
STATUTORY INSTRUMENTS

2024 No. 43

The Representation of the People (Overseas Electors etc.) (Amendment) (Northern Ireland) Regulations 2024

Part 2

Amendment of the Representation of the People (Northern Ireland) Regulations 2008

Substitution of regulation 20 (contents of overseas elector’s declaration)

5. For regulation 20 (contents of overseas elector’s declaration) substitute—

“Contents of overseas elector’s declaration

20.—(1) In addition to the information required or permitted by section 1C of the 1985 Act⁽¹⁾, an overseas elector’s declaration⁽²⁾ must—

- (a) state the present address of the person making the declaration (“the declarant”),
- (b) state—
 - (i) where the declarant has a passport (current or expired) which describes the declarant as a British citizen, the number of that passport, together with its date and place of issue;
 - (ii) otherwise—
 - (aa) where the declarant was born in the United Kingdom before 1st January 1983, a statement as to that fact;
 - (bb) in all other cases, a statement as to when and how the declarant acquired the status of British citizen, together with the date, place and country of the declarant’s birth, and
- (c) if the declaration includes a statement under section 1C(5) of the 1985 Act (statement that declarant is an eligible Irish citizen), state—
 - (i) where the declarant has an Irish passport (current or expired), the number of that passport, together with its date and place of issue;
 - (ii) otherwise, a statement as to when and how the declarant acquired the status of Irish citizen, together with the date, place and country of the declarant’s birth.

(2) Where the declarant is seeking to be registered in reliance on the previous registration condition, the declaration must also—

- (a) include—

⁽¹⁾ Section 1C was substituted by section 14(1) of the Elections Act 2022.

⁽²⁾ For the meaning of “overseas elector’s declaration”, see section 202(1) of the Representation of the People Act 1983. The definition of “overseas elector’s declaration” was substituted by paragraph 3 of Schedule 7 to the Elections Act 2022.

- (i) an indication as to whether the declarant’s name has changed since the declarant was last included in the register⁽³⁾, and
- (ii) where the indication is that the declarant’s name has changed—
 - (aa) the name in respect of which the declarant was last included in the register, and
 - (bb) the reason for the change, and
- (b) include an indication as to whether the declarant was last registered in pursuance of—
 - (i) an overseas elector’s declaration,
 - (ii) a service declaration⁽⁴⁾, or
 - (iii) a declaration of local connection.
- (3) Where the declarant is seeking to be registered in reliance on the previous residence condition, the declaration must also—
 - (a) include—
 - (i) an indication as to whether the declarant’s name has changed since the last day on which the declarant was resident in the United Kingdom, and
 - (ii) where the indication is that the declarant’s name has changed—
 - (aa) the declarant’s name on the last day on which the declarant was resident in the United Kingdom, and
 - (bb) the reason for the change,
 - (b) include an indication as to whether the declarant was under 18 years old on the last day on which the declarant was resident in the United Kingdom, and
 - (c) where the declarant is seeking to be registered in reliance on the previous residence condition by virtue of section 1A(3)(b)(ii) of the 1985 Act (previous residence condition: declaration of local connection), include—
 - (i) a statement as to which of the categories of person mentioned in section 7B(2)(a) to (c) of the 1983 Act (notional residence: declarations of local connection) the declarant fell within on the last day on which the declarant was resident in the United Kingdom, and
 - (ii) where the declarant fell within the category of person mentioned in section 7B(2)(a) or (b) of the 1983 Act on that day, the name and address of the mental hospital at which the declarant was a patient or (as the case may be) the place at which the declarant was detained.
- (4) Where the declaration includes an indication that the declarant was under 18 years old on the last day on which the declarant was resident in the United Kingdom, the declarant may provide as part of the declaration any information or document described in regulation 27ZA.
- (5) In paragraph (1)(b)(ii)(aa), “the United Kingdom” has the meaning given in section 50 of the British Nationality Act 1981⁽⁵⁾.”

(3) For the meaning of “register”, see regulation 3(1) of S.I. 2008/1741.

(4) For the meaning of “service declaration”, see section 202(1) of the Representation of the People Act 1983. The definition of “service declaration” was inserted by paragraph 3 of Schedule 4 to the Elections Act 2022.

(5) 1981 c. 61.