (3) insert—

“(3A) The petition clerk or assistant must arrange for the person to produce any document in a private area of the petition signing place if the person so requests, and, in such a case, must ensure that no other persons witness the production except as permitted by the person.”.

(4) In paragraph (4), for the words from “the clerk” to the end substitute—

“—

(a) the clerk or assistant decides that—

(i) the document, or

(ii) the apparent age of that person as compared with the age according to the date supplied as the date of the person’s birth pursuant to a relevant provision (see paragraph (6C)),

raises a reasonable doubt as to whether the person is the elector or proxy that the person claims to be; or

(b) the clerk or assistant reasonably suspects that the document is a forged document (see paragraph (7A)).”.

(5) In paragraph (5)—

(a) after “decides” insert “or reasonably suspects (as the case may be)”;

(b) after “person” insert “(subject to paragraph (6A))”.

(6) In paragraph (6), after “decides” insert “or reasonably suspects (as the case may be)”.

(7) After paragraph (6) insert—

“(6A) There is an exception from paragraph (5) for cases within sub-paragraph (a) of paragraph (4) where—

(a) a discrepancy between the name of a holder of a specified document and the name of the elector or proxy that the person claims to be is resolved to the petition clerk’s satisfaction at the time of the application by the person producing further proof of identity, and

(b) the petition clerk has no other reason (arising from any document produced by the person) to doubt that the person is the elector or proxy that the person claims to be.

(6B) The refusal to deliver a signing sheet to a person under paragraph (5) does not prevent the person making a further application under paragraph (1), and paragraphs (3) to (6A) apply on any further application.

(6C) For the purposes of paragraph (4)(a)(ii), “relevant provision” means—

(a) where the person is registered in a register of parliamentary electors in Northern Ireland, section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act (information provided by the canvass or on an application for registration)(1), and

(b) where the person is registered in a register of parliamentary electors in Great Britain and does not also fall within sub-paragraph (a), regulation 63(1A) (date of birth of proxy to be included in proxy application)(2).”.

(8) In paragraph (7), for “one” substitute “a document (in whatever form issued to the holder and regardless of expiry date)”.

(9) After paragraph (7) insert—

“(7A) In this regulation, a “forged document” means a false document made to resemble a specified document.

(7B) No person other than the petition clerk or an assistant to the petition clerk may inspect a document produced as proof of a person’s identity, except as permitted by the person.

(7C) References in this regulation to producing a document are to producing it for inspection.”.

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(1) Section 10(4A) was inserted by section 1 of the Electoral Fraud (Northern Ireland) Act 2002 (c. 13); section 10A was inserted by paragraph 4 of Schedule 1 to the Representation of the People Act 2000 (c. 2), and subsection (1A) of section 10A was inserted by section 1 of the Electoral Fraud (Northern Ireland) Act 2002; section 13A was inserted by paragraph 6 of Schedule 1 to the Representation of the People Act 2000, and subsection (2A) of section 13A was inserted by section 1 of the Electoral Fraud (Northern Ireland) Act 2002.

(2) Paragraph (1A) was inserted into regulation 63 by regulation 19(10)(b) of the Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023.