

Representation of the People Bill

[REINTRODUCED AT REPORT STAGE]

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[REINTRODUCED AT REPORT STAGE]

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B I L L

TO

Make provision extending the right to vote to 16 and 17 year olds; to make provision about the registration of voters; to make provision about the administration and conduct of elections, referendums and recall petitions; to make provision about election agents' addresses; to make provision about political expenditure and political donations; to make provision about information to be included in electronic campaigning material; to make provision about offences and civil sanctions in connection with elections, referendums and recall petitions and with donations and expenditure for political purposes; to repeal provision about the designation of a strategy and policy statement for the Electoral Commission; to make provision about the disclosure of information by the Electoral Commission; to make provision about the disqualification of offenders for holding elective offices, and their sentencing, where offences are aggravated by hostility towards persons involved in elections, referendums or recall petitions or holders of such offices; and for connected purposes.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART 1

YOUNG VOTERS

Extension of right to vote etc to 16 and 17 year olds

1 Extension of right to vote etc

- (1) RPA 1983 is amended as set out in subsections (2) to (4). 5
- (2) In section 1 (parliamentary electors), in subsection (1)(d), for “18” substitute “16”.
- (3) In section 2 (local government electors)—
 - (a) in subsection (1)(d), for the words from “18” to the end substitute “16 years or over.”; 10
 - (b) omit subsection (1A).

- (4) In Schedule 6 (ward elections in the City of London) –
 - (a) in paragraph 2, for “18”, in both places it occurs, substitute “16”;
 - (b) in paragraph 3, for “18” substitute “16”.
- (5) In section 1 of the Elected Authorities (Northern Ireland) Act 1989 (local electors in Northern Ireland) – 5
 - (a) in subsection (1)(d), for “eighteen” substitute “16”;
 - (b) in subsection (4), for “eighteen” substitute “16”.
- (6) In section 52 of the Police Reform and Social Responsibility Act 2011 (persons entitled to vote in an election of a police and crime commissioner for a police area in Wales), in subsection (1C)(a)(ii), for “18” substitute “16”. 10
- (7) In section 10 of the Recall of MPs Act 2015 (persons entitled to sign a recall petition), in subsection (1)(b), for “18 or over, or the date of his or her 18th” substitute “16 or over, or the date of the person’s 16th”.

2 Disfranchisement of detained 16 and 17 year olds

- (1) Section 3 of RPA 1983 (disfranchisement of offenders in prison etc) is amended 15
 - as set out in subsections (2) and (3).
- (2) After subsection (1) insert –
 - “(1ZA) A convicted person is legally incapable of voting at a parliamentary election or a local government election in England during the time that the person – 20
 - (a) is detained in youth detention accommodation in pursuance of the person’s sentence, or
 - (b) would be so detained but for the fact the person is unlawfully at large.”
- (3) In subsection (2), after paragraph (b) insert – 25
 - “(ba) “youth detention accommodation” means –
 - (i) accommodation that is youth detention accommodation as defined in section 248(1) of the Sentencing Code, other than accommodation that is a penal institution;
 - (ii) a residential establishment or secure accommodation 30
 - within the meaning of the Children’s Hearings (Scotland) Act 2011 (asp 1) (see section 202(1) of that Act);
 - (iii) in the case of a person who is the subject of a direction under section 205(2) or 208(1) of the Criminal Procedure (Scotland) Act 1995, the place specified in the direction; 35
 - (iv) a juvenile justice centre within the meaning of Article 51(1) of the Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9)); and”.
- (4) Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (application and modification of RPA 1983) is amended as follows – 40

- (a) in Part 1 (provisions applied), in the entry beginning “Section 3(1)”, for “Section 3(1)” substitute “Section 3(1), (1ZA)”;
- (b) in Part 2 (modifications), before paragraph 7 (and under the heading “Specific”) insert –

“6A In section 3(1ZA) omit “in England”.”

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Registration and participation in elections etc

3 Entitlement to be registered before reaching voting age

- (1) Section 4 of RPA 1983 (entitlement to be registered as parliamentary or local government elector) is amended as set out in subsections (2) to (5).

- (2) After subsection (4) insert –

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“(4A) A person not of voting age is entitled to be registered in a register of parliamentary electors (under subsection (1)) or a register of local government electors in England or Scotland (under subsection (3)) if, on the relevant date, the person –

- (a) is aged 14 years or over, and
- (b) would be entitled to be registered under subsection (1) or (3) (as the case may be) if they were of voting age.

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(4B) Where a person is registered in reliance on subsection (4A) –

- (a) the person’s entry in the register must give the date on which the person will attain voting age, and
- (b) until the date in the entry (“the attainment date”) the person is not to be treated as an elector other than for the purpose of an election the date of the poll for which is on or after the attainment date.”

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- (3) In subsection (5) –

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- (a) for “subsection (1)(d) or (3)(d), as the case may be” substitute “subsection (3)(d)”;
- (b) for the words from “parliamentary” to “if” substitute “local government electors in Wales if”.

- (4) In subsection (5A) –

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- (a) for “subsection (5)” substitute “subsection (4A) or (5)”;
- (b) for “paragraphs (a) and (b) of that subsection” substitute “subsections (4B)(a) and (5)(a) and (b)”.

- (5) Omit subsections (5B) and (5C).

- (6) In Part 2 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (modification of RPA 1983), in paragraph 7, after sub-paragraph (2) insert –

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“(3) In section 4(4A) omit “in England or Scotland”.”

4 Declarations of local connection: looked after children and detained persons

- (1) RPA 1983 is amended as set out in subsections (2) to (9).
- (2) Section 7B (notional residence: declarations of local connection) is amended as set out in subsections (3) to (8).
- (3) In subsection (2) (description of who can make a declaration of local connection), after paragraph (c) insert “, or
 - (d) a person who does not fall within any of paragraphs (a) to (c) above and who is a person to whom section 7BA applies (children etc looked after by a local authority or detained in secure accommodation).”
- (4) Omit the following –
 - (a) subsections (2A) and (2B);
 - (b) subsection (2C);
 - (c) subsection (2D).
- (5) In subsection (3) (contents of declaration) –
 - (a) omit the “and” at the end of subsection (3)(c)(i);
 - (b) in paragraph (c), after sub-paragraph (ii) insert “, and –
 - (iii) (in the case of a person falling within subsection (2)(d) above) the declarant’s age and either the name of the local authority or the address of the secure accommodation;”.
- (6) In subsection (4) (meaning of “required address”) –
 - (a) after paragraph (b) insert –
 - “(ba) in the case of a person falling within subsection (2)(d) above, an address in the United Kingdom at which the person has resided;”;
 - (b) omit paragraph (c).
- (7) After subsection (6) insert –
 - “(6A) A declaration of local connection –
 - (a) does not have effect for the purposes of a person’s registration in a register of parliamentary electors if the person would not be entitled to be registered in the register pursuant to the declaration,
 - (b) does not have effect for the purposes of a person’s registration in a register of local government electors if the person would not be entitled to be registered in the register pursuant to the declaration,
 - (c) does not have effect for the purposes of a person’s registration in a register of parliamentary electors or in a register of local government electors in England where –

- (i) the declaration is made by virtue of subsection (2)(d),
and
 - (ii) the person is a person legally incapable of voting by
reason of falling within section 3(1) or (1ZA) or section
3A, and
 - (d) does not have effect for the purposes of a person’s registration
in a register of electors where –
 - (i) the declaration is made by virtue of subsection (2)(d),
and
 - (ii) the person does not meet the conditions in section
7BA(1) as they have effect for the purposes of the
register concerned.”
- (8) Omit the following –
 - (a) subsection (7);
 - (b) subsections (7A) to (7C).
- (9) After section 7B insert –

**“7BA Declarations of local connection: looked after or detained children
and young persons**

 - (1) This section applies to a person who –
 - (a) is under the applicable age, and
 - (b) meets either of the requirements in subsection (2).
 - (2) The requirements are that –
 - (a) the person is, or has been, a child looked after by a local
authority, or
 - (b) the person is being kept in secure accommodation.
 - (3) In this section, the “applicable age” means –
 - (a) for the purposes of a register of parliamentary electors or a
register of local government electors in England or Scotland,
the age of 21, and
 - (b) for the purposes of a register of local government electors in
Wales, the age of 18.
 - (4) In the application of this section for the purposes of a person’s
registration as a parliamentary elector –
 - (a) the reference in subsection (2) to a child looked after by a local
authority –
 - (i) for the purposes of the registration of electors in
England, is to be read in accordance with section 22 of
the Children Act 1989 (duties of local authorities in
relation to looked after children);
 - (ii) for the purposes of the registration of electors in Wales,
has the same meaning as in the Social Services and
Well-being (Wales) Act 2014 (anaw 1) (see section 74 of
that Act);

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- (iii) for the purposes of the registration of electors in Scotland, is to be construed in accordance with section 17(6) of the Children (Scotland) Act 1995 (duty of local authorities in relation to looked after children);
 - (iv) for the purposes of the registration of electors in Northern Ireland, means a child who is looked after by an authority within the meaning of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)) (see Article 25 of that Order);
 - (b) “secure accommodation” –
 - (i) for the purposes of the registration of electors in England, means accommodation within any of paragraphs (d) to (f) of section 248(1) of the Sentencing Code;
 - (ii) for the purposes of the registration of electors in Wales, means accommodation in the United Kingdom provided for the purpose of lawfully restricting the liberty of persons under the age of 18, other than a penal institution within the meaning of section 3(2)(b);
 - (iii) for the purposes of the registration of electors in Scotland, has the same meaning as in the Children’s Hearings (Scotland) Act 2011 (asp 1) (see section 202(1) of that Act);
 - (iv) for the purposes of the registration of electors in Northern Ireland, has the same meaning as in Article 44 of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)).
 - (5) In the application of this section for the purposes of the person’s registration as a local government elector in England –
 - (a) the reference in subsection (2) to a child looked after by a local authority is to be read in accordance with section 22 of the Children Act 1989 (duties of local authorities in relation to looked after children), and
 - (b) “secure accommodation” means accommodation within any of paragraphs (d) to (f) of section 248(1) of the Sentencing Act 2020.
 - (6) In the application of this section for the purposes of the person’s registration as a local government elector in Wales –
 - (a) the reference in subsection (2) to a child looked after by a local authority has the same meaning as in the Social Services and Well-being (Wales) Act 2014 (anaw 1) (see section 74 of that Act), and
 - (b) a person is kept in “secure accommodation” if the person is kept in accommodation in the United Kingdom provided for the purpose of lawfully restricting the liberty of persons under the age of 18, other than a penal institution within the meaning of section 3(2)(b).

- (7) In the application of this section for the purposes of the person’s registration as a local government elector in Scotland –
 - (a) the reference in subsection (2) to a child looked after by a local authority is to be construed in accordance with section 17(6) of the Children (Scotland) Act 1995 (duty of local authorities in relation to looked after children), and
 - (b) “secure accommodation” has the meaning given by paragraph (a) of the definition of “secure accommodation” in section 202(1) of the Children’s Hearings (Scotland) Act 2011 (asp 1).”
- (10) Part 2 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (modification of RPA 1983) is amended as set out in subsections (11) and (12).
- (11) In paragraph 7A (modifications of section 7B of RPA 1983) –
 - (a) after paragraph (b) insert –
 - “(ba) in subsection (6A), in paragraph (c), omit “in England”;;
 - (b) omit paragraph (c).
- (12) After paragraph 7A insert –
 - “7B In section 7BA –
 - (a) in subsection (3)(a), omit “in England or Scotland”;
 - (b) for subsection (5) there is substituted –
 - “(5) In the application of this section for the purposes of the person’s registration as a local elector in Northern Ireland –
 - (a) the reference in subsection (2) to a child looked after by a local authority, means a child who is looked after by an authority within the meaning of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)) (see Article 25 of that Order), and
 - (b) “secure accommodation” has the same meaning as in Article 44 of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)).”

5 Service declarations

- (1) RPA 1983 is amended as set out in subsections (2) to (5).
- (2) In section 14 (service qualification) –
 - (a) after subsection (1) insert –
 - “(1ZA) A person also has a service qualification for the purposes of this Act if –
 - (a) the person is under the relevant age,

-
- (b) a parent or guardian of the person has a service qualification under any of paragraphs (a) to (e) of subsection (1), and
 - (c) the person is residing at a particular place in order to be with that parent or guardian. 5
 - (1ZB) In this section, the “relevant age” is—
 - (a) where the person is relying on a service qualification to make a service declaration for the purposes of a register of parliamentary electors, or of local government electors in England, the age of 19, 10
 - (b) where the person is relying on a service qualification to make a service declaration for the purposes of a register of local government electors in Wales, the age of 18, and
 - (c) where the person is relying on a service qualification to make a service declaration for the purposes of a register of local government electors in Scotland, the age of 18.”; 15
 - (b) omit subsection (1A).
 - (3) In section 15 (service declarations)— 20
 - (a) in subsection (2)—
 - (i) omit the “or” at the end of paragraph (b);
 - (ii) after paragraph (c) insert “or
 - (d) in a case in which the service declaration was made by virtue of a service qualification under section 14(1ZA), the person attains the relevant age (as defined in section 14(1ZB)),”; 25
 - (b) omit subsections (3A) to (3C);
 - (c) omit subsection (5);
 - (d) omit subsections (5A) to (5C); 30
 - (e) before subsection (6) insert—
 - “(5D) A service declaration—
 - (a) does not have effect for the purposes of a person’s registration in a register of parliamentary electors if the person would not be entitled to be registered in the register pursuant to the declaration, 35
 - (b) does not have effect for the purposes of a person’s registration in a register of local government electors if the person would not be entitled to be registered in the register pursuant to the declaration, and 40
 - (c) does not have effect for the purposes of a person’s registration in a register of local government electors in Wales or Scotland where—
 - (i) the declaration is made by virtue of a service qualification under section 14(1ZA), and 45

- (ii) the person is not under the relevant age for the purposes of the register (as defined in section 14(1ZB)).”;
- (f) after subsection (9) insert—
 - “(9A) For the purposes of a register of parliamentary electors or of local government electors in England, the Secretary of State may by order provide that, in relation to persons registered in pursuance of a qualifying child’s service declaration, subsection (2)(a) has effect as if for the period of 12 months there were substituted such other period (not exceeding 5 years) as the Secretary of State thinks appropriate. 5
 - (9B) For the purposes of subsection (9A), a person has a “qualifying child’s service declaration” if—
 - (a) they have a service declaration by virtue of a service qualification under section 14(1ZA), and 15
 - (b) they satisfy the condition in section 14(1ZA)(b) by reason of their parent or guardian having a service qualification under paragraph (a) or (d) of section 14(1).”; 20
 - (g) in subsection (10), after “subsection (9)” insert “or (9A)”; 20
 - (h) in subsection (11), after “subsection (9)” insert “or (9A)”; 20
 - (i) in subsection (12), after “subsection (9)” insert “or (9A)”. 20
- (4) In section 16 (contents of service declaration)—
 - (a) the existing text, as it extends to Northern Ireland, becomes subsection (1); 25
 - (b) in subsection (1) omit the words after paragraph (g);
 - (c) after subsection (1) insert—
 - “(1A) A service declaration must be attested in the prescribed manner, except where the declarant is—
 - (a) a member of the forces or the spouse or civil partner of such a member, or 30
 - (b) a person claiming to have a service qualification under section 14(1ZA).”; 30
 - (d) omit subsection (2).
- (5) In section 17 (effect of service declaration)— 35
 - (a) in subsection (1)(a), for “section 16(d)” substitute “section 16(1)(d)”; 35
 - (b) after subsection (2) insert—
 - “(2A) Where a service declaration was made by virtue of a service qualification under section 14(1ZA), a person who has attained the relevant age (as defined in section 14(1ZB)) is not to be treated as continuing to have a service qualification by reason of subsection (2) of this section.”; 40
 - (c) omit subsection (3).

- (6) In Part 2 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (modification of RPA 1983) –
- (a) before paragraph 11A insert –

“11ZA In section 14(1ZB)(a) omit “in England”.”;
 - (b) for paragraph 11A substitute –

“11A In section 15, in subsection (9A), omit “in England”.”

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6 Further provision about registration and participation in elections etc

Schedule 1 makes further provision in connection with the registration of young people and their participation in elections and recall petitions.

Protection of information relating to persons aged under 16

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7 Prohibition on registration officers disclosing information

- (1) A registration officer must not publish, supply or otherwise disclose registration information relating to a person who, at the time of the publication, supply or other disclosure, is under 16.
- (2) Subsection (1) is subject to –
 - (a) sections 8 and 9;
 - (b) regulations under section 13.
- (3) In this section and sections 8 to 13, “registration information” means all or part of an entry in –
 - (a) a voters register,
 - (b) an absent voters record or list, or
 - (c) an overseas electors list.
- (4) In this section and sections 8 to 13 –

“absent voters record or list” means –

 - (a) so far as relating to parliamentary elections or to local government elections in England –
 - (i) a record kept under paragraph 3(4) or 7(6) of Schedule 4 to RPA 2000;
 - (ii) a list kept under paragraph 5 or 7(8) of that Schedule;
 - (b) a record kept under section 6(3) or 9(6) of RPA 1985;
 - (c) a list kept under section 7(4) or 9(9) of that Act;
 - (d) a record kept under paragraph 1(3) or 4(5) of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 (S.I. 1985/454);
 - (e) a list kept under paragraph 2(4) or 4(8) of Part 1 of Schedule 2 to that Order;
 - (f) a record kept under regulation 51(4), 52(5) or 58(7) of the Recall of MPs Act 2015 (Recall Petition) Regulations 2016 (S.I. 2016/295);

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- (g) a list kept under regulation 55(2) or (3), 56(2) or (3) or 58(9) of those Regulations;
 - (h) a list kept under paragraph 4(2) or (3) or 7(7) of Schedule 2 to the Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917); 5
- “overseas electors list” means a list of persons entitled to be registered, pursuant to an overseas elector’s declaration, in a register of parliamentary electors maintained under section 9(1)(a) of RPA 1983;
- “overseas elector’s declaration” means a declaration made under and in accordance with section 1C of RPA 1985; 10
- “registration officer” (see also subsection (5)) means –
- (a) a registration officer appointed under section 8(2), (2A) or (3) of RPA 1983,
 - (b) the Chief Electoral Officer for Northern Ireland, or
 - (c) a petition officer under section 6 of the Recall of MPs Act 2015; 15
- “voters register” means –
- (a) a register of parliamentary electors maintained under section 9(1)(a) of RPA 1983;
 - (b) a register of local government electors in England or local electors in Northern Ireland maintained under section 9(1)(b) of that Act; 20
 - (c) a register of persons entitled to sign a recall petition compiled under regulation 4 of the Recall of MPs Act 2015 (Recall Petition) Regulations 2016 (S.I. 2016/295),
- and, in the case of a register described in paragraph (a) or (b), includes any notice of an alteration in the register issued under section 13A(2), 13AB(2), 13B(3), (3B) or (3D), 13BA(3), (6) or (9) or 13BC(3) or (6) of RPA 1983. 25
- (5) In this section and sections 8 to 13, references to a registration officer include –
- (a) a deputy registration officer, and 30
 - (b) a person assisting a registration officer in carrying out the registration officer’s functions.

8 Exceptions from prohibitions on disclosure

- (1) Section 7(1) does not prevent the disclosure of registration information to a person (the “recipient”) so far as necessary for the purpose of the carrying out by the recipient of functions in connection with – 35
- (a) the registration of electors;
 - (b) the registration of persons entitled to sign a recall petition;
 - (c) the conduct of – 40
 - (i) an election,
 - (ii) a recall petition process,
 - (iii) a local government referendum, or

- (iv) a poll consequent on a parish meeting (see paragraph 18 of Schedule 12 to the Local Government Act 1972) (a “parish poll”).
- (2) Section 7(1) does not prevent the disclosure of registration information in a version or copy of a voters register, absent voters record or list or overseas electors list supplied in accordance with a relevant supply enactment (as defined in section 11). 5
- (3) But the exception in subsection (2) –
 - (a) applies to the disclosure of registration information only so far as necessary for the purposes of or in connection with an election, recall petition process, referendum or parish poll at which the person to whom it relates will be entitled to vote, and 10
 - (b) does not apply to the disclosure of registration information from which the person’s date of birth may be ascertained.
- (4) Section 7(1) does not prevent the disclosure of registration information to a person so far as necessary for the purposes of a criminal investigation or criminal proceedings relating to an offence (or an alleged offence) under an enactment relating to – 15
 - (a) the registration of electors;
 - (b) the conduct of an election, recall petition process, local government referendum or parish poll. 20
- (5) Section 7(1) does not prevent the disclosure of registration information to –
 - (a) the Security Service,
 - (b) the Government Communications Headquarters, or
 - (c) the Secret Intelligence Service. 25
- (6) Section 7(1) does not prevent the disclosure of registration information to a person appointed as a proxy to vote for the person to whom the information relates.
- (7) In this section, “local government referendum” means a referendum under –
 - (a) Chapter 4 of Part 1A of the Local Government Act 2000 (local authority governance: England); 30
 - (b) section 52ZG or 52ZN of the Local Government Finance Act 1992 (referendums in relation to council tax);
 - (c) Schedule 4B or 4C to the Town and Country Planning Act 1990 (referendums on neighbourhood development plans). 35
- (8) In subsections (3) and (6) “vote” includes sign a recall petition.

9 Exceptions for combined information

- (1) In this section –
 - “combined voters information” means all or part of an entry in a register maintained under section 9(1) of RPA 1983 but only where – 40

- (a) the entry relates to a person who is registered both in a register of parliamentary electors and a register of local government electors in Wales or Scotland, and
 - (b) those registers are combined in accordance with section 9(5) of that Act, 5

(and references in this definition to a register maintained under section 9(1) of RPA 1983 include any notice of an alteration in the register issued under section 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of RPA 1983);

“combined absent voters information” means all or part of an entry in a record kept under paragraph 3(4) or 7(6) of Schedule 4 to RPA 2000 but only where – 10

 - (a) the entry relates to a person in respect of whom an application under paragraph 3(4) or 7(6) of that Schedule has been granted both in respect of parliamentary elections and in respect of local government elections in Wales or Scotland, and 15
 - (b) the record relates both to parliamentary elections and to local government elections in Wales or Scotland.

(2) Section 7(1) does not prevent the disclosure of all or part of an entry that is combined voters information or combined absent voters information where disclosure of the entry is permitted by – 20

 - (a) section 25 of the Senedd and Elections (Wales) Act 2020 (anaw 1) or regulations under section 26 of that Act, or
 - (b) section 14 of the Scottish Elections (Reduction of Voting Age) Act 2015 (asp 7) or regulations under section 15 of that Act. 25

(3) But the exception in subsection (2) may be relied on only in relation to a disclosure which could not be made in reliance on an exception in section 8 or regulations under section 13.

(4) Where – 30

 - (a) all or part of an entry that is combined voters information or combined absent voters information is disclosed in reliance on an exception in section 8 or regulations under section 13,
 - (b) the disclosure is permitted by a provision of, or made under, an Act mentioned in subsection (2)(a) or (b), and
 - (c) that permission is subject to a restriction or condition imposed by or under that Act (for example, a restriction on further disclosure by the recipient of the information), 35

that restriction or condition also applies in connection with the disclosure of all or part of the entry in reliance on the exception in section 8 or regulations under section 13. 40

10 Exceptions for combined information under devolved legislation

- (1) The Scottish Elections (Reduction of Voting Age) Act 2015 (asp 7) is amended as set out in subsections (2) to (4).

- (2) In section 13 (protection of information about persons aged under 16) –
- (a) in subsection (1)(a), after “section 14” insert “or 14A”;
 - (b) in subsection (2), in the words before paragraph (a), after “sections 14” insert “, 14A”.

- (3) After section 14 insert –

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“14A Exceptions for combined information

- (1) In this section –

“combined voters information” means an entry in a register maintained under section 9(1) of the 1983 Act but only where –

- (a) the entry relates to a person who is registered both in the register of local government electors in Scotland and a register of parliamentary electors, and
- (b) those registers are combined in accordance with section 9(5) of that Act,

10

(and references in this definition to a register maintained under section 9(1) of the 1983 Act include any notice of an alteration in the register issued under section 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of the 1983 Act);

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“combined absent voters information” means an entry in a record kept under paragraph 3(4) or 7(6) of Schedule 4 to the Representation of the People Act 2000 but only where –

20

- (a) the entry relates to a person in respect of whom an application under paragraph 3(4) or 7(6) of that Schedule has been granted both in respect of local government elections in Scotland and in respect of parliamentary elections, and
- (b) the record relates both to local government elections in Scotland and to parliamentary elections.

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- (2) An entry that is combined voters information or combined absent voters information may be disclosed where disclosure of the entry is permitted by section 8 of the Representation of the People Act 2026 or regulations under section 13 of that Act.

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- (3) But the exception in subsection (2) may be relied on only in relation to a disclosure which could not be made under section 14 or regulations under section 15.

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- (4) Where –

- (a) an entry that is combined voters information or combined absent voters information is disclosed under section 14 or regulations under section 15,
- (b) the disclosure is permitted by section 8 of the Representation of the People Act 2026 or regulations under section 13 of that Act, and

40

- (c) that permission is subject to a restriction or condition imposed by or under that Act (for example, a restriction on further disclosure by the recipient of the information),
that restriction or condition also applies in connection with the disclosure of the entry under section 14 or regulations under section 15.” 5
- (4) In section 15 (further provision for exceptions), in subsection (3)(b), after “section 14” insert “or 14A”.
- (5) The Senedd and Elections (Wales) Act 2020 (anaw 1) is amended as set out in subsections (6) to (9). 10
- (6) In section 24 (protection of information about persons aged under 16) –
- (a) in the English language text –
- (i) in subsection (1)(a), after “section 25” insert “or 25A”;
- (ii) in subsection (2), in the opening words, after “sections 25” insert “, 25A”; 15
- (iii) in subsection (3), in the words before paragraph (a), after “sections 25” insert “, 25A”;
- (b) in the Welsh language text –
- (i) in subsection (1)(a), after “adran 25” insert “neu 25A”;
- (ii) in subsection (2), in the opening words, after “adrannau 25” insert “, 25A”; 20
- (iii) in subsection (3), in the words before paragraph (a), after “adrannau 25” insert “, 25A”.
- (7) In the English language text, after section 25 insert –
- “25A Exceptions for combined information”** 25
- (1) This section applies for the purpose of section 24(1).
- (2) In this section –
- “combined voters information” (“*gwybodaeth gyfunol am bleidleiswyr*”) means an entry in a register maintained under section 9(1) of the 1983 Act but only where – 30
- (a) the entry relates to a person who is registered both in the register of local government electors in Wales and a register of parliamentary electors, and
- (b) those registers are combined in accordance with section 9(5) of that Act, 35
- (and references in this definition to a register maintained under section 9(1) of the 1983 Act include any notice of an alteration in the register issued under section 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of the 1983 Act);
- “combined absent voters information” (“*gwybodaeth gyfunol am bleidleiswyr absennol*”) means an entry in a record kept under paragraph 3(4) or 7(6) of Schedule 4 to the Representation of the People Act 2000 but only where – 40

-
- (a) the entry relates to a person in respect of whom an application under paragraph 3(4) or 7(6) of that Schedule has been granted in respect of local government elections in Wales and in respect of parliamentary elections, and 5
- (b) the record relates both to local government elections in Wales and to parliamentary elections.
- (3) An entry that is combined voters information or combined absent voters information may be disclosed where disclosure of the entry is permitted by section 8 of the Representation of the People Act 2026 or regulations under section 13 of that Act. 10
- (4) But the exception in subsection (3) may be relied on only in relation to a disclosure which could not be made under section 25 or regulations under section 26.
- (5) Where— 15
- (a) an entry that is combined voters information or combined absent voters information is disclosed under section 25 or regulations under section 26,
- (b) the disclosure is permitted by section 8 of the Representation of the People Act 2026 or regulations under section 13 of that Act, and 20
- (c) that permission is subject to a restriction or condition imposed by or under that Act (for example, a restriction on further disclosure by the recipient of the information),
- that restriction or condition also applies in connection with the disclosure of the entry under section 25 or regulations under section 26.” 25
- (8) In the Welsh language text, after section 25 insert—
- “25A Eithriadau ar gyfer gwybodaeth gyfunol**
- (1) Mae’r adran hon yn gymwys at ddiben adran 24(1). 30
- (2) Yn yr adran hon—
- ystyr “gwybodaeth gyfunol am bleidleiswyr” (“*combined voters information*”) yw eitem mewn cofrestr a gynhelir o dan adran 9(1) o Ddeddf 1983 ond dim ond pan—
- (a) bo’r eitem yn ymwneud â pherson sydd wedi’i gofrestru yn y gofrestr o etholwyr llywodraeth leol yng Nghymru a chofrestr o etholwyr seneddol, a 35
- (b) caiff y cofrestrau hynny eu cyfuno yn unol ag adran 9(5) o’r Ddeddf honno,
- (ac mae cyfeiriadau yn y diffiniad hwn at gofrestr a gynhelir o dan adran 9(1) o Ddeddf 1983 yn cynnwys unrhyw hysbysiad o addasiad yn y gofrestr a ddyroddwyd o dan adran 13A(2), 13AB(2) neu 13B(3), (3B) neu (3D) o Ddeddf 1983); 40

- ystyr “gwybodaeth gyfunol am bleidleiswyr absennol” (“*combined absent voters information*”) yw eitem mewn cofnod a gedwir o dan baragraff 3(4) neu 7(6) o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 2000 ond dim ond pan—
- (a) bo’r eitem yn ymwneud â pherson y mae cais o dan baragraff 3(4) neu 7(6) o’r Atodlen honno wedi’i ganiatáu ar ei gyfer mewn cysylltiad ag etholiadau llywodraeth leol yng Nghymru ac mewn cysylltiad ag etholiadau seneddol, a 5
 - (b) bo’r cofnod yn ymwneud ag etholiadau llywodraeth leol yng Nghymru ac etholiadau seneddol. 10
- (3) Caniateir datgelu eitem sy’n wybodaeth gyfunol am bleidleiswyr neu wybodaeth gyfunol am bleidleiswyr absennol pan ganiateir datgelu’r eitem yn unol ag adran 8 o Ddeddf Cynrychiolaeth y Bobl 2026 neu reoliadau o dan adran 13 o’r Ddeddf honno. 15
- (4) Ond dim ond mewn perthynas â datgeliad [na ellid][na chaniateir] ei wneud o dan adran 25 neu reoliadau o dan adran 26 y caniateir dibynnu ar yr eithriad yn is-adran (3).
- (5) Pan—
- (a) caiff eitem sy’n wybodaeth gyfunol am bleidleiswyr neu wybodaeth gyfunol am bleidleiswyr absennol ei datgelu o dan adran 25 neu reoliadau o dan adran 26, 20
 - (b) caniateir y datgeliad yn unol ag adran 8 o Ddeddf Cynrychiolaeth y Bobl 2026 neu reoliadau o dan adran 13 o’r Ddeddf honno, ac 25
 - (c) bo’r caniatâd hwnnw yn ddarostyngedig i gyfyngiad neu amod a osodwyd gan neu o dan y Ddeddf honno (er enghraifft, cyfyngiad ar ddatgeliad pellach gan dderbynnnydd yr wybodaeth),
- mae’r cyfyngiad neu’r amod hwnnw hefyd yn gymwys mewn cysylltiad â datgelu’r eitem o dan adran 25 neu reoliadau o dan adran 26.” 30
- (9) In section 26 (further provision for exceptions), in subsection (3)(a)—
- (a) in the English language text, after “section 25” insert “or 25A”;
 - (b) in the Welsh language text, after “adran 25” insert “neu 25A”. 35

11 Meaning of “relevant supply enactment”

For the purposes of section 8(2), “relevant supply enactment” means—

- (a) the following provisions of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)—
 - (i) regulation 61, so far as relating to a supply to a person or organisation falling within regulation 108 (supply of postal voting and proxy lists etc to candidates); 40
 - (ii) regulation 100 (supply to Electoral Commission);

- (iii) regulation 101 (supply to Boundary Commission etc);
 - (iv) regulation 102, so far as relating to a supply to a person or organisation falling within regulation 108 (candidates);
- (b) the following provisions of the Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497) – 5
 - (i) regulation 61, so far as relating to a supply to a person or organisation falling within regulation 107 (supply of postal voting and proxy lists etc to candidates);
 - (ii) regulation 99 (supply to Electoral Commission);
 - (iii) regulation 100 (supply to Boundary Commission etc); 10
 - (iv) regulation 101, so far as relating to a supply to a person or organisation falling within regulation 107 (candidates);
- (c) the following provisions of the Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741) – 15
 - (i) regulation 66(1) (supply of postal voting and proxy lists etc to candidates and agents);
 - (ii) regulation 99 (supply to Electoral Commission);
 - (iii) regulation 100 (supply to Boundary Commission for Northern Ireland etc);
 - (iv) regulation 101, so far as relating to a supply to a person or organisation falling within regulation 106 (candidates); 20
- (d) paragraph 2 of Schedule 1 to the Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917), so far as relating to a request by a person within paragraph 5 of that Schedule (candidates);
- (e) paragraph 3(1)(a), (b), (c) and (f) of Schedule 1 to the Recall of MPs Act 2015 (Recall Petition) Regulations 2016 (S.I. 2016/295) (supply to registered parties, MPs subject to a recall petition, the Electoral Commission and accredited campaigners). 25

12 Prohibition on onward disclosure of information

- (1) A person to whom registration information is disclosed in reliance on an exception in subsection (1), (4) or (6) of section 8 must not disclose the information to any other person, except as described in the subsection concerned. 30
- (2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction – 35
 - (a) in England and Wales, to a fine;
 - (b) in Scotland or Northern Ireland, to a fine not exceeding level 5 on the standard scale.

13 Power to make further provision about disclosure of information

- (1) The Secretary of State may by regulations made by statutory instrument make provision for or about the disclosure of protected information. 40
- (2) “Protected information” is information falling within section 7(1).

- (3) Regulations under subsection (1) may, in particular, include provision—
- (a) that a supply or other disclosure of protected information by registration officers, to such descriptions of persons as may be specified in the regulations, does not breach the prohibition in section 7(1);
 - (b) specifying in relation to any person, or description of person, to whom protected information has been supplied or otherwise disclosed (whether by a registration officer or another person) the purposes for which protected information may be used; 5
 - (c) imposing prohibitions or restrictions relating to the extent (if any) to which persons to whom protected information is supplied or otherwise disclosed (whether in accordance with the regulations or otherwise) may— 10
 - (i) supply or otherwise disclose the information to other persons, or
 - (ii) make use of the information otherwise than for any purposes specified in the regulations or for which the information has been supplied or otherwise disclosed in accordance with the regulations; 15
 - (d) imposing prohibitions or restrictions corresponding to those which may be imposed by virtue of paragraph (c) in relation to— 20
 - (i) persons to whom protected information has been supplied or otherwise disclosed in accordance with regulations made in pursuance of paragraph (c) or this paragraph, or
 - (ii) persons who otherwise have access to protected information;
 - (e) imposing, in relation to persons involved in the preparation of— 25
 - (i) a register of electors maintained under section 9(1) of RPA 1983,
 - (ii) a register of persons entitled to sign a recall petition compiled under regulation 4 of the Recall of MPs Act 2015 (Recall Petition) Regulations 2016 (S.I. 2016/295), 30
 - (iii) an absent voters record or list, or
 - (iv) an overseas electors list,
 prohibitions with respect to supplying copies of, or otherwise disclosing, protected information contained in anything described in sub-paragraphs (i) to (iv). 35
- (4) Regulations under subsection (1) may—
- (a) make different provision for different purposes;
 - (b) amend sections 7 to 9, 11, 12 and 14 (but see subsection (5));
 - (c) apply (with or without modifications) other enactments relating to the supply or disclosure of— 40
 - (i) a register of electors,
 - (ii) the register of persons entitled to sign a recall petition,
 - (iii) an absent voters record or list, or
 - (iv) an overseas electors list,

- or copies of, or entries in, anything described in sub-paragraphs (i) to (iv);
- (d) provide for the creation of criminal offences punishable on summary conviction—
- (i) in England and Wales, by a fine, and 5
 - (ii) in Scotland or Northern Ireland, by a fine not exceeding level 5 on the standard scale;
- (e) make incidental, supplemental, consequential, transitional, transitory or saving provision.
- (5) Regulations under subsection (1) may amend the definitions of “registration information”, “voters register”, “absent voters record or list” or “overseas electors list” in section 7 in the following ways only— 10
- (a) by adding a description of information, register, record or list,
 - (b) by varying a description of information, register, record or list,
 - (c) by omitting a description of information, register, record or list added 15 by regulations made under subsection (1).
- (6) Before making regulations under subsection (1), the Secretary of State must consult—
- (a) the Electoral Commission, and
 - (b) such other persons as the Secretary of State thinks appropriate. 20
- (7) A statutory instrument contain regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

14 Interpretation of sections 7 to 13

- (1) This section defines terms and expressions used in sections 7 to 13. 25
- (2) For the meaning of “absent voters record or list”, “overseas electors list”, “registration officer”, “registration information” and “voters register”, see section 7.
- (3) “Enactment” includes—
- (a) an enactment comprised in subordinate legislation (as defined in section 21 of the Interpretation Act 1978); 30
 - (b) an enactment comprised in, or in an instrument made under, a Measure or Act of Senedd Cymru;
 - (c) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament; 35
 - (d) an enactment comprised in, or in an instrument made under, Northern Ireland legislation.
- (4) “Local government election” means a local government election within the meaning of section 203 or 204 of RPA 1983;
- (5) “Recall petition” has the same meaning as in the Recall of MPs Act 2015 (see section 1(2) of that Act). 40

- (6) “Recall petition process” means the process for dealing with a recall petition.

Duty to raise awareness and provide assistance

15 Duty to raise awareness and provide assistance: Great Britain

- (1) A local authority in England, Wales or Scotland must take the steps the authority considers necessary – 5
 - (a) to promote awareness among relevant young people of the arrangements for registration as a parliamentary elector that apply to them, and
 - (b) to help relevant young people register as parliamentary electors.
- (2) A local authority in England must take the steps the authority considers necessary – 10
 - (a) to promote awareness among relevant young people of the arrangements for registration as a local government elector in England that apply to them, and
 - (b) to help relevant young people register as local government electors in England. 15
- (3) For the purposes of this section, the following are “relevant young people” in relation to a local authority –
 - (a) a person who is a child looked after by the local authority, and
 - (b) a person, not falling within paragraph (a), who is a young person eligible for continuing care from the local authority, 20other than a person legally incapable of voting by reason of falling within section 3(1) or (1ZA) or section 3A of RPA 1983.
- (4) For the purposes of this section, a person is a child looked after by a local authority if the person is – 25
 - (a) a child who is looked after by the local authority within the meaning of section 22 of the Children Act 1989,
 - (b) a child who is looked after by the local authority for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4) (see section 74 of that Act), 30
 - (c) a child who is looked after by the local authority for the purposes of Chapter 1 of Part 2 of the Children (Scotland) Act 1995 (see section 17(6) of that Act), or
 - (d) a child detained in secure accommodation by virtue of section 51(1)(a) or 216(7) of the Criminal Procedure (Scotland) Act 1995 in relation to whom the local authority has duties by virtue of section 17A of the Children (Scotland) Act 1995 (detained children treated as looked after children). 35
- (5) For the purposes of this section, a person is a young person eligible for continuing care from a local authority if – 40

- (a) the local authority has a duty described in section 23B or 23C of the Children Act 1989 in relation to the person (continuing functions regarding former looked after children),
 - (b) the local authority has the duty described in section 106 of the Social Services and Well-being (Wales) Act 2014 (anaw 4) in relation to the person (duty to arrange for personal adviser), 5
 - (c) the local authority has a duty to provide the person with continuing care under section 26A of the Children (Scotland) Act 1995 (provision of continuing care to former looked after children), or
 - (d) the local authority has a duty to provide advice, guidance or assistance to the person under section 29(1) or (5A) of the Children (Scotland) Act 1995 (provision of advice, guidance and assistance to former looked after children). 10
- (6) In this section, “local authority” means—
- (a) in relation to England, a county council, a district council for an area for which there is no county council, a London borough council, the Common Council of the City of London in its capacity as a local authority and the Council of the Isles of Scilly; 15
 - (b) in relation to Wales, a county council or county borough council;
 - (c) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994. 20

16 Duty to raise awareness and provide assistance: Northern Ireland

- (1) A Health and Social Care trust must take the steps the trust considers necessary—
- (a) to promote awareness among relevant young people of the arrangements for registration as a parliamentary or local elector in Northern Ireland that apply to them, and 25
 - (b) to help relevant young people register as parliamentary or local electors in Northern Ireland.
- (2) For the purposes of this section, the following are “relevant young people” in relation to a Health and Social Care trust— 30
- (a) a person who is a child looked after by the trust for the purposes of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)) (see Article 25 of that Order), and
 - (b) a person who is a young person eligible for continuing care from the trust, 35
- other than a person legally incapable of voting by reason of falling within section 3(1) or (1ZA) or section 3A of RPA 1983.
- (3) For the purposes of this section, a person is a young person eligible for continuing care from a Health and Social Care trust if the trust— 40
- (a) has a function set out in Article 34C, or a duty provided for in Article 34D, of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)) in respect of the person, or
 - (b) may give assistance to the person under Article 35B of that Order.

- (4) In this section, “a Health and Social Care trust” means a Health and Social Care trust established under the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)).

PART 2

REGISTRATION OF VOTERS

5

Registration, and alteration of registers, without an application

17 Registration without an application

- (1) In RPA 1983, before section 13 insert –

“12A Duty to register certain electors without an application

- (1) A registration officer must register a person in a relevant register maintained by the officer if – 10
- (a) the officer is aware of the person’s name and address,
 - (b) the person is not registered in the register,
 - (c) the person appears to the officer to be of voting age and entitled to be registered in the register, 15
 - (d) the officer has given the person a notice in accordance with section 12B(1) in relation to the register, and
 - (e) either (or both) of the following applies –
 - (i) the response period specified in the notice (in accordance with section 12B(3)(d)) has ended; 20
 - (ii) during that period, the person confirmed to the officer that the person wishes to be registered in the register under this section.
- (2) In this section, “relevant register” means a register of electors other than – 25
- (a) a register of local government electors for an area in Wales;
 - (b) a register of local government electors for an area in Scotland.
- (3) Subsection (1) does not apply if, during the response period specified in the notice referred to in subsection (1)(d) –
- (a) the person notified the officer that the person does not wish to be registered in the register under this section, 30
 - (b) the officer received an application for registration in the register made by someone who appears to the officer to be the person,
 - (c) the officer is treated as having received an application for registration in the register from the person by virtue of section 10A(2) (completed Northern Ireland canvass form treated as application), or 35
 - (d) the person notified the officer that the person –
 - (i) intends to make an application for registration in the register, 40

- (ii) wishes to be registered in a register of electors with an anonymous entry (see section 9B), or
 - (iii) wishes to be registered in a register of electors in pursuance of a declaration of local connection, a service declaration or an overseas elector's declaration. 5
- (4) In subsection (3) –
 - (a) the reference in paragraph (a) to notification that a person does not wish to be registered under this section includes notification which indicates that without referring to this section;
 - (b) the references in paragraph (d)(ii) and (iii) to a register of electors include a register of electors prepared for the purposes of local elections (as defined in section 130(1) of the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)). 10

12B Notice of duty to register under section 12A

- (1) A registration officer must give a notice to a person, in relation to a relevant register maintained by the officer, if – 15
 - (a) the officer is aware of the person's name and address,
 - (b) the person is not registered in the register, and
 - (c) the person appears to the officer to be of voting age and entitled to be registered in the register. 20
- (2) Subsection (1) does not apply where –
 - (a) the record kept under section 12D shows that the person does not wish to be registered in the register under section 12A,
 - (b) the officer has received an application for registration in the register made by someone who appears to the officer to be the person and the application has not yet been determined, 25
 - (c) the officer is treated as having received an application for registration in the register from the person by virtue of section 10A(2) (completed Northern Ireland canvass form treated as application) and the application has not yet been determined, 30
 - or
 - (d) the officer has reason to believe that the person –
 - (i) intends to make an application for registration in the register,
 - (ii) wishes to be registered in a register of electors with an anonymous entry (see section 9B), or 35
 - (iii) wishes to be registered in a register of electors in pursuance of a declaration of local connection, a service declaration or an overseas elector's declaration.
- (3) The notice under subsection (1) must – 40
 - (a) be given in writing,

- (b) state that the registration officer has a duty to register people who appear to the officer to be of voting age and entitled to be registered in the register,
 - (c) provide information about the exceptions to that duty (see section 12A(3)),
 - (d) specify a period (beginning with the day on which the notice is given) for the person to respond to the notice (“the response period”),
 - (e) explain the effect if, during the response period, the person confirms that they wish to be registered under section 12A (see section 12A(1)(e)), and
 - (f) provide information about making an application for registration in a relevant register, including information about making an application –
 - (i) with an application for an anonymous entry under section 9B(1)(a), or
 - (ii) in pursuance of a declaration of local connection, a service declaration or an overseas elector’s declaration.
- (4) The notice may relate to more than one register maintained by the registration officer.
- (5) Regulations may make provision about notices under subsection (1).
- (6) Regulations under subsection (5) may, among other things, make provision about –
 - (a) the form of the notice;
 - (b) how the notice is given;
 - (c) the length of the response period;
 - (d) additional information that must be included in the notice.
- (7) In this section, “relevant register” has the same meaning as in section 12A.
- (8) For the purposes of subsection (1)(c), whether a person is entitled to be registered in a register at a given time is to be determined as if, for the purposes of section 4, that time were the relevant date.
- (9) The references in subsection (2)(d)(ii) and (iii) to a register of electors include a register of electors prepared for the purposes of local elections (as defined in section 130(1) of the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)).

12C Notice of person not being registered under section 12A

- (1) A registration officer must give a notice to a person where the officer –
 - (a) has given the person a notice in accordance with section 12B(1) in relation to a relevant register maintained by the officer, but

- (b) is not required to register the person in the register under section 12A because (and only because) the condition in section 12A(1)(c) is not satisfied.
- (2) The officer must give the notice under subsection (1) as soon as reasonably practicable after the response period specified in the notice referred to in subsection (1)(a) ends. 5
- (3) The notice under subsection (1) must be given in writing.
- (4) Regulations may make provision about notices under subsection (1).
- (5) The regulations may, among other things, make provision about— 10
 - (a) the form of the notice;
 - (b) how the notice is given;
 - (c) information that must be included in the notice.
- (6) In this section, “relevant register” has the same meaning as in section 12A.

12D Record of notices under section 12B(1) etc 15

- (1) A registration officer must keep a record of notices given under section 12B(1) in respect of registration in a register for the time being maintained by the officer.
- (2) The record required under subsection (1) must contain the following information in relation to each notice— 20
 - (a) the name of the person to whom the notice was sent,
 - (b) the address to which the notice was sent,
 - (c) the date on which the response period specified in the notice ended,
 - (d) the register to which the notice related, 25
 - (e) whether the person was registered in the register under section 12A,
 - (f) if the person was not registered, the reason for that, and
 - (g) if a notice was given to the person under section 12C, the fact that it was given and the address to which it was sent. 30
- (3) The record required under subsection (1) may contain other information that the registration officer considers relevant for the purposes of the officer’s duties under sections 12A, 12B and 12C.
- (4) Subsection (1) does not require the registration officer to keep a record in relation to a notice under section 12B(1) after the end of the period of 5 years beginning with the day after the last day of the response period specified in the notice. 35
- (5) A registration officer must also keep a record of notifications received from a person which—

- (a) are received by the officer, or a predecessor of the officer, otherwise than in response to a notice under section 12B(1),
 - (b) include the person's name and address, and
 - (c) indicate that the person does not wish to be registered under section 12A in a register for the time being maintained by the officer. 5
- (6) The record required under subsection (5) must contain the following information in relation to each notification –
 - (a) the name of the person who gave the notification,
 - (b) that person's address, 10
 - (c) the date on which the notification was received, and
 - (d) the register to which the notification related.
- (7) The record required under subsection (5) may contain other information that the registration officer considers relevant for the purposes of the officer's duties under sections 12A and 12B. 15
- (8) Subsection (5) does not require the registration officer to keep a record in relation to a notification after the end of the period of 5 years beginning with the day on which the notification was received.
- (9) The reference in subsection (5) to a notification indicating that a person does not wish to be registered under section 12A includes a notification which indicates that without referring to section 12A. 20
- (10) A registration officer complies with subsections (1) and (5) if the officer takes all reasonable steps to keep the required records."
- (2) In Part 1 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (provisions of RPA 1983 applied), in the entry beginning "Sections 9", after "10B," insert "12A, 12B, 12C, 12D,". 25

18 Alteration of registers without an application

- (1) In RPA 1983, after section 12D (inserted by section 17 of this Act) insert –
"12E Duty to alter entries in certain registers without an application
 - (1) A registration officer must alter a person's entry in a relevant register maintained by the officer if – 30
 - (a) the officer is aware that the person's name or address (or both) is no longer the one in respect of which the person is registered,
 - (b) the person appears to the officer to be of voting age and entitled to be registered in the register in respect of the new name or the new address (as the case may be), 35
 - (c) the officer has given the person a notice in accordance with section 12F(1) in relation to the register, and
 - (d) either (or both) of the following applies –
 - (i) the response period specified in the notice (in accordance with section 12F(3)(d)) has ended; 40

- (ii) during that period, the person confirmed to the officer that the person wishes the alteration specified in the notice to be made under this section.
- (2) In this section, “relevant register” means a register of electors other than – 5
 - (a) a register of local government electors for an area in Wales;
 - (b) a register of local government electors for an area in Scotland.
- (3) Subsection (1) does not apply if, during the response period specified in the notice referred to in subsection (1)(c) – 10
 - (a) the person notified the officer that the person does not wish the alteration specified in the notice to be made under this section, 10
 - (b) the person notified the officer that the person intends to make an application for the alteration to be made (see sections 10ZD and 10A(4)), 15
 - (c) the officer received an application requesting the alteration made by someone who appears to the officer to be the person,
 - (d) the person notified the officer that the person wishes to make an application for registration in a register of electors – 20
 - (i) with an application for an anonymous entry under section 9B(1)(a), or
 - (ii) in pursuance of a declaration of local connection, a service declaration or an overseas elector’s declaration, or
 - (e) the officer received an application for registration described in paragraph (d) made by someone who appears to the officer to be the person. 25
- (4) In subsection (3) – 30
 - (a) the reference in paragraph (a) to notification that a person does not wish an alteration to be made under this section includes notification which indicates that without referring to this section;
 - (b) the reference in paragraph (d) to a register of electors includes a register of electors prepared for the purposes of local elections (as defined in section 130(1) of the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)). 35

12F Notice of duty to alter entries under section 12E

- (1) A registration officer must give a notice to a person, in relation to a relevant register maintained by the officer, if – 40
 - (a) the officer is aware that the person’s name or address (or both) is no longer the one in respect of which the person is registered, and
 - (b) the person appears to the officer to be –

- (i) of voting age, and
 - (ii) entitled to be registered in the register in respect of the new name or the new address (or both).
- (2) Subsection (1) does not apply where –
 - (a) the record kept under section 12H shows that the person does not wish an alteration reflecting the new name or address to be made under section 12E, 5
 - (b) the officer has reason to believe that the person intends to make an application requesting the alteration (see sections 10ZD and 10A(4)), 10
 - (c) the officer has received an application described in paragraph (b) from someone who appears to the officer to be the person and the application has not yet been determined,
 - (d) the person has –
 - (i) an anonymous entry in the register, or 15
 - (ii) an entry in the register made in pursuance of a declaration of local connection, a service declaration or an overseas elector’s declaration,
 - (e) the officer has reason to believe that the person intends to make an application for registration in a register of electors – 20
 - (i) with an application for an anonymous entry under section 9B(1)(a), or
 - (ii) in pursuance of a declaration of local connection, a service declaration or an overseas elector’s declaration, or 25
 - (f) the officer has received an application for registration described in paragraph (e) from someone who appears to the officer to be the person and the application has not yet been determined.
- (3) The notice under subsection (1) must –
 - (a) be given in writing, 30
 - (b) state that the registration officer has a duty to alter a person’s name or address in the register where the officer is aware that it has changed and the person appears to the officer to be –
 - (i) of voting age, and
 - (ii) entitled to be registered in the register in respect of the new name or the new address (or both), 35
 - (c) provide information about the exceptions to that duty (see section 12E(3)),
 - (d) specify a period (beginning with the day on which the notice is given) for the person to respond to the notice (“the response period”), 40
 - (e) explain the effect if, during the response period, the person confirms that they wish the alteration specified in the notice to be made under section 12E (see section 12E(1)(d)),

- (f) provide information about making an application for alteration under section 10ZD or 10A(4) (as appropriate), and
 - (g) provide information about making an application for registration in a relevant register –
 - (i) with an application for an anonymous entry under section 9B(1)(a), or
 - (ii) in pursuance of a declaration of local connection, a service declaration or an overseas elector’s declaration.
- (4) The notice may relate to more than one register maintained by the registration officer.
- (5) Regulations may make provision about notices under subsection (1).
- (6) Regulations under subsection (5) may, among other things, make provision about –
 - (a) the form of the notice;
 - (b) how the notice is given;
 - (c) the length of the response period;
 - (d) additional information that must be included in the notice.
- (7) In this section, “relevant register” has the same meaning as in section 12E.
- (8) The reference in subsection (2)(e) to a register of electors includes a register of electors prepared for the purposes of local elections (as defined in section 130(1) of the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)).

12G Notice of entry in register not being altered under section 12E

- (1) A registration officer must give a notice to a person where the officer –
 - (a) has given the person a notice in accordance with section 12F(1) in relation to a relevant register maintained by the officer, but
 - (b) is not required to alter the person’s entry in the register under section 12E because (and only because) the condition in section 12E(1)(b) is not satisfied.
- (2) The officer must give the notice under subsection (1) as soon as reasonably practicable after the response period specified in the notice referred to in subsection (1)(a) ends.
- (3) The notice under subsection (1) must be given in writing.
- (4) Regulations may make provision about notices under subsection (1).
- (5) The regulations may, among other things, make provision about –
 - (a) the form of the notice;
 - (b) how the notice is given;
 - (c) information that must be included in the notice.

- (6) In this section, “relevant register” has the same meaning as in section 12E.

12H Record of notices under section 12F(1) etc

- (1) A registration officer must keep a record of notices given under section 12F(1) in respect of the alteration of an entry in a register for the time being maintained by the officer. 5
- (2) The record required under subsection (1) must contain the following information in relation to each notice—
- (a) the name of the person to whom the notice was sent,
 - (b) the address to which the notice was sent, 10
 - (c) the date on which the response period specified in the notice ended,
 - (d) the register to which the notice related,
 - (e) whether the notice related to alteration of the person’s name or address (or both), 15
 - (f) whether the person’s entry in the register was altered under section 12E,
 - (g) if the alteration was not made, the reason for that, and
 - (h) if a notice was given to the person under section 12G, the fact that it was given and the address to which it was sent. 20
- (3) The record required under subsection (1) may contain other information that the registration officer considers relevant for the purposes of the officer’s duties under sections 12E, 12F and 12G.
- (4) Subsection (1) does not require the registration officer to keep a record in relation to a notice under section 12F(1) after the end of the period of 5 years beginning with the day after the last day of the response period specified in the notice. 25
- (5) A registration officer must also keep a record of notifications from a person which—
- (a) are received by the officer, or a predecessor of the officer, otherwise than in response to a notice under section 12F(1), 30
 - (b) include the person’s name and address, and
 - (c) indicate that the person does not wish a particular alteration or type of alteration, or alterations generally, to the person’s entry in a register for the time being maintained by the officer to be made under section 12E. 35
- (6) The record kept under subsection (5) must contain the following information in relation to each notification—
- (a) the name of the person who gave the notification,
 - (b) the person’s address, 40
 - (c) the date on which the notification was received,
 - (d) the register to which the notification related, and

- (e) whether the notification related to alteration of the person's name or address (or both).
- (7) The record kept under subsection (5) may contain other information that the registration officer considers relevant for the purposes of the officer's duties under sections 12E and 12F. 5
- (8) Subsection (5) does not require the registration officer to keep a record in relation to a notification after the end of the period of 5 years beginning with the day on which the notification was received.
- (9) The reference in subsection (5) to a notification indicating that a person does not wish an alteration or alterations to be made under section 12E includes a notification which indicates that without referring to section 12E. 10
- (10) A registration officer complies with subsections (1) and (5) if the officer takes all reasonable steps to keep the required records."
- (2) In Part 1 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (provisions of RPA 1983 applied), in the entry beginning "Sections 9", before "13," insert "12E, 12F, 12G, 12H,". 15

19 Registration etc without an application: further provision

Schedule 2 makes further provision in connection with sections 17 and 18.

Piloting changes to the voter registration process 20

20 Power to pilot changes to the voter registration process

- (1) The Secretary of State may by regulations make voter registration provision (see section 21) in connection with—
 - (a) a register of parliamentary electors maintained under section 9 of RPA 1983; 25
 - (b) a register of local government electors or local electors maintained under that section for an area in England or Northern Ireland.
- (2) Regulations under this section ("pilot regulations") must be made so as to have effect only for a specified period.
- (3) Pilot regulations may extend a period specified under subsection (2) on one or more occasions. 30
- (4) Pilot regulations must specify—
 - (a) the objective or objectives of the provisions contained in the regulations, and
 - (b) the date before which the Electoral Commission must report on the regulations and the objective or objectives (see section 24) ("the report date"). 35

- (5) Where the period for which pilot regulations have effect is extended under subsection (3), pilot regulations may change the report date for the regulations to a later date.

21 Voter registration provision

- (1) This section is about what is meant in section 20 by “voter registration provision” in connection with a register. 5
- (2) It means provision setting out or modifying a process for –
 - (a) registering individuals in the register, or
 - (b) altering or removing entries in the register.
- (3) It includes provision relating to – 10
 - (a) the identification of individuals who are not registered in the register but who are entitled to be registered,
 - (b) the identification of individuals who are registered in the register but who are not entitled to be registered,
 - (c) the identification of changes relevant to entries in the register, and 15
 - (d) the maintenance of registers.
- (4) It includes provision relating to registration in the register, or the alteration of entries in the register, with or without the individual concerned making an application or taking other steps.
- (5) It includes provision relating to – 20
 - (a) the form of the register;
 - (b) the procedure to be followed in the preparation of the register;
 - (c) the publication of the register.
- (6) It includes provision –
 - (a) which is made for the purpose of testing how the changes made by sections 17 to 19 and Schedule 2 work in practice, and 25
 - (b) the effect of which corresponds to the effect of those changes or to the effect of provision that could be made by regulations by virtue of those sections or that Schedule.
- (7) It includes provision the effect of which corresponds to the effect of provision that could be made by regulations by virtue of paragraph 1 or 1A of Schedule 2 to RPA 1983 as amended by section 36 of this Act (information to assist registration officers). 30

22 Further powers and restrictions

- (1) Pilot regulations may make provision which applies only – 35
 - (a) in one or more specified areas,
 - (b) in relation to a specified register or a register of a specified description, or
 - (c) in relation to individuals of a specified description,

as well as provision whose application is not limited in those ways.

- (2) Pilot regulations may not make provision applying to an area without the consent of the registration officer for the area or (as appropriate) each person who is the registration officer for a part of the area, except where—
 - (a) the application of the pilot regulations is not limited to a particular area or areas, or 5
 - (b) the Secretary of State—
 - (i) considers that it is appropriate to make the provision without the consent of the registration officer (or, as appropriate, each registration officer), and 10
 - (ii) has made a written statement to that effect.
- (3) Pilot regulations may—
 - (a) make provision for the imposition of a financial penalty;
 - (b) disapply provision about financial penalties in other enactments;
 - (c) alter such provision, but not by increasing the amount of a penalty. 15
- (4) Pilot regulations may create an offence that is punishable—
 - (a) on summary conviction in England and Wales, by imprisonment for a term not exceeding the maximum term for summary offences or a fine (or both);
 - (b) on summary conviction in Scotland, by imprisonment for a term not exceeding 12 months or a fine not exceeding level 5 on the standard scale (or both); 20
 - (c) on summary conviction in Northern Ireland, by imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale (or both). 25
- (5) Pilot regulations may disapply or alter provision about offences in other enactments but may not—
 - (a) increase the penalty for a summary offence so that it exceeds the penalty described in subsection (4), or
 - (b) increase the penalty for an offence triable either way or an indictable offence. 30
- (6) Pilot regulations made in reliance on subsection (3), (4) or (5) may not provide that an individual who fails to take steps to register, or to alter their entry in a register, is subject to a financial penalty or commits an offence.
- (7) Pilot regulations may— 35
 - (a) disapply an enactment or provide for an enactment to apply with modifications;
 - (b) make different provision for different purposes or different areas;
 - (c) make consequential, supplementary, incidental, transitional or saving provision; 40
 - (d) be replaced by further pilot regulations, which may make provision that was made, or that has the same effect as provision made, in the pilot regulations being replaced or other pilot regulations.

- (8) In this section –
- “enactment” means an enactment whenever passed or made and includes –
- (a) an enactment comprised in subordinate legislation (as defined in section 21 of the Interpretation Act 1978); 5
 - (b) an enactment comprised in, or in an instrument made under, Northern Ireland legislation;
- “the maximum term for summary offences” means –
- (a) if the offence is committed before the time when section 281(5) of the Criminal Justice Act 2003 comes into force, six months; 10
 - (b) if the offence is committed after that time, 51 weeks.

23 Parliamentary procedure

- (1) Pilot regulations are to be made by statutory instrument.
- (2) A statutory instrument containing (whether alone or with other provision) pilot regulations may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament, subject to subsection (3). 15
- (3) A statutory instrument containing pilot regulations which make only –
 - (a) provision under section 20(3) extending the specified period for not more than 12 months, or 20
 - (b) provision under section 20(5) (changing the date for the Electoral Commission to report),(or both) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Where the Secretary of State is required to make a statement under section 22(2)(b) in connection with pilot regulations, the Secretary of State must lay the statement before Parliament – 25
 - (a) where subsection (2) applies, when the draft statutory instrument is laid before Parliament, and
 - (b) where subsection (3) applies, without delay after the regulations are made. 30

24 Electoral Commission report

- (1) The Electoral Commission must, before the report date specified in pilot regulations –
 - (a) prepare a report on the regulations, 35
 - (b) give a copy of the report to the Secretary of State, and
 - (c) give a copy of the report to each person who is the registration officer for, or for a part of, an area to which the regulations apply.
- (2) The report must contain –
 - (a) a description of the provisions of the regulations, 40

- (b) an assessment of the extent to which the objective or (if more than one) each objective of the regulations was met in the area or areas to which the regulations apply immediately before the period specified under section 20(2),
 - (c) an assessment of the extent to which that objective or (if more than one) each of those objectives was met in the area or areas to which the regulations apply during the period specified under section 20(2) (including, where relevant, that period as extended under section 20(3)), and 5
 - (d) an assessment of whether the changes made by the regulations are a cost-effective means of achieving that objective or (if more than one) each of those objectives. 10
- (3) The Secretary of State must publish the report.
- (4) A registration officer must comply with a request made by the Electoral Commission for information that it reasonably requires in connection with the preparation of a report under this section. 15

25 Interpretation of sections 20 to 24

In sections 20 to 24 –

- “pilot regulations” has the meaning given in section 20(2);
- “registration officer” has the same meaning as in RPA 1983 (see section 8 of that Act); 20
- “report date” has the meaning given in section 20(4)(b);
- “specified” means specified in pilot regulations.

Northern Ireland canvass

26 Power to amend the canvass in Northern Ireland 25

- (1) The Secretary of State may by regulations make provision in connection with the conduct of a canvass in Northern Ireland.
- (2) When making regulations under this section, the Secretary of State must have regard to the Northern Ireland registration objectives.
- (3) The power under this section – 30
 - (a) includes power to modify section 10 of RPA 1983 or any other enactment relating to a canvass under that section, but
 - (b) does not include power to abolish the Chief Electoral Officer for Northern Ireland’s duty to conduct a canvass.
- (4) Regulations under this section may make provision about, among other things – 35
 - (a) how a canvass must be conducted;
 - (b) when a canvass must take place;

- (c) the alteration, following a canvass, of registers maintained by the Chief Electoral Officer for Northern Ireland.
- (5) Regulations under this section may confer power on the Secretary of State to make subordinate legislation and, if they do so, must provide—
 - (a) that the subordinate legislation is to be made by statutory instrument, and 5
 - (b) that the instrument may not be made unless a draft of it has been laid before and approved by a resolution of each House of Parliament.
- (6) Regulations under this section may—
 - (a) make consequential, supplementary, incidental, transitional or saving provision; 10
 - (b) modify an enactment (whenever passed or made);
 - (c) make provision applying generally or only for particular purposes or areas;
 - (d) make different provision for different purposes or areas. 15
- (7) Before making regulations under this section, the Secretary of State must consult the Electoral Commission.
- (8) Regulations under this section are to be made by statutory instrument.
- (9) A statutory instrument containing (whether alone or with other provision) regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament. 20
- (10) In this section and sections 27 to 29—
 - “enactment” includes—
 - (a) an enactment comprised in subordinate legislation; 25
 - (b) an enactment comprised in, or in an instrument made under, Northern Ireland legislation;
 - “modify” includes amend, repeal or revoke;
 - “the Northern Ireland registration objectives” means the relevant registration objectives set out in section 10ZB of RPA 1983; 30
 - “subordinate legislation” has the same meaning as in the Interpretation Act 1978 (see section 21 of that Act).

27 Electoral Commission report on proposals under section 26

- (1) Where the Secretary of State consults the Electoral Commission under section 26(7) about a proposal to make regulations under that section, the Commission must prepare a report assessing—
 - (a) the extent to which the Northern Ireland registration objectives are met, 35
 - (b) the extent to which the regulations would assist the Chief Electoral Officer for Northern Ireland to meet those objectives, and 40

- (c) the merits of alternative ways of assisting the Chief Electoral Officer to meet those objectives.
- (2) Where a proposal is to make provision only for a particular purpose or area, the Electoral Commission’s report under subsection (1) is only required to relate to that purpose or area. 5
- (3) The Electoral Commission must give a copy of the report to the Secretary of State before the date specified by the Secretary of State.
- (4) The date specified under subsection (3) must be after the end of the period of 3 months beginning with the day on which the Secretary of State consults the Commission. 10
- (5) When a draft of a statutory instrument containing regulations under section 26 is laid before Parliament, it must be accompanied by a report from the Electoral Commission under this section.

28 Power to pilot proposals under section 26

- (1) Regulations under section 26 may be made so as to have effect only for a period specified in the regulations (and regulations which do so are referred to in this section and section 29 as “pilot regulations”). 15
- (2) The provision that may be made in pilot regulations by virtue of section 26(6)(a) includes provision in connection with the expiry of the specified period. 20
- (3) Pilot regulations may be replaced by further pilot regulations, which may make provision that was made, or that has the same effect as provision made, in the pilot regulations being replaced or other pilot regulations.
- (4) Pilot regulations must specify the date before which the Electoral Commission must report on the regulations under section 29. 25
- (5) Sections 26(7) and 27 (consultation with, and report by, the Electoral Commission on proposed regulations) do not apply in relation to pilot regulations.

29 Electoral Commission report on pilot regulations

- (1) If pilot regulations are made, the Electoral Commission must— 30
 - (a) prepare a report on the pilot regulations, and
 - (b) before the date specified under section 28(4), give a copy of the report to the Secretary of State and to the Chief Electoral Officer for Northern Ireland.
- (2) The Electoral Commission’s report must contain— 35
 - (a) a description of the pilot regulations,
 - (b) an assessment of the extent to which the Northern Ireland registration objectives were met immediately before the beginning of the period for which the pilot regulations have effect, and

- (c) an assessment of the extent to which those objectives were met during that period.
- (3) Where pilot regulations make provision only for a particular purpose or area, the Electoral Commission’s assessments under subsection (2)(b) and (c) are only required to relate to that purpose or area. 5
- (4) The Secretary of State must publish the Electoral Commission’s report.

Other provision about registration

30 Local connection and service declarations ceasing to have effect

- (1) RPA 1983 is amended as follows.
- (2) In section 7C (effect of declaration of local connection) – 10
 - (a) in subsection (2), after paragraph (ab) insert –
 - “(aba) the registration officer determines in accordance with regulations made by the appropriate national authority that –
 - (i) the person is no longer a person who could 15
 - make a declaration under section 7B, or
 - (ii) the person no longer falls into the category of person to whom section 7B applies which is specified in the declaration.”;
 - (b) after subsection (3) insert – 20
 - “(3A) A registration officer must give a notice to a person where –
 - (a) the person’s entitlement to remain registered in a register maintained by the officer terminates by virtue of subsection (2)(c), and
 - (b) the officer removes the person’s entry from the register. 25
 - (3B) A notice under subsection (3A) must –
 - (a) be in writing,
 - (b) be given as soon as reasonably practicable after the officer removes the person’s entry from the register,
 - (c) state that the registration officer has done so, 30
 - (d) state the reason for doing that, and
 - (e) provide information about making an application for registration in the register in pursuance of a further declaration of local connection.”;
 - (c) after subsection (4) insert – 35
 - “(5) “The appropriate national authority” means –
 - (a) in the case of a declaration of local connection having effect for the purposes of a person’s registration in a register of local government electors in Wales, the Welsh Ministers; 40

-
- (b) in the case of a declaration of local connection having effect for the purposes of a person’s registration in a register of local government electors in Scotland, the Scottish Ministers;
 - (c) in the case of a declaration of local connection having effect for any other purpose, the Secretary of State. 5
 - (6) Regulations made by the Welsh Ministers under this section are subject to the Senedd approval procedure (see section 37C of the Legislation (Wales) Act 2019 (anaw 4)).
 - (7) Regulations made by the Scottish Ministers under this section are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).” 10
 - (3) In section 15 (service declaration), after subsection (3) insert –
 - “(3ZA) A registration officer must give a notice to a person where – 15
 - (a) the person’s entitlement to remain registered in a register maintained by the officer terminates by virtue of subsection (2)(c), and
 - (b) the officer removes the person’s entry from the register.
 - (3ZB) A notice under subsection (3ZA) must – 20
 - (a) be in writing,
 - (b) be given as soon as reasonably practicable after the officer removes the person’s entry from the register,
 - (c) state that the registration officer has done so,
 - (d) state the reason for doing that, and 25
 - (e) provide information about making an application for registration in the register in pursuance of a further service declaration.”
 - (4) In section 201 (regulations) –
 - (a) in subsection (1) omit from “and except” to the end; 30
 - (b) after subsection (1) insert –
 - “(1A) Regulations made by the Secretary of State or the Welsh Ministers under this Act are to be made by statutory instrument, except in the case of regulations under section 29(8). 35
 - (1B) For regulations made by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) (Scottish statutory instruments).”;
 - (c) in subsection (3), for the words from “Secretary” to “(them),” substitute “person making the regulations”. 40

31 Seniority of electoral registration officers

- (1) RPA 1983 is amended as follows.
- (2) Section 8 (registration officers) is amended as set out in subsections (3) to (6).
- (3) In subsection (2) (registration officers appointed by councils in England) –
 - (a) in paragraph (a), for “an officer” substitute “a senior officer”; 5
 - (b) in paragraph (b), for “an officer” substitute “a senior officer”.
- (4) After subsection (2) insert –

“(2ZA) In subsection (2), “senior officer” means –

 - (a) the council’s head of paid service designated under section 4 of the Local Government and Housing Act 1989; 10
 - (b) the council’s monitoring officer designated under section 5 of that Act;
 - (c) a statutory chief officer of the council (as defined in section 2(6) of that Act).”
- (5) In subsection (2A) (registration officers appointed by councils in Wales), for “an officer” substitute “a senior officer”. 15
- (6) After subsection (2A) insert –

“(2B) In subsection (2A), “senior officer” means –

 - (a) the council’s chief executive appointed under section 54 of the Local Government and Elections (Wales) Act 2021 (asc 1); 20
 - (b) the council’s head of democratic services designated under section 8 of the Local Government (Wales) Measure 2011 (nawm 4);
 - (c) the council’s monitoring officer designated under section 5 of the Local Government and Housing Act 1989; 25
 - (d) a statutory chief officer of the council (as defined in section 2(6) of that Act).”
- (7) In section 203 (local government provisions as to England and Wales), in subsection (4) (Isles of Scilly), in paragraph (a), for “an officer of the council” substitute “a senior officer of the council (as defined in section 8(2ZA))”. 30

32 Anonymous registration

- (1) RPA 1983 is amended as follows.
- (2) In section 9 (registers of electors), after subsection (4) (electoral numbers) insert –

“(4A) The duty under subsection (4) does not apply in connection with a person’s electoral number for the purposes of a register where – 35

 - (a) the person has an anonymous entry in the register, and
 - (b) the register is maintained by a registration officer in Great Britain.”

- (3) Section 9C (removal of anonymous entry) is amended as set out in subsections (4) and (5).
- (4) In subsection (1) (removal of anonymous entries from registers in Great Britain) –
 - (a) in paragraph (a), for the words from “12 months” to “effect” substitute “three years beginning with the date specified in subsection (1ZA)”;
 - (b) in paragraph (b), for “12 month” substitute “three year”.
- (5) After subsection (1) insert –
 - “(1ZA) For the purposes of subsection (1), the specified date is –
 - (a) where the person’s anonymous entry is the result of an application under section 9B(1)(a), the date when the person’s entry in the register first takes effect; or
 - (b) where the person’s anonymous entry is the result of an application under section 9B(1)(b), the date when the registration officer determines under section 9B(2) that the safety test is satisfied.”

33 Pre-election applications for registration

- (1) RPA 1983 is amended as set out in subsections (2) to (4).
- (2) In section 13B (alteration of registers in Great Britain: pending elections) –
 - (a) after subsection (3ZB) insert –
 - “(3ZC) Subsection (3) does not require a registration officer to issue a notice under that subsection where –
 - (a) section 13A applies to the registration officer (by virtue of section 13A(1)) in connection with a requirement falling within section 13A(1)(za) or (zb), and
 - (b) the application referred to in section 10ZC(1)(a) or 10ZD(1)(a) was received by the officer after 5 p.m. on the 12th day before the date of the poll for the election.”
 - (b) in subsection (6) –
 - (i) omit the “and” at the end of paragraph (a);
 - (ii) after paragraph (b) insert “; and
 - (c) in subsection (1)(b), the words “of not more than 7 days” were omitted.”
- (3) In section 13BA (alteration of registers in Northern Ireland: pending elections), after subsection (6B) insert –
 - “(6C) Subsection (6) does not require the Chief Electoral Officer to issue a notice under that subsection where –
 - (a) section 13A applies to the registration officer (by virtue of section 13A(1)) in connection with a determination falling within section 13A(1)(a), and

- (b) the application for registration in Northern Ireland was received by the officer after 5 p.m. on the 12th day before the date of the poll for the election.”
- (4) After section 13BA insert—
 - “13BAA Power to change applications deadline: pending elections**
5
 - (1) The appropriate national authority may by regulations—
 - (a) amend section 13B so as to change the time and day for the time being specified in subsection (3ZC)(b) of that section;
 - (b) amend section 13BA so as to change the time and day for the time being specified in subsection (6C)(b) of that section. 10
 - (2) Before making regulations under this section, the appropriate national authority must consult the Electoral Commission.
 - (3) “The appropriate national authority” means—
 - (a) in the case of elections to Senedd Cymru and local government elections in Wales, the Welsh Ministers; 15
 - (b) in the case of elections to the Scottish Parliament and local government elections in Scotland, the Scottish Ministers;
 - (c) in the case of other elections, the Secretary of State.
 - (4) Regulations made by the Scottish Ministers under this section are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)). 20
 - (5) Regulations made by the Welsh Ministers under this section are subject to the Senedd approval procedure (see section 37C of the Legislation (Wales) Act 2019 (anaw 4)).”
- (5) In Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 25
 (application and modification of RPA 1983)—
 - (a) in Part 1 (provisions applied), in the entry beginning “Sections 9,” after “13BA” insert “, 13BAA”;
 - (b) in Part 2 (modifications), after paragraph 8 insert—
 - “8ZA**
30
 - In section 13BAA(1)(b), after “that section” insert “and amend Part 2 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 so as to modify that time and day”.”

34 Pre-election alteration of Northern Ireland registers: supporting evidence

- (1) RPA 1983 is amended as set out in subsections (2) to (4).
- (2) In section 13A (alteration of registers), in subsection (4), for “13BA(3), (6)” 35
 substitute “13BA(6)”.
- (3) In section 13BA (alteration of registers in Northern Ireland: pending elections)—
 - (a) in subsection (1)—

-
- (i) for “final nomination day” substitute “fifth day before the date of the poll”;
 - (ii) omit from “unless” to the end;
 - (b) omit subsections (2) to (3B) (alteration only if additional supporting material provided); 5
 - (c) in subsection (5)(a), for “decision or determination falling within section 13A(1)(c) or (d)” substitute “decision, determination or requirement falling within section 13A(1)(a), (b), (c) or (d)”;
 - (d) in subsection (5)(b), for “decision or determination” substitute “decision, determination or requirement”; 10
 - (e) in subsection (6A), for “decision or determination” substitute “decision, determination or requirement”;
 - (f) in subsection (11) omit “(3),”.
- (4) In section 13BC (alteration of registers: recall petition) –
- (a) in subsection (2) – 15
 - (i) at the end of paragraph (b) insert “and”;
 - (ii) at the end of paragraph (c) omit “and”;
 - (iii) omit paragraph (d) (requirement to provide additional supporting material in Northern Ireland);
 - (b) in subsection (4), for “13BA(2) and (5)” substitute “13BA(5)”. 20
- (5) In Schedule 2 to the Recall of MPs Act 2015 (alteration of registers of parliamentary electors) omit paragraph 6(3) and (4) (which amended section 13BA(2) and (3) of RPA 1983).
- (6) In section 7 of this Act, in subsection (4), in the definition of “voters register”, in the words after paragraph (c), for “13BA(3), (6)” substitute “13BA(6)”. 25
- 35 Electoral identity card issued in Northern Ireland: month and year of birth**
- In section 13C of RPA 1983 (electoral identity card: Northern Ireland), in subsection (4)(a), for “date of birth” substitute “month and year of birth”.
- 36 Regulations as to registration etc: information to assist registration officers**
- (1) Schedule 2 to RPA 1983 (provisions which may be contained in regulations as to registration etc) is amended as set out in subsections (2) to (5). 30
 - (2) In paragraph 1, in sub-paragraph (4) (inspection of documents) –
 - (a) omit “to inspect”;
 - (b) after “duties,” insert “to inspect or otherwise access (by any means)”;
 - (c) after “make” insert “, or require an authority or person described in paragraph (a) or (b) to provide,”. 35
 - (3) In paragraph 1A (disclosure of information) –

- (a) after sub-paragraph (1B) insert –
 - “(1C) Other provision authorising or requiring a person to disclose information to another person for the purpose of assisting a registration officer to carry out the officer’s functions.”;
- (b) in sub-paragraph (2), after “(1)” insert “or (1C)”; 5
- (c) in sub-paragraph (3), after “(1)” insert “, (1C)”.
- (4) In paragraph 1B (provision of information in connection with a canvass) –
 - (a) in sub-paragraph (1) omit “in Great Britain”;
 - (b) in sub-paragraph (2) omit “in Great Britain”;
 - (c) in sub-paragraph (3) omit “in Great Britain”. 10
- (5) In paragraph 3C (provision for registration officer conducting canvass to take steps to obtain information) –
 - (a) omit sub-paragraph (1);
 - (b) in sub-paragraph (1A), in the words before paragraph (a) omit from “for the purposes” to the end of those words (but not the dash); 15
 - (c) in sub-paragraph (3) omit “(1),”.
- (6) In Part 1 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (application of RPA 1983), in the entry beginning “Section 53 and, in Schedule 2” –
 - (a) after “1A,” insert “1B,”; 20
 - (b) after “3B,” insert “3C,”.

37 Edited register: electors to opt in

- (1) In Schedule 2 to RPA 1983 (provisions which may be contained in regulations as to registration etc), paragraph 10 (full and edited register of electors) is amended as follows. 25
- (2) In sub-paragraph (1), for the words from “omits” to “excluded from” substitute “includes only the names and addresses of registered persons by whom requests have been made to have their names and addresses included in”.
- (3) Omit sub-paragraph (1A).
- (4) Before sub-paragraph (2) insert – 30
 - “(1B) In sub-paragraph (1), “registered person” means a person who has an entry in the full register.
 - (1C) Provision made under sub-paragraph (1) must provide that a request may not be made by a person –
 - (a) who has not attained the age of 16, or 35
 - (b) whose entry in the full register is an anonymous entry.”
- (5) In sub-paragraph (2) –
 - (a) in paragraph (a) omit “, or persons acting on behalf of such persons,”;
 - (b) in paragraph (b) –

- (i) for “exclusion of their names and addresses from” substitute “inclusion of their names and addresses in”;
- (ii) omit “or on behalf of”.

PART 3

CONDUCT OF ELECTIONS ETC

5

Returning officers

38 Provision of assistance by local authority officers to returning officers

In section 24 of RPA 1983 (returning officers: parliamentary elections in England and Wales), after subsection (1A) insert –

- “(1B) Every local authority in England or Wales must place the services of officers employed by the authority at the disposal of the returning officer for a constituency wholly or partly situated in the authority’s area for the purpose of assisting the returning officer in the discharge of functions conferred on the returning officer in relation to a parliamentary election in that constituency.”

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39 Seniority of returning officers

- (1) RPA 1983 is amended as set out in subsections (2) and (3).
- (2) In section 25 (returning officers: parliamentary elections in Scotland), for subsection (1) substitute –

- “(1A) In relation to each constituency in Scotland, the relevant local authority must appoint a senior officer of the authority to be the returning officer for the constituency.”

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- (1B) In subsection (1A), “the relevant local authority” means –

- (a) in the case of a constituency wholly situated in one local government area, the local authority for that area;
- (b) in the case of a constituency situated in more than one local government area, the local authority designated by the Secretary of State by order.

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- (1C) In subsection (1A), “senior officer” means –

- (a) the authority’s head of paid service designated under section 4 of the Local Government and Housing Act 1989;
- (b) the authority’s monitoring officer designated under section 5 of that Act;
- (c) a statutory chief officer of the authority (as defined in section 2(6) of that Act).”

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- (3) In section 35 (returning officers: local elections in England) –
 - (a) in subsection (1), for “an officer”, in each place it occurs, substitute “a senior officer”;

- (b) after subsection (1) insert—
 - “(1ZA) In subsection (1), “senior officer” means—
 - (a) the council’s head of paid service designated under section 4 of the Local Government and Housing Act 1989; 5
 - (b) the council’s monitoring officer designated under section 5 of that Act;
 - (c) a statutory chief officer of the council (as defined in section 2(6) of that Act).”;
 - (c) in subsection (2A), for “and (2C)” substitute “to (2D)”;
 - (d) in subsection (2C)—
 - (i) for the words before paragraph (a) substitute “The Greater London Authority must appoint a senior officer of the Authority to be the returning officer —”; 10
 - (ii) omit the words after paragraph (c); 15
 - (e) after subsection (2C) insert—
 - “(2D) In subsection (2C), “senior officer” means—
 - (a) the Authority’s head of paid service appointed under section 72 of the Greater London Authority Act 1999;
 - (b) the Authority’s monitoring officer appointed under section 73 of that Act.”; 20
 - (f) for subsection (3) substitute—
 - “(3) Every London borough council must appoint a senior officer of the council to be the returning officer for elections of councillors of the borough.”; 25
 - (g) after subsection (3) insert—
 - “(3ZA) In subsection (3), “senior officer” means—
 - (a) the council’s head of paid service designated under section 4 of the Local Government and Housing Act 1989; 30
 - (b) the council’s monitoring officer designated under section 5 of that Act;
 - (c) a statutory chief officer of the council (as defined in section 2(6) of that Act).”
- (4) In the Greater London Authority Act 1999, in section 29, in the definition of “Greater London returning officer”, for “the proper officer of the Authority for the purposes of” substitute “appointed by the Authority as the returning officer under”. 35

*Rules***40 Timing of proceedings for nominations**

- (1) In rule 1 of Schedule 1 to RPA 1983 (parliamentary elections: timetable), the Table is amended as set out in subsections (2) to (4).
- (2) For the entry relating to the delivery of nomination papers substitute— 5

“Delivery of nomination papers.	In the case of a general election or a by-election, between 9 a.m. and 5 p.m. on any day of the nomination period except the last day of that period, and between 9 a.m. and 12 noon on that last day.	
	For these purposes, “the nomination period” means the period beginning with the day after the day on which the notice of election is published and ending with—	10
	(a) in relation to a general election, the sixth day after the day on which Parliament is dissolved; (b) in relation to a by-election, the day fixed by the returning officer as the last day of that period, which must not be—	15
	(i) earlier than the third day after the day on which the notice of election is published, or (ii) later than the seventh day after the day on which the writ is received.	20
	For the purposes of paragraph (b)(ii) of the definition of “the nomination period”, the writ is to be taken to have been received on the day after the date of the warrant for the writ.”	25
- (3) In the entry relating to the making of objections to nomination papers—
 - (a) for “during the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following” substitute “between 12 noon and 5 p.m. on the penultimate day for delivery of nomination papers, and between 9 a.m. and 1 p.m. on the last day for their delivery”; 30
 - (b) for paragraph (a) (but not the “and” at the end) substitute—
 - “(a) no objection may be made between 12 noon and 1 p.m. on that last day except to a nomination paper delivered on that last day;”.35
- (4) In the entry relating to the publication of a statement of persons nominated, in paragraph (a), for “at” substitute “not later than one hour after”.
- (5) Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (local government elections in Northern Ireland) is amended as set out in subsections (6) and (7). 40

(6) In rule 1 (timetable) –

- (a) in paragraph (2) (timetable for proceedings at an election in a local election year), in the Table, for the entry relating to the delivery of nomination papers substitute –

“Delivery of nomination papers.	Between 9 a.m. and 5 p.m. on any day of the nomination period except the last day of that period, and between 9 a.m. and 12 noon on that last day.	5
	For these purposes, “the nomination period” means the period beginning with the day after the day on which the notice of election is published and ending with the 16th day before election day.”;	10

- (b) in paragraph (3) (timetable for proceedings at an election to fill a casual vacancy), in the Table, for the entry relating to the delivery of nomination papers substitute –

“Delivery of nomination papers.	Between 9 a.m. and 5 p.m. on any day of the nomination period except the last day of that period, and between 9 a.m. and 12 noon on that last day.	15
	For these purposes, “the nomination period” means the period beginning with the day after the day on which the notice of election is published and ending with the 7th day after the day on which that notice is published.”	20

- (7) In rule 63 (proceedings for election following death of a candidate), in paragraph (4), in the Table (timetable), for the entry relating to the delivery of nomination papers substitute –

“Delivery of nomination papers (pursuant to paragraph (6)).	Between 9 a.m. and 5 p.m. on any day of the nomination period except the last day of that period, and between 9 a.m. and 12 noon on that last day.	25
	For these purposes, “the nomination period” means the period beginning with the day after the day on which the notice of election is published and ending with the 7th day after the day on which that notice is published.”	30
		35

41 Identification of candidates at parliamentary elections

- (1) RPA 1983 is amended as follows.
- (2) Schedule 1 (parliamentary elections rules) is amended as set out in subsections (3) to (9).

- (3) In rule 6 (nomination of candidates), after paragraph (6) insert –
- “(7) The nomination paper must also be accompanied by, or by copies of, prescribed documents that provide evidence of the candidate’s identity (and those documents and copies of documents, and any copies made in accordance with paragraph (10), are together referred to in this Schedule as “identity evidence”). 5
- (8) In paragraph (7), “prescribed” includes of a prescribed description.
- (9) Provision in paragraph (1) about delivery of the nomination paper applies also to the identity evidence.
- (10) Where the identity evidence delivered to the returning officer consists of or includes an original document, the returning officer must – 10
- (a) make a copy of the original document (or arrange for a copy to be made), and
- (b) return the original document to the person who delivered it.” 15
- (4) In rule 8 (consent to nomination), in paragraph (2) –
- (a) for “a telegram” substitute “an email”;
- (b) for “consenting to his nomination and purporting” substitute “received by the returning officer which consents to the person’s nomination and purports”. 20
- (5) After rule 8 insert –
- “Declaration of truth*
- 8A (1) A person is not validly nominated unless the person makes a declaration that – 25
- (a) the person is aware of the offences in section 65A (offences relating to false statements in nomination papers etc.), and
- (b) the documents mentioned in paragraph (2) do not contain any statement or information which the person knows to be false in any particular, or anything which would otherwise give rise to such an offence, 30
- and such a declaration is referred to in this Schedule as a “declaration of truth”.
- (2) The documents are the following documents as delivered to the returning officer – 35
- (a) the person’s nomination paper;
- (b) the person’s home address form;
- (c) the person’s consent to nomination (see rule 8).
- (3) The declaration of truth must be – 40
- (a) in the prescribed form,
- (b) signed by the person, and

- (c) delivered at the place and within the time for delivery of nomination papers,
subject to paragraphs (4) and (5).
- (4) Paragraph (5) applies if the returning officer is satisfied that, owing to the absence of a person from the United Kingdom, it has not been reasonably practicable for the person to make a declaration of truth that complies with paragraph (3). 5
- (5) An email (or any similar means of communication) received by the returning officer which –
 - (a) contains a declaration of truth which purports to have been made by the person, and 10
 - (b) purports to have been sent by the person,
is to be deemed for the purposes of this rule to be a declaration of truth that complies with paragraph (3) made by the person on the day on which the email (or other means of communication) purports to have been sent.” 15
- (6) In rule 11 (right to attend nomination), after paragraph (5) insert –
 - “(6) The returning officer may not permit a candidate’s identity evidence to be inspected otherwise than for a purpose authorised by law.”
- (7) In rule 12 (decisions as to validity of nomination papers) – 20
 - (a) before paragraph (1) insert –
 - “(A1) Where a nomination paper and the documents mentioned in paragraph (A2) are delivered, and a deposit is made, in accordance with these rules, the candidate is deemed to stand nominated unless and until one of the events mentioned in paragraph (1) occurs. 25
 - (A2) The documents are –
 - (a) the home address form;
 - (b) the identity evidence;
 - (c) the candidate’s consent to nomination (see rule 8); 30
 - (d) the declaration of truth.”;
 - (b) in paragraph (1) –
 - (i) for the words before sub-paragraph (a) substitute “The events are as follows –”;
 - (ii) after paragraph (aa) insert – 35
 - “(ab) the returning officer decides that there is a discrepancy between the candidate’s full names as stated on the nomination paper and the candidate’s name as stated in the identity evidence that cannot be resolved to the returning officer’s satisfaction (including, where appropriate, by production of further proof of the candidate’s identity); or 40

-
- (ac) the returning officer decides that there is another reason (arising from a document delivered to the returning officer by or on behalf of the candidate) to doubt that the candidate is who they claim to be; or”. 5
 - (8) In the italic heading before rule 53A (destruction of home address forms), at the end insert “and identity evidence”.
 - (9) In rule 53A –
 - (a) the existing text becomes paragraph (1);
 - (b) in that paragraph, in the words before sub-paragraph (a), for “each candidate’s home address form” substitute “the documents mentioned in paragraph (2)”;
 - (c) after that paragraph insert –
 - “(2) The documents are –
 - (a) each candidate’s home address form, and 15
 - (b) each candidate’s identity evidence (except for any original documents).”
 - (10) In section 201 (regulations), in subsection (2AA)(c) (inserted by paragraph 9(2) of Schedule 5 to this Act), after “8(1)(a) and (2),” insert “8A(3)(a),”.
- 42 Identification of candidates at local elections in Northern Ireland** 20
- (1) Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (local elections rules) is amended as follows.
 - (2) In rule 5 (nomination of candidates) –
 - (a) in paragraph (9), in the words before paragraph (a), for “In this rule” substitute “In paragraph (7)”;
 - (b) after paragraph (9) insert –
 - “(10) The nomination paper must be accompanied by, or by copies of, specified documents that provide evidence of the candidate’s identity (and those documents and copies of documents, and any copies made in accordance with paragraph (13), are together referred to in this Schedule as “identity evidence”). 30
 - (11) In paragraph (10) “specified” means specified, or of a description specified, by Order in Council under section 84(1) of the Northern Ireland Act 1998. 35
 - (12) The provisions in paragraph (1) about delivery of the nomination paper also apply to delivery of the identity evidence.
 - (13) Where the identity evidence delivered to the returning officer consists of or includes an original document, the returning officer must – 40

- (a) make a copy of the original document (or arrange for a copy to be made), and
 - (b) return the original document to the person who delivered it.”
- (3) After rule 7 insert— 5
“Declaration of truth
- 7A (1) A person is not validly nominated unless the person makes a declaration that—
 - (a) the person is aware of the offences in paragraph 5A of Schedule 9 (offences relating to false statements in nomination papers, etc.), and 10
 - (b) the documents mentioned in paragraph (2) do not contain any statement or information which the person knows to be false in any particular, or anything which would otherwise give rise to such an offence, 15and such a declaration is referred to in this Schedule as a “declaration of truth”.
- (2) The documents are the following documents as delivered to the returning officer —
 - (a) the person’s nomination paper; 20
 - (b) the person’s home address form;
 - (c) the person’s consent to nomination (see rule 7).
- (3) The declaration of truth must be—
 - (a) in the prescribed form,
 - (b) signed by the person, and 25
 - (c) delivered at the place and within the time for the delivery of nomination papers.”
- (4) In rule 9 (right to attend nomination), after paragraph (6) insert—
 - “(7) The returning officer may not permit a candidate’s identity evidence to be inspected otherwise than for a purpose authorised by law.” 30
- (5) In rule 10 (decisions as to validity of nomination papers)—
 - (a) before paragraph (1) insert—
 - “(A1) Where a nomination paper and the documents mentioned in paragraph (A2) are delivered in accordance with these rules, the candidate is deemed to stand nominated unless 35
 - and until one of the events mentioned in paragraph (1) occurs.
 - (A2) The documents are—
 - (a) the home address form;
 - (b) the identity evidence; 40
 - (c) the candidate’s consent to nomination (see rule 7);

- (d) the declaration of truth.”;
- (b) in paragraph (1) –
 - (i) for the words before sub-paragraph (a) substitute “The events are as follows –”;
 - (ii) after sub-paragraph (aa) insert – 5
 - “(ab) the returning officer decides that there is a discrepancy between the candidate’s full names as stated on the nomination paper and the candidate’s name as stated in the identity evidence that cannot be resolved to the returning officer’s satisfaction (including, where appropriate, by production of further proof of the candidate’s identity); or 10
 - (ac) the returning officer decides that there is another reason (arising from a document delivered to the returning officer by or on behalf of the candidate) to doubt that the candidate is who they claim to be; or” 15
- (6) In the italic heading before rule 56A (destruction of home address forms and date of birth lists), after “forms” insert “, identity evidence”. 20
- (7) In rule 56A, in paragraph (1A), after sub-paragraph (a) insert –
 - “(aa) each candidate’s identity evidence (except for any original documents);”.

43 Withdrawal of certificates authorising candidate descriptions

- (1) Schedule 1 to RPA 1983 (parliamentary elections rules) is amended as set out in subsections (2) to (4). 25
- (2) In rule 1 (timetable), in the Table, in the entry relating to delivery of notices of withdrawals of candidature, for “withdrawals of candidature” substitute “withdrawal by candidates”.
- (3) In rule 6A (nomination papers: name of registered political party) – 30
 - (a) in paragraph (1)(a), after “party” insert “(and not withdrawn)”;
 - (b) in paragraph (1B) –
 - (i) in the words before sub-paragraph (a), for “a certificate” substitute “certificates”;
 - (ii) in sub-paragraph (a), after “parties” insert “(and not withdrawn)”;
 - (c) after paragraph (1C) insert –
 - “(1D) A certificate that meets the requirements in paragraph (1) or (1B) may be withdrawn only by written notice to the returning officer. 35
 - (1E) A notice under paragraph (1D) must be – 40

- (a) given by or on behalf of the registered nominating officer of the party in relation to which the certificate was issued, and
 - (b) received by the returning officer not later than 48 hours before the end of the period for delivery of nomination papers set out in the Table in rule 1. 5
- (1F) As soon as practicable after receiving a notice under paragraph (1D), the returning officer must inform the following persons that the certificate has been withdrawn—
 - (a) the candidate; 10
 - (b) where the certificate authorises a description of the candidate as mentioned in paragraph (1B), each registered nominating officer by or on behalf of whom another certificate authorising the same description was issued.”; 15
- (d) for paragraph (4) substitute—
 - “(4) Rule 2 applies in computing the periods of time mentioned in paragraphs (1E)(b) and (3)(a) as it applies in computing any period of time for the purposes of the Timetable.”
- (4) In rule 12 (decisions as to validity of nomination papers)— 20
 - (a) in paragraph (3), for “paragraph (3A)” substitute “paragraphs (3ZA) and (3A)”;
 - (b) after paragraph (3) insert—
 - “(3ZA) If in the returning officer’s opinion a nomination paper breaks rule 6A(1) or (1B) because a certificate issued under the provision in question has been withdrawn by notice under rule 6A(1D) (or for that reason and another reason), the returning officer must give a decision to that effect as soon as practicable after receiving the notice.”; 25
 - (c) in paragraph (3A), in the words before sub-paragraph (a), after “(1B)” insert “otherwise than as mentioned in paragraph (3ZA)”. 30
- (5) Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (local elections rules) is amended as set out in subsections (6) to (10).
- (6) In rule 1 (timetable)—
 - (a) in paragraph (2) (timetable for proceedings at an election in a local election year), in the Table, in the entry relating to delivery of notices of withdrawal of candidature, for “of candidature” substitute “by candidates”; 35
 - (b) in paragraph (3) (timetable for proceedings at an election to fill a casual vacancy), in the Table, in the entry relating to delivery of notices of withdrawal of candidature, for “of candidature” substitute “by candidates”. 40
- (7) In rule 5A (nomination papers: name of registered political party)—
 - (a) in paragraph (1)(a), after “party” insert “(and not withdrawn)”;

-
- (b) in paragraph (1B) –
- (i) in the words before sub-paragraph (a), for “a certificate” substitute “certificates”;
 - (ii) in sub-paragraph (a), after “parties” insert “(and not withdrawn)”;
- (c) after paragraph (1C) insert –
- “(1D) A certificate that meets the requirements in paragraph (1) or (1B) may be withdrawn only by written notice to the returning officer.
- (1E) A notice under paragraph (1D) must be –
- (a) given by or on behalf of the registered nominating officer of the party in relation to which the certificate was issued, and
 - (b) received by the returning officer not later than 48 hours before the last time for the delivery of nomination papers.
- (1F) Rule 2 applies in computing a period of time for the purpose of paragraph (1E)(b) as it applies in computing a period of time for the purpose of the appropriate Timetable.
- (1G) As soon as practicable after receiving a notice under paragraph (1D), the returning officer must inform the following persons that the certificate has been withdrawn –
- (a) the candidate;
 - (b) where the certificate authorises a description of the candidate as mentioned in paragraph (1B), each registered nominating officer by or on behalf of whom another certificate authorising the same description was issued.”
- (8) In rule 10 (decisions as to validity of nomination papers) –
- (a) in paragraph (3), for “paragraph (3A)” substitute “paragraphs (3ZA) and (3A)”;
 - (b) after paragraph (3) insert –
- “(3ZA) If in the returning officer’s opinion a nomination paper breaks rule 5A(1) or (1B) because a certificate issued under the provision in question has been withdrawn by notice under rule 5A(1D) (or for that reason and another reason), the returning officer must give a decision to that effect as soon as practicable after receiving the notice.”;
- (c) in paragraph (3A), in the words before sub-paragraph (a), after “(1B)” insert “otherwise than as mentioned in paragraph (3ZA)”.
- (9) In rule 62 (proceedings where deceased independent candidate’s votes are equal to or exceed quota), in paragraph (4), in the Table, in the entry relating to delivery of notices of withdrawal of candidature, for “of candidature” substitute “by candidates”.

- (10) In rule 63 (proceedings for election following death of a party candidate), in paragraph (4), in the Table, in the entry relating to delivery of notices of withdrawal of candidature, for “of candidature” substitute “by candidates”.

44 Subscription of nomination paper

- (1) In Schedule 1 to RPA 1983 (parliamentary elections rules), in rule 7 5
(subscription of nomination paper) –
(a) in paragraph (5) –
(i) at the beginning insert “Except as mentioned in paragraph 10
(5A),”;
(ii) omit from “, but” to the end;
(b) after paragraph (5) insert –
“(5A) A person is not prevented from subscribing a nomination 15
paper (“the new nomination paper”) by reason only that the
person has previously subscribed the nomination paper (“the
original nomination paper”) of a candidate who, before
delivery of the new nomination paper –
(a) has died,
(b) has withdrawn, or
(c) has ceased to be deemed to stand nominated by 20
reason only of a decision by the returning officer
under rule 12(1)(a) that the original nomination paper
breaks rule 6A(1) or (1B) (and so is invalid).”
(2) In Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.))
(local elections rules), in rule 6 (subscription of nomination paper) –
(a) in paragraph (5) – 25
(i) at the beginning insert “Except as mentioned in paragraph
(5A),”;
(ii) omit from “; but” to the end;
(b) after paragraph (5) insert –
“(5A) A person is not prevented from subscribing a nomination 30
paper (“the new nomination paper”) by reason only that the
person has previously subscribed the nomination paper (“the
original nomination paper”) of a candidate who, before
delivery of the new nomination paper –
(a) has died, 35
(b) has withdrawn, or
(c) has ceased to be deemed to stand nominated by
reason only of a decision by the returning officer
under rule 10(1)(a) that the original nomination paper
breaks rule 5A(1) or (1B) (and so is invalid).” 40

45 Police contact form

- (1) Schedule 1 to RPA 1983 (parliamentary elections rules) is amended as follows.

(2) After rule 7 insert—

“Police contact form: Great Britain

- 7A (1) In relation to an election in a constituency in England, Wales or Scotland, a nomination paper may be accompanied by a document (a “police contact form”) which includes— 5
- (a) the candidate’s full names,
 - (b) where the nomination paper states commonly used names in accordance with rule 6(2A), those names,
 - (c) a statement that the candidate wishes to be contacted by the police in connection with matters relating to the candidate’s safety, and 10
 - (d) one or more of the following that may be used to contact the candidate—
 - (i) a postal address;
 - (ii) an email address; 15
 - (iii) a telephone number.
- (2) Provision in rule 6(1) about delivery of the nomination paper applies also to a police contact form.
- (3) Paragraph (4) applies where—
- (a) a police contact form is delivered in accordance with this rule (and not withdrawn), and 20
 - (b) the candidate is shown in the statement of persons nominated as a person standing nominated.
- (4) The returning officer must give a copy of the police contact form to the relevant chief officer of police (or, if there is more than one, to each such officer) as soon as practicable after publication of the statement of persons nominated. 25
- (5) For the purposes of paragraph (4), the duty to give a copy of a police contact form to a chief officer of police is satisfied if the copy is given to a person nominated by the officer to receive police contact forms on the officer’s behalf. 30
- (6) In this rule, “relevant chief officer of police” means—
- (a) in relation to a constituency in England or Wales, the chief officer of police in relation to the police force maintained for a police area in which the constituency, or a part of it, is situated; 35
 - (b) in relation to a constituency in Scotland, the chief constable of the Police Service of Scotland.”
- (3) In rule 11 (right to attend nomination), in paragraph (6) (inserted by section 41(6) of this Act), after “identity evidence” insert “or a police contact form”. 40

46 Calling out and completed corresponding number lists etc

- (1) In rule 34 of Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (local elections rules: voting procedure and voter identification requirements) –
 - (a) in paragraph (1) omit sub-paragraph (b) (calling out); 5
 - (b) in paragraph (1A) (inserted by paragraph 1(3) of Schedule 4 to the Northern Ireland (Miscellaneous Provisions) Act 2006) omit sub-paragraph (a).
- (2) Schedule 1 to RPA 1983 (parliamentary elections rules) is amended as set out in subsections (3) and (4). 10
- (3) In rule 37 (voting procedure and voter identification requirements), as it extends to Northern Ireland –
 - (a) in paragraph (1) omit sub-paragraph (b) (calling out);
 - (b) in paragraph (1ZA) omit sub-paragraph (a).
- (4) In rule 43 (procedure on close of poll) – 15
 - (a) in paragraph (1)(da) (completed corresponding number lists), for “rule 19A, including the parts” substitute “rule 29(3)(e)”;
 - (b) in paragraph (4) (application to Northern Ireland) –
 - (i) omit the “and” at the end of sub-paragraph (a);
 - (ii) after sub-paragraph (a) insert – 20

“(aa) the reference in paragraph (1)(da) to rule 37(1)(b) and (d) were a reference to rule 37(1)(c) (as that rule extends to Northern Ireland), and”.
- (5) In section 44 of the Electoral Administration Act 2006 (access to certain election documents: supplementary) – 25
 - (a) in subsection (11) (completed corresponding number lists), for “rule 19A” substitute “rule 29(3)(e)”;
 - (b) after subsection (11) insert –

“(11A) This section applies in relation to Northern Ireland as if –

 - (a) the reference in subsection (8) to rule 37(1)(c) of the parliamentary elections rules were a reference to rule 37(1)(d) of those rules (as that rule extends to Northern Ireland), and 30
 - (b) the reference in subsection (11) to rule 37(1)(b) and (d) of those rules were a reference to rule 37(1)(c) of those rules (as that rule extends to Northern Ireland).” 35
- (6) The amendments made by subsections (4)(a) and (5) are to be treated as always having had effect.

47 Voter identification requirements

- (1) Rule 37 of Schedule 1 to RPA 1983 (parliamentary elections: voting procedure and voter identification requirements), as it extends to England and Wales and to Scotland, is amended as follows.
- (2) In paragraph (1H) – 5
 - (a) in the words before sub-paragraph (a) –
 - (i) after “paragraph (1K))” insert “and subject to paragraphs (1HA) to (1HC)”;
 - (ii) omit “(in whatever form issued to the holder) that contain a photograph of the holder”;10
 - (b) at the end insert –
 - “(m) a payment card (see paragraph (1JA)) or a cash withdrawal card which –
 - (i) is issued to the holder by a person who, at the time the card is issued, is a relevant UK-authorised person (see paragraph (1JA)),
 - (ii) shows the holder’s first name or first initial and the holder’s surname, and
 - (iii) shows when the card expires (see also paragraph (1NA)).”1520
- (3) After paragraph (1H) insert –
 - “(1HA) A document referred to in paragraph (1H)(a) to (l) is a specified document only if it contains a photograph of the holder.
 - (1HB) A document referred to in paragraph (1H) is a specified document in whatever form it is issued to the holder, except that a document mentioned in paragraph (1H)(m) is a specified document only if it is issued to the holder, and produced, in physical form.
 - (1HC) A document referred to in paragraph (1H) that is issued to the holder, and produced, in digital form is a specified document only if a person can form a reasonable view about whether it is a specified document by means of visual inspection alone.”25
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- (4) After paragraph (1J) insert –
 - “(1JA) In paragraph (1H)(m) –
 - “payment card” includes a credit card, a charge card, a debit card and a prepaid card;
 - “relevant UK-authorised person” means –
 - (a) a person who has a Part 4A permission (as defined in section 55A(5) of the Financial Services and Markets Act 2000) to carry on the regulated activity of accepting deposits (see section 22 of that Act, taken with Schedule 2 to that Act, and any order under that section);3540

- (b) a person who is authorised or regulated under the Electronic Money Regulations 2011 (S.I. 2011/99) or the Payment Services Regulations 2017 (S.I. 2017/752)."
- (5) In paragraph (1M), for "paragraph (1N)" substitute "paragraphs (1N) and (1NA)". 5
- (6) After paragraph (1N) insert—
 - "(1NA) In relation to a card referred to in paragraph (1H)(m)—
 - (a) paragraph (1M) does not apply, and
 - (b) the card is a specified document only if it has not expired." 10
- (7) In paragraph (1Q)—
 - (a) in the words before sub-paragraph (a), for "paragraph (1H), (1I) or (1J)" substitute "this rule";
 - (b) in sub-paragraph (a), for "any of those paragraphs" substitute "paragraph (1H)"; 15
 - (c) in sub-paragraph (b), for "any of those paragraphs" substitute "that paragraph";
 - (d) in sub-paragraph (c), for "any of those paragraphs" substitute "that paragraph";
 - (e) after sub-paragraph (c) insert— 20
 - "including by varying or repealing paragraph (1I), (1J) or (1JA) or adding, varying or repealing other paragraphs containing definitions."
- (8) After paragraph (1Q) insert—
 - "(1QA) Regulations may vary this rule by making provision about—
 - (a) whether a document must contain a photograph of the holder 25
 - in order to be a specified document,
 - (b) whether a document that is not required to contain a photograph of the holder in order to be a specified document must not have expired in order to be such a document,
 - (c) whether a document must be issued to the holder, or 30
 - produced, in a particular form in order to be a specified document, and
 - (d) the means by which a person must be able to form a reasonable view about whether a document is a specified document, 35
 including provision varying paragraph (1HA), (1HB) or (1HC), varying or repealing paragraph (1NA) or adding, varying or repealing other paragraphs."
- (9) In paragraph (1R)—
 - (a) for "provision by virtue of paragraph (1Q)(b)" substitute "the following provision"; 40

- (b) at the end insert “—
 - (a) provision described in paragraph (1Q)(b);
 - (b) provision described in paragraph (1QA)(a) or (c) the effect of which is that a document referred to in paragraph (1H) ceases to be a specified document.”

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*Absent voting***48 Absent voting**

In Schedule 3—

- (a) Part 1 makes provision about voting by post or by proxy in Great Britain;
- (b) Part 2 makes provision about voting by post or by proxy in Northern Ireland;
- (c) Part 3 makes other provision relating to voting by post or by proxy, including provision about offences of providing false information.

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Information to help people understand elections etc

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49 Power to obtain election-related information etc

- (1) The Secretary of State may by regulations require an officer specified in section 50 to provide the Secretary of State or the Electoral Commission with information about an election, referendum or recall petition process specified in section 51.
- (2) Regulations under this section may only require the provision of information that the Secretary of State or the Electoral Commission reasonably requires for the purpose of helping people to understand the election, referendum or recall petition process, including information about—
 - (a) who is entitled to vote in the election or referendum or to sign the recall petition;
 - (b) how, when and where to vote or to sign the recall petition;
 - (c) the question to be decided, including the candidates at the election or the member of the House of Commons who is subject to the recall petition;
 - (d) the conduct of the election, referendum or recall petition process, including the timetable;
 - (e) the support available for people with disabilities;
 - (f) the result of the election, referendum or recall petition process.
- (3) Regulations under this section may not require the provision of information about individuals, other than information about candidates in elections or about members of the House of Commons who are subject to a recall petition.
- (4) Regulations under this section may, among other things—

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- (a) make provision about the form and manner in which information must be provided;
 - (b) make provision about when information must be provided;
 - (c) make different provision for different purposes or different areas.
- (5) Regulations under this section are to be made by statutory instrument. 5
- (6) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section and sections 50 and 51 –
 - “recall petition” has the same meaning as in the Recall of MPs Act 2015 (see section 1(2) of that Act); 10
 - “recall petition process” means the process for dealing with a recall petition.

50 Specified officers

- (1) The following officers are specified for the purposes of section 49 in relation to information about an election – 15
 - (a) a returning officer for the election;
 - (b) an electoral registration officer maintaining a register under section 9 of RPA 1983 that is used to determine entitlement to vote in the election.
- (2) The following officers are specified for the purposes of section 49 in relation to information about a referendum – 20
 - (a) a counting officer for the referendum;
 - (b) an electoral registration officer maintaining a register under section 9 of RPA 1983 that is used to determine entitlement to vote in the referendum. 25
- (3) The following officers are specified for the purposes of section 49 in relation to information about a recall petition process –
 - (a) a petition officer for the recall petition process;
 - (b) an electoral registration officer maintaining a register under section 9 of RPA 1983 that is used to determine who is entitled to sign the recall petition. 30
- (4) In this section, references to a returning officer, a counting officer or a petition officer –
 - (a) are references to an officer who, under an enactment, holds an office with that title or an officer with a title which includes those words and other words, and
 - (b) include a person who, under an enactment or by virtue of an appointment made under an enactment, carries out some or all of the functions of such an officer. 35
- (5) In this section, “enactment” includes an enactment comprised in subordinate legislation (as defined in section 21 of the Interpretation Act 1978). 40

51 Specified elections etc

- (1) The following elections are specified for the purposes of section 49—
 - (a) a parliamentary election for a constituency in England, Wales or Scotland;
 - (b) a local government election within the meaning of section 203 of RPA 1983 for an area in England; 5
 - (c) an election under Part 1A of the Local Government Act 2000 (local authority governance: England) for the return of an elected mayor;
 - (d) an election for the return of a mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009; 10
 - (e) an election for the return of a mayor for the area of a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;
 - (f) an election of a police and crime commissioner. 15
- (2) A referendum under or by virtue of the following provisions is specified for the purposes of section 49—
 - (a) Chapter 4 of Part 1A of the Local Government Act 2000 (local authority governance: England);
 - (b) section 52ZG or 52ZN of the Local Government Finance Act 1992 (referendums in relation to council tax); 20
 - (c) Schedule 4B or 4C to the Town and Country Planning Act 1990 (referendums on neighbourhood development plans).
- (3) A recall petition process relating to a member of the House of Commons for a constituency in England, Wales or Scotland is specified for the purposes of section 49. 25

Other provision about the conduct of elections etc

52 Effect of the death of the Sovereign on certain elections and referendums

Schedule 4 makes provision about the effect of the death of the Sovereign on certain elections and referendums. 30

53 Form of documents for elections and referendums

- (1) The following are repealed—
 - (a) the Appendix of Forms in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (local elections rules);
 - (b) section 126 of, and Schedule 10 to, that Act (forms); 35
 - (c) the Appendix of Forms in Schedule 1 to RPA 1983 (parliamentary elections rules).
- (2) Schedule 5—

- (a) makes provision for the form of the documents in the Appendices and Schedule repealed by subsection (1) to be set out instead in subordinate legislation;
- (b) confers powers to specify the form of other documents for elections in subordinate legislation; 5
- (c) makes provision requiring consultation with the Electoral Commission about subordinate legislation setting out the form of documents for elections and referendums;
- (d) makes provision about scrutiny by Parliament of such subordinate legislation; 10
- (e) makes provision enabling regulations and rules under certain Acts which are normally subject to annulment in pursuance of a resolution of either House of Parliament to be made instead in an instrument which must be laid before and approved by a resolution of each House.

PART 4

15

CAMPAIGNS AND POLITICAL EXPENDITURE

The election agent

54 Removal of requirement to publish election agents' addresses

- (1) RPA 1983 is amended as set out in subsections (2) and (3).
- (2) In section 67 (appointment of election agent)— 20
 - (a) in subsection (6)—
 - (i) omit “, unless subsection (6ZA) applies”;
 - (ii) at the end insert “(but see subsections (6ZC), (6ZD) and (6A))”;
 - (b) omit subsections (6ZA) and (6ZB);
 - (c) before subsection (6A) insert— 25
 - “(6ZC) Subsection (6ZD) applies where a declaration under subsection (1) or (4) in relation to an election agent of a candidate at a parliamentary election or at a local government election in England or Scotland is accompanied by—
 - (a) an address (a “correspondence address”) in the United Kingdom that may be used for correspondence with the election agent, and 30
 - (b) a request that a public notice under subsection (6) in relation to the declaration includes the correspondence address instead of the address stated in the declaration. 35
- (6ZD) In such a case—
 - (a) the address stated in the declaration must not be included in the public notice, and
 - (b) the correspondence address must be included in the public notice.” 40

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- (3) In section 68 (nomination of sub-agent at parliamentary or Authority elections) –
- (a) in subsection (3) –
 - (i) omit “, unless subsection (3A) applies”;
 - (ii) at the end insert “(but see subsections (6) and (7))”; 5
 - (b) omit subsections (3A) and (3B);
 - (c) in subsection (4), in the words after paragraph (b), at the end insert “(but see subsections (6) and (7))”;
 - (d) after subsection (5) insert –
 - “(6) Subsection (7) applies where a declaration under subsection (3) or (4) is accompanied by – 10
 - (a) an address (a “correspondence address”) in the United Kingdom that may be used for correspondence with the sub-agent, and
 - (b) a request that a public notice under subsection (3) or (4) in relation to the declaration includes the correspondence address instead of the address stated in the declaration. 15
 - (7) In such a case –
 - (a) the address stated in the declaration must not be included in the public notice, and 20
 - (b) the correspondence address must be included in the public notice.”
- (4) In section 34 of the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (appointment of election agent) – 25
- (a) in subsection (5), at the end insert “(but see subsections (6) and (7))”;
 - (b) after subsection (5) insert –
 - “(6) Subsection (7) applies where a declaration under subsection (1) or (4) is accompanied by –
 - (a) an address (a “correspondence address”) in the United Kingdom that may be used for correspondence with the election agent, and 30
 - (b) a request that a public notice under subsection (5) in relation to the declaration includes the correspondence address instead of the address stated in the declaration. 35
 - (7) In such a case –
 - (a) the address stated in the declaration must not be included in the public notice, and
 - (b) the correspondence address must be included in the public notice.” 40

Campaign expenses and returns

55 Leave to pay late and disputed expenses claims

Schedule 6 makes provision for the Electoral Commission, rather than the courts, to grant leave to pay late and disputed claims in respect of certain expenses and corrects a related typographical error.

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56 Delivery and inspection of returns and declarations

(1) Schedule 7 makes provision for, and in connection with, the delivery to the Electoral Commission of certain returns, declarations and associated documents required to be delivered under the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)), RPA 1983 and the Recall of MPs Act 2015.

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(2) In section 51 of the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (summary of returns and notification of time and place for inspection of returns and declarations), for the words from “two” to “held,” substitute “such manner as the returning officer considers appropriate”.

(3) In section 88 of RPA 1983 (notification of time and place for inspection of returns and declarations), in paragraph (a), for the words from “not” to “held” substitute “such manner as the returning officer considers appropriate”.

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57 Recall campaign donations: transfer of powers to prescribe content of returns

(1) Schedule 5 to the Recall of MPs Act 2015 (recall petition returns) is amended as set out in subsections (2) and (3).

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(2) In paragraph 3 (contents of return relating to accepted donations) –

(a) in sub-paragraph (1)(a)(iv) (power to prescribe additional content), for “Minister” substitute “Electoral Commission”;

(b) omit sub-paragraph (3) (duty of Minister to consult Commission on regulations);

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(c) omit sub-paragraph (4) (regulations subject to negative procedure).

(3) In paragraph 4 (contents of return relating to rejected donations) –

(a) in sub-paragraphs (2)(f) and (3)(f) (power to prescribe additional content), for “Minister” substitute “Electoral Commission”;

(b) omit sub-paragraph (4) (duty of Minister to consult Commission on regulations);

30

(c) omit sub-paragraph (5) (regulations subject to negative procedure).

(4) In section 21(2) of the Recall of MPs Act 2015 (certain regulations not to be made by statutory instrument) –

(a) after “1(4)” insert “, 3(1)(a)(iv), 4(2)(f) or 4(3)(f)”;

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(b) after “form” insert “or content”.

*Control of political donations***58 Risk assessments for donations to registered parties etc**

- (1) Part 4 of PPERA 2000 (control of donations to registered parties and their members etc) is amended as set out in subsections (2) to (9).
 - (2) In section 54 (permissible donors), after subsection (1) insert— 5
 - “(1A) A donation of an amount exceeding £11,180 received by a registered party must not be accepted by the party unless, before the end of the period of 30 days beginning with the date when the donation is received by the party, the party has undertaken a risk assessment in relation to the donation (see section 54C). 10
 - (1B) For the purposes of subsection (1A), a donation from a person is to be treated as a donation of an amount exceeding £11,180 if— 15
 - (a) the party has not previously undertaken a risk assessment in relation to a relevant benefit accruing to the party in the same calendar year, and
 - (b) when the value of the donation is added to any other relevant benefit or benefits accruing to the party in the same calendar year, the aggregate amount of the benefits is more than £11,180.
 - (1C) For the purposes of subsection (1A), a donation from a person is also to be treated as a donation of an amount exceeding £11,180 if— 20
 - (a) the party has previously undertaken a risk assessment in relation to a relevant benefit accruing to the party in the same calendar year (the “previous risk-assessed benefit”), and
 - (b) when the value of the donation is added to any other relevant benefit or benefits accruing to the party in that calendar year after the previous risk-assessed benefit accrued to the party (or, if there has been more than one, the last such benefit), the aggregate amount of the benefits is more than £11,180. 25
 - (1D) In subsections (1B) and (1C), “relevant benefit”, in relation to a person, means— 30
 - (a) a donation accepted by the party from that person as a donor, or
 - (b) a relevant transaction (within the meaning of Part 4A) entered into by the party and that person as a participant,

and a relevant benefit accrues when it is accepted (if it is a donation) 35
or entered into (if it is a transaction).”
 - (3) After section 54B insert—
- “54C Risk assessments in relation to donations**
- (1) A risk assessment under section 54(1A) is an assessment by the registered party of the risk that the donation would be made by a person other than a permissible donor. 40

- (2) In carrying out a risk assessment, the party must take into account the following risk factors—
 - (a) the type of person from whom the donation is received,
 - (b) that person’s previous donation history,
 - (c) the type of donation, 5
 - (d) the amount of the donation, and
 - (e) any other risk factors the party considers to be relevant.
- (3) The Secretary of State may by regulations amend the risk factors set out in subsection (2).
- (4) The Secretary of State may make such regulations either— 10
 - (a) where the regulations give effect to a recommendation of the Commission, or
 - (b) after consultation with the Commission.
- (5) In carrying out a risk assessment, the party must have regard to guidance in force under section 54D. 15
- (6) The party must retain for at least six years—
 - (a) a record of each risk assessment that it undertakes, and
 - (b) the information it used to undertake each assessment.

54D Guidance on risk assessments

- (1) The Commission must prepare guidance on how to undertake a risk assessment under this Act. 20
- (2) The guidance must include guidance on—
 - (a) how a person undertaking a risk assessment should take the risk factors into account,
 - (b) the circumstances that might lead to a certain type or level of risk, 25
 - (c) how the risk might be reduced,
 - (d) who should prepare the risk assessment and the procedures to be followed, and
 - (e) the kinds of checks that may be carried out for the purposes of the risk assessment. 30
- (3) The Commission—
 - (a) may prepare revised guidance under this section;
 - (b) must prepare revised guidance if directed to do so by the Secretary of State. 35
- (4) The Commission must consult—
 - (a) registered parties, and
 - (b) such other persons as the Commission consider appropriate, on a draft of the guidance.

-
- (5) After the Commission have carried out the consultation required by subsection (4), they must—
- (a) make whatever modifications to the draft guidance they consider necessary in the light of responses to the consultation, and
 - (b) submit the draft to the Secretary of State for approval.
- (6) The Secretary of State must, before approving the draft guidance—
- (a) consult the Scottish Ministers in relation to any aspects of the guidance which relate to matters which would be within the legislative competence of the Scottish Parliament if they were contained in an Act of that Parliament;
 - (b) consult the Welsh Ministers in relation to any aspects of the guidance which relate to matters which would be within the legislative competence of Senedd Cymru if they were contained in an Act of the Senedd.
- (7) The Secretary of State may approve the draft guidance either without modifications or with such modifications as the Secretary of State may determine.
- (8) Once the Secretary of State has approved the draft guidance, the Secretary of State must lay before each House of Parliament—
- (a) a copy of the draft guidance (in its approved form), and
 - (b) if the Secretary of State made modifications to the guidance, a statement of the reasons for making them.
- (9) If, before the end of the 40-day period, either House resolves not to approve the draft, the Secretary of State must take no further steps in relation to the draft guidance.
- (10) Subsection (9) does not prevent new draft guidance from being laid before Parliament.
- (11) If no resolution of the kind mentioned in subsection (9) is made before the end of the 40-day period—
- (a) the Secretary of State must issue the guidance in the form of the draft laid before Parliament,
 - (b) the Commission must arrange for the guidance to be published, and
 - (c) the guidance comes into force on the day appointed by regulations made by the Secretary of State.
- (12) In this section, “the 40-day period”, in relation to draft guidance, means—
- (a) if the draft is laid before one House on a day later than the day on which it is laid before the other House, the period of 40 days beginning with the later of the two days, and
 - (b) in any other case, the period of 40 days beginning with the day on which the draft is laid before each House,

- no account being taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (13) In subsections (4) to (12), references to guidance or to draft guidance include revised guidance or draft revised guidance. 5
- (14) Where the Commission revise guidance under this section without changing the substance of the guidance—
- (a) subsections (4) to (12) do not apply in connection with the revised guidance,
 - (b) the Commission must issue the revised guidance and arrange for it to be published in such manner as the Commission consider appropriate, and 10
 - (c) the revised guidance comes into force on the day specified by the Commission in the revised guidance.”
- (4) In section 56 (acceptance or return of donations: general)— 15
- (a) in subsection (2), in the words before paragraph (a), after “54(1)” insert “or (1A)”;
 - (b) in subsection (3A), in the words before paragraph (a), after “(3)” insert “on the grounds of a breach of section 54(1)(a)”.
- (5) In section 58 (forfeiture of donations made by impermissible or unidentifiable donors)— 20
- (a) in the heading, at the end insert “etc”;
 - (b) in subsection (1)(a), after “(b)” insert “or (1A)”.
- (6) In section 62 (quarterly donation reports), in subsection (9), after “(b)” insert “or (1A)”. 25
- (7) In section 66 (declaration by treasurer in donation report)—
- (a) in subsection (2), before paragraph (a) insert—
 - “(za) the party has undertaken a risk assessment in relation to every donation accepted by the party during the reporting period for which such an assessment is required by section 54(1A),”; 30
 - (b) in subsection (4), for the words from “, no donations” to the end substitute “—
 - (a) the party has undertaken a risk assessment in relation to every donation accepted by the party, or (if section 63(3)(b) applies) by its central organisation, during the reporting period for which such an assessment is required by section 54(1A), and 35
 - (b) no donations have been received by the party, or (if section 63(3)(b) applies) by its central organisation, during the reporting period which— 40
 - (i) are required to be recorded in the report, but
 - (ii) are not so recorded.”

- (8) In section 69 (register of recordable donations), in subsection (2)(b), for “or 7(a) or (c)” substitute “, 7(a) or (c) or 7A(a) or (c)”.
- (9) In Schedule 6 (details to be given in donation reports), after paragraph 7 insert –
- “Donations where risk assessment not undertaken”* 5
- 7A In relation to each recordable donation which a party is prohibited from accepting by virtue of section 54(1A) (risk assessment), a quarterly report must give –
- (a) the name and address of the donor or the person appearing to be the donor or, if the party is unable to ascertain the identity of that person, details of the manner in which the donation was made; 10
 - (b) if applicable, details of any element of deception or concealment employed by the donor of which the registered party or any accounting unit of the party became aware and the means by which it was revealed; and 15
 - (c) the date when, and the manner in which, the donation was dealt with in accordance with section 56(2).”
- (10) In section 156 of PPERA 2000 (orders and regulations) –
- (a) in subsection (3), before paragraph (za) insert – 20

“(zza) regulations under section 54D(11)(c);”;
 - (b) in subsection (4ZA) (inserted by section 60(7) of this Act), before paragraph (a) insert –

“(za) section 54C(3);”.
- (11) Schedule 8 makes amendments corresponding to the amendments made by this section, requiring risk assessments to be undertaken and declarations about such risk assessments to be made, in relation to – 25
- (a) donations to individuals and members associations,
 - (b) loans to, and other restricted transactions with, registered parties,
 - (c) loans to, and other restricted transactions with, individuals and members associations, 30
 - (d) donations to recognised third parties,
 - (e) donations to permitted participants in referendums,
 - (f) donations to candidates at elections,
 - (g) donations to accredited campaigners in recall petitions, and 35
 - (h) donations to candidates in local elections in Northern Ireland.

59 Permissible donors not to include individuals under 16

- (1) In section 54 of PPERA 2000 (control of donations to registered parties: permissible donors), in subsection (2)(a), after “individual” insert “aged 16 or over”. 40

- (2) In Schedule 4 to the Recall of MPs Act 2015 (control of donations to accredited campaigners), in paragraph 6 (permissible donors), in sub-paragraph (1)(b), after “individual” insert “aged 16 or over”.

60 Donations by companies and LLPs etc

- (1) Part 4 of PPERA 2000 (control of donations to registered parties and their members etc) is amended as set out in subsections (2) to (6). 5
- (2) In section 54 (permissible donors) –
- (a) for subsection (2)(b) substitute –
- “(b) a company which (subject to subsections (3ZA) and (3ZB)) – 10
- (i) is registered under the Companies Act 2006,
- (ii) is incorporated in the United Kingdom,
- (iii) carries on business in the United Kingdom, and
- (iv) satisfies the significant control test for companies in section 54E;”;
- 15
- (b) for subsection (2)(f) substitute –
- “(f) a limited liability partnership which (subject to subsections (3ZA) and (3ZB)) –
- (i) is registered under the Limited Liability Partnerships Act 2000, 20
- (ii) carries on business in the United Kingdom, and
- (iii) satisfies the significant control test for limited liability partnerships in section 54F;”;
- (c) after subsection (3) insert –
- “(3ZA) A person is not to be treated as a permissible donor in relation 25
- to a donation by virtue of subsection (2)(b) or (f) unless, at the time of the donation’s receipt by the party –
- (a) the amount of the person’s remaining available revenue, calculated in accordance with section 54H, is at least equal to the amount of the donation, and 30
- (b) the person satisfies the accounts filing obligation in section 54I.”;
- (d) after subsection (3ZA) (inserted by paragraph (c)) insert –
- “(3ZB) Subsections (2)(b)(iv) and (f)(iii) and (3ZA) apply in relation 35
- to a donation falling within section 50(2)(b), (d) or (f) (sponsorship, payment of expenses or provision otherwise than on commercial terms of property etc) received by a registered party from a person only if –
- (a) it is a donation of more than £2,230, or
- (b) when the donation is added to any other donations falling within section 50(2)(b), (d) or (f) that have been accepted by the party from that person as a donor in 40

the same calendar year, the aggregate amount of the donations is more than £2,230.”

- (3) After section 54D (inserted by section 58 of this Act) insert—

“54E Significant control test for companies

- (1) A company satisfies the significant control test (see section 54(2)(b)(iv)) if— 5
 - (a) it is a company to which Part 21A of the Companies Act 2006 (information about people with significant control) applies, and
 - (b) any of conditions A to D is met in relation to the company.
- (2) Condition A is that there is no person who is a registrable person or registrable relevant legal entity in relation to the company. 10
- (3) Condition B is that—
 - (a) there is a registrable person in relation to the company who holds, directly or indirectly, more than 50% of the shares or voting rights in the company, 15
 - (b) that registrable person (or, if there is more than one, each such registrable person) is—
 - (i) registered in an electoral register, or
 - (ii) a British citizen usually resident in the United Kingdom, and 20
 - (c) there is no person which is a registrable relevant legal entity in relation to the company which holds, directly or indirectly, more than 50% of the shares or voting rights in the company.
- (4) Condition C is that—
 - (a) there is no person who is a registrable person or registrable relevant legal entity in relation to the company who holds, directly or indirectly, more than 50% of the shares or voting rights in the company, and 25
 - (b) there are at least two persons who are registrable persons in relation to the company each of whom— 30
 - (i) holds, directly or indirectly, more than 25% of the shares or voting rights in the company, and
 - (ii) is registered in an electoral register or is a British citizen usually resident in the United Kingdom.
- (5) Condition D is that— 35
 - (a) each registrable person in relation to the company is—
 - (i) registered in an electoral register, or
 - (ii) a British citizen usually resident in the United Kingdom, and
 - (b) there is no person which is a registrable relevant legal entity in relation to the company. 40

- (6) Subsection (7) applies where, in relation to a company, there is a person (“P”) who is a registrable person, or a registrable relevant legal entity, by virtue of having the right to exercise, or actually exercising, significant influence or control over the activities of a trust or firm that, under the law by which it is governed, is not a legal person. 5
- (7) For the purposes of this section, shares or voting rights in the company that are held, directly or indirectly (and in their capacity as such), by the trustees of the trust or, as the case may be, the members of the firm are to be treated as if they were also held by P.
- (8) If, by virtue of subsection (2)(e) of section 790J of the Companies Act 2006 (power to make exemptions), a person does not count as a registrable person or a registrable relevant legal entity in relation to a company for the purposes of the sections of that Act referred to in that subsection, the person also does not count as a registrable person or, as the case may be, a registrable relevant legal entity in relation to that company for the purposes of this section. 10
15
- (9) Paragraphs 11 to 15 and 18 to 23 of Schedule 1A to the Companies Act 2006 (provision about the holding of shares and voting rights), and guidance issued under paragraph 24 of that Schedule (guidance about the meaning of significant influence or control), apply for the purposes of this section as they apply for the purposes of that Schedule, with the references in paragraphs 13 and 14 of that Schedule to 25% read, where necessary for the purposes of this section, as references to 50%. 20
- (10) In this section – 25
 - “electoral register” means a register of parliamentary or local government electors maintained under section 9 of the Representation of the People Act 1983;
 - “registrable person” and “registrable relevant legal entity”, in relation to a company, have the same meaning as in Part 21A of the Companies Act 2006 (see section 790C of that Act). 30

54F Significant control test for LLPs

- (1) A limited liability partnership satisfies the significant control test (see section 54(2)(f)(iii)) if any of conditions A to D is met in relation to the limited liability partnership. 35
- (2) Condition A is that there is no person who is a registrable person or registrable relevant legal entity in relation to the limited liability partnership.
- (3) Condition B is that –
 - (a) there is a registrable person in relation to the limited liability partnership who holds, directly or indirectly, more than 50% of the surplus asset rights or voting rights in the limited liability partnership, 40

- (b) that registrable person (or, if there is more than one, each such registrable person) is –
 - (i) registered in an electoral register, or
 - (ii) a British citizen usually resident in the United Kingdom, and
 - (c) there is no person which is a registrable relevant legal entity in relation to the limited liability partnership which holds, directly or indirectly, more than 50% of the surplus asset rights or voting rights in the limited liability partnership.
- (4) Condition C is that –
 - (a) there is no person who is a registrable person or registrable relevant legal entity in relation to the limited liability partnership who holds, directly or indirectly, more than 50% of the surplus asset rights or voting rights in the limited liability partnership, and
 - (b) there are at least two persons who are registrable persons in relation to the limited liability partnership each of whom –
 - (i) holds, directly or indirectly, more than 25% of the surplus asset rights or voting rights in the limited liability partnership, and
 - (ii) is registered in an electoral register or is a British citizen usually resident in the United Kingdom.
- (5) Condition D is that –
 - (a) each registrable person in relation to the limited liability partnership is –
 - (i) registered in an electoral register, or
 - (ii) a British citizen usually resident in the United Kingdom, and
 - (b) there is no person which is a registrable relevant legal entity in relation to the limited liability partnership.
- (6) Subsection (7) applies where, in relation to a limited liability partnership, there is a person (“P”) who is a registrable person, or a registrable relevant legal entity, by virtue of having the right to exercise, or actually exercising, significant influence or control over the activities of a trust or firm that, under the law by which it is governed, is not a legal person.
- (7) For the purposes of this section, surplus asset rights or voting rights in the limited liability partnership that are held, directly or indirectly (and in their capacity as such), by the trustees of the trust or, as the case may be, the members of the firm are to be treated for the purposes of this section as if they were also held by P.
- (8) For the purposes of this section a reference to holding more than 25%, or more than 50%, of the surplus asset rights in a limited liability partnership is a reference to holding the right to share in more than

25% or, as the case may be, more than 50% of any surplus assets of the limited liability partnership on a winding up.

- (9) Paragraphs 2(2), 10 to 15 and 18 to 22 of Schedule 1A to the Companies Act 2006 (provision about the holding of surplus asset rights and voting rights), and guidance issued under paragraph 23 of that Schedule (guidance about the meaning of significant influence or control), apply for the purposes of this section as they apply for the purposes of that Schedule. 5
- (10) In this section –
- “electoral register” means a register of parliamentary or local government electors maintained under section 9 of the Representation of the People Act 1983; 10
 - “registrable person” and “registrable relevant legal entity”, in relation to a limited liability partnership, have the same meaning as in Part 21A of the Companies Act 2006 (see section 790C of that Act); 15
 - “surplus asset rights”, in relation to a limited liability partnership, means the right to share in any surplus assets of the limited liability partnership on a winding up;
 - “voting rights”, in relation to a limited liability partnership, means the right to vote on those matters which are to be decided upon by a vote of the members of the limited liability partnership. 20
- (11) References in this section to provisions of the Companies Act 2006 are to those provisions as applied or incorporated (with modifications) by regulations under section 15 of the Limited Liability Partnerships Act 2000. 25

54G Power to revise significant control tests

The Secretary of State may by regulations make amendments of this Part relating to the significant control test for companies or limited liability partnerships (see sections 54E and 54F) where the Secretary of State considers that it is necessary or appropriate to do so in consequence of – 30

- (a) regulations under section 790K or 790L of, or paragraph 26 of Schedule 1A to, the Companies Act 2006;
- (b) regulations under section 15 of the Limited Liability Partnerships Act 2000 that apply or incorporate (with modifications) provision contained in or made under section 790K of, or Schedule 1A to, the Companies Act 2006.” 35

- (4) After section 54G (inserted by subsection (3)) insert –

“54H Donations by companies and LLPs: remaining available revenue 40

- (1) This section applies to determine the amount of a person’s remaining available revenue at the time of the receipt by a registered party of a donation that would be made by that person (see section 54(3ZA)(a)).

- (2) Where the person is not a parent undertaking, the amount of the person's remaining available revenue at the time of the donation's receipt by the party is calculated as follows –

Step 1

Add together the person's revenue for each financial year that falls wholly within the relevant period to give "the step 1 total". 5

Step 2

Then deduct from the step 1 total the value of each relevant benefit (if any) that has already accrued to the party from the person in the calendar year in which the donation is received. 10

- (3) Where the person is a parent undertaking, the amount of the person's remaining available revenue at the time of the donation's receipt by the party is calculated as follows –

Step 1

Add together the person's revenue for each financial year that falls wholly within the relevant period to give "the step 1 total". 15

Step 2

Then add to the step 1 total the revenue of each subsidiary undertaking of the person for each financial year of the subsidiary undertaking that falls wholly within the relevant period to give "the step 2 total". 20

Step 3

Then deduct from the step 2 total the value of each relevant benefit (if any) that has already accrued to the party from the person in the calendar year in which the donation is received.

- (4) See section 54I(3) (accounts filing obligation) for provision about when a person which is a parent undertaking is to be treated as if it were not one for the purposes of this section. 25

- (5) References in this section to a person's "revenue" for a financial year are references to –

(a) the person's turnover for that year, and 30

(b) any other amounts (not included within turnover) which, in accordance with generally accepted accounting practice, are recognised as revenue for the purposes of a profit and loss account, income statement or other equivalent financial statement. 35

- (6) For the purposes of this section, revenue for a financial year must be determined by reference to a profit and loss account, or an income statement or other equivalent financial statement, prepared in accordance with generally accepted accounting practice (and any revenue for that financial year that cannot be so determined must be ignored). 40

- (7) The Secretary of State may by regulations make provision (whether by amending this Part or otherwise) for revenue of a particular description to be ignored in determining a person’s revenue for a financial year for the purposes of this section.
- (8) For the purposes of this section, a “relevant benefit” accrues to a registered party from a person if –
 - (a) the party accepts a donation from that person as a donor, or
 - (b) the party enters into a relevant transaction (within the meaning of Part 4A) with that person as a participant,and the relevant benefit accrues when it is accepted (if it is a donation) or entered into (if it is a transaction).
- (9) For the purposes of this section, a donation received by a registered party from a person as a donor, but not yet accepted or refused –
 - (a) is to be treated, until the time it is accepted or refused, as if it were a relevant benefit that had accrued to the party from that person as a donor, and
 - (b) that relevant benefit is to be treated as if it had accrued when the donation was received.
- (10) In this section and section 54I –
 - “financial year” has the same meaning as in the Companies Act 2006 (see section 390 of that Act);
 - “generally accepted accounting practice” has the same meaning as in the Corporation Tax Acts (see section 1127 of the Corporation Tax Act 2010);
 - “parent undertaking” and “subsidiary undertaking” have the same meaning as in the Companies Act 2006 (see section 1162 of that Act);
 - “the relevant period”, in relation to a donation received by a registered party, means the period of three years ending immediately before the beginning of the calendar year in which the donation is received;
 - “turnover” means the amounts derived from the provision of goods and services after deduction of –
 - (a) trade discounts,
 - (b) value added tax, and
 - (c) any other taxes based on the amounts so derived.
- (11) References in this section and section 54I to provisions of the Companies Act 2006 are, in relation to a limited liability partnership, references to those provisions as applied or incorporated (with modifications) by regulations under section 15 of the Limited Liability Partnerships Act 2000.

54I Donations by companies and LLPs: accounts filing obligation

- (1) A person by which a donation received by a registered party would be made satisfies the accounts filing obligation (see section 54(3ZA)(b)) –
 - (a) where the person is not a parent undertaking, if individual accounts of the person for at least one of the financial years that falls wholly within the relevant period have been delivered to the registrar of companies; 5
 - (b) where the person is a parent undertaking, if group accounts of the person for at least one of the financial years that falls wholly within the relevant period have been delivered to the registrar of companies. 10
- (2) A person which is a parent undertaking and by which a donation received by a registered party would be made also satisfies the accounts filing obligation if individual accounts of the person for at least one of the financial years that falls wholly within the relevant period have been delivered to the registrar of companies. 15
- (3) But where a person which is a parent undertaking satisfies the accounts filing obligation by virtue of subsection (2) (and not by virtue of subsection (1)(b)) the person is to be treated for the purposes of section 54H as if it were not a parent undertaking. 20
- (4) In this section –

“group accounts” means Companies Act group accounts or IAS group accounts within the meaning of the Companies Act 2006 (see section 403 of that Act); 25

“individual accounts” has the same meaning as in the Companies Act 2006 (see section 394 of that Act);

“the registrar of companies” has the same meaning as in the Companies Act 2006 (see section 1060 of that Act).

(See also the interpretation provisions in section 54H(10) and (11)).” 30
- (5) In section 56 (acceptance or return of donations: general) –
 - (a) after subsection (1A) insert –

“(1B) In so far as subsection (1) requires steps to be taken to verify or ascertain whether, in relation to a donation, a company or limited liability partnership satisfies any of conditions A to D in section 54E or 54F (significant control test), the requirement is treated as having been complied with if – 35

 - (a) the party has inspected the information delivered by the company or limited liability partnership to the registrar of companies under Part 21A of the Companies Act 2006 that is available for public inspection, 40
 - (b) at the time of inspection the information showed (or appeared to show) that one of conditions A to D in section 54E was met in relation to the company, or (as

- the case may be) one of conditions A to D in section 54F was met in relation to the limited liability partnership, as at the time of the donation's receipt by the party, and
- (c) the party had no reasonable grounds for thinking that, notwithstanding the information, the company or limited liability partnership did not, at the time of the donation's receipt by the party, satisfy any of those conditions.”;
- (b) at the end insert—
- “(7) In this section “the registrar of companies” has the same meaning as in the Companies Act 2006 (see section 1060 of that Act).
- (8) References in this section to provisions of the Companies Act 2006 are, in relation to a limited liability partnership, references to those provisions as applied or incorporated (with modifications) by regulations under section 15 of the Limited Liability Partnerships Act 2000.”
- (6) In Schedule 6 (details to be given in donation reports), after paragraph 2 insert—
- “Further information relating to donors that are companies or LLPs: quarterly reports*
- 2ZA(1) This paragraph applies in relation to each recordable donation the donor of which is a company falling within section 54(2)(b) or a limited liability partnership falling within section 54(2)(f) other than—
- (a) a recordable donation in relation to which the significant control test in section 54E or 54F does not apply (by virtue of section 54(3ZB)), or
- (b) a recordable donation to which paragraph 2A, 6 or 7 applies.
- (2) In relation to each recordable donation the donor of which is a company a quarterly report must also—
- (a) give the date on which the registered party, before accepting the donation, inspected (or last inspected) the information delivered by the company to the registrar of companies under Part 21A of the Companies Act 2006 that is available for public inspection;
- (b) give the name of each person (if any) who, at the time of receipt of the donation by the party, is (according to the information so inspected) a registrable person or registrable relevant legal entity in relation to the company; and
- (c) give the relevant address of each registrable person whose name is given under paragraph (b) or, where that address is not known to the party, include a statement to that effect.

- (3) In relation to each recordable donation the donor of which is a limited liability partnership, a quarterly report must also –
- (a) give the date on which the registered party, before accepting the donation, inspected (or last inspected) the information delivered by the limited liability partnership to the registrar of companies under Part 21A of the Companies Act 2006 that is available for public inspection; 5
 - (b) give the name of each person (if any) who, at the time of receipt of the donation by the party, is (according to the information so inspected) a registrable person or registrable relevant legal entity in relation to the limited liability partnership; and 10
 - (c) give the relevant address of each registrable person whose name is given under paragraph (b) or, where that address is not known to the party, include a statement to that effect. 15
- (4) In this paragraph –
- “name” means the name that would satisfy the requirement to provide a name imposed by section 790K of the Companies Act 2006;
 - “registrable person” and “registrable relevant legal entity”, in relation to a company or limited liability partnership, have the same meaning as in Part 21A of the Companies Act 2006; 20
 - “the registrar of companies” has the same meaning as in the Companies Act 2006 (see section 1060 of that Act);
 - “relevant address” (of a registrable person) means – 25
 - (a) if the person’s address is, at the date of receipt of the donation by the registered party, shown in an electoral register (within the meaning of section 54), that address; and
 - (b) otherwise, the person’s home address (whether in the United Kingdom or elsewhere). 30
- (5) References in this paragraph to provisions of the Companies Act 2006 are, in relation to a limited liability partnership, references to those provisions as applied or incorporated (with modifications) by regulations under section 15 of the Limited Liability Partnerships Act 2000. 35

Information relating to Irish donations: quarterly reports”.

- (7) In section 156 of PPERA 2000 (orders and regulations), after subsection (4) insert –
- “(4ZA) Subsection (2) also does not apply to regulations under – 40
- (a) section 54G;
 - (b) section 54H(7);
- and such regulations may not be made unless a draft of the instrument containing them has been laid before and approved by a resolution of each House of Parliament.” 45

61 Forfeiture of certain donations to registered parties etc

- (1) PPERA 2000 is amended as set out in subsections (2) and (3).
- (2) In section 58 (control of donations to registered parties: forfeiture of donations made by impermissible or unidentifiable donors) –
 - (a) after subsection (2) insert –

5

“(2A) In the case of a donation received by a registered party from an individual who, at the time of its receipt, was not registered in an electoral register, it is immaterial for the purposes of this section whether the individual was entitled to be registered in an electoral register at that time.”;

10
 - (b) after subsection (5) insert –

“(6) In this section, “electoral register” means a register of parliamentary or local government electors maintained under section 9 of the Representation of the People Act 1983.”
- (3) In section 59 (appeal against order under section 58), in subsection (4), after “Subsections” insert “(2A),”.

15
- (4) Schedule 4 to the Recall of MPs Act 2015 (control of donations to accredited campaigners) is amended as set out in subsections (5) and (6).
- (5) In paragraph 17 (forfeiture of donations made by impermissible or unidentifiable donors) –

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 - (a) after sub-paragraph (2) insert –

“(2A) In the case of a donation received by an accredited campaigner from an individual who, at the time of its receipt, was not registered in an electoral register, it is immaterial for the purposes of this paragraph whether the individual was entitled to be registered in an electoral register at that time.”;

25
 - (b) after sub-paragraph (6) insert –

“(7) In this paragraph, “electoral register” means a register of parliamentary or local government electors maintained under section 9 of the Representation of the People Act 1983.”

30
- (6) In paragraph 18 (appeal against order under paragraph 17) –
 - (a) in sub-paragraph (1), for “(5)” substitute “(5A)”;
 - (b) after sub-paragraph (5) insert –

35

“(5A) In the case of a donation received by an accredited campaigner from an individual who, at the time of its receipt, was not registered in an electoral register, it is immaterial for the purposes of this paragraph whether the individual was entitled to be registered in an electoral register at that time.

40

(5B) In sub-paragraph (5A), “electoral register” has the meaning given in paragraph 17(7).”

62 Unincorporated associations making political contributions

- (1) Schedule 9 amends Schedule 19A to PPERA 2000 (reports of gifts received by unincorporated associations making political contributions) so as to—
 - (a) extend the definition of political contribution (which applies for the purposes of determining whether an unincorporated association is subject to the reporting requirements in Schedule 19A) to include donations to candidates at additional types of election; 5
 - (b) make minor amendments to that definition so that only donations made for political purposes are included;
 - (c) decrease the value at which political contributions made by an unincorporated association trigger the reporting requirements, from £37,270 (in a calendar year) to £11,180; 10
 - (d) require unincorporated associations that are subject to the reporting requirements to appoint a responsible person for the purposes of those requirements; 15
 - (e) prohibit unincorporated associations that are subject to the reporting requirements from making political contributions using gifts from impermissible donors or received outside certain periods;
 - (f) decrease the threshold value above which gifts must be reported by unincorporated associations that are subject to the reporting requirements, from £11,180 to £2,230; 20
 - (g) require unincorporated associations to report additional information about donors who have given them gifts used for political purposes;
 - (h) create offences of—
 - (i) giving an unincorporated association false information about a gift that may be used to make a political contribution, and 25
 - (ii) withholding information about such a gift with intent to deceive.
- (2) Schedule 9 also—
 - (a) amends section 145 of PPERA 2000 (duties of Electoral Commission with respect to compliance with controls imposed by the Act etc) to bring the requirements imposed on unincorporated associations by Schedule 19A to that Act within the scope of the Commission’s powers to monitor compliance and provide guidance; 30
 - (b) amends Schedule 19B to PPERA 2000 (investigatory powers of Electoral Commission) to bring unincorporated associations that are subject to the reporting requirements in Schedule 19A to that Act within the scope of the investigatory powers of the Commission in Schedule 19B; 35
 - (c) amends section 62 of the Electoral Administration Act 2006 to enable the Secretary of State to make provision corresponding to Part 4A of PPERA 2000 (regulation of loans etc) for unincorporated associations that are subject to the reporting requirements; 40
 - (d) makes consequential amendments to section 140A of and Schedule 20 to PPERA 2000.

63 Power of Scottish Ministers to vary sums in Schedule 7 to PPERA 2000

In section 155 of PPERA 2000 (power to vary specified sums or percentages), in subsection (1A) –

(a) after “vary” insert “–

(a) ”;

5

(b) at the end insert “, or

(b) any sum for the time being specified in Schedule 7 so far as that sum applies in relation to a donation to a member of a local authority in Scotland who is not also a member of a registered party.”

10

Information to be included with electronic material

64 Electronic material promoted by third parties

(1) In section 44 of the Elections Act 2022 (electronic material, other than paid-for material, with which information must be included), in subsection (3) (promoters etc of material) –

15

(a) omit the “or” at the end of paragraph (e);

(b) after paragraph (f) insert “, or

(g) any person not within paragraphs (a) to (f) other than an individual.”

(2) Omit Part 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (information to be included with certain electronic material at Scottish elections).

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65 Electoral Commission guidance relating to electronic material: minor revisions

In section 54 of the Elections Act 2022 (Electoral Commission guidance), after subsection (11) insert –

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“(11A) Where the Commission revises guidance under this section without changing the substance of the guidance –

(a) subsections (3) to (9) do not apply in connection with the revised guidance,

(b) the Commission must issue the revised guidance and arrange for it to be published in such manner as the Commission considers appropriate, and

30

(c) the revised guidance comes into force on the day specified by the Commission in the revised guidance.”

PART 5**ENFORCEMENT AND THE ELECTORAL COMMISSION***Enforcement***66 Decriminalisation of certain requirements**

- (1) Schedule 10 abolishes certain offences under PPERA 2000 (and makes consequential provision). 5
- (2) That Schedule has no effect in relation to an offence committed before this section comes into force.

67 Extension of Electoral Commission’s enforcement functions

- (1) Schedule 19C to PPERA 2000 (imposition of civil sanctions by Electoral Commission) is amended as set out in subsections (2) and (3). 10
- (2) In each of the following provisions (which allow civil sanctions to be imposed in respect of prescribed offences under PPERA 2000) omit “under this Act” –
 - (a) in paragraph 1 (fixed monetary penalties), sub-paragraphs (1)(a), (2)(a), (3)(a) and (4)(a); 15
 - (b) in paragraph 5 (discretionary requirements), sub-paragraphs (1)(a), (2)(a), (3)(a) and (4)(a);
 - (c) in paragraph 10 (stop notices), sub-paragraphs (2)(b)(i) and (3)(b)(i);
 - (d) in paragraph 15 (enforcement undertakings), sub-paragraph (1)(a)(i).
- (3) After paragraph 17 insert – 20

“Offences that may be prescribed

 - 17A(1) An offence may be prescribed for the purposes of paragraph 1, 5, 10 or 15 only if it is –
 - (a) an offence under this Act,
 - (b) an electoral finance offence, 25
 - (c) an imprint offence, or
 - (d) a recall campaign offence.
 - (2) An “electoral finance offence” is an offence under any provision of –
 - (a) Part 2 of the Representation of the People Act 1983, or 30
 - (b) Schedule 3A or 9 to the Electoral Law Act (Northern Ireland) 1962,
 that relates to expenses or donations.
 - (3) An “imprint offence” is an offence under –
 - (a) section 110 or 110A of the Representation of the People Act 1983, 35

- (b) paragraph 28 of Schedule 9 to the Electoral Law Act (Northern Ireland) 1962, or
 - (c) section 48(1) of the Elections Act 2022.
 - (4) A “recall campaign offence” is an offence under Schedule 3, 4 or 5 to the Recall of MPs Act 2015.” 5
 - (4) Schedule 11 makes further provision for, and in connection with, the extension of the Electoral Commission’s investigatory and enforcement functions.
 - (5) This section and that Schedule have no effect in relation to an offence or other contravention committed before this section comes into force.
 - 68 Abolition of maximum penalties in respect of offences triable summarily 10**
 - (1) In Schedule 19C to PPERA 2000 (imposition of civil sanctions by Electoral Commission)—
 - (a) in paragraph 1 omit sub-paragraph (6) (fixed monetary penalty not to exceed maximum fine on summary conviction);
 - (b) in paragraph 5 omit sub-paragraph (8) (variable monetary penalty not to exceed maximum fine on summary conviction). 15
 - (2) Those amendments have no effect in relation to an offence committed before this section comes into force.
 - 69 Civil sanctions orders: combining reserved and devolved provision**
 - In Schedule 19C to PPERA 2000 (imposition of civil sanctions by Electoral Commission), after paragraph 16 insert— 20
 - “*Supplementary orders: power to combine reserved and devolved provision*
 - 16A(1) Any effect that could be achieved by provision contained in a supplementary order made by the Scottish Ministers may be achieved by provision contained in a supplementary order made by the Secretary of State with the consent of the Scottish Ministers. 25
 - (2) Any effect that could be achieved by provision contained in a supplementary order made by the Welsh Ministers may be achieved by provision contained in a supplementary order made by the Secretary of State with the consent of the Welsh Ministers.” 30
- Electoral Commission*
- 70 Removal of strategy and policy statement**
 - (1) In Part 1 of PPERA 2000 (the Electoral Commission) omit—
 - (a) sections 4A to 4E and the italic heading before those sections (strategy and policy statement); 35

- (b) section 13ZA and the italic heading before that section (examination by the Speaker’s Committee of the Electoral Commission’s performance of duty to have regard to strategy and policy statement).
- (2) Omit sections 16 and 17(1) of the Elections Act 2022 (which inserted the sections repealed by subsection (1)). 5
- (3) The Electoral Commission is not required to publish a report under section 4B(4) of PPERA 2000 in relation to any 12-month period ending on or after the day on which this section comes into force.

71 Disclosure of information by Electoral Commission

- (1) PPERA 2000 is amended as set out in subsections (2) to (4). 10
- (2) Before the italic heading before section 149 insert –
“Disclosure of information by Commission

148B General power to disclose to certain other authorities

- (1) The Commission may disclose information to a person listed in Schedule 19D for the purpose of assisting the performance of the person’s functions. 15
- (2) The power in subsection (1) is subject to any express restriction on disclosure imposed by or under another enactment (ignoring any restriction which allows disclosure if authorised by an enactment).
- (3) Disclosure under subsection (1) does not contravene any other restriction on the disclosure of information (however imposed), including any duty of confidence. 20
- (4) The Secretary of State may by regulations amend Schedule 19D so as to –
 - (a) add an entry, 25
 - (b) remove an entry for a body or office that no longer exists, or
 - (c) make any change that the Secretary of State considers appropriate in consequence of a change to the name or functions of a person listed in that Schedule.
- (5) The Secretary of State must consult the Commission before making regulations under subsection (4). 30
- (6) This section does not limit the circumstances in which information may be disclosed apart from this section.
- (7) In this section, “enactment” includes (in addition to the things it includes by virtue of section 160(1)) – 35
 - (a) an enactment comprised in, or in an instrument made under, a Measure or Act of Senedd Cymru,
 - (b) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament, and

(c) assimilated direct legislation.”

- (3) In section 156 (orders and regulations), in subsection (4ZA) (inserted by section 60(7) of this Act), after paragraph (c) (inserted by paragraph 16 of Schedule 8 to this Act) insert—

“(d) section 148B(4);”.

5

- (4) After Schedule 19C insert—

“SCHEDULE 19D

Section 148B

PERSONS TO WHOM COMMISSION MAY DISCLOSE INFORMATION

Policing and other law enforcement bodies

- | | | |
|---|---|----|
| 1 | A member of— | 10 |
| | (a) a police force in England or Wales; | |
| | (b) the Police Service of Scotland; | |
| | (c) the Police Service of Northern Ireland; | |
| | (d) the British Transport Police; | |
| | (e) the Civil Nuclear Constabulary; | 15 |
| | (f) the Ministry of Defence Police; | |
| | (g) a service police force, within the meaning given by section 375(1) of the Armed Forces Act 2006; | |
| | (h) the tri-service serious crime unit, within the meaning given by section 375(1A) of the Armed Forces Act 2006; | 20 |
| | (i) a body of constables appointed under— | |
| | (i) provision incorporating section 79 of the Harbours, Docks, and Piers Clauses Act 1847, | |
| | (ii) an order made under section 14 of the Harbours Act 1964, or | 25 |
| | (iii) section 154 of the Port of London Act 1968 (c. xxxii). | |
| 2 | The National Police Chiefs’ Council. | |
| 3 | The Independent Office for Police Conduct. | |
| 4 | The Police Investigations and Review Commissioner. | |
| 5 | The Police Ombudsman for Northern Ireland. | 30 |
| 6 | The Service Police Complaints Commissioner. | |

Prosecuting authorities

- | | | |
|----|--|----|
| 7 | The Crown Prosecution Service. | |
| 8 | The Crown Office and Procurator Fiscal Service. | |
| 9 | The Public Prosecution Service for Northern Ireland. | 35 |
| 10 | The Director of Service Prosecutions. | |
| 11 | The Serious Fraud Office. | |

Parliamentary bodies and officers

12	The Parliamentary Commissioner for Standards.	
13	The Independent Parliamentary Standards Authority.	
14	The Commissioner for Ethical Standards in Public Life in Scotland.	
15	The Scottish Parliamentary Corporate Body.	5
16	The Senedd Commissioner for Standards.	
17	The Independent Remuneration Board of the Senedd.	
18	The Northern Ireland Assembly Commissioner for Standards.	
19	The Northern Ireland Assembly Commission.	
20	The Independent Remuneration Board (for the Northern Ireland Assembly).	10

Other bodies and officers with regulatory or investigatory functions

21	The Financial Conduct Authority.	
22	The Information Commission.	
23	The Scottish Information Commissioner.	15
24	The Office of Communications.	
25	The Charity Commission for England and Wales.	
26	The Office of the Scottish Charity Regulator.	
27	The Charity Commission for Northern Ireland.	
28	His Majesty’s Revenue and Customs.	20
29	Revenue Scotland.	
30	The Welsh Revenue Authority.	
31	The registrar of companies for England and Wales.	
32	The registrar of companies for Scotland.	
33	The registrar of companies for Northern Ireland.	25
34	The Commission for Equality and Human Rights.	
35	The Scottish Commission for Human Rights.	
36	The Equality Commission for Northern Ireland.	
37	The Gambling Commission.	
38	The Certification Officer.”	30

- (5) Until the abolition of the office of Information Commissioner (see section 118 of the Data (Use and Access) Act 2025), the reference to the Information Commission in paragraph 22 of Schedule 19D of PPERA 2000 (inserted by subsection (4)) is to be read as including that office.

PART 6

HOSTILITY TOWARDS CANDIDATES ETC: DISQUALIFICATION ORDERS AND SENTENCING

72 Hostility towards officers and their staff

- (1) Part 5 of the Elections Act 2022 (disqualification of offenders for holding elective office etc) is amended as set out in subsections (2) and (3). 5
- (2) In section 30 (disqualification orders) –
- (a) in subsection (1)(c), for “34” substitute “34A (but see subsection (8A))”;
 - (b) in subsection (4) –
 - (i) in the words before paragraph (a), for “34” substitute “34A”;
 - (ii) in paragraph (a), for “sections 32 to 34” substitute “those sections”; 10
 - (c) after subsection (8) insert –
“(8A) Where a court in Scotland is dealing with the offender, subsection (1)(c) has effect as if the reference to persons falling within section 34A were a reference only to persons described in subsection (1) of that section (officers and staff in England, Wales and Northern Ireland).” 15

- (3) After section 34 insert –

“34A Relevant officers and their staff

- (1) A person falls within this section if the person is – 20
- (a) a registration officer, a returning officer, a petition officer or a counting officer (a “relevant officer”),
 - (b) another person who, under an enactment or by virtue of an appointment made under an enactment, carries out some or all of the functions of a relevant officer, or 25
 - (c) a member of a relevant officer’s staff.
- (2) A person also falls within this section if the person is –
- (a) a Scottish registration officer, a Scottish returning officer or a Scottish counting officer (a “relevant Scottish officer”), or
 - (b) a member of a relevant Scottish officer’s staff. 30
- (3) In subsection (1) –
- “counting officer” means a counting officer for –
- (a) a referendum to which Part 7 of PPERA 2000 applies (see section 128 of that Act);
 - (b) a referendum held under or by virtue of Part 1A or 2 of the Local Government Act 2000 (arrangements with respect to local authority governance in England or Wales) (see provision made under section 9MG or 45 of that Act); 35

- (c) a referendum held under Chapter 4ZA of Part 1 of the Local Government Finance Act 1992 (council tax increases in England and Wales) (see provision made under section 52ZQ of that Act);
 - (d) a referendum held as a result of paragraph 12(4) of Schedule 4B to the Town and Country Planning Act 1990 (neighbourhood development orders) or paragraph 10(3) of Schedule 4C to that Act (community right to build orders) (see provision made under paragraph 16 of Schedule 4B to that Act); 5
- “enactment” includes – 10
- (a) an enactment comprised in subordinate legislation (as defined in section 21 of the Interpretation Act 1978);
 - (b) an enactment comprised in, or in an instrument made under, an Act or Measure of Senedd Cymru; 15
 - (c) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;
 - (d) an enactment comprised in, or in an instrument made under, Northern Ireland legislation;
- “member of a relevant officer’s staff” means a person who is employed by or working under the direction of – 20
- (a) a relevant officer, or
 - (b) a person described in subsection (1)(b) who carries out functions of a relevant officer,
- in a role the duties of which relate to the relevant officer’s functions; 25
- “petition officer” has the same meaning as in the Recall of MPs Act 2015 (see section 6(2) of that Act);
- “registration officer” means an electoral registration officer for a constituency in England and Wales or Northern Ireland or a part of such a constituency (see section 8 of RPA 1983); 30
- “returning officer” means a returning officer for –
- (a) a parliamentary election (see sections 24, 25 and 26 of RPA 1983);
 - (b) an election to Senedd Cymru (see provision made under section 13 of the Government of Wales Act 2006); 35
 - (c) an election to the Northern Ireland Assembly (see provision made under section 34 of the Northern Ireland Act 1998);
 - (d) a local government election within the meaning of section 203 of RPA 1983 (England and Wales) (see section 35 of that Act); 40
 - (e) an election under Part 1A or 2 of the Local Government Act 2000 for the return of an elected mayor (see provision made under section 9HE or 44 of that Act); 45

- (f) an election for the return of a mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 (see provision made under paragraph 12 of Schedule 5B to that Act); 5
 - (g) an election for the return of a mayor for the area of a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023 (see provision made under paragraph 12 of Schedule 2 to that Act); 10
 - (h) a local election as defined in section 130(1) of the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (see the functions of the Chief Electoral Officer for Northern Ireland under section 14(4) of that Act);
 - (i) an election of a police and crime commissioner (see section 54(1) of the Police Reform and Social Responsibility Act 2011). 15
- (4) In subsections (1) and (3)–
 - (a) references to a person who is a type of officer include a person who is, under an enactment, treated as if they were such an officer; 20
 - (b) in the definitions of “counting officer” and “returning officer”, the references to a counting officer or a returning officer include an officer whose title also includes other words.
- (5) In subsection (2)– 25
 - “member of a relevant Scottish officer’s staff” means–
 - (a) in relation to a Scottish counting officer, a member of staff appointed or provided under section 9(9) or (10) of the Referendums (Scotland) Act 2020 (asp 2);
 - (b) in relation to any other relevant Scottish officer, a person who is employed by, or working under the direction of, the relevant Scottish officer in a role the duties of which relate to the relevant Scottish officer’s functions; 30
 - “Scottish counting officer” means–
 - (a) the person appointed under section 7(1) or (6) of the Referendums (Scotland) Act 2020 (asp 2) (Chief Counting Officer); 35
 - (b) a person appointed under section 7(7) of that Act (deputy of the Chief Counting Officer);
 - (c) a person appointed under section 8(1) or (5) of that Act (other counting officers); 40
 - (d) a person appointed under section 8(6) of that Act (deputy of a counting officer);
 - “Scottish registration officer” means an electoral registration officer for a constituency in Scotland or a part of such a constituency (see section 8 of RPA 1983); 45

“Scottish returning officer” means an officer who is—

- (a) appointed under section 41(1) of RPA 1983 (returning officers: local elections in Scotland);
- (b) a constituency returning officer by virtue of an order under section 12(1) of the Scotland Act 1998;
- (c) an officer designated in accordance with an order under section 12(6) of that Act (a regional returning officer)."

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(4) In section 236A of the Armed Forces Act 2006 (disqualification orders)—

- (a) in subsection (1)(c), for “34” substitute “34A”;
- (b) in subsection (4), for “34” substitute “34A”.

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73 Hostility as aggravating factor: England and Wales and armed forces

- (1) The Sentencing Code is amended as set out in subsections (2) and (3).
- (2) In the heading of section 67 (hostility), at the end insert “towards persons with certain characteristics”.
- (3) After section 67 insert—

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“66A Hostility towards candidates etc at elections etc

- (1) This section applies where a court is considering the seriousness of an offence committed by a person where—
 - (a) the offence is listed in Schedule 9 to the Elections Act 2022 (offences which may result in disqualification of offenders from holding elective office etc), and
 - (b) the person is convicted of the offence on or after the date on which section 71 of the Representation of the People Act 2026 comes into force.
- (2) Where the offence is aggravated by hostility related to persons falling within any of sections 32 to 34A of the Elections Act 2022 (candidates, campaigners, holders of elective office and officials), the court—
 - (a) must treat the fact that the offence is aggravated by such hostility as an aggravating factor, and
 - (b) must state in open court that the offence is so aggravated.
- (3) Subsections (4) and (5) of section 30 of the Elections Act 2022 (meaning of offence being aggravated by hostility related to persons falling within any of sections 32 to 34A of that Act) apply for the purposes of this section as they apply for the purposes of section 30 of that Act.
- (4) The reference in subsection (1) to an offence listed in Schedule 9 to the Elections Act 2022 includes an offence committed by aiding, abetting, counselling or procuring the commission of such an offence.”

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25

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- (4) In section 238 of the Armed Forces Act 2006 (deciding the seriousness of an offence), before subsection (6) insert—

“(5A) In section 66A of the Sentencing Code (seriousness of offence involving hostility towards candidates etc at elections etc)—

- (a) the references to a court are to be read as including a court dealing with an offender for a service offence, and 5
- (b) the references in subsections (1) and (4) to an offence listed in Schedule 9 to the Elections Act 2022 are to be taken as references to an offence under section 42 as respects which the corresponding offence under the law of England and Wales is an offence listed in that Schedule.” 10

74 Hostility as aggravating factor: Scotland and Northern Ireland

- (1) Part 5 of the Elections Act 2022 (disqualification of offenders for holding elective office etc) is amended as follows.
- (2) For the Part heading substitute “Hostility towards candidates etc: disqualification orders and sentencing”. 15
- (3) Before section 30 insert—

“Disqualification of offenders for holding elective office etc”.

- (4) In section 30 (disqualification orders)—
 - (a) omit subsection (3A) (aggravation of offences in Scotland); 20
 - (b) in subsection (9) omit the definition of “Scottish court”.
- (5) After section 36 insert—

“Aggravating factor in sentencing

36A Hostility as aggravating factor

- (1) This section and sections 36B and 36C make provision for hostility related to persons falling within any of sections 32 to 34A to be an aggravating factor for the purposes of sentencing for a Schedule 9 offence. 25
- (2) See also section 66A of the Sentencing Code (sentencing in England and Wales). 30
- (3) In this section and sections 36B and 36C, “Schedule 9 offence” has the same meaning as in section 30.

36B Hostility as aggravating factor: Scotland

- (1) This section applies where a court in Scotland is dealing with an offender for a relevant Schedule 9 offence that is aggravated by hostility related to persons falling within any of sections 32 to 34 and 34A(1). 35

- (2) The court must take the aggravation into account when determining the appropriate sentence.
- (3) Where the sentence in respect of the offence is different from that which the court would have imposed if the offence were not so aggravated, the court must state the extent of, and the reasons for, that difference. 5
- (4) Where subsection (3) does not apply, the court must state the reasons for there being no such difference.
- (5) In this section, “relevant Schedule 9 offence” means a Schedule 9 offence that is committed – 10
 - (a) on or after the day on which section 74 of the Representation of the People Act 2026 comes into force, and
 - (b) by a person who is aged 18 or over when the offence is committed.
- (6) Where an offence is found to have been committed over a period of 2 or more days, or at some time during a period of 2 or more days, it must be taken for the purposes of subsection (5) to have been committed on the first of those days. 15
- (7) Subsections (4) and (5) of section 30 apply for the purposes of this section as they apply for the purposes of that section. 20

36C Hostility as aggravating factor: Northern Ireland

- (1) This section applies where a court in Northern Ireland is considering for the purposes of sentence the seriousness of an offence committed by a person where – 25
 - (a) the offence is a Schedule 9 offence, and
 - (b) the person is convicted of the offence on or after the day on which section 74 of the Representation of the People Act 2026 comes into force.
- (2) Where the offence is aggravated by hostility related to persons falling within any of sections 32 to 34A, the court – 30
 - (a) must treat the fact that the offence is aggravated by such hostility as an aggravating factor, and
 - (b) must state in open court that the offence is so aggravated.
- (3) Subsections (4) and (5) of section 30 apply for the purposes of this section as they apply for the purposes of that section. 35
- (4) In this section, in relation to an offence, “sentence” includes any order made by a court when dealing with a person in respect of the offence.

Supplementary”.

75 Effect of Scottish disqualification orders

- (1) Part 5 of the Elections Act 2022 (disqualification of offenders for holding elective office etc) is amended as follows.
- (2) After section 30 insert— 5
“30A Effect of Scottish disqualification orders
A person who is subject to an order made under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (a “Scottish disqualification order”) is disqualified—
 - (a) for being nominated for election to a relevant elective office, 10
and
 - (b) for being elected to or holding a relevant elective office.”
- (3) In section 31 (vacation of relevant elective office etc)—
 - (a) in subsection (1), after “disqualification order” insert “or Scottish disqualification order”; 15
 - (b) in subsection (6), after “disqualification order” insert “or a Scottish disqualification order”.
- (4) In section 35 (election etc of a person to the House of Commons who is subject to a disqualification order), in subsection (1), after “order” insert “or a Scottish disqualification order”. 20
- (5) In section 37 (interpretation of Part 5), in subsection (1), at the end insert—
““Scottish disqualification order” has the meaning given in section 30A.”

76 Effect of disqualification orders: minor and consequential provision

- (1) In Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.) (local elections rules), in rule 10(2)(c) (validity of nomination paper), after “2022” insert “or section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4)”. 25
- (2) In the Local Government Act 1972—
 - (a) in section 86 (declaration by local authority of vacancy in office), in subsection (1)(b), after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”; 30
 - (b) in section 87 (date of casual vacancies), in subsection (1)(db)—
 - (i) after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”; 35
 - (ii) for “that Act” substitute “the Elections Act 2022”.
- (3) In section 10 of the Local Government Act (Northern Ireland) 1972 (c. 9 (N.I.)) (declaration of vacancy in office)—

- (a) in subsection (1)(a), after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”;
 - (b) in subsection (2)(a), after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”. 5
- (4) In section 7 of the House of Commons Disqualification Act 1975 (jurisdiction of Privy Council as to disqualification), in subsection (6), after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”. 10
- (5) In Schedule 1 to RPA 1983 (parliamentary election rules), in rule 12(2)(c) (validity of nomination papers) –
 - (a) after “disqualified” insert “–
 - (i)”;
 - (b) after “or” insert – 15
 - “(ii)”;
 - (c) after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”.
- (6) In the Greater London Authority Act 1999 – 20
 - (a) in section 7 (Assembly members: declaration of vacancy), in paragraph (b)(ib), after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”;
 - (b) in section 9 (Assembly members: date of casual vacancies), in subsection (1)(fa) – 25
 - (i) after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”;
 - (ii) for “that Act” substitute “the Elections Act 2022”; 30
 - (c) in section 14 (Mayor: declaration of vacancy), in paragraph (b)(ib), after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”;
 - (d) in section 15(1) (Mayor: date of casual vacancy) – 35
 - (i) for “Subsection (1)” substitute “Subsections (1) and (1A)”;
 - (ii) for “it applies” substitute “they apply”;
 - (iii) after “(b)” insert “of subsection (1)”;
 - (iv) after “(h)”, in the first place it occurs, insert “of subsection (1)”.
- (7) In Part 1 of Schedule 1A to the Government of Wales Act 2006 (categories of person disqualified from membership of the Senedd), in paragraph 6A (persons subject to a disqualification order), after “2022” insert “or section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4)”. 40

- (8) In section 59 of the Police Reform and Social Responsibility Act 2011 (date of vacancy in office of police and crime commissioner), in subsection (1)(e) –
 - (a) after “2022” insert “or an order under section 8 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4) (read with section 30A of the Elections Act 2022)”;
 - (b) for “that Act” substitute “the Elections Act 2022”.

5

PART 7

GENERAL

77 Power to make consequential provision

- (1) The Secretary of State may by regulations make provision that is consequential on this Act. 10
- (2) Regulations under this section may amend, repeal or revoke provision made by an enactment passed or made –
 - (a) before this Act, or
 - (b) later in the same session of Parliament as this Act. 15
- (3) Regulations under this section may –
 - (a) make different provision for different purposes;
 - (b) make transitional or saving provision.
- (4) A statutory instrument containing (whether alone or with other provision) regulations under this section that amend or repeal any provision of primary legislation may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament. 20
- (5) Any other statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament. 25
- (6) In this section –

“enactment” includes –

 - (a) an enactment comprised in subordinate legislation (as defined in section 21 of the Interpretation Act 1978);
 - (b) an enactment comprised in, or in an instrument made under, a Measure or Act of Senedd Cymru; 30
 - (c) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;
 - (d) an enactment comprised in, or in an instrument made under, Northern Ireland legislation; 35

“primary legislation” means –

 - (a) an Act of Parliament;
 - (b) an Act of the Scottish Parliament;
 - (c) a Measure or Act of Senedd Cymru;
 - (d) Northern Ireland legislation. 40

- (7) Regulations under this section are to be made by statutory instrument.

78 Power to amend references to subordinate legislation etc

- (1) The Secretary of State may by regulations amend –
- (a) a provision of this Act, or
 - (b) a provision inserted by this Act into another Act,
- in consequence of the amendment or revocation of any subordinate legislation which is for the time being referred to in the provision. 5
- (2) In subsection (1), “subordinate legislation” means –
- (a) subordinate legislation as defined in section 21 of the Interpretation Act 1978, or
 - (b) an instrument made under –
 - (i) an Act of the Scottish Parliament,
 - (ii) a Measure or Act of Senedd Cymru, or
 - (iii) Northern Ireland legislation.
- 10
- (3) Regulations under this section are to be made by statutory instrument. 15
- (4) A statutory instrument containing (whether alone or with other provision) regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

79 Interpretation of references to other Acts

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In this Act –

- “PPERA 2000” means the Political Parties, Elections and Referendums Act 2000;
- “RPA 1983” means the Representation of the People Act 1983;
- “RPA 1985” means the Representation of the People Act 1985;
- “RPA 2000” means the Representation of the People Act 2000.

25

80 Financial provision

- (1) There is to be paid out of money provided by Parliament any increase attributable to this Act in the sums payable under or by virtue of any other Act out of money so provided. 30
- (2) There is to be paid out of the Consolidated Fund any increase attributable to this Act in the sums payable under any other Act out of that Fund.
- (3) There is to be paid into the Consolidated Fund any increase attributable to this Act in the sums payable into that Fund under any other Act.

81 Extent

35

- (1) This Act extends to England and Wales, Scotland and Northern Ireland, except as follows.

- (2) The following extend to England and Wales and Scotland only –
 - (a) in Part 1 –
 - (i) section 1(3)(b);
 - (ii) section 4(4)(a), (6)(b) and (8)(b);
 - (iii) section 5(2)(b), (3)(b) and (d), (4)(d) and (5)(c); 5
 - (iv) paragraphs 3, 4(b), 8, 9 and 14 of Schedule 1;
 - (b) in Part 2, paragraph 9 of Schedule 2;
 - (c) in Part 3 –
 - (i) section 47;
 - (ii) paragraphs 1 to 12 of Schedule 3; 10
 - (iii) paragraphs 18, 23 and 25 of Schedule 5;
 - (d) in Part 6, section 76(6).
- (3) The following extend to England and Wales only –
 - (a) in Part 1 –
 - (i) section 1(6); 15
 - (ii) section 4(4)(c);
 - (iii) section 10(5) to (9);
 - (b) in Part 3, paragraphs 15 and 17 of Schedule 5;
 - (c) in Part 6 –
 - (i) section 73(1) to (3); 20
 - (ii) section 76(2) and (8).
- (4) The following extend to Scotland only –
 - (a) in Part 1 –
 - (i) section 3(5);
 - (ii) section 4(4)(b); 25
 - (iii) section 10(1) to (4);
 - (b) in Part 3, paragraphs 19 and 23 of Schedule 3;
 - (c) in Part 4 –
 - (i) section 54(2)(a)(i) and (b) and (3)(a)(i) and (b);
 - (ii) section 64(2); 30
 - (iii) paragraph 2(4) of Schedule 7.
- (5) The following extend to Northern Ireland only –
 - (a) provisions of this Act which amend or repeal provisions of the following –
 - (i) the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)); 35
 - (ii) the Local Government Act (Northern Ireland) 1972 (c. 9 (N.I.));
 - (iii) the Local Elections (Northern Ireland) Order 1985 (S.I. 1985/454);
 - (iv) the Elected Authorities (Northern Ireland) Act 1989;
 - (b) in Part 1 – 40
 - (i) section 5(4)(a);
 - (ii) paragraph 12 of Schedule 1;

- (c) in Part 2, section 35;
- (d) in Part 3 –
 - (i) section 46(3);
 - (ii) paragraphs 13 to 17 of Schedule 3.
- (6) Subsections (1) and (2) of section 384 of the Armed Forces Act 2006 (extent outside the United Kingdom) apply to the amendments of that Act made by sections 72(4) and 73(4) as those subsections apply to the provisions of that Act. 5

82 Commencement

- (1) This Act comes into force on such day as the Secretary of State may by regulations appoint, except as follows. 10
- (2) This Part and the following provisions come into force on the day on which this Act is passed –
 - (a) section 5(3)(f) to (i) and (6)(b) (power to make provision about young voters and service declarations); 15
 - (b) section 13 (power to make further provision about disclosure of a young person’s information) and sections 7 to 12 and 14 so far as necessary to enable the exercise of the power in section 13;
 - (c) sections 20 to 25 (power to pilot changes to the voter registration process); 20
 - (d) sections 26 to 29 (power to amend the canvass in Northern Ireland);
 - (e) section 30(1) and (4) (regulations made by Scottish Ministers under RPA 1983);
 - (f) section 30(2)(a) and (c) (power to make provision about when entitlement to remain registered pursuant to a declaration of local connection ceases), so far as they confer power to make regulations or are otherwise necessary to enable the exercise of such a power; 25
 - (g) section 36 (regulations as to registration etc: information to assist registration officers);
 - (h) sections 49 to 51 (power to obtain information to help people understand elections etc); 30
 - (i) in Schedule 3 (absent voting) –
 - (i) paragraph 3 (regulations under Schedule 4 to RPA 2000 to be made by appropriate national authority);
 - (ii) paragraphs 24 and 25 (regulations as to registration etc: absent voting); 35
 - (iii) any other provision of that Schedule so far as it confers power to make regulations or is otherwise necessary to enable the exercise of such a power.
- (3) The Secretary of State may by regulations make transitional or saving provision in connection with the coming into force of any provision of this Act. 40
- (4) The powers to make regulations under this section include power to make different provision for different purposes or areas.

- (5) Regulations under this section are to be made by statutory instrument.
- (6) The power in section 419(1) of the Sentencing Act 2020 (power to state effect of commencement provisions) applies in relation to any amendment or repeal made by or under this Act of that Act as it applies in relation to an amendment or repeal made by Schedule 22 to that Act.

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83 Short title

This Act may be cited as the Representation of the People Act 2026.

SCHEDULES

SCHEDULE 1

Section 6

FURTHER PROVISION ABOUT REGISTRATION OF YOUNG VOTERS ETC

PART 1

AMENDMENTS OF ENACTMENTS

5

Electoral Law Act (Northern Ireland) 1962

- | | | |
|---|---|----|
| 1 | In Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (local elections rules) – | |
| | (a) in rule 29 (admission to the polling station), in paragraphs (1)(b) and (1A), for “18” substitute “16”; | 10 |
| | (b) in rule 36 (voting by persons with disabilities), in paragraph (2)(b)(i), for “18” substitute “16”. | |

RPA 1983

- | | | |
|---|--|----|
| 2 | RPA 1983 is amended as follows. | |
| 3 | In section 9 (registers of electors) omit subsection (5A). | 15 |
| 4 | In section 9A (registration officers: duty to take necessary steps) – | |
| | (a) after subsection (2) insert – | |
| | “(2ZA) Subsections (1) and (2)(b) do not require a registration officer to make house to house inquiries in relation to a person under the age of 16. | 20 |
| | (2ZB) For the purposes of a register of parliamentary electors in Great Britain or a register of local government electors in England, subsections (1) and (2)(ba) do not require a registration officer to make contact, by telephone, with a person under the age of 16.”; | 25 |
| | (b) omit subsection (2A). | |
| 5 | In section 9D(6) (exceptions to duty to conduct canvass: Great Britain), in paragraph (a), after “institutions” insert “or youth detention accommodation”. | |
| 6 | In section 9E (maintenance of registers: invitations to register in Great Britain), after subsection (5) insert – | 30 |
| | “(5A) A requirement under subsection (4) may not be imposed on a person under the age of 16 in relation to registration as a parliamentary elector or as a local government elector in England.” | |

- 7 In section 10(3) (exceptions to duty to conduct canvass: Northern Ireland), in paragraph (a), after “institutions” insert “or youth detention accommodation”.
- 8 In section 13BD (electoral identity document: Great Britain), in subsection (1)(b)(ii), for “18” substitute “16”. 5
- 9 In section 13BE (anonymous elector’s document: Great Britain), in subsection (1)(b)(ii), for “18” substitute “16”.
- 10 In Schedule 1 (parliamentary elections rules) –
 - (a) in rule 32 (admission to polling station), in paragraphs (1)(b) and (ba) and (1A), for “18” substitute “16”; 10
 - (b) in rule 39 (voting by persons with disabilities), in paragraph (2)(b)(i), for “18” substitute “16”.
- 11 In paragraph 3C of Schedule 2 (provision which may be contained in regulations for registration officer conducting canvass to obtain information), after sub-paragraph (3) insert – 15
 - “(4) Provision under sub-paragraph (1A) or (2) may not authorise or require a registration officer taking steps in relation to a register of parliamentary electors, or a register of local government electors in England, to visit a particular address in order to speak to a person under the age of 16.” 20

RPA 1985

- 12 In section 8 of RPA 1985 (proxies at parliamentary elections: Northern Ireland), in subsection (4), for “he has attained the age of eighteen” substitute “the person has attained the age of 16”.

Local Elections (Northern Ireland) Order 1985 (S.I. 1985/454) 25

- 13 In Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 (S.I. 1985/454) (proxies at local elections), in paragraph 3(3), for “eighteen” substitute “16”.

RPA 2000

- 14 In Schedule 4 to RPA 2000, in paragraph 6 (proxies at elections: Great Britain) – 30
 - (a) in sub-paragraph (5), for the words from the first “(other” to the end substitute “unless on the date of the poll the person has attained the age of 16.”;
 - (b) omit sub-paragraph (5A). 35

Police Reform and Social Responsibility Act 2011

- 15 In section 51 of the Police Reform and Social Responsibility Act 2011 (vacancy in the office of police and crime commissioner for a police area in Wales), in subsection (6C)(a)(ii) omit “, who has attained the age of 18”.

Recall of MPs Act 2015

- 16 (1) The Recall of MPs Act 2015 is amended as follows.
- (2) In section 14 (determination of whether recall petition successful), in subsection (3), for “18” substitute “16”.
- (3) In section 22 (interpretation), in subsection (3)(b) – 5
- (a) in the words before sub-paragraph (i), for “18” substitute “16”;
- (b) in that sub-paragraph, for “18” substitute “16”.

PART 2

ALIGNMENT OF REGISTERS

Aligning parliamentary and local government registers: Wales and Scotland 10

- 17 (1) A Welsh registration officer and a Scottish registration officer must register in a register of parliamentary electors maintained by the officer each person who is a qualifying young person in relation to the officer.
- (2) A person is a “qualifying young person” in relation to a Welsh registration officer or a Scottish registration officer if, immediately after section 1 of this Act comes into force – 15
- (a) the person is under the age of 18,
- (b) the person is registered in the register of local government electors maintained by the officer,
- (c) the person is not registered in the register of parliamentary electors maintained by the officer, and 20
- (d) the person appears to the officer to be entitled to be registered in the register of parliamentary electors maintained by the officer (see section 4 of RPA 1983).
- (3) The duty under sub-paragraph (1) does not apply in respect of a person if the Welsh registration officer or the Scottish registration officer receives (whether before or after section 1 of this Act comes into force) an application under section 10ZC of RPA 1983 for registration in a register of parliamentary electors made by someone who appears to the officer to be the person. 25
- (4) For the purposes of sub-paragraph (2)(d), the following have effect as if the reference to the relevant date were a reference to the time immediately after section 1 of this Act comes into force – 30
- (a) subsection (1) of section 4 of RPA 1983, and
- (b) subsection (4A) of that section (inserted by section 3 of this Act). 35
- (5) If a qualifying young person has an anonymous entry in a register of local government electors in Wales or Scotland (as the case may be) –
- (a) the duty under sub-paragraph (1) is a duty to make an anonymous entry in a register of parliamentary electors in respect of the person, and 40

- (b) the person’s entitlement to remain registered in a register of parliamentary electors terminates when the person’s entitlement to remain registered in a register of local government electors terminates under section 9C(1) or a provision described in section 9C(2) of RPA 1983. 5
- (6) RPA 1983 applies in connection with the registration of persons in a register of parliamentary electors under sub-paragraph (1) with the following modifications –
 - (a) section 4(4B) (entry in register for attainers) (inserted by section 3 of this Act) has effect in relation to a person registered under sub-paragraph (1) of this paragraph as it has effect in relation to a person registered under section 4(1) of RPA 1983 in reliance on section 4(4A) (inserted by section 3 of this Act); 10
 - (b) section 4(5A) (anonymous entries) (as amended by section 3 of this Act) has effect in relation to a person registered under sub-paragraph (1) of this paragraph as it has effect in relation to a person registered under section 4(1) of RPA 1983 in reliance on section 4(4A) (inserted by section 3 of this Act); 15
 - (c) section 9 (duty of registration officer to maintain a register of electors) has effect as if subsection (2)(a) of that section included a reference to the names of persons in respect of whom a duty to register arises under sub-paragraph (1) of this paragraph; 20
 - (d) section 9E(1) (duty of registration officer to give an invitation to apply for registration) does not apply in relation to the registration of a person in a register of parliamentary electors while a registration officer is determining whether the duty under sub-paragraph (1) of this paragraph applies in respect of the person; 25
 - (e) section 13A(1)(za) (publication of revised register) has effect as if it included a reference to a registration officer being required under sub-paragraph (1) of this paragraph to enter a person in the register; 30
 - (f) section 56 (registration appeals) has effect as if the decisions listed in subsection (1) of that section included –
 - (i) a decision of a registration officer to register a person under sub-paragraph (1) of this paragraph;
 - (ii) a decision of a registration officer not to register a person under sub-paragraph (1) of this paragraph. 35
- (7) In this paragraph –
 - “anonymous entry” has the same meaning as in RPA 1983 (see section 9B(4));
 - “register of local government electors” means a register of local government electors maintained under section 9(1)(b) of RPA 1983 (registers of local government electors); 40
 - “register of parliamentary electors” means a register of parliamentary electors maintained under section 9(1)(a) of RPA 1983 (registers of parliamentary electors); 45

“Scottish registration officer” means a registration officer appointed under section 8(3) of RPA 1983;

“Welsh registration officer” means a registration officer appointed under section 8(2A) of RPA 1983.

Registration under paragraph 17: local connection and service declarations

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18 (1) This paragraph applies to a person who, immediately before the coming into force of section 1 of this Act, is registered in a register of local government electors pursuant to—

- (a) a qualifying declaration of local connection, or
- (b) a qualifying service declaration.

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(2) For the purposes of paragraph 17(2)(d)—

- (a) the qualifying declaration of local connection or the qualifying service declaration (as the case may be) is to be taken to have effect for the purposes of the person’s registration in a register of parliamentary electors, and
- (b) section 7C(1) and 17(1) of RPA 1983 have effect as if the reference to when the person applies for registration were a reference to the time immediately after section 1 of this Act comes into force.

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(3) RPA 1983 applies in connection with the registration of the person in a register of parliamentary electors under paragraph 17(1) with the following modifications (in addition to the modifications described in paragraph 17(6))—

20

- (a) section 7C(2)(a) (entitlement to remain registered pursuant to a declaration of local connection to cease 12 months after registration) has effect as if the entry in the register of parliamentary electors took effect at the same time as the entry in the register of local government electors;
- (b) section 7C(2)(c) (entitlement to remain registered pursuant to a declaration of local connection to cease when another entry in a register takes effect) has effect as if the reference to another entry in any register of electors did not include the entry in the register of parliamentary electors made under paragraph 17(1);
- (c) section 15(2)(a) (entitlement to remain registered pursuant to a service declaration to cease 12 months after registration) has effect as if the entry in the register of parliamentary electors took effect at the same time as the entry in the register of local government electors;
- (d) section 15(2)(c) (entitlement to remain registered pursuant to a service declaration to cease when another entry in a register takes effect) has effect as if the reference to another entry in any register of electors did not include the entry in the register of parliamentary electors made under paragraph 17(1).

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(4) A “qualifying declaration of local connection” means—

- (a) in relation to registration as a local government elector in Wales, a declaration falling within section 7B(7B)(a) or (c) of RPA 1983 (as those provisions extend to England and Wales);
 - (b) in relation to registration as a local government elector in Scotland, a declaration falling within section 7B(7B)(a) or (b) of that Act (as those provisions extend to Scotland). 5
- (5) A “qualifying service declaration” means –
 - (a) in relation to registration as a local government elector in Wales, a declaration falling within section 15(5B)(a) or (c) of RPA 1983 (as those provisions extend to England and Wales); 10
 - (b) in relation to registration as a local government elector in Scotland, a declaration falling within section 15(5B)(a) or (b) of that Act (as those provisions extend to Scotland).
- (6) In this paragraph, “register of local government electors” and “register of parliamentary electors” have the same meaning as in paragraph 17. 15

Registration under paragraph 17: absent voters

- 19 (1) This paragraph applies where –
- (a) a registration officer registers a person in a register of parliamentary electors under paragraph 17, and
 - (b) the person appears on – 20
 - (i) a record kept by the registration officer under paragraph 3(4) of Schedule 4 to RPA 2000 (record of applications granted for postal and proxy vote for an indefinite or other period), or
 - (ii) a list kept by the officer under paragraph 5 of that Schedule (absent voters list for particular elections). 25
- (2) The registration officer must give notice in writing to the person which –
- (a) states that the person has been registered in a register of parliamentary electors,
 - (b) explains the effect of a person’s entry in a record or list described in sub-paragraph (1)(b), and 30
 - (c) provides information about making an application for a postal or proxy vote for parliamentary elections under paragraph 3 or 4 of Schedule 4 to RPA 2000.
- (3) In this paragraph, “register of parliamentary electors” has the same meaning as in paragraph 17. 35

SCHEDULE 2

Section 19

REGISTRATION ETC WITHOUT AN APPLICATION: FURTHER PROVISION

RPA 1983

- 1 RPA 1983 is amended as follows.
- 2 In section 4 (entitlement to be registered as parliamentary or local government elector), in subsection (6), in the definition of “the relevant date” –
 - (a) after “means” insert “whichever of the following is relevant”;
 - (b) at the end insert –
 - “(c) in the case of a person who is the subject of a notice under section 12B(1), the date on which the response period specified in the notice ends or, if earlier, the date during that period on which the person confirms that they wish to be registered under section 12A.”
- 3 In section 9 (registers of electors), in subsection (2)(a), after “whom” insert “–
 - (i) a duty to register arises under section 12A, or
 - (ii)”.
- 4 In section 9E (maintenance of registers: invitations to register in Great Britain), before subsection (2) insert –
 - “(1B) Subsection (1) does not apply in relation to the registration of a person in a register of electors if –
 - (a) the registration officer has a duty to register the person in the register under section 12A,
 - (b) the registration officer has given the person a notice in relation to the register under section 12B(1) and the response period specified in the notice has not ended,
 - (c) the registration officer has a duty to give the person a notice in relation to the register under section 12B(1),
 - (d) the registration officer has yet to complete any steps prescribed under section 53 in connection with the duties under section 12A or 12B as they relate to the person, or
 - (e) for other reasons, the registration officer has yet to decide whether the duty under section 12A or 12B applies in relation to the person.”
- 5 In the heading of section 10ZC (registration of electors in Great Britain), at the end insert “: applications for registration”.
- 6 In the heading of section 10ZD (registration of electors in Great Britain: alterations), after “Britain:” insert “applications for”.

- 7 In section 13A (alteration of registers), in subsection (1), after paragraph (a) insert—
 - “(aa) is required by section 12A(1) to enter a person in the register;
 - (ab) is required by section 12E(1) to alter a person’s entry in the register;”.5
- 8 In section 13AB (alteration of registers in Great Britain: interim publication dates), in subsection (1)(a), before “(b)” insert “(aa), (ab),”.
- 9 In section 13B (alteration of registers in Great Britain: pending elections), in subsection (2), as it extends to England and Wales and Scotland, in paragraph (a), before “(b)” insert “(aa), (ab),”.
10- 10 In section 13BA (alteration of registers in Northern Ireland: pending elections), in subsection (5)(a), after “13A(1)(a),” (inserted by section 34(3)(c) of this Act) insert “(aa), (ab),”.
- 11 In section 56 (registration appeals: England and Wales), in subsection (1), after paragraph (ab) insert—15
 - “(aba) from any decision of a registration officer to register a person under section 12A(1);
 - (abb) from any decision of a registration officer to alter a person’s entry in a register under section 12E(1);”.
- 12 In section 58 (registration appeals: Northern Ireland), in subsection (1), after paragraph (ba) insert—20
 - “(baa) from any decision of the Chief Electoral Officer for Northern Ireland to register a person under section 12A(1);
 - (bab) from any decision of the Chief Electoral Officer for Northern Ireland to alter a person’s entry in a register under section 12E(1);”.25
- 13 In section 201 (regulations)—
 - (a) in subsection (2), after paragraph (a) (inserted by paragraph 50 of Schedule 8 to this Act) insert—
 - “(aa) section 12B(5), 12C(4), 12F(5) or 12G(4),”;30
 - (b) in subsection (2A), after paragraph (a) (inserted by paragraph 50 of Schedule 8 to this Act) insert—
 - “(aa) section 12B(5), 12C(4), 12F(5) or 12G(4),”.
- 14 In Schedule 2 (provisions which may be contained in regulations as to registration etc), after paragraph 1B insert—35
 - “1BA Provision authorising or requiring a registration officer to take specified steps for the purpose of deciding, for the purposes of section 12A, 12B, 12E or 12F, whether a person is of voting age and entitled to be registered in the register.”

RPA 1985

- 15 RPA 1985 is amended as follows.
- 16 In section 1A (qualification as an overseas elector in respect of a constituency), after subsection (4) insert—
- “(4A) For the purposes of subsections (2)(b) and (3)(c), the person’s inclusion in an electoral register is to be disregarded where—
- (a) the person was included by means of an entry made in the register under section 9ZA or 12A of the principal Act (registration without an application),
 - (b) the person did not inform the registration officer that they wanted the entry to be made, and
 - (c) immediately before the entry was made, the person—
 - (i) was a British citizen,
 - (ii) was not resident in the United Kingdom, and
 - (iii) satisfied the previous registration condition or the previous residence condition (where relevant, read with this subsection).”
- 17 In section 1C (overseas elector’s declaration), after subsection (2) insert—
- “(2A) Section 1A(4A) applies for the purposes of subsection (2)(b) as it applies for the purposes of section 1A(2)(b).”
- 18 In section 1D (duration of entitlement to be registered in pursuance of an overseas elector’s declaration), after subsection (4) insert—
- “(4A) For the purposes of subsection (4)(d), an entry made in an electoral register in respect of the person is to be disregarded where—
- (a) the entry was made under section 9ZA or 12A of the principal Act (registration without an application),
 - (b) the person did not inform the registration officer that they wanted the entry to be made, and
 - (c) immediately before the entry was made, the person—
 - (i) was a British citizen,
 - (ii) was not resident in the United Kingdom, and
 - (iii) could validly make the statement described in subsection (2)(b) of section 1E (where relevant, read with subsection (2A) of that section).”
- 19 In section 1E (renewal declaration), after subsection (2) insert—
- “(2A) Section 1D(4A) applies for the purposes of subsection (2)(b) as it applies for the purposes of section 1D(4)(d).”

SCHEDULE 3

Section 48

ABSENT VOTING

PART 1

ABSENT VOTING IN GREAT BRITAIN

Introduction

5

- 1 Schedule 4 to RPA 2000 (absent voting in Great Britain) is amended as set out in paragraphs 2 to 12.

Interpretation

- 2 In paragraph 1 (interpretation), after sub-paragraph (1) insert—
 - “(1A) In this Schedule, except as otherwise provided, a reference to someone who will be registered includes someone who has applied to be registered where there is no reason not to register them other than the fact that the objections period has not ended. 10
 - (1B) In sub-paragraph (1A) “the objections period”, in relation to an application for registration, means the period prescribed under section 10ZC(2) of the 1983 Act for making objections to the application before it is determined. 15
 - (1C) Provisions in this Schedule imposing duties to grant an application, or to take steps once an application is granted, are subject to regulations under paragraph 7G (refusing or disregarding applications).” 20

Regulations

- 3 After paragraph 1 insert—

“Regulations

 - 1A (1) Regulations under this Schedule are to be made by the appropriate national authority. 25
 - (2) “The appropriate national authority” means—
 - (a) in relation to local government elections in Scotland, the Scottish Ministers;
 - (b) in relation to local government elections in Wales, the Welsh Ministers; 30
 - (c) in relation to other elections, the Secretary of State.
 - (3) Regulations made by the Scottish Ministers under this Schedule are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)). 35

- (4) Regulations made by the Welsh Ministers under this Schedule are subject to the Senedd approval procedure (see section 37C of the Legislation (Wales) Act 2019 (anaw 4)).”

Absent vote at elections for a period

- 4 (1) Paragraph 3 (absent vote at elections for a period) is amended as follows. 5
- (2) In sub-paragraph (1A), for paragraph (a) (but not the “or” at the end) substitute –
- “(a) the maximum permitted period (see sub-paragraph (1AA)),”.
- (3) After sub-paragraph (1A) insert –
- “(1AA) The maximum permitted period is – 10
- (a) in a case in which the registration officer both receives and grants the application under sub-paragraph (1) in a period beginning with 1 October and ending with 30 January in the next year, the period ending with the fourth 15
- 31 January following the date on which the application is granted;
- (b) in any other case, the period ending with the third 31 January following the date on which the application is granted.”
- (4) In sub-paragraph (4), in the words before paragraph (a), for “this paragraph” 20
- substitute “sub-paragraph (1) or (2)”.
- (5) After sub-paragraph (4) insert –
- “(4A) Where –
- (a) a person is shown in the record in respect of a kind of election, and 25
- (b) a subsequent application by the person under sub-paragraph (1) or (2) is granted in respect of that kind of election,
- the registration officer must ensure that, so far as relating to that person in respect of that kind of election, the record shows only 30
- the information required to be shown by virtue of the subsequent application.”
- (6) In sub-paragraph (5) –
- (a) in the words before paragraph (a), after “record” insert “in respect of a kind of election”; 35
- (b) for paragraph (a) substitute –
- “(a) if the officer grants an application by the person to be removed (and see sub-paragraph (5A)),
- (aza) if the officer grants an application by the person under paragraph 4(1), (2) or (2A) to vote by post or 40
- by proxy at a particular election of the kind in

- question, unless regulations require the person not to be removed,
- (azb) where the person’s application under sub-paragraph (1) or (2) of this paragraph was granted in reliance on paragraph 1(1A), if the person’s application for registration is subsequently refused or withdrawn,”. 5
- (7) After sub-paragraph (5) insert –
- “(5A) The registration officer must grant an application under sub-paragraph (5)(a) that meets the prescribed requirements.
- (5B) Regulations under sub-paragraph (5)(aza) may, among other things, make provision by reference to circumstances relating to the registration officer’s satisfaction as to any matter.” 10
- (8) Omit sub-paragraphs (6) to (7B).

Postal vote at elections for a period: alternative arrangements

- 5 After paragraph 3 insert – 15
- “Postal vote at elections for a period: alternative arrangements for particular election*
- 3A (1) Where a person is shown in the record kept under paragraph 3(4) as voting by post at a kind of election, the person may apply to the registration officer – 20
- (a) for the person’s ballot paper for a particular election of the kind in question to be sent to a different address from that shown in the record;
- (b) to vote instead in person at a particular election of the kind in question (as mentioned in paragraph 2(2)). 25
- (2) The registration officer must grant an application under this paragraph that meets the prescribed requirements.”

Absent vote at particular election

- 6 In paragraph 4 (absent vote at particular election) omit sub-paragraphs (3) and (4). 30

Absent voters list

- 7 (1) Paragraph 5 (absent voters list) is amended as follows.
- (2) In sub-paragraph (2)(b) –
- (a) for “paragraph 3 as” substitute “paragraph 3(4) as”;
- (b) for “(excluding those so shown whose applications under paragraph 4(3)(b) above to vote by proxy at the election have been granted)” substitute “and who are not excluded persons (see sub-paragraph (2A))”; 35

- (c) for “paragraph 3 or” substitute “paragraph 3(1) or (2) or”;
- (d) for “paragraph 4(3)(a)” substitute “paragraph 3A(1)(a)”.

(3) After sub-paragraph (2) insert –

“(2A) For the purpose of sub-paragraph (2)(b), a person is “excluded” if –

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- (a) an application by the person under paragraph 3A(1)(b) to vote in person at the election concerned has been granted,
- (b) in respect of elections of the kind in question, the person is for the time being shown in the record kept under paragraph 3(4) as voting by post only by virtue of regulations under paragraph 3(5)(aza) (exceptions from duty to remove person from record where application under paragraph 4(1), (2) or (2A) granted), or
- (c) in respect of elections of the kind in question, the person is for the time being shown in the record kept under paragraph 3(4) as voting by post by virtue of an application granted for a period which is to expire –
 - (i) on or after the day on which the notice of an election must be published, and
 - (ii) before the day of the poll for the election.

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(2B) In relation to a person shown in the postal voters list in respect of whom a subsequent application is granted –

- (a) under paragraph 3(1) to vote by post at elections of the kind in question, or
- (b) under paragraph 4(1) to vote by post at the election in question,

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the registration officer must ensure that the list shows only the information required to be shown by virtue of the subsequent application (and any associated change to the record kept under paragraph 3(4)).

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(2C) The registration officer must remove from the postal voters list a person who is shown in the list by virtue of sub-paragraph (2)(a) –

- (a) if the officer grants an application by the person to be removed (and see sub-paragraph (3D)),
- (b) if the officer grants an application by the person under paragraph 3(2) to vote by proxy at elections of the kind in question,
- (c) if the officer grants an application by the person under paragraph 4(2) or (2A) to vote by proxy at the election in question,
- (d) where the person’s application under paragraph 4(1) was granted in reliance on paragraph 1(1A), if the person’s application for registration is subsequently refused or withdrawn, or

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- (e) where the person is a registered person, if the person ceases to be registered or registered at the same qualifying address or ceases to be, or becomes, registered in pursuance of—
 - (i) a service declaration, 5
 - (ii) a declaration of local connection, or
 - (iii) an overseas elector’s declaration.”

(4) In sub-paragraph (3)—

 - (a) in paragraph (a), for “(3)” substitute “(2A)”; 10
 - (b) in paragraph (b)—
 - (i) for “paragraph 3” substitute “paragraph 3(4)”; 15
 - (ii) after “question” insert “and who are not excluded persons (see sub-paragraph (3A))”. 20

(5) After sub-paragraph (3) insert—

“(3A) For the purpose of sub-paragraph (3)(b), a person is “excluded” if, in respect of elections of the kind in question, the person is for the time being shown in the record kept under paragraph 3(4) as voting by proxy only by virtue of regulations under paragraph 3(5)(aza) (exceptions from duty to remove person from record where application under paragraph 4(1), (2) or (2A) granted). 25

(3B) In relation to a person shown in the list of proxies in respect of whom a subsequent application is granted—

 - (a) under paragraph 3(2) to vote by proxy at elections of the kind in question, or 30
 - (b) under paragraph 4(2) or (2A) to vote by proxy at the election in question,

the registration officer must ensure that the list shows only the information required to be shown by virtue of the subsequent application (and any associated change to the record kept under paragraph 3(4)). 35

(3C) The registration officer must remove from the list of proxies a person who is shown in the list by virtue of sub-paragraph (3)(a)—

 - (a) if the officer grants an application by the person to be removed (and see sub-paragraph (3D)), 40
 - (b) if the officer grants an application by the person under paragraph 3(1) to vote by post at elections of the kind in question,
 - (c) if the officer grants an application by the person under paragraph 4(1) to vote by post at the election in question, 45
 - (d) where the person’s application under paragraph 4(2) was granted in reliance on paragraph 1(1A), if the person’s

- application for registration is subsequently refused or withdrawn, or
- (e) where the person is a registered person, if the person ceases to be registered or registered at the same qualifying address or ceases to be, or becomes, registered in pursuance of—
- (i) a service declaration,
 - (ii) a declaration of local connection, or
 - (iii) an overseas elector’s declaration.
- (3D) The registration officer must grant an application under sub-paragraph (2C)(a) or (3C)(a) that meets the prescribed requirements.”

Proxies at elections

- 8 (1) Paragraph 6 (proxies at elections) is amended as follows.
- (2) In sub-paragraph (3)—
- (a) the words from “the person” to the end become paragraph (a);
 - (b) in that paragraph omit “or will be”;
 - (c) after that paragraph insert “, or
- (b) ignoring paragraph 1(1A), the person will be registered in such a register.”
- (3) In sub-paragraph (3A)—
- (a) the words from “the person” to the end become paragraph (a);
 - (b) in that paragraph omit “or will be”;
 - (c) after that paragraph insert “, or
- (b) ignoring paragraph 1(1A), the person will be registered in such a register.”
- (4) In sub-paragraph (7)(b), for “paragraph 3” substitute “paragraph 3(4)”.
- (5) In sub-paragraph (8)(b), for “(3)” substitute “(2A)”.
- (6) In sub-paragraph (10)—
- (a) in the words before paragraph (a), for “may be cancelled by the elector by giving notice to the registration officer and shall also cease” substitute “ceases”;
 - (b) before paragraph (a) insert—
 - “(za) if the registration officer grants an application by the elector to cancel the appointment (and see sub-paragraph (10A)),”;
 - (c) in paragraph (a)—

- (i) after “parliamentary elections”, in the first place it occurs, insert “—
 - (i) on the proxy ceasing to be registered in a register of parliamentary electors in Great Britain or Northern Ireland, or
 - (ii)”;
 - (ii) in the words that become sub-paragraph (ii), for “him” substitute “the elector”;
 - (d) in paragraph (b) —
 - (i) after “local government elections”, in the first place it occurs, insert “—
 - (i) on the proxy ceasing to be registered in a register of local government electors in Great Britain or Northern Ireland, or
 - (ii)”;
 - (ii) in the words that become sub-paragraph (ii), for “him” substitute “the elector”.
 - (7) After sub-paragraph (10) insert —

“(10A) The registration officer must grant an application under sub-paragraph (10)(za) that meets the prescribed requirements.”
 - (8) In sub-paragraph (11) —
 - (a) in the words before paragraph (a), for “Subject to” substitute “Except where the appointment ceases to be in force by virtue of”;
 - (b) in paragraph (a), for “for that election” substitute “while the elector is shown as voting by proxy at that election in the list kept under paragraph 5(3)”;
 - (c) in paragraph (b), for “paragraph 3” substitute “paragraph 3(4)”.
- Voting as proxy*
- 9 (1) Paragraph 7 (voting as proxy) is amended as follows.
 - (2) In sub-paragraph (5A), for paragraph (a) (but not the “or” at the end) substitute —

“(a) the maximum permitted period (see sub-paragraph (5B)),”.
 - (3) After sub-paragraph (5A) insert —

“(5B) The maximum permitted period is—
 - (a) in a case in which the registration officer both receives and grants the application under sub-paragraph (4)(a) in a period beginning with 1 October and ending with 30 January in the next year, the period ending with the fourth

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- 31 January following the date on which the application is granted;
- (b) in any other case, the period ending with the third 31 January following the date on which the application is granted.” 5
- (4) After sub-paragraph (6) insert –
- “(6A) Where –
- (a) a person is included in the record kept under sub-paragraph (6) in respect of a kind of election, and
- (b) a subsequent application by the person under sub-paragraph (4)(a) is granted in respect of that kind of election, 10
- the registration officer must ensure that, so far as relating to that person in respect of that kind of election, the record shows only the information required to be shown by virtue of the subsequent application.” 15
- (5) Omit sub-paragraph (7).
- (6) In sub-paragraph (8)(a) –
- (a) after “kind in question” insert “and who are not excluded persons (see sub-paragraph (8ZA))”; 20
- (b) for “sub-paragraph (7)” substitute “paragraph 7ZA(1)(a)”.
- (7) After sub-paragraph (8) insert –
- “(8ZA) For the purpose of sub-paragraph (8)(a) a person is “excluded” if –
- (a) an application by the person to vote in person at the election in question has been granted or (see paragraph 7ZA(1)(b)), or 25
- (b) in respect of elections of the kind in question, the person is for the time being shown in the record kept under sub-paragraph (6) as voting by post by virtue of an application under sub-paragraph (4)(a) granted for a period which is to expire – 30
- (i) on or after the day on which the notice of the election must be published, and
- (ii) before the day of the poll for the election. 35
- (8ZB) In relation to a person shown in the proxy postal voters list in respect of whom a subsequent application is granted –
- (a) under sub-paragraph (4)(a) to vote by post as proxy at elections of the kind in question, or
- (b) under sub-paragraph (4)(b) to vote by post as proxy at the election in question, 40
- the registration officer must ensure that the list shows only the information required to be shown by virtue of the subsequent

application (and any associated change to the record kept under sub-paragraph (6)).”

- (8) In sub-paragraph (9) –
 - (a) in the words before paragraph (a), after “sub-paragraph (6)” insert “in respect of a kind of election”; 5
 - (b) for paragraph (a) substitute –
 - “(a) if the officer grants an application by the person to be removed (and see sub-paragraph (9B)),
 - (aa) if the officer grants an application by the person under sub-paragraph (4)(b) to vote by post as proxy at a particular parliamentary or local government election”; 10
 - (c) omit paragraph (b).
- (9) After sub-paragraph (9) insert –
 - “(9A) The registration officer must remove from the proxy postal voters list a person who is shown in the list by virtue of an application under sub-paragraph (4)(b) – 15
 - (a) if the officer grants an application by the person to be removed (and see sub-paragraph (9B)), or
 - (b) if the person’s appointment as proxy in respect of the elector ceases to be in force (whether or not the person is reappointed). 20
 - (9B) The registration officer must grant an application under sub-paragraph (9)(a) or (9A)(a) that meets the prescribed requirements.” 25

Voting by post as proxy at elections for a period: alternative arrangements

- 10 After paragraph 7 insert –
 - “*Voting by post as proxy for elections for a period: alternative arrangements for particular elections*
 - 7ZA(1) Where a person is included in the record kept under paragraph 7(6) as voting by post as proxy at a kind of election, the person may apply to the registration officer – 30
 - (a) for the person’s ballot paper for a particular election of the kind in question to be sent to a different address from that shown in the record; 35
 - (b) to vote instead in person at a particular election of the kind in question (as mentioned in paragraph 7(1)).
 - (2) The registration officer must grant an application under this paragraph that meets the prescribed requirements.”

Power for Scottish Ministers to make certain regulations: consequential repeal

- 11 Omit paragraph 7F (regulations under paragraph 7E in relation to local government elections in Scotland) and the italic heading before it.

Refusing or disregarding applications

- 12 Before the italic heading before paragraph 8 insert – 5
“Refusing or disregarding applications
- 7G (1) Regulations may provide that –
- (a) a registration officer considering an application under this Schedule during an election period must, in prescribed circumstances, refuse the application, or 10
 - (b) the grant of an application under this Schedule during the election period for an election must, in prescribed circumstances, be disregarded for the purposes of that election.
- (2) Regulations under this paragraph may, among other things – 15
- (a) make provision by reference to circumstances relating to a registration officer’s satisfaction as to any matter;
 - (b) make provision about the information to be included in a record or list kept under this Schedule where the grant of an application must be disregarded. 20
- (3) In this paragraph, “election period” means a period which –
- (a) begins with the day on which the notice of an election must be published, and
 - (b) ends with the day of the poll for the election.” 25

PART 2

25

ABSENT VOTING IN NORTHERN IRELAND*Introduction*

- 13 RPA 1985 is amended as set out in paragraphs 14 to 17.

Absent vote at elections for an indefinite period

- 14 (1) Section 6 (absent vote at elections for an indefinite period) is amended as follows. 30
- (2) In subsection (1A)(b) (applications which state that the applicant does not have a national insurance number), for the words from “no such number” to the end substitute “the requirements of subsection (1C) below are met”.
- (3) After subsection (1B) insert – 35
- “(1C) The requirements of this subsection are met if –

- (a) no national insurance number was supplied as the applicant’s national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the principal Act, and
 - (b) the registration officer does not have any reason to believe that the applicant has a national insurance number.” 5
- (4) In subsection (4), after paragraph (a) insert –
 - “(aa) in the case of a person whose application under this section is granted in reliance on subsection (9) (meaning of references to someone who will be registered), if the person’s application for registration is subsequently refused or withdrawn,”. 10
- (5) After subsection (8) insert –
 - “(9) In this section –
 - (a) a reference to someone who will be registered includes someone who has applied to be registered where there is no reason not to register them other than the fact that the objections period has not ended; 15
 - (b) a reference to someone who will be digitally registered, or whose registration will be pursuant to an application submitted through the UK digital service, includes someone who has applied to be registered through that service where there is no reason not to register them other than the fact that the objections period has not ended. 20
- (10) In subsection (9) “the objections period”, in relation to an application for registration, means the period prescribed under section 10A(3) of the principal Act for making objections to the application before it is determined.” 25

Absent vote at a particular election

- 15 (1) Section 7 (absent vote at a particular election) is amended as follows.
- (2) In subsection (1A)(b) (applications which state that the applicant does not have a national insurance number), for the words from “no such number” to the end substitute “the requirements of subsection (1C) below are met”. 30
 - (3) After subsection (1B) insert –
 - “(1C) The requirements of this subsection are met if –
 - (a) no national insurance number was supplied as the applicant’s national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the principal Act, and 35
 - (b) the registration officer does not have any reason to believe that the applicant has a national insurance number.”

(4) After subsection (4A) insert—

“(4B) The registration officer must remove from the absent voters list a person who is shown in the list by virtue of an application under subsection (1) —

- (a) where that application was granted in reliance on subsection (8) (meaning of references to someone who will be registered), if the person’s application for registration is subsequently refused or withdrawn, or 5
- (b) in the case of any registered person, if the person ceases to be registered or registered at the same qualifying address or ceases to be, or becomes, registered as a service voter or in pursuance of a declaration of local connection or an overseas elector’s declaration.” 10

(5) After subsection (7) insert—

“(8) Subsection (9) of section 6 (meaning of references to someone who will be registered) has effect for the purposes of this section as it has effect for the purposes of that section.” 15

Proxies at elections

16 (1) Section 8 (proxies at elections) is amended as follows.

(2) After subsection (7A) insert— 20

“(7B) Subsection (9)(a) of section 6 (meaning of references to someone who will be registered) has effect for the purposes of subsections (6) and (7) of this section as it has effect for the purposes of that section.”

(3) In subsection (9), after “cease to be in force” insert “— 25

- (a) where the appointment is made in reliance on subsection (7B) (meaning of references to someone who will be registered), if the elector’s application for registration is subsequently refused or withdrawn, or
- (b)”. 30

Voting as proxy

17 (1) Section 9 (voting as proxy) is amended as follows.

(2) After subsection (10) insert—

“(10A) Subsection (9)(a) of section 6 (meaning of references to someone who will be registered) has effect for the purposes of subsection (10)(a) of this section as it has effect for the purposes of that section.” 35

(3) In subsection (11), after paragraph (a) insert—

“(aa) where the person’s application under subsection (4) is granted in reliance on subsection (10A) (meaning of

references to someone who will be registered), if the elector’s application for registration is subsequently refused or withdrawn,”

(4) After subsection (11) insert –

- “(11ZA) The registration officer must remove from the special list kept under subsection (9) a person who is shown in the list by virtue of an application under subsection (7) –
- (a) where the person was included in the special list on the ground mentioned in subsection (7)(b), if the person ceases to be included in the absent voters list by virtue of which the person was included in the special list, 10
 - (b) where the person was included in the special list on the ground mentioned in subsection (7)(c), if the elector ceases to have an anonymous entry,
 - (c) if the elector ceases to be registered as mentioned in subsection (10)(a), 15
 - (d) where that application was granted in reliance on subsection (10A) (meaning of references to someone who will be registered), if the elector’s application for registration is subsequently refused or withdrawn, or 20
 - (e) if the appointment of the person concerned as the elector’s proxy ceases to be in force (whether or not the person is reappointed).”

PART 3

OTHER PROVISION RELATING TO ABSENT VOTING 25

Offences

- 18 RPA 1983 is amended as set out in paragraphs 19 to 23.
- 19 In section 13CA (offence of providing false information in connection with applications relating to absent voting at Scottish local government elections), in subsection (2), for paragraph (b) substitute – 30
- “(b) made under Schedule 4 to the Representation of the People Act 2000 (absent voting).”
- 20 In section 13D (offence of providing false information), in subsection (1A) –
- (a) for “to which any of the following provisions of” substitute “under”;
 - (b) omit “applications relating to”;
 - (c) omit “applies”;
 - (d) omit paragraphs (a) to (c). 35

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- 21 In section 61 (voting offences other than personation), after subsection (1A) insert –
- “(1B) In subsection (1A), a reference to P being a person who will be registered includes P being a person who has applied to be registered where there is no reason not to register P other than the fact that the objections period has not ended. 5
- (1C) In subsection (1B) “the objections period”, in relation to an application for registration, means the period prescribed under section 10ZC(2) (in relation to Great Britain) or 10A(3) (in relation to Northern Ireland) for making objections to the application before it is determined.” 10
- 22 In section 62A (offences relating to applications for postal and proxy votes) –
- (a) in the heading, at the end insert “etc”;
- (b) in subsection (2), in paragraph (b), for “application for a postal or proxy vote” substitute “absent voting application”; 15
- (c) after subsection (4) insert –
- “(4A) In subsection (2)(b), “absent voting application” means –
- (a) an application under Schedule 4 to the Representation of the People Act 2000 (absent voting in Great Britain); 20
- (b) an application under section 6, 7, 8 or 9 of the Representation of the People Act 1985 (absent voting in Northern Ireland).”
- 23 In section 62B (Scottish local government elections: offences relating to applications for postal and proxy votes) – 25
- (a) in the heading, at the end insert “etc”;
- (b) in subsection (3), in paragraph (b), for “for a postal or proxy vote” substitute “under Schedule 4 to the Representation of the People Act 2000 (absent voting)”. 30

Regulations as to registration etc

- 24 (1) Schedule 2 to RPA 1983 (provisions which may be contained in regulations as to registration etc) is amended as follows.
- (2) In paragraph 1, in sub-paragraph (5A) (references to a registration officer’s registration duties) – 35
- (a) in paragraph (a)(ii) omit “paragraph 3, 4 or 6 of”;
- (b) in paragraph (b)(ii), for “or 8” substitute “, 8 or 9”.
- (3) In paragraph 1A, in sub-paragraph (7)(a) (meaning of “relevant absent voting application”) –
- (a) in sub-paragraph (i) omit “paragraph 3, 4 or 6 of”; 40
- (b) in sub-paragraph (ii), for “or 8” substitute “, 8 or 9”.

- (4) In paragraph 5ZB (use of the UK digital service), in sub-paragraph (6), in the definition of “relevant devolved absent voting application” omit “paragraph 3, 4 or 6 of”.
- (5) In paragraph 13, in sub-paragraph (1ZZA) (references to a registration officer’s registration duties) – 5
 - (a) in paragraph (a)(ii) omit “paragraph 3, 4 or 6 of”;
 - (b) in paragraph (b)(ii), for “or 8” substitute “, 8 or 9”.
- 25 In Part 1 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (application of RPA 1983), in the entry beginning “Section 53 and, in Schedule 2”, for “4 to 11A” substitute “4 to 5ZA and 5A to 11”. 10

SCHEDULE 4

Section 52

EFFECT OF THE DEATH OF THE SOVEREIGN ON CERTAIN ELECTIONS AND REFERENDUMS

- 1 RPA 1985 is amended as follows.
- 2 After section 20 insert – 15
 - “20A Demise of the Crown and certain other elections and referendums**
 - Schedule 2A makes provision about the effect of a demise of the Crown on certain elections and referendums.”
- 3 After Schedule 2 insert –

“SCHEDULE 2A

Section 20A

DEMISE OF THE CROWN AND CERTAIN ELECTIONS AND REFERENDUMS 20

PART 1

APPLICATION OF THIS SCHEDULE

Demise of the Crown during period before relevant election or local referendum

- 1 (1) This Schedule applies to a relevant election or local referendum if – 25
 - (a) a demise of the Crown occurs, and
 - (b) condition A or B is met.
- (2) *Condition A*: the polling day for the election or referendum – 30
 - (a) must be fixed under the legislation governing the election or referendum,
 - (b) has not been fixed when the demise of the Crown occurs, and
 - (c) could, under the legislation, only be fixed as a day which falls within the 30-working day period after the demise.

- (3) *Condition B*: the polling day for the election or referendum—
 - (a) is known when the demise of the Crown occurs, and
 - (b) is within the 30-working day period after the demise.
- (4) In determining whether this Schedule applies to a relevant election or local referendum on the occurrence of a demise of the Crown, any effect that the other paragraphs of this Schedule would have on which day is the polling day must be disregarded. 5
- (5) Part 2 and Parts 5 to 7 of this Schedule apply in any case where this Schedule applies.
- (6) Part 3 of this Schedule applies only in a case where condition A is met. 10
- (7) Part 4 of this Schedule applies only in a case where condition B is met.
- (8) Any legislation relating to the conduct of relevant elections or local referendums (whenever passed or made) has effect subject to this Schedule, unless (in the case of legislation passed or made after this Schedule) the contrary intention appears. 15

PART 2

COMPUTATION OF PERIODS OF TIME

Days that are to be disregarded 20

- 2 (1) Any working day within the period of 13 days beginning with the day after the demise of the Crown—
 - (a) must be disregarded in computing any period of time in relation to a relevant election or local referendum, and
 - (b) must not be treated as a day for the purpose of any proceedings before the polling day. 25
- (2) This paragraph is subject to paragraph 7.

PART 3

FIXING OF POLLING DAY

Polling day not fixed: when polling day is to fall 30

- 3 (1) This paragraph applies only in a case where condition A in paragraph 1(2) is met.
- (2) Paragraph 2(1)(a) applies (in particular) to the computation of the period within which the day to be fixed as the polling day must fall. 35
- (3) The polling day must be fixed as a day falling after the end of the 30-working day period after the demise.

- (4) A polling day fixed in accordance with this paragraph is subject to paragraphs 5 and 6.
- (5) In this paragraph, “polling day” means the polling day for the relevant election or local referendum.

PART 4

5

POSTPONEMENT OF POLLING DAY

Polling day known: postponement for 14 days

- 4 (1) This paragraph applies only in a case where condition B in paragraph 1(3) is met.
- (2) The polling day for the relevant election or local referendum is to be—
 - (a) the 14th day after the day that would otherwise be the polling day, or
 - (b) if the 14th day is not a working day, the next working day after the 14th day,(instead of the day that would otherwise be the polling day).
- (3) This paragraph is subject to paragraphs 5 and 6.

PART 5

CHANGE OF POLLING DAY

Change of polling day by regulations

- 5 (1) A Minister of the Crown may by regulations appoint an alternative polling day which may be—
 - (a) no earlier than the 7th day before the day which would otherwise be the polling day, and
 - (b) no later than the 7th day after the day that would otherwise be the polling day.
- (2) The polling day for the relevant election or local referendum is to be the alternative polling day appointed in the regulations (instead of the day which would otherwise be the polling day).
- (3) A Minister of the Crown may not make regulations under this paragraph unless the Electoral Commission has recommended that those regulations should be made.
- (4) Before making regulations under this paragraph in relation to the election of—
 - (a) a member of Senedd Cymru, or
 - (b) a member of a Welsh local authority,a Minister of the Crown must also consult the Welsh Ministers.

- (5) Regulations under this paragraph are to be made by statutory instrument.
- (6) This paragraph is subject to paragraph 6.

Change of polling day where royal proclamation made under section 20(3A)

- 6 (1) This paragraph applies if— 5
 - (a) the poll for the relevant election or local referendum and the poll at a parliamentary general election are combined, and
 - (b) a royal proclamation is made under section 20(3A) appointing an alternative polling day for the parliamentary general election. 10
- (2) The polling day for the relevant election or local referendum is to be the alternative polling day appointed by the royal proclamation (instead of the day which would otherwise be the polling day). 15
- (3) For the purposes of this paragraph it does not matter whether the legislation or action that causes the polls to be combined takes effect before or after the demise of the Crown.
- (4) The application of this paragraph by virtue of a particular royal proclamation is subject to any regulations under paragraph 5 made after the royal proclamation (but such regulations would not prevent a further royal proclamation made under section 20 from having the effect provided for by this paragraph). 20

Consequential change to computation of periods of time

- 7 (1) This paragraph applies if— 25
 - (a) regulations are made under paragraph 5 in relation to the election or referendum, or
 - (b) paragraph 6 applies to the election or referendum because a royal proclamation is made under section 20(3A).
- (2) Any working day within the revised period beginning with the day after the demise of the Crown— 30
 - (a) must be disregarded in computing any period of time in relation to the election or referendum, and
 - (b) must not be treated as a day for the purpose of any proceedings before the polling day. 35
- (3) For that purpose “revised period” means— 40
 - (a) in a case where the relevant instrument appoints an alternative polling day that is before the day that would otherwise be the polling day, the period of days that is calculated by this formula—

13 – D

where D is the number of days that the alternative polling day is before that other polling day;

- (b) in a case where the relevant instrument appoints an alternative polling day that is after the day that would otherwise be the polling day, the period of days that is calculated by this formula – 5

13 + D

where D is the number of days that the alternative polling day is after that other polling day. 10

- (4) In this paragraph, “relevant instrument” means –
 - (a) the regulations made under paragraph 5, or
 - (b) the royal proclamation made under section 20(3A).

PART 6

OTHER CHANGES 15

When terms of office end or start

- 8 (1) In a case where –
 - (a) the day on which a term of office ends is determined by reference to a day which relates to a relevant election (the “standard reference day”), and 20
 - (b) the polling day for that relevant election changes to a different day by virtue of this Schedule (the “alternative polling day”),

the alternative polling day is to be used instead of the standard reference day for the purpose of determining the end of the term of office. 25
- (2) In a case where –
 - (a) the day on which a term of office starts is determined by reference to a day which relates to a relevant election (the “standard reference day”), and 30
 - (b) the polling day for that relevant election changes to a different day by virtue of this Schedule (the “alternative polling day”),

the alternative polling day is to be used instead of the standard reference day for the purpose of determining the start of the term of office. 35
- (3) Any legislation specifying or otherwise relating to the length of a term of office (whenever passed or made) has effect subject to any effect which this Schedule has on the length of the term of

office, unless (in the case of legislation passed or made after this Schedule) the contrary intention appears.

- (4) In this paragraph a reference to a day which relates to a relevant election includes—
 - (a) the ordinary day of election for a relevant election, and 5
 - (b) the day of the poll at a relevant election.
- (5) In this paragraph “term of office” means the term for which a person serves as—
 - (a) an elected mayor,
 - (b) a member of the London Assembly, 10
 - (c) a member of an English local authority,
 - (d) a police and crime commissioner,
 - (e) a member of the Northern Ireland Assembly,
 - (f) a member of a district council in Northern Ireland, or
 - (g) a member of a Welsh local authority. 15

Expenses legislation

- 9 (1) This paragraph applies to any legislation (whenever passed or made) which relates to the relevant election or local referendum and limits the maximum amount of expenses that may be incurred. 20
- (2) The legislation has effect as if the maximum amount were increased by one half.
- (3) In this paragraph “expenses” means—
 - (a) election expenses incurred by a candidate (in relation to a relevant election), or 25
 - (b) referendum expenses (in relation to a local referendum).

Notices and documents

- 10 Any notice or other document relating to the relevant election or local referendum—
 - (a) must be issued in accordance with the provisions of this Schedule, or 30
 - (b) if already issued, must be read in accordance with this Schedule.

PART 7

INTERPRETATION 35

Interpretation

- 11 In this Schedule—
 - “elected mayor” means—

- (a) the Mayor of London,
 - (b) the mayor for the area of a combined authority provided for by an order under section 107A of the Local Democracy, Economic Development and Construction Act 2009, 5
 - (c) the mayor for the area of a combined county authority provided for by regulations under section 27 of the Levelling-up and Regeneration Act 2023, or
 - (d) an elected mayor within the meaning of Part 1A of the Local Government Act 2000 (see section 9H of that Act); 10
- “English local authority” means –
- (a) a county council in England,
 - (b) a district council in England, 15
 - (c) a parish council,
 - (d) a London borough council, or
 - (e) the Council of the Isles of Scilly;
- “local referendum” means a referendum under or by virtue of – 20
- (a) Chapter 4 of Part 1A of the Local Government Act 2000 (local authority governance: England),
 - (b) section 52ZG or 52ZN of the Local Government Finance Act 1992 (referendums in relation to council tax), or 25
 - (c) Schedule 4B or 4C to the Town and Country Planning Act 1990 (referendums on neighbourhood development plans);
- “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975 (see section 8 of that Act); 30
- “relevant bank holiday” means –
- (a) in a case where the poll for the relevant election or local referendum and the poll at a parliamentary general election are combined, a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom; 35
 - (b) in any other case, a bank holiday under that Act in the place where the relevant election or local referendum is taking place; 40
- “relevant election” means the election of –
- (a) a Member of Parliament at a by-election,
 - (b) an elected mayor,
 - (c) a member of the London Assembly,
 - (d) a member of an English local authority, 45

- (e) a police and crime commissioner,
 - (f) a member of the Northern Ireland Assembly,
 - (g) a member of a district council in Northern Ireland,
 - (h) a member of Senedd Cymru at an extraordinary general election (see section 5 of the Government of Wales Act 2006) if the poll at the election of the member of the Senedd is combined with the poll at the election of a police and crime commissioner, or 5
 - (i) a member of a Welsh local authority at a by-election if the poll at the by-election is combined with— 10
 - (i) the poll at the election of a Member of Parliament, or
 - (ii) the poll at the election of a police and crime commissioner; 15
- and for the purposes of paragraph (h) or (i) the election of the member of the Senedd or Welsh local authority becomes a relevant election from the time when the poll at that election and the poll at the other election are combined; 20
- “Welsh local authority” means—
- (a) a county council in Wales,
 - (b) a county borough council, or
 - (c) a community council in Wales; 25
- “working day” means any day other than—
- (a) a Saturday or Sunday,
 - (b) Christmas Eve, Christmas Day, Good Friday or a relevant bank holiday, or
 - (c) a day appointed for public thanksgiving or mourning; 30
- “30-working day period after the demise” means the period of 30 working days beginning with the day after the day on which the demise of the Crown occurs.”

SCHEDULE 5

Section 53 35

FORM OF DOCUMENTS FOR ELECTIONS AND REFERENDUMS

Electoral Law Act (Northern Ireland) 1962

- 1 The Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) is amended as follows.
- 2 (1) Section 41 (prohibition of unauthorised expenses) is amended as follows. 40

- (2) In subsection (6), for “respectively in the forms numbered 2 and 3 in the Tenth Schedule” substitute “in the prescribed form”.
 - (3) After subsection (6) insert –
 - “(7) In subsection (6), “prescribed” means prescribed by regulations under section 84A of the Northern Ireland Act 1998.”
- 3 (1) Section 47 (declaration as to expenses) is amended as follows.
 - (2) In subsection (1), for “form numbered 5 in the Tenth Schedule” substitute “prescribed form”.
 - (3) In subsection (2), for “form numbered 5 in the Tenth Schedule” substitute “prescribed form”.
 - (4) In subsection (3) omit from “and” to the end.
 - (5) After subsection (4) insert –
 - “(5) In this section, “prescribed” means prescribed by regulations under section 84A of the Northern Ireland Act 1998.”
- 4 In section 130 (interpretation), in subsection (1), in the definition of “prescribed”, after “twenty-seven” insert “, except where otherwise provided”.
- 5 (1) Schedule 5 (local elections rules) is amended as follows.
 - (2) Omit rule 3A (forms).
 - (3) After that rule insert –

“Meaning of prescribed form of document

3B In this Schedule, references to a prescribed form of a document are references to a form prescribed by regulations made by the Secretary of State under section 84A of the Northern Ireland Act 1998.”
- (4) In rule 5 (nomination of candidates), in paragraph (1), for “form in the Appendix” substitute “prescribed form”.
- (5) In rule 6 (subscription of nomination paper), in paragraph (4) –
 - (a) in sub-paragraph (a) omit “form of”;
 - (b) in the words following paragraph (b), for “form” substitute “nomination paper”.
- (6) In rule 7 (consent to nomination), in paragraph (a), for “form in the Appendix” substitute “prescribed form”.
- (7) In rule 16 (the ballot papers), in paragraph (2), in the words before paragraph (a), for the words from “form in the Appendix” to “that Appendix,” substitute “prescribed form”.
- (8) In rule 16A (corresponding number list) –
 - (a) in paragraph (2) –

- (i) omit “form of”;
 - (ii) for “form 4A in the Appendix” substitute “the prescribed form”;
- (b) in paragraph (3) –
 - (i) omit “form of the”; 5
 - (ii) for “form 4B in the Appendix” substitute “the prescribed form”.
- (9) In rule 21 (postal ballot papers), in paragraph (1), for “relevant form prescribed in the Appendix” substitute “prescribed form”.
- (10) In rule 25 (issue of official poll cards), in paragraph (3), for “form prescribed in the Appendix” substitute “prescribed form”. 10
- (11) In rule 26 (equipment of polling stations) –
 - (a) in paragraph (3ZC) –
 - (i) omit “Subject to paragraph (3ZD),”;
 - (ii) for “form 8A in the Appendix” substitute “prescribed form”; 15
 - (b) omit paragraph (3ZD);
 - (c) in paragraph (4), for “form in the Appendix” substitute “prescribed form”.
- (12) In rule 29 (admission to polling station), in paragraph (3), for “form in the Appendix” substitute “prescribed form”. 20
- (13) In rule 36 (voting by persons with disabilities), in paragraph (5)(a), for “form in the Appendix” substitute “prescribed form”.

RPA 1983

- 6 RPA 1983 is amended as follows.
- 7 In section 36 (rules for local elections in England), at the end insert – 25
 - “(8) Any provision that may be included in rules made under this section (being provision which, by virtue of section 105 of the Deregulation Act 2015, may instead be included in regulations) may be included in regulations which are required to be laid in draft before and approved by a resolution of each House of Parliament.” 30
- 8 (1) Section 82 (declarations as to election expenses) is amended as follows.
- (2) In subsection (2A) –
 - (a) omit the “and” at the end of paragraph (b);
 - (b) in paragraph (c), for “in any other case,” substitute “in the case of a candidate at a local government election in Wales or Scotland or an election agent for such a candidate,”; 35
 - (c) after paragraph (c) insert “; and
 - (d) in any other case, is the prescribed form.”
- (3) In subsection (5) –

- (a) after “own election agent” insert “—
(a)”;
 - (b) after “and” insert —
“(b) in the case of a candidate at a local government
election in Wales or Scotland,”
- 9 (1) Section 201 (regulations) is amended as follows.
 - (2) After subsection (2A) insert —
“(2AA) Regulations under the following provisions (which confer power to
make provision about the form of documents) are subject to
annulment in pursuance of a resolution of either House of
Parliament (and subsection (2) does not apply to them) —
 - (a) section 75(3) so far as it relates to a return or declaration in
relation to a parliamentary election or a local government
election in England;
 - (b) section 82(2A)(d);
 - (c) in Schedule 1, rules 6(1), 8(1)(a), 19A(2), 24(1)(b) and (c),
28(3), 29(3ZA) and (4), 32(3) and 39(5)(a).”
 - (3) After subsection (2C) insert —
“(2D) Any provision that may be included in regulations under this Act
that are subject to annulment in pursuance of a resolution of either
House of Parliament may be included in regulations which are
required to be laid in draft before and approved by a resolution of
each House of Parliament.”
- 10 (1) Schedule 1 (rules for parliamentary elections) is amended as follows.
 - (2) In rule 3 (issue of writ) —
 - (a) in paragraph (2), for “in the Appendix” substitute “specified by His
Majesty by Order in Council”;
 - (b) in paragraph (3), for “Her” substitute “His”;
 - (c) in paragraph (6), for “shown in the Appendix” substitute “specified
by His Majesty by Order in Council”.
 - (3) In rule 6 (nomination of candidates), in paragraph (1), for “form in the
Appendix” substitute “prescribed form”.
 - (4) In rule 7 (subscription of nomination paper), in paragraph (4) —
 - (a) in sub-paragraph (a) omit “form of”;
 - (b) in the words following paragraph (b), for “form” substitute
“nomination paper”.
 - (5) In rule 8 (consent to nomination) —
 - (a) in paragraph (1)(a), after “writing” insert “and in the prescribed
form”;
 - (b) in paragraph (2), after “writing”, in both places where it occurs,
insert “and in the prescribed form”.

- (6) In rule 19 (the ballot papers) –
 - (a) in paragraph (2), in the words before paragraph (a), for the words from “form in the Appendix” to “that Appendix,” substitute “prescribed form”;
 - (b) omit paragraph (4). 5
- (7) In rule 29 (equipment of polling stations), in paragraph (4), for “form in the Appendix” substitute “prescribed form”.
- (8) In rule 39 (voting by persons with disabilities), in paragraph (5)(a), for “form in the Appendix” substitute “prescribed form”.
- (9) In rule 51 (return to the writ) – 10
 - (a) in paragraph (1), for “in the Appendix” substitute “specified by His Majesty by Order in Council”;
 - (b) after paragraph (6) insert –
 - “(7) A draft of an Order in Council under paragraph (1) –
 - (a) must be laid before Parliament, and 15
 - (b) may include incidental or supplementary provision.”
- 11 In Schedule 3 (return and declarations as to election expenses), in the Form of Declarations –
 - (a) after “Election in the” insert “(*insert as appropriate* county of”;
 - (b) omit the words from “constituency” to “county of”;
 - (c) omit “district of”;
 - (d) omit “, or as the case may be”;
 - (e) in paragraph 2, for “returning officer, (*at a local government election, substitute appropriate officer*)” substitute “appropriate officer”. 20

RPA 1985

- 12 RPA 1985 is amended as follows.
- 13 In section 8 (proxies at parliamentary elections in Northern Ireland), in subsection (8), after “paper” insert “in the prescribed form.”
- 14 In section 27 (interpretation), before subsection (3) insert – 30
 - “(2B) A statutory instrument containing regulations under section 8(8) is subject to annulment in pursuance of a resolution of either House of Parliament (and section 201(2) of the principal Act does not apply to the regulations).”

Town and Country Planning Act 1990

35

- 15 (1) Section 333 of the Town and Country Planning Act 1990 (regulations and orders) is amended as follows.
- (2) In subsection (3) omit “or paragraph 15(5) or 16 of Schedule 4B”.

(3) After subsection (3A) (approval by Parliament) insert –

“(3AZA) Subsection (3A) does not apply to regulations under paragraph 16 of Schedule 4B which only specify the form of a document, except where the document in question is a ballot paper.”

(4) After subsection (3AA) insert –

5

“(3AB) Any provision that may be included in a statutory instrument under this Act that is subject to annulment in pursuance of a resolution of either House of Parliament may be included in a statutory instrument a draft of which is required to be laid before and approved by a resolution of each House of Parliament.”

10

Local Government Finance Act 1992

16 The Local Government Finance Act 1992 is amended as follows.

17 In section 52ZQ (regulations about referendums), after subsection (7) (approval by Parliament) insert –

“(7A) Subsection (7) does not apply to regulations under this section which only specify the form of a document, except where the document in question is a ballot paper.”

15

18 In section 113 (orders and regulations), after subsection (3) (approval by Parliament) insert –

“(3A) The reference in subsection (3) to regulations under section 52ZQ does not include regulations under that section which only specify the form of a document, except where the document in question is a ballot paper.

20

(3B) Any provision that may be included in a statutory instrument under this Act that is subject to annulment in pursuance of a resolution of either House of Parliament may be included in a statutory instrument a draft of which is required to be laid before and approved by a resolution of each House of Parliament.”

25

Northern Ireland Act 1998

19 The Northern Ireland Act 1998 is amended as follows.

30

20 In the italic heading before section 84, at the end insert “or regulations”.

21 After section 84 insert –

“84A Provision with respect to the form of documents for district council elections

(1) The Secretary of State may by regulations make provision about the form of relevant documents for use for the purposes of elections for district councillors in Northern Ireland.

35

- (2) In subsection (1), “relevant documents” means documents which are required by an Order in Council under section 84 or another enactment to be in a form prescribed by regulations under this section.
- (3) Regulations under this section may, among other things— 5
- (a) make provision for the purposes of elections for district councillors when they are combined with other elections;
 - (b) make different provision for different purposes and different areas;
 - (c) make consequential or supplemental provision.” 10
- 22 In section 96 (orders and regulations), after subsection (2D) insert—
- “(2E) Regulations under section 84A —
- (a) are to be made by statutory instrument, and
 - (b) may not be made unless a draft has been laid before and approved by resolution of each House of Parliament.” 15

Local Government Act 2000

- 23 (1) Section 105 of the Local Government Act 2000 (orders and regulations) is amended as follows.
- (2) In subsection (6) (approval by Parliament), for “subsection (6A)” substitute “subsections (6A) and (6B)”. 20
- (3) After subsection (6A) insert—
- “(6B) The reference in subsection (6) to regulations under section 9HE or 9MG does not include regulations under section 9HE(1)(a) or 9MG(2) which only specify the form of a document, except where the document in question is a ballot paper.” 25
- (4) After subsection (7) insert—
- “(7ZA) Any provision that may be included in a statutory instrument under this Act that is subject to annulment in pursuance of a resolution of either House of Parliament may be included in a statutory instrument a draft of which is required to be laid before and approved by a resolution of each House of Parliament.” 30

PPERA 2000

- 24 In section 7 of PPERA 2000 (Electoral Commission to be consulted on changes to electoral law), in subsection (2)—
- (a) after paragraph (e) insert— 35
 - “(ezza) regulations under the 1983 Act, the Representation of the People Act 1985 or the Representation of the People Act 2000 in relation to which section 201(2) of the 1983 Act would have effect but for section 201(2AA) of the 1983 Act, section 27(2B) of the 40

Representation of the People Act 1985 or paragraph 1A(5) of Schedule 4 to the Representation of the People Act 2000 (regulations specifying the form of documents);”;

(b) after paragraph (h) insert –

5

“(hza) regulations under section 84A of the Northern Ireland Act 1998 (provision with respect to the form of documents for district council elections);”.

RPA 2000

25 In Schedule 4 to RPA 2000 (absent voting in Great Britain), in paragraph 1A (inserted by paragraph 3 of Schedule 3 to this Act), after sub-paragraph (4) insert –

10

“(5) A statutory instrument containing regulations under paragraph 6(9) of this Schedule (form of proxy paper) which make provision in connection with appointing a proxy to vote at –

15

(a) a parliamentary election, or

(b) a local government election in England,

is subject to annulment in pursuance of a resolution of either House of Parliament (and section 201(2) of the 1983 Act does not apply to the regulations).”

20

Local Democracy, Economic Development and Construction Act 2009

26 (1) Section 117 of the Local Democracy, Economic Development and Construction Act 2009 (orders and regulations) is amended as follows.

(2) In subsection (2A) (exceptions from requirement for approval by Parliament) –

25

(a) omit the “or” at the end of paragraph (b);

(b) after paragraph (c) insert “, or

(d) an order under paragraph 12(1)(a) of Schedule 5B which only specifies the form of a document, where the document in question is not a ballot paper.”

30

(3) After subsection (3B) insert –

“(3C) Any provision that may be included in a statutory instrument under this Act that is subject to annulment in pursuance of a resolution of either House of Parliament may be included in a statutory instrument a draft of which is required to be laid before and approved by a resolution of each House of Parliament.”

35

Police Reform and Social Responsibility Act 2011

27 (1) Section 154 of the Police Reform and Social Responsibility Act 2011 (orders and regulations) is amended as follows.

- (2) After subsection (2) (approval by Parliament) insert—
- “(2A) The reference in subsection (2)(b) to an order under section 58 does not include an order under section 58(1)(a) which only specifies the form of a document, except where the document in question is a ballot paper.” 5
- (3) After subsection (4) insert—
- “(4A) Any provision that may be included in a statutory instrument under this Act that is subject to annulment in pursuance of a resolution of either House of Parliament may be included in a statutory instrument a draft of which is required to be laid before and approved by a resolution of each House of Parliament.” 10

Levelling-up and Regeneration Act 2023

- 28 (1) Section 252 of the Levelling-up and Regeneration Act 2023 (regulations) is amended as follows.
- (2) In subsection (5)(a) (instruments subject to approval by Parliament), after “(c)” insert “and (l)”. 15
- (3) In subsection (8) (instruments subject to annulment), after paragraph (k) insert—
- “(l) under paragraph 12(1)(a) of Schedule 2 which only specifies the form of a document, where the document in question is not a ballot paper.” 20

SCHEDULE 6

Section 55

LEAVE TO PAY LATE AND DISPUTED EXPENSES CLAIMS

Election expenses claims

- 1 (1) The Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) is amended as follows. 25
- (2) In section 43 (time for sending in and paying claims), in subsection (3)—
- (a) omit “The High Court or the county court,”;
- (b) for “may on cause shown to the satisfaction of the court by order” substitute “the Electoral Commission may, if satisfied for any special reason that it is appropriate to do so, by written notice”; 30
- (c) for “such an order” substitute “the leave”.
- (3) In section 46 (return as to election expenses)—
- (a) in subsection (3)(c), for “to the High court or county court” substitute “for leave to pay under section 43(3)”; 35
- (b) in subsection (5) —

- (i) omit “by the court”;
 - (ii) for “order of the court” substitute “written notice from the Electoral Commission”.
- 2 (1) RPA 1983 is amended as follows.
- (2) In section 78 (time for sending in and paying claims) – 5
 - (a) in subsection (4) –
 - (i) for “High Court or to the county court” substitute “Electoral Commission”;
 - (ii) for the words from “the court on cause” to the end of the subsection substitute “the Commission may by written notice grant the leave if satisfied for any special reason that it is appropriate to do so”; 10
 - (b) in subsection (5), for “order” substitute “written notice”;
 - (c) omit subsection (7).
- (3) In section 79 (disputed claims), in subsection (4), for “to (7)” substitute “and (5)”. 15
- (4) In section 81 (return as to election expenses), in subsection (5) –
 - (a) omit “by the court”;
 - (b) for “order of the court” substitute “written notice from the Electoral Commission”. 20

Campaign expenditure claims

- 3 (1) PPERA 2000 is amended as follows.
- (2) In section 77 (restriction on making claims in respect of campaign expenditure) –
 - (a) in subsection (4) – 25
 - (i) for the words from “in England” to “the sheriff” substitute “to the Commission”;
 - (ii) for “and the court” substitute “and the Commission”;
 - (iii) for “order” substitute “written notice”;
 - (b) in subsection (5), for “order of leave” substitute “leave granted under subsection (4)”; 30
 - (c) omit subsections (7) and (8).
- (3) In section 78 (disputed claims), in subsection (3), for “(8)” substitute “(6)”. 35
- (4) In section 80 (returns as to campaign expenditure), in subsection (3)(c) omit “to a court”. 40
- (5) In section 82 (delivery of returns to the Electoral Commission), in subsection (3) –
 - (a) omit “by a court”;
 - (b) for “order of the court” substitute “written notice from the Commission”.

Controlled expenditure claims

- 4 (1) PPERA 2000 is amended as follows.
- (2) In section 92 (restriction on making claims in respect of controlled expenditure) –
- (a) in subsection (4) – 5
 - (i) for the words from “in England” to “the sheriff” substitute “to the Commission”;
 - (ii) for “and the court” substitute “and the Commission”;
 - (iii) for “order” substitute “written notice”;
 - (b) in subsection (5), for “order of leave” substitute “leave granted under subsection (4)”;
 - (c) in subsection (7) – 10
 - (i) in the words before paragraph (a), for “(7) to” substitute “(9) and”;
 - (ii) in paragraph (a), for the words “, (2) or (4)”, in both places they occur, substitute “or (2)”. 15
- (3) In section 93 (disputed claims), in subsection (3) –
- (a) omit the “and” at the end of paragraph (a);
 - (b) omit paragraph (b).
- (4) In section 96 (returns as to controlled expenditure), in subsection (2)(c) omit “to a court”. 20
- (5) In section 98 (delivery of returns to the Electoral Commission), in subsection (3) –
- (a) omit “by a court”;
 - (b) for “order of the court” substitute “written notice from the Commission”. 25
- (6) In section 100B (code of practice on controlled expenditure: consultation and procedural requirements), in subsection (10), for paragraph (b) substitute –
- “(b) in any other case, the period of 40 days beginning with the day on which the draft is laid before each House, 30
- no account being taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.”

Referendum expenses claims

35

- 5 (1) PPERA 2000 is amended as follows.
- (2) In section 115 (restriction on making claims in respect of referendum expenses) –
- (a) in subsection (4) –

- (i) for the words from “in England” to “the sheriff” substitute “to the Commission”;
 - (ii) for “and the court” substitute “and the Commission”;
 - (iii) for “order” substitute “written notice”;
- (b) in subsection (5), for “order of leave” substitute “leave granted under subsection (4)”;
- (c) in subsection (7) –
 - (i) in the words before paragraph (a), for “(7) to” substitute “(9) and”;
 - (ii) in paragraph (a), for the words “, (2) or (4)”, in both places they occur, substitute “or (2)”.
- (3) In section 116 (disputed claims), in subsection (3) –
 - (a) omit the “and” at the end of paragraph (a);
 - (b) omit paragraph (b).
- (4) In section 120 (returns as to referendum expenses), in subsection (2)(c) omit “to a court”.
- (5) In section 122 (delivery of returns to the Electoral Commission), in subsection (3) –
 - (a) omit “by a court”;
 - (b) for “court order” substitute “written notice from the Commission”.

Recall petition expenses claims

- 6 (1) The Recall of MPs Act 2015 is amended as follows.
- (2) Schedule 3 (regulation of expenditure) is amended as set out in sub-paragraphs (3) and (4).
- (3) In paragraph 11 (payment of claims in respect of petition expenses: application for leave to pay late claims) –
 - (a) in sub-paragraph (1) –
 - (i) for “to the appropriate court” substitute “to the Electoral Commission”;
 - (ii) for “and the appropriate court” substitute “and the Commission”;
 - (iii) for “order” substitute “written notice”;
 - (b) omit sub-paragraph (3);
 - (c) in sub-paragraph (4), for “order of leave” substitute “leave granted under sub-paragraph (1)”;
 - (d) omit sub-paragraphs (5) and (6).
- (4) In paragraph 12 (disputed claims) –
 - (a) in sub-paragraph (3) –
 - (i) for “to the appropriate court” substitute “to the Electoral Commission”;

- (ii) for “and the appropriate court” substitute “and the Commission”;
 - (iii) for “order” substitute “written notice”;
- (b) omit sub-paragraph (4);
- (c) in sub-paragraph (5) omit “an order of”; 5
- (d) omit sub-paragraphs (6) and (7).
- (5) Schedule 5 (recall petition returns) is amended as set out in sub-paragraphs (6) and (7).
- (6) In paragraph 2 (statements and accompanying documents relating to petition expenses), in sub-paragraph (1)(b) omit “to a court”. 10
- (7) In paragraph 6 (delivery of return etc to petition officer and supplementary returns) –
 - (a) in sub-paragraph (2) omit “by a court” and “order of”;
 - (b) in sub-paragraph (3)(b), for “court order” substitute “written notice from the Electoral Commission”. 15

SCHEDULE 7

Section 56

DELIVERY OF RETURNS AND DECLARATIONS DIRECTLY TO THE ELECTORAL COMMISSION

Electoral Law Act (Northern Ireland) 1962

- 1 (1) The Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) is amended as follows. 20
- (2) In section 46 (election expenses returns), after subsection (3) insert –
 - “(3A) The Electoral Commission may, by regulations, prescribe a form of return which must or may be used for the purposes of making any (or any description of) return required by this section.”
- (3) After section 50 insert – 25
 - “50A Copies of returns and declarations to be sent to Electoral Commission**
 - (1) This section applies where a person is required by section 46 or 47 to transmit a return or declaration to the returning officer.
 - (2) The person must also transmit to the Electoral Commission a copy of – 30
 - (a) the return or declaration, and
 - (b) any document accompanying the return or declaration when it is transmitted to the returning officer.
 - (3) The copy must be transmitted within the time allowed for transmitting the return or declaration to the returning officer. 35

- (4) A person who fails to comply with this section is to be treated as having failed to comply with the requirement to transmit the return or declaration.”
- (4) In section 52 (duty to make available for inspection returns and declarations), after subsection (2) insert – 5
- “(3) Subsections (4) and (5) apply where the Electoral Commission receives a copy of a return, declaration or accompanying document under section 50A.
- (4) Subsections (2) to (5) and (7) of section 149 of the Political Parties, Elections and Referendums Act 2000 (inspection of certain registers and documents) apply in relation to the copy as they apply in relation to a register within subsection (1) of that section. 10
But the application of those provisions is subject to the provisions applied by subsection (5).
- (5) Subsections (1B) and (2) of this section apply to the Commission in respect of the copy as they apply to the returning officer in respect of the return, declaration or accompanying document (with the reference to “the said 12 months” in subsection (2) being read as a reference to the period of 12 months beginning with the day on which the Commission receives the copy).” 15 20
- (5) In section 127 (regulations), after subsection (2) insert –
- “(3) This section does not apply in relation to the prescription of forms under section 46(3A).”

RPA 1983

- 2 (1) RPA 1983 is amended as follows. 25
- (2) In section 81(10A) (power to prescribe form of election expenses return), after “which” insert “must or”.
- (3) For section 87A (returns and declarations to be forwarded to Electoral Commission by officer receiving them) substitute –
- “87A Copies of returns and declarations to be sent to Electoral Commission 30**
- (1) This section applies where a person is required by section 75, 75A, 81 or 82 to deliver a return or declaration to the appropriate officer.
- (2) The person must also deliver to the Electoral Commission a copy of – 35
- (a) the return or declaration, and
- (b) any document accompanying the return or declaration when it is delivered to the appropriate officer.
- (3) The copy must be delivered within the time allowed for delivering the return or declaration to the appropriate officer. 40

- (4) A person who fails to comply with this section is to be treated as having failed to comply with the requirement to deliver the return or declaration.”
- (4) Omit section 87B (which makes provision for Scottish local government elections similar to that made by section 87A). 5
- (5) In section 89 (duty to make available for inspection returns and declarations), after subsection (3) insert –
 - “(4) Subsections (5) and (6) apply where the Electoral Commission receives a copy of a return, declaration or accompanying document under section 87A. 10
 - (5) Subsections (2) to (5) and (7) of section 149 of the Political Parties, Elections and Referendums Act 2000 (inspection of certain registers and documents) apply in relation to the copy as they apply in relation to a register within subsection (1) of that section. But the application of those provisions is subject to the provisions applied by subsection (6). 15
 - (6) Subsections (1A) to (3) of this section apply to the Commission in respect of the copy as they apply to the appropriate officer in respect of the return, declaration or accompanying document (with the reference to “those two years” in subsection (2) being read as a reference to the period of two years beginning with the day on which the Commission receives the copy).” 20

Recall of MPs Act 2015

- 3 (1) Schedule 5 to the Recall of MPs Act 2015 (recall petition returns) is amended as follows. 25
 - (2) In paragraph 1(4) (power to prescribe form of return), after “which” insert “must or”.
 - (3) In paragraph 6 (delivery of returns to petition officer), after sub-paragraph (3) insert –
 - “(4) Where the responsible person is required by this paragraph to deliver a return or document to the petition officer, the person must also deliver a copy of it to the Electoral Commission. 30
 - (5) The copy must be delivered within the time allowed for delivering the return or document to the petition officer.”
 - (4) In paragraph 7(1) (illegal practices) – 35
 - (a) omit the “or” after paragraph (d);
 - (b) after paragraph (e) insert “, or
 - (f) fails to deliver a copy of a return or document to the Electoral Commission as required by paragraph 6(4) and (5).” 40

- (5) Omit paragraph 8 and the italic heading before it (onward delivery of returns to Commission).
- (6) In the italic heading before paragraph 9, at the end insert “: petition officers”.
- (7) After paragraph 9 insert – 5
“Inspection of returns and accompanying documents: Electoral Commission
 - 9A (1) This paragraph applies where the Electoral Commission receives a copy of a return or document under paragraph 6(4).
 - (2) Subsections (2) to (5) and (7) of section 149 of the Political Parties, Elections and Referendums Act 2000 (inspection of certain registers and documents) apply in relation to the copy as they apply in relation to a register within subsection (1) of that section. 10
But the application of those provisions is subject to the following sub-paragraphs.
 - (3) Where this paragraph applies in relation to a copy of a recall petition return that contains a statement mentioned in paragraph 3 or 4 that includes the home address of a donor who is an individual, the provisions applied by sub-paragraph (2) apply in relation to a modified copy of the statement that does not include the donor’s home address. 15
20
 - (4) After the expiry of the period of 2 years beginning with the day on which the Commission receives the copy, the Commission must –
 - (a) cause the copy to be destroyed, or
 - (b) if the responsible person in relation to the accredited campaigner in question so requests, cause the copy to be returned to the responsible person.” 25

SCHEDULE 8

Section 58

RISK ASSESSMENTS FOR DONATIONS TO REGISTERED PARTIES ETC

- Risk assessments in relation to donations to individuals and members associations* 30
- 1 Schedule 7 to PPERA 2000 (control of donations to individuals and members associations) is amended as set out in paragraphs 2 to 6.
 - 2 In paragraph 6 (prohibition on accepting donations from impermissible donors), after sub-paragraph (1) insert –
 - “(1A) A controlled donation of an amount exceeding £11,180 received by a regulated donee must not be accepted by the donee unless, before the end of the period of 30 days beginning with the date 35

- when the donation is received, the donee has undertaken a risk assessment in relation to the donation (see sub-paragraph (1E)).
- (1B) For the purposes of sub-paragraph (1A), a donation from a person is to be treated as a donation of an amount exceeding £11,180 if— 5
- (a) the regulated donee has not previously undertaken a risk assessment in relation to a relevant controlled benefit accruing to the donee in the same calendar year, and
 - (b) when the value of the donation is added to any other relevant controlled benefit or benefits accruing to the donee in the same calendar year, the aggregate amount of the benefits is more than £11,180. 10
- (1C) For the purposes of sub-paragraph (1A), a donation from a person is also to be treated as a donation of an amount exceeding £11,180 if— 15
- (a) the regulated donee has previously undertaken a risk assessment in relation to a relevant controlled benefit accruing to the donee in the same calendar year (the “previous risk-assessed benefit”), and
 - (b) when the value of the donation is added to any other relevant controlled benefit or benefits accruing to the donee in that calendar year after the previous risk-assessed benefit accrued to the donee (or, if there has been more than one, the last such benefit), the aggregate amount of the benefits is more than £11,180. 20 25
- (1D) In sub-paragraphs (1B) and (1C), “relevant controlled benefit”, in relation to a person, means—
- (a) a controlled donation accepted by the donee from that person as a donor, or
 - (b) a controlled transaction (within the meaning of paragraph 2 of Schedule 7A) entered into by the donee and that person as a participant, 30
- and a relevant controlled benefit accrues when it is accepted (if it is a donation) or entered into (if it is a transaction).
- (1E) Section 54C (risk assessments in relation to donations) applies in relation to a risk assessment undertaken by a regulated donee under sub-paragraph (1A) as it applies in relation to a risk assessment undertaken by a registered party under section 54(1A). 35
- (1F) But regulations made by the Secretary of State under section 54C(3) apply in relation to a donation to a member of a local authority in Scotland who is not also a member of a registered party only if, before making the regulations, the Secretary of State obtained the consent of the Scottish Ministers.” 40

- 3 In paragraph 8 (acceptance or return of donations), after sub-paragraph (1A) insert –
 - “(1B) In their application in accordance with sub-paragraph (1), sections 56(2) and 58(1)(a) shall have effect as if the references to section 54(1A) were references to paragraph 6(1A).” 5
- 4 In the italic heading before paragraph 11, for the words after “reports:” substitute “information required where donation returned”.
- 5 In paragraph 11 –
 - (a) in sub-paragraph (1)(a) –
 - (i) after “in respect of” insert “– 10
 - (i) ”;
 - (ii) at the end insert –
 - “(ii) each controlled donation received by the donee which the donee is prohibited from accepting by virtue of paragraph 6(1A) (risk assessment); and”; 15
 - (b) after sub-paragraph (4) insert –
 - “(4A) Each such report in respect of a donation which the donee is prohibited from accepting by virtue of paragraph 6(1A) (risk assessment) must also give – 20
 - (a) the name and address of the donor or the person appearing to be the donor or, if the regulated donee is unable to ascertain the identity of that person, details of the manner in which the donation was made; 25
 - (b) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5; 30
 - (c) the date when the donation was received and the date when, and the manner in which, it was dealt with in accordance with section 56(2); and
 - (d) such other information as is required by regulations made by the Commission.” 35
- 6 In paragraph 13 (declaration in donation report), in sub-paragraph (2) –
 - (a) after “belief” insert “–
 - (a) the regulated donee has undertaken a risk assessment in relation to any donation recorded in the report as having been accepted by the donee for which such an assessment is required by paragraph 6(1A), and 40
 - (b) ”.

- 7 In paragraph 15 (register of recordable donations), in sub-paragraph (3), for “or 11(4)” substitute “, 11(4) or 11(4A)”.

Risk assessments in relation to loans etc: registered parties

- 8 Chapter 1 of Part 4A of PPERA 2000 (regulation of loans to and related transactions with registered parties) is amended as set out in paragraphs 9 to 15. 5
- 9 In section 71F (regulated transactions), after subsection (9) insert –
- “(9A) A reference to a registered party entering into a regulated transaction includes a reference to any circumstances in which the terms of a regulated transaction are varied so as to increase the value of the transaction to the registered party.” 10
- 10 In section 71H (authorised participants), after subsection (1) insert –
- “(1A) A registered party must not enter into a regulated transaction which has a value exceeding £11,180 unless the party has undertaken a risk assessment in relation to the transaction (see section 71HZB). 15
- (1B) For the purposes of subsection (1A), a regulated transaction entered into with a person is to be treated as having a value exceeding £11,180 if –
- (a) the party has not previously undertaken a risk assessment in relation to a relevant benefit accruing to the party in the same calendar year, and 20
- (b) the aggregate amount of the transaction and any other relevant benefit or benefits accruing to the party in the same calendar year is more than £11,180.
- (1C) For the purposes of subsection (1A), a regulated transaction entered into with a person is also to be treated as having a value exceeding £11,180 if – 25
- (a) the party has previously undertaken a risk assessment in relation to a relevant benefit accruing to the party in the same calendar year (the “previous risk-assessed benefit”), and 30
- (b) the aggregate amount of the transaction and any other relevant benefit or benefits accruing to the party in that calendar year after the previous risk-assessed benefit accrued to the party (or, if there has been more than one, the last such benefit) is more than £11,180. 35
- (1D) In subsections (1B) and (1C), “relevant benefit”, in relation to a person, means –
- (a) a donation (within the meaning of Part 4) accepted by the party from that person as a donor, or 40
- (b) a relevant transaction entered into by the party and that person as a participant,

and a relevant benefit accrues when it is accepted (if it is a donation) or entered into (if it is a transaction).”

11 After section 71HZA insert –

“71HQB Risk assessments in relation to regulated transactions

- (1) A risk assessment under section 71H(1A) is an assessment by the registered party of the risk that a person (the “participant in question”) who is either another party to the regulated transaction or a party to a connected transaction is not an authorised participant. 5
- (2) In carrying out a risk assessment, the registered party must take into account the following risk factors – 10
 - (a) the type of person that the participant in question is,
 - (b) the previous history of transactions with the participant in question,
 - (c) the type of transaction under consideration,
 - (d) the value of the regulated transaction, and 15
 - (e) any other risk factors the registered party considers to be relevant.
- (3) The Secretary of State may by regulations amend the risk factors set out in subsection (2).
- (4) The Secretary of State may make such regulations either – 20
 - (a) where the regulations give effect to a recommendation of the Commission, or
 - (b) after consultation with the Commission.
- (5) In carrying out a risk assessment, the registered party must have regard to guidance in force under section 54D. 25
- (6) The registered party must retain for at least six years –
 - (a) each risk assessment that it undertakes, and
 - (b) the information it used to undertake each assessment, and must provide these to the Commission on request.”

12 In section 71I (regulated transaction involving unauthorised participant), in subsection (1) – 30

- (a) after “if” insert “ –
 - (a) ”;
- (b) at the end insert “, or
 - (b) a registered party enters into a regulated transaction without undertaking a risk assessment where required by section 71H(1A).” 35

13 In section 71L (offences relating to regulated transactions) –

- (a) after subsection (2) insert—
- “(2A) A registered party commits an offence if—
- (a) it enters into a regulated transaction without undertaking a risk assessment where required by section 71H(1A), and
 - (b) an officer of the party knew or ought reasonably to have known of the matter mentioned in paragraph (a).
- (2B) A person commits an offence if—
- (a) they are the treasurer of a registered party,
 - (b) the party enters into a regulated transaction without undertaking a risk assessment where required by section 71H(1A), and
 - (c) they knew or ought reasonably to have known of the matter mentioned in paragraph (b).”;
- (b) in subsection (10), after “(2)” insert “or (2B)”;
- (c) omit subsection (12).
- 14 In section 71M (quarterly reports of regulated transactions), in subsection (9)—
- (a) after “record” insert “—
 - (a) ”;
 - (b) at the end insert “, and
 - (b) any regulated transaction which is entered into by the party without undertaking a risk assessment as required by section 71H(1A) and is dealt with during the reporting period in accordance with section 71I.”
- 15 In section 71T (declaration by treasurer in transaction report)—
- (a) in subsection (2), before paragraph (a) insert—
 - “(za) the party has undertaken a risk assessment in relation to every regulated transaction that the party has entered into during the reporting period for which such an assessment is required by section 71H(1A),”;
 - (b) in subsection (4), before paragraph (a) insert—
 - “(za) the party has undertaken a risk assessment in relation to every regulated transaction that the party, or (if section 71Q(3)(b) applies) its central organisation, has entered into during the reporting period for which such an assessment is required by section 71H(1A),”.
- 16 In section 156 of PPERA 2000 (orders and regulations), in subsection (4ZA) (inserted by section 60(7) of this Act), after paragraph (b) insert—
- “(c) section 71H(3B);”.

- 17 In Schedule 6A to PPERA 2000 (details to be given in transaction reports), after paragraph 4A insert—
- “Information where risk assessment not undertaken*
- 4B (1) In relation to each recordable transaction in relation to which a registered party has not undertaken a risk assessment as required by section 71H(1A), a quarterly report must give— 5
- (a) the name and address of each participant in the transaction, and
- (b) the date when, and the manner in which, the transaction was dealt with in accordance with subsections (3) to (5) of section 71I. 10
- (2) This paragraph does not apply in relation to a recordable transaction that is an Irish transaction (within the meaning given by paragraph 2A(2)).
- 4C In relation to each recordable transaction that is an Irish transaction (within the meaning given by paragraph 2A(2)) in relation to which a registered party has not undertaken a risk assessment as required by section 71H(1A), a quarterly report must— 15
- (a) give the name of each participant in the transaction, 20
- (b) record the fact that the transaction is an Irish transaction, and
- (c) give the date when, and the manner in which, the transaction was dealt with in accordance with subsections (3) to (5) of section 71I.” 25
- 18 In Schedule 20 to PPERA 2000 (penalties), at the appropriate place insert—
- | | | |
|--|---|----|
| “Section 71L(2A) (registered party entering into regulated transaction without undertaking risk assessment: offence by party) | On summary conviction in England and Wales: fine
On summary conviction elsewhere: Level 5
On indictment: fine | 30 |
| Section 71L(2B) (registered party entering into regulated transaction without undertaking risk assessment: offence by treasurer) | On summary conviction in England and Wales: fine or the general limit in a magistrates’ court
On summary conviction in Scotland: statutory maximum or 12 months
On summary conviction in Northern Ireland: statutory maximum or 6 months
On indictment: fine or 1 year”. | 35 |
- Risk assessments in relation to loans etc: individuals and members associations* 40
- 19 Schedule 7A to PPERA 2000 (controls of loans etc to individuals and members associations) is amended as set out in paragraphs 20 to 27.

- 20 In paragraph 1 (operation and construction of Schedule), after sub-paragraph (4) insert –
- “(4A) A reference to a person entering into a controlled transaction includes a reference to any circumstances in which the terms of a controlled transaction are varied so as to increase the value of the transaction to the person.” 5
- 21 In paragraph 4 (authorised participants), after sub-paragraph (1) insert –
- “(1A) A regulated participant must not enter into a controlled transaction which has a value exceeding £11,180 unless the regulated participant has undertaken a risk assessment in relation to the transaction (see sub-paragraph (1E)). 10
- (1B) For the purposes of sub-paragraph (1A), a controlled transaction entered into with a person is to be treated as having a value exceeding £11,180 if –
- (a) the regulated participant has not previously undertaken a risk assessment in relation to a relevant controlled benefit accruing to the regulated participant in the same calendar year, and 15
- (b) the aggregate amount of the transaction and any other relevant controlled benefit or benefits accruing to the regulated participant in the same calendar year is more than £11,180. 20
- (1C) For the purposes of sub-paragraph (1A), a controlled transaction entered into with a person is also to be treated as having a value exceeding £11,180 if – 25
- (a) the regulated participant has previously undertaken a risk assessment in relation to a relevant controlled benefit accruing to the regulated participant in the same calendar year (the “previous risk-assessed benefit”), and
- (b) the aggregate amount of the transaction and any other relevant controlled benefit or benefits accruing to the regulated participant in that calendar year after the previous risk-assessed benefit accrued to the party (or, if there has been more than one, the last such benefit), is more than £11,180. 30 35
- (1D) In sub-paragraphs (1B) and (1C), “relevant controlled benefit”, in relation to a person, means –
- (a) a controlled donation (within the meaning of paragraph 1(3) of Schedule 7) accepted by the regulated participant from that person as a donor, or 40
- (b) a controlled transaction entered into by the regulated participant and that person as another participant, and a relevant controlled benefit accrues when it is accepted (if it is a donation) or entered into (if it is a transaction).

- (1E) Section 71HZB (risk assessments in relation to regulated transactions) applies in relation to a risk assessment undertaken by a regulated participant under sub-paragraph (1A) as it applies in relation to a risk assessment undertaken by a registered party under section 71H(1A).” 5
- 22 In the italic heading before paragraph 5, at the end insert “etc”.
- 23 In paragraph 5 (controlled transaction involving unauthorised participant etc), in sub-paragraph (1)–
- (a) after “if” insert “–
- (a) ”; 10
- (b) at the end insert “, or
- (b) a regulated participant enters into a controlled transaction without undertaking a risk assessment where required by paragraph 4(1A).”
- 24 In paragraph 8 (offences)– 15
- (a) after sub-paragraph (2) insert–
- “(2A) An individual who is a regulated participant commits an offence if they enter into a controlled transaction of a description mentioned in paragraph 2(1) or (2) without undertaking a risk assessment where required by paragraph 4(1A). 20
- (2B) A responsible person of a members association commits an offence if–
- (a) the association enters into a controlled transaction of a description mentioned in paragraph 2(1) or (2) without undertaking a risk assessment where required by paragraph 4(1A), and 25
- (b) the responsible person knew or ought reasonably to have known of the matter mentioned in paragraph (a).”; 30
- (b) in sub-paragraph (10), after “(2)” insert “or (2B)”; 30
- (c) omit sub-paragraph (12).
- 25 In the italic heading before paragraph 10, at the end insert “or where risk assessment not undertaken”.
- 26 In paragraph 10 (transaction reports: transactions with unauthorised participants etc), in sub-paragraph (3)(a), at the end insert “or participant in respect of whom a risk assessment has not been undertaken”. 35
- 27 In paragraph 13 (declaration in transaction report), in sub-paragraph (2), after “belief” insert “–
- (a) the regulated participant has undertaken a risk assessment in relation to any transaction recorded in the report for which such an assessment is required by paragraph 4(1A), and 40

(b) ”.

28 In Schedule 20 to PPERA 2000 (penalties), at the appropriate place insert –

“Paragraph 8(2A) of Schedule 7A (individual regulated participant entering into controlled transaction without undertaking risk assessment)	On summary conviction in England and Wales: fine or the general limit in a magistrates’ court On summary conviction in Scotland: statutory maximum or 12 months On summary conviction in Northern Ireland: statutory maximum or 6 months On indictment: fine or 1 year	5 10
Paragraph 8(2B) of Schedule 7A (members association entering into controlled transaction without undertaking risk assessment: offence by responsible person)	On summary conviction in England and Wales: fine or the general limit in a magistrates’ court On summary conviction in Scotland: statutory maximum or 12 months On summary conviction in Northern Ireland: statutory maximum or 6 months On indictment: fine or 1 year”	15

Risk assessments in relation to donations to recognised third parties

29 Chapter 2 of Part 6 of PPERA 2000 (financial controls relating to third party national election campaigns) is amended as set out in paragraphs 30 to 37. 20

30 In section 95A (quarterly donation reports), in subsection (9), before paragraph (a) insert –

“(za) the recognised third party has undertaken a risk assessment in relation to any reportable donation recorded in the report as having been accepted by the recognised third party for which such an assessment is required by paragraph 6(1B) of Schedule 11,”.

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31 In section 99 (declaration by responsible person as to return under section 96), in subsection (3), before paragraph (a) insert – 30

“(za) the recognised third party has undertaken a risk assessment in relation to any relevant donation recorded in the return as having been accepted by the third party for which such an assessment is required by paragraph 6(1B) of Schedule 11,”.

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32 Schedule 11 (control of donations to recognised third parties) is amended as set out in paragraphs 33 to 36.

33 In paragraph 6 (prohibition on accepting donations from impermissible donors), before sub-paragraph (2) insert –

“(1B) A relevant donation of an amount exceeding £11,180 received by a recognised third party must not be accepted unless, before the end of the period of 30 days beginning with the date when the

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- donation is received, the recognised third party has undertaken a risk assessment in relation to the donation (see sub-paragraph (1E)).
- (1C) For the purposes of sub-paragraph (1B), a donation to a recognised third party from a person is to be treated as a donation of an amount exceeding £11,180 if – 5
- (a) the recognised third party has not previously undertaken a risk assessment in relation to a relevant donation accepted from that person in the same calendar year, and
 - (b) when the value of the donation is added to any other relevant donation or donations from the person accepted by the recognised third party in the same calendar year, the aggregate amount of the donations is more than £11,180. 10
- (1D) For the purposes of sub-paragraph (1B), a donation to a recognised third party from a person is also to be treated as a donation of an amount exceeding £11,180 if – 15
- (a) the recognised third party has previously undertaken a risk assessment in relation to a relevant donation accepted from that person in the same calendar year (the “previous risk-assessed donation”), and 20
 - (b) when the value of the donation is added to any other relevant donation or donations from that person accepted by the recognised third party in that calendar year after the previous risk-assessed donation was accepted (or, if there has been more than one, the last such donation), the aggregate amount of the donations is more than £11,180. 25
- (1E) Section 54C (risk assessments in relation to donations) applies in relation to a risk assessment undertaken by a recognised third party under sub-paragraph (1B) as it applies in relation to a risk assessment undertaken by a registered party under section 54(1A). 30
- (1F) But regulations made by the Secretary of State under section 54C(3) apply in relation to a Scottish devolved donation or a Welsh devolved donation only if, before making the regulations, the Secretary of State obtained the consent of the Scottish Ministers or the Welsh Ministers (as the case may be). 35
- (1G) In sub-paragraph (1F) –
- “Scottish devolved donation” means a donation provision about which would be within the legislative competence of the Scottish Parliament if contained in an Act of that Parliament; 40
 - “Welsh devolved donation” means a donation provision about which would be within the legislative competence of Senedd Cymru if contained in an Act of the Senedd.”

- 34 In paragraph 7 (acceptance or return of donations), in sub-paragraph (2), after paragraph (aa) insert –
- “(ab) sections 56(2) and 58(1)(a) shall have effect as if the references to section 54(1A) were construed as references to paragraph 6(1B); and”.
- 35 In the italic heading before paragraph 11, for the words after “Donations” substitute “required to be returned”.
- 36 In paragraph 11 –
- (a) in sub-paragraph (1) –
- (i) after “to” insert “ –
- (a) ”;
- (ii) at the end insert “; and
- (b) relevant donations which a recognised third party is prohibited from accepting by virtue of paragraph 6(1B).”;
- (b) after sub-paragraph (3) insert –
- “(3A) Where a recognised third party is prohibited from accepting a relevant donation by virtue of paragraph 6(1B), the statement must record –
- (a) the name and address of the donor or the person appearing to be the donor or, if the recognised third party is unable to ascertain the identity of that person, details of the manner in which the donation was made;
- (b) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5;
- (c) the date when the donation was received, and the date when, and the manner in which, it was dealt with in accordance with section 56(2); and
- (d) such other information as is required by regulations made by the Commission.”
- 37 In Schedule 11A to PPERA 2000 (requirements of quarterly and weekly donation reports) –
- (a) in paragraph 2(1)(b) (requirements of quarterly reports), after “period” insert “or where risk assessment not undertaken”;
- (b) in paragraph 5 (statement of reportable donations dealt with during reporting period) –
- (i) in sub-paragraph (1)(a) omit the “or” at the end of sub-paragraph (i);

- (ii) in sub-paragraph (1)(a), for the “and” at the end of sub-paragraph (ii) substitute “or
- (iii) paragraph 6(1B) of that Schedule, and”;
- (iii) at the end insert—
 - “(4) In relation to a reportable donation of the kind mentioned in sub-paragraph (1)(a)(iii), the “appropriate details” means—
 - (a) the name and address of the donor or, if the recognised third party is unable to ascertain the identity of the donor, details of the manner in which the donation was made,
 - (b) where the donation is of money, the amount of the donation,
 - (c) where the donation is not of money, the nature of the donation and its value,
 - (d) the date the donation was received by the recognised third party,
 - (e) the date and manner in which the donation was dealt with in accordance with section 56(2), and
 - (f) such other information as may be required by regulations made by the Commission.”

Risk assessments in relation to donations to permitted participants in referendums

- 38 In section 123 of PPERA 2000 (declaration of responsible person as to return under section 120), in subsection (3), before paragraph (a) insert—
 - “(za) the permitted participant has undertaken a risk assessment in relation to any relevant donation recorded in the return as having been accepted by the permitted participant for which such an assessment is required by paragraph 6(1A) of Schedule 15,”.
- 39 Schedule 15 to PPERA 2000 (control of donations to permitted participants) is amended as set out in paragraphs 40 to 43.
- 40 In paragraph 6 (prohibition on accepting donations from impermissible donors), after sub-paragraph (1) insert—
 - “(1A) A relevant donation of an amount exceeding £11,180 received by a permitted participant must not be accepted by the permitted participant unless, before the end of the period of 30 days beginning with the date when the donation is received by the permitted participant, the permitted participant has undertaken a risk assessment in relation to the donation (see sub-paragraph (1D)).

- (1B) For the purposes of sub-paragraph (1A), a donation to a permitted participant from a person in respect of a referendum is to be treated as a donation of an amount exceeding £11,180 if –
- (a) the permitted participant has not previously undertaken a risk assessment in relation to a relevant donation accepted from that person in respect of the same referendum, and 5
 - (b) when the value of the donation is added to any other relevant donation or donations from the person in respect of the same referendum that are accepted by the permitted participant, the aggregate amount of the donations is more than £11,180. 10
- (1C) For the purposes of sub-paragraph (1A), a donation to a permitted participant from a person in respect of a referendum is also to be treated as a donation of an amount exceeding £11,180 if – 15
- (a) the permitted participant has previously undertaken a risk assessment in relation to a relevant donation accepted from that person in respect of the same referendum (the “previous risk-assessed donation”), and
 - (b) when the value of the donation is added to any other relevant donation or donations from that person in respect of the same referendum accepted by the permitted participant after the previous risk-assessed donation was accepted (or, if there has been more than one, the last such donation), the aggregate amount of the donations is more than £11,180. 20 25
- (1D) Section 54C (risk assessments in relation to donations) applies in relation to a risk assessment undertaken by a permitted participant under sub-paragraph (1A) as it applies in relation to a risk assessment undertaken by a registered party under section 54(1A).” 30
- 41 In paragraph 7 (acceptance or return of donations), in sub-paragraph (2), after paragraph (aa) insert –
- “(ab) sections 56(2) and 58(1)(a) shall have effect as if the references to section 54(1A) were construed as references to paragraph 6(1A); and”.
- 42 In the italic heading before paragraph 11, for the words after “Donations” substitute “required to be returned”.
- 43 In paragraph 11 –
- (a) in sub-paragraph (1) – 40
 - (i) after “to” insert “–
 - (a) ”;

- (ii) at the end insert “; and
 - (b) relevant donations which a permitted participant is prohibited from accepting by virtue of paragraph 6(1A) (risk assessment).”;
- (b) after sub-paragraph (3) insert – 5
 - “(3A) Where a permitted participant is prohibited from accepting a relevant donation by virtue of paragraph 6(1A), the statement must record –
 - (a) the name and address of the donor or the person appearing to be the donor or, if the permitted participant is unable to ascertain the identity of that person, details of the manner in which the donation was made; 10
 - (b) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5; 15
 - (c) the date when the donation was received, and the date when, and the manner in which, it was dealt with in accordance with section 56(2); and 20
 - (d) such other information as is required by regulations made by the Commission.”

Risk assessments in relation to donations to candidates at elections

- 44 Schedule 2A to RPA 1983 (control of donations to candidates) is amended as set out in paragraphs 45 to 49. 25
- 45 In paragraph 6 (prohibition on accepting donations from impermissible donors), after sub-paragraph (1) insert –
 - “(1A) A relevant donation of an amount exceeding the threshold amount (see paragraph 6A) received by a candidate or their election agent must not be accepted unless, before the end of the period of 30 days beginning with the date when the donation is received, the election agent has undertaken a risk assessment in relation to the donation (see sub-paragraph (1D)). 30
 - (1B) For the purposes of sub-paragraph (1A), a donation to a candidate or their election agent from a person in respect of an election is to be treated as a donation of an amount exceeding the threshold amount if – 35
 - (a) the candidate or their election agent has not previously undertaken a risk assessment in relation to a relevant donation from that person accepted by the candidate or their election agent in respect of the same election, and 40
 - (b) when the value of the donation is added to any other relevant donation or donations from the person accepted

by the candidate or their election agent in respect of the same election, the aggregate amount of the donations is more than the threshold amount.

- (1C) For the purposes of sub-paragraph (1A), a donation to a candidate or their election agent from a person in respect of an election is also to be treated as a donation of an amount exceeding the threshold amount if – 5
- (a) the candidate or their election agent has previously undertaken a risk assessment in relation to a relevant donation from that person accepted by the candidate or their election agent in respect of the same election (the “previous risk-assessed donation”), and 10
 - (b) when the value of the donation is added to any other relevant donation or donations from that person in respect of the same election accepted by the candidate or their election agent after the previous risk-assessed donation was accepted (or, if there has been more than one, the last such donation), the aggregate amount of the donations is more than the threshold amount. 15
- (1D) Section 54C of the 2000 Act (risk assessments in relation to donations) applies in relation to a risk assessment undertaken by an election agent under sub-paragraph (1A) as it applies in relation to a risk assessment undertaken by a registered party under section 54(1A) of the 2000 Act. 20
- (1E) But regulations made by the Secretary of State under section 54C(3) apply in relation to donations to a candidate for a local government election in Scotland or Wales (or their election agent) only if, before making the regulations, the Secretary of State obtained the consent of the Scottish Ministers or the Welsh Ministers (as the case may be).” 25 30

46 After paragraph 6 insert –

““The threshold amount” in paragraph 6

- 6A (1) In paragraph 6, “the threshold amount” means –
- (a) in relation to relevant donations made to candidates for local government elections in Scotland (or their election agents), £11,180; 35
 - (b) in relation to relevant donations made to candidates for local government elections in Wales (or their election agents), £11,180;
 - (c) in relation to any other relevant donations, £11,180. 40
- (2) The Scottish Ministers may by regulations vary the sum for the time being mentioned in sub-paragraph (1)(a) –

- (a) where the Ministers consider that the variation of the sum is expedient in consequence of changes in the value of money, or
 - (b) in order to give effect to a recommendation of the Commission. 5
- (3) The Welsh Ministers may by regulations vary the sum for the time being mentioned in sub-paragraph (1)(b) –
 - (a) where the Ministers consider that the variation of the sum is expedient in consequence of changes in the value of money, or 10
 - (b) in order to give effect to a recommendation of the Commission.
- (4) The Secretary of State may by regulations vary the sum for the time being mentioned in sub-paragraph (1)(c) –
 - (a) where the Secretary of State considers that the variation of the sum is expedient in consequence of changes in the value of money, or 15
 - (b) in order to give effect to a recommendation of the Commission.
- (5) Regulations made by the Scottish Ministers under sub-paragraph (2)(b) are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)). 20
- (6) Regulations made by the Welsh Ministers under sub-paragraph (3)(b) are subject to the Senedd annulment procedure (see section 37E of the Legislation (Wales) Act 2019 (anaw 4)).” 25
- 47 In paragraph 7 (acceptance or return of donations), in sub-paragraph (2), after paragraph (a) insert –
 - “(aa) sections 56(2) and 58(1)(a) shall have effect as if the references to section 54(1A) were construed as references to paragraph 6(1A);”. 30
- 48 In the italic heading before paragraph 12, for the words after “Donations” substitute “required to be returned”.
- 49 In paragraph 12 –
 - (a) in sub-paragraph (1) – 35
 - (i) after “to” insert “ –
 - (a) ”;
 - (ii) at the end insert “; and
 - (b) relevant donations which a candidate or election agent is prohibited from accepting by virtue of paragraph 6(1A) (risk assessment).”; 40

(b) after sub-paragraph (3) insert—

“(3A) Where a candidate or election agent is prohibited from accepting a relevant donation by virtue of paragraph 6(1A), the statement must record—

- (a) the name and address of the donor or, if the candidate or election agent is unable to ascertain the identity of the donor, details of the manner in which the donation was made; 5
- (b) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5; 10
- (c) the date when the donation was received, and the date when, and the manner in which, it was dealt with in accordance with section 56(2) of the 2000 Act; and 15
- (d) such other information as is required by regulations made by the Commission.”

50 In section 201 of RPA 1983 (regulations)—

(a) in subsection (2), for the words from “under”, in the second place it occurs, to “unless” substitute “under— 20

- (a) section 10(4),
 - (b) section 29(8);
 - (c) section 110(7),
 - (d) section 203(4), 25
 - (e) section 203A(2), or
 - (f) paragraph 6A(4) of Schedule 2A,
- unless”;

(b) in subsection (2A), for the words from “section 10(4)” to “shall” substitute “— 30

- (a) section 10(4),
 - (b) section 110(7),
 - (c) section 203A(2), or
 - (d) paragraph 6A(4)(b) of Schedule 2A,
- shall”. 35

51 In Schedule 3 to RPA 1983 (return and declarations as to election expenses), in the Form of Declaration, after paragraph 3 insert—

“3A I confirm that all risk assessments required by paragraph 6(1A) of Schedule 2A to the Representation of the People Act 1983 have been undertaken in relation to donations to the candidate [to me] for the purposes of meeting expenses of this election.” 40

Risk assessments in relation to donations to accredited campaigners in recall petitions

- 52 Schedule 4 to the Recall of MPs Act 2015 (control of donations to accredited campaigners) is amended as set out in paragraphs 53 to 58.
- 53 In paragraph 8 (power to alter certain financial limits), in sub-paragraph (1), after paragraph (a) insert—5
 - “(aa) paragraph 9A(1) or (2) (amount above which donation requires a risk assessment);”.
- 54 After paragraph 9 insert—
“Prohibition on accepting certain donations without undertaking a risk assessment
 - 9A (1) A relevant donation of an amount exceeding £11,180 received by an accredited campaigner must not be accepted by the accredited campaigner unless, before the end of the period of 30 days beginning with the day when the donation is received, the accredited campaigner has undertaken a risk assessment in relation to the donation (see sub-paragraph (4)).10
15
 - (2) For the purposes of sub-paragraph (1), a donation from a person in respect of a recall petition is to be treated as a donation of an amount exceeding £11,180 if—
 - (a) the accredited campaigner has not previously undertaken a risk assessment in relation to a relevant donation accepted from that person in respect of the same recall petition, and20
 - (b) when the value of the donation is added to any other relevant donation or donations from the person that are accepted by the accredited campaigner in respect of the same recall petition, the aggregate amount of the donations is more than £11,180.25
 - (3) For the purposes of sub-paragraph (1), a donation from a person in respect of a recall petition is also to be treated as a donation of an amount exceeding £11,180 if—30
 - (a) the accredited campaigner has previously undertaken a risk assessment in relation to a relevant donation accepted from that person in respect of the same recall petition (the “previous risk-assessed donation”), and
 - (b) when the value of the donation is added to any other relevant donation or donations from that person in respect of the same recall petition accepted by the accredited campaigner after the previous risk-assessed donation was accepted (or, if there has been more than one, the last such donation), the aggregate amount of the donations is more than £11,180.35
40
 - (4) Section 54C of PPERA 2000 (risk assessments in relation to donations) applies in relation to a risk assessment undertaken by

an accredited campaigner under sub-paragraph (1) as it applies in relation to a risk assessment undertaken by a registered party under section 54(1A) of PPERA 2000.”

55 After paragraph 15 insert –

“Duty to return donations where risk assessment not undertaken 5

- 15A(1) This paragraph applies where an accredited campaigner receives a relevant donation which the accredited campaigner is prohibited from accepting by virtue of paragraph 9A(1) (requirement to undertake risk assessment within 30 days).
- (2) In a case where the accredited campaigner is unable to ascertain the identity of the donor, the donation must be returned to the appropriate person before the end of the period of 30 days beginning with the day on which the donation is received. 10
- (3) In any other case, the donation must, before the end of that period, be returned to – 15
- (a) the donor, or
 - (b) any person appearing to be acting on the donor’s behalf.
- (4) In sub-paragraph (2), “the appropriate person” means –
- (a) where the donation was transmitted by a person other than the donor, and the identity of that person is apparent, that person, 20
 - (b) where the identity of the person by whom the donation was transmitted is not apparent, but it is apparent that the donor has, in connection with the donation, used any facility provided by an identifiable financial institution, that institution, and 25
 - (c) in any other case, the Electoral Commission.
- (5) If this paragraph is not complied with, an offence is committed by – 30
- (a) the accredited campaigner, and
 - (b) the responsible person.
- (6) A person guilty of an offence under this paragraph is liable – 35
- (a) on conviction on indictment, to imprisonment for a term not exceeding 12 months or a fine (or both), and
 - (b) on summary conviction – 40
 - (i) in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both),
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both), and

- (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both).
 - (7) The Electoral Commission must pay into the Consolidated Fund any amount received by virtue of this paragraph.” 5
- 56 In paragraph 16 (circumstances in which donation treated as accepted or received), in sub-paragraph (2) –
 - (a) in paragraph (a) –
 - (i) for “or 15(2)” substitute “, 15(2) or 15A(2) or (3)”;
 - (ii) after “donors” insert “or due to failure to undertake risk assessment”; 10
 - (b) in paragraph (b), for “or 15(2)” substitute “, 15(2) or 15A(2) or (3)”.
- 57 In the italic heading before paragraph 17, at the end insert “or where risk assessment not undertaken”.
- 58 In paragraph 17 (forfeiture of donations made by impermissible or unidentifiable donors), in sub-paragraph (1), at the end insert “or 9A”. 15
- 59 Schedule 5 to the Recall of MPs Act 2015 (recall petition returns) is amended as set out in paragraphs 60 to 62.
- 60 In the italic heading before paragraph 4, for “received from impermissible or unidentifiable donors” substitute “required to be returned”. 20
- 61 In paragraph 4 (statement relating to relevant donations required to be returned) –
 - (a) in sub-paragraph (1) –
 - (i) omit the “and” at the end of paragraph (a);
 - (ii) at the end insert “, and” 25
 - (c) recording the appropriate details in relation to each relevant donation that the accredited campaigner received but was prohibited from accepting by virtue of paragraph 9A of Schedule 4 (risk assessment requirement), or recording that no relevant donations of that kind were received.”; 30
 - (b) after sub-paragraph (3) insert –
 - “(3A) In relation to a relevant donation of the kind mentioned in sub-paragraph (1)(c), “the appropriate details” are – 35
 - (a) the name and address of the donor or, if the accredited campaigner is unable to ascertain the identity of the donor, details of the manner in which the donation was made,
 - (b) where the donation is of money, the amount of the donation, 40

- (c) where the donation is not of money, the nature of the donation and its value (as determined in accordance with paragraph 5 of Schedule 4),
 - (d) the date the donation was received by the accredited campaigner, 5
 - (e) the date and manner in which the donation was returned in accordance with paragraph 15A(2) or (3) of Schedule 4, and
 - (f) such other information as may be required by regulations made by the Electoral Commission.” 10
- 62 In paragraph 5 (declaration of responsible person as to return), in sub-paragraph (2), before paragraph (a) insert—
- “(za) that the accredited campaigner has undertaken a risk assessment in relation to any relevant donation recorded in the return as having been accepted by the accredited campaigner for which such an assessment is required by paragraph 9A(1) of Schedule 4.”. 15

Risk assessments in relation to candidates in local elections: Northern Ireland

- 63 Schedule 3A to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) (control of donations to candidates at a local election) is amended as set out in paragraphs 64 to 67. 20
- 64 In paragraph 6 (prohibition on accepting donations from impermissible donors), after sub-paragraph (1) insert—
- “(1A) A relevant donation of an amount exceeding £11,180 received by a candidate or their election agent must not be accepted unless, before the end of the period of 30 days beginning with the date when the donation is received, the election agent has undertaken a risk assessment in relation to the donation (see sub-paragraph (1D)). 25
- (1B) For the purposes of sub-paragraph (1A), a donation to a candidate or their election agent from a person in respect of an election is to be treated as a donation of an amount exceeding £11,180 if— 30
- (a) the candidate or their election agent has not previously undertaken a risk assessment in relation to a relevant donation from that person accepted by the candidate or their election agent in respect of the same election, and 35
 - (b) when the value of the donation is added to any other relevant donation or donations from the person accepted by the candidate or their election agent in respect of the same election, the aggregate amount of the donations is more than £11,180. 40
- (1C) For the purposes of sub-paragraph (1A), a donation to a candidate or their election agent from a person in respect of an election is

also to be treated as a donation of an amount exceeding £11,180 if—

- (a) the candidate or their election agent has previously undertaken a risk assessment in relation to a relevant donation from that person accepted by the candidate or their election agent in respect of the same election (the “previous risk-assessed donation”), and 5
- (b) when the value of the donation is added to any other relevant donation or donations from that person in respect of the same election accepted by the candidate or their election agent after the previous risk-assessed donation was accepted (or, if there has been more than one, the last such donation), the aggregate amount of the donations is more than £11,180. 10

(1D) Section 54C of the 2000 Act (risk assessments in relation to donations) applies in relation to a risk assessment undertaken by an election agent under sub-paragraph (1A) as it applies in relation to a risk assessment undertaken by a registered party under section 54(1A) of the 2000 Act.” 15

65 In paragraph 7 (acceptance or return of donations), in sub-paragraph (2), after paragraph (a) insert— 20

“(aa) sections 56(2) and 58(1)(a) shall have effect as if the references to section 54(1A) were construed as references to paragraph 6(1A);”.

66 In the italic heading before paragraph 12, for the words after “Donations” substitute “required to be returned”. 25

67 In paragraph 12—

- (a) in sub-paragraph (1)—
 - (i) after “to” insert “—
 - (a) ”; 30
 - (ii) at the end insert “; and
- (b) relevant donations which a candidate or election agent is prohibited from accepting by virtue of paragraph 6(1A) (risk assessment).”; 35

(b) after sub-paragraph (3) insert— 35

“(3A) Where a candidate or election agent is prohibited from accepting a relevant donation by virtue of paragraph 6(1A), the statement must record—

- (a) the name and address of the donor or, if the candidate or election agent is unable to ascertain the identity of the donor, details of the manner in which the donation was made; 40

- (b) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5;
- (c) the date when the donation was received, and the date when, and the manner in which, it was dealt with in accordance with section 56(2) of the 2000 Act.” 5

SCHEDULE 9

Section 62

UNINCORPORATED ASSOCIATIONS MAKING POLITICAL CONTRIBUTIONS 10

- 1 Schedule 19A to PPERA 2000 (reports of gifts received by unincorporated associations making political contributions) is amended as set out in paragraphs 2 to 16.
- 2 In the heading omit “Reports of gifts received by”.
- 3 In the italic heading before paragraph 1, for “£37,270” substitute “£11,180”. 15
- 4 (1) Paragraph 1 (requirement to notify Electoral Commission of political contributions) is amended as follows.
 - (2) In sub-paragraph (1), for “£37,270” (in both places it occurs) substitute “£11,180”.
 - (3) In sub-paragraph (2)– 20
 - (a) in paragraph (c), for “donation” substitute “controlled donation”;
 - (b) in paragraph (e), for “donation” substitute “relevant donation”;
 - (c) in paragraph (f)–
 - (i) for “donation” substitute “relevant donation”;
 - (ii) at the end insert “in a Part 7 referendum”; 25
 - (d) at the end insert–
 - “(h) it makes a relevant donation within the meaning of Schedule 2A to the Representation of the People Act 1983 to a candidate at an election to which that Act applies; 30
 - (i) it makes a relevant donation within the meaning of Schedule 6 to the Senedd Cymru (Representation of the People) Order 2025 (S.I. 2025/864) to a candidate at an election to Senedd Cymru;
 - (j) it makes a relevant donation within the meaning of Schedule 2A to the Representation of the People Act 1983 to a candidate at an election to the Scottish Parliament (see article 36(4) of the Scottish Parliament (Elections etc.) Order 2015 (S.S.I. 2015/425)); 35

- (k) it makes a relevant donation within the meaning of Part 5 of Schedule 3 to the Referendums (Scotland) Act 2020 (asp 2) to a permitted participant in a Scottish referendum;
 - (l) it makes a relevant donation within the meaning of Schedule 3A to the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) to a candidate at a local election within the meaning of that Act; 5
 - (m) it makes a relevant donation within the meaning of Schedule 5 to the Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917) to a candidate at an election of a police and crime commissioner.” 10
- (4) After sub-paragraph (2) insert –
 - “(2A) In sub-paragraph (2)(h), the reference to an election to which the Representation of the People Act 1983 applies includes an election to which that Act applies by virtue of – 15
 - (a) the Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599);
 - (b) the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 (S.I. 2007/1024); 20
 - (c) the Combined Authorities (Mayoral Elections) Order 2017 (S.I. 2017/67).”
- (5) In sub-paragraph (4) –
 - (a) in the definition of “permitted participant”, after “participant” insert “in a Part 7 referendum”; 25
 - (b) after the definition of “permitted participant” insert –
 - ““permitted participant in a Scottish referendum” has the meaning given in paragraph 2 of Schedule 3 to the Referendums (Scotland) Act 2020;”.
- (6) In sub-paragraph (5) – 30
 - (a) in paragraph (d), after “participant” insert “in a Part 7 referendum”;
 - (b) at the end insert –
 - “(g) the value of a donation to a candidate at an election to which the Representation of the People Act 1983 applies shall be determined in accordance with paragraph 5 of Schedule 2A to that Act; 35
 - (h) the value of a donation to a candidate at an election to Senedd Cymru shall be determined in accordance with paragraph 5 of Schedule 6 to the Senedd Cymru (Representation of the People) Order 2025 (S.I. 2025/864); 40
 - (i) the value of a donation to a candidate at an election to the Scottish Parliament shall be determined in

- accordance with paragraph 5 of Schedule 2A to the Representation of the People Act 1983;
- (j) the value of a donation to a permitted participant in a Scottish referendum shall be determined in accordance with paragraph 34 of Schedule 3 to the Referendums (Scotland) Act 2020 (asp 2); 5
 - (k) the value of a donation to a candidate at a local election within the meaning of the Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) shall be determined in accordance with paragraph 5 of Schedule 3A to that Act; 10
 - (l) the value of a donation to a candidate at an election of a police and crime commissioner shall be determined in accordance with paragraph 5 of Schedule 5 to the Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917).” 15
- (7) At the end insert—
- “ (7) Sub-paragraph (8) applies if—
- (a) a requirement imposed by this paragraph is prescribed for the purposes of paragraph 1(1)(b) or 5(1)(b) of Schedule 19C (civil sanctions), 20
 - (b) the unincorporated association breaches the requirement, and
 - (c) at the time of the breach, an appointment of a responsible person in relation to the unincorporated association is in force (see paragraph 1A(10)). 25
- (8) The responsible person is to be treated for the purposes of paragraph 1 or (as the case may be) paragraph 5 of Schedule 19C as having also contravened the requirement.”
- 5 (1) After paragraph 1 insert— 30
- “Appointment of responsible person*
- 1A (1) This paragraph applies where the making of a political contribution by an unincorporated association causes the association to be subject to the notification requirement in paragraph 1. 35
- (2) The association must appoint an individual to be the responsible person in relation to the association, unless it already has one (see sub-paragraph (7)).
 - (3) The association must, at the same time as notifying the Commission under paragraph 1, give a notice to the Commission informing them that the association has appointed an individual to be the responsible person in relation to the association. 40
 - (4) The notice—

- (a) must contain a statement signed by the individual appointed as the responsible person confirming that they are willing to be the responsible person, and
 - (b) must be signed by another individual authorised to do so by the unincorporated association. 5
- (5) The notice must also state –
 - (a) the name and address of the unincorporated association;
 - (b) the full name of the individual appointed as the responsible person;
 - (c) that individual's home address in the United Kingdom, or (if there is no such home address) the individual's home address elsewhere; 10
 - (d) that individual's role or position in relation to the association (in addition to being the responsible person);
 - (e) the full name of the individual signing under sub-paragraph (4)(b) and their role or position in relation to the association. 15
- (6) The notice must contain a declaration, made by the individual signing under sub-paragraph (4)(b), that to the best of their knowledge and belief – 20
 - (a) everything stated in the notice is accurate, and
 - (b) the notice contains everything that it is required by this paragraph to contain.
- (7) Where an unincorporated association would be required by sub-paragraph (2) to appoint an individual to be the responsible person in relation to the association but an appointment of such a person is already in force, the notice under sub-paragraph (3) must inform the Commission that the responsible person is willing to remain as the responsible person in relation to the association (and sub-paragraph (4)(a) is to be read accordingly). 25 30
- (8) An unincorporated association –
 - (a) may appoint a different individual to replace the responsible person appointed under sub-paragraph (2) or any replacement responsible person, and
 - (b) must appoint a replacement responsible person if the responsible person for the time being appointed becomes unable or unwilling to act as the responsible person in relation to the association before the appointment would otherwise have lapsed. 35
- (9) Where an unincorporated association appoints a replacement responsible person, it must, before the end of the period of seven days beginning with the day on which the replacement person is appointed, give a notice to the Commission informing them of the appointment. 40

- (10) Sub-paragraphs (4) to (6) apply to a notice under sub-paragraph (9) as they apply to a notice under sub-paragraph (3).
- (11) An appointment under sub-paragraph (2) or (8) –
 - (a) comes into force on the date on which notice of the appointment is received by the Commission, and 5
 - (b) continues until –
 - (i) the Commission receives a further notice from the unincorporated association informing the Commission of the appointment of a replacement responsible person, or 10
 - (ii) the appointment lapses.
- (12) An appointment of a responsible person lapses at the end of the period of three months beginning with the day on which the unincorporated association makes its final report under paragraph 2(4). 15
- (13) If any of the information given to the Commission about a responsible person changes while their appointment is in force, the unincorporated association must, within the period of 30 days beginning with the date on which the information changed, give a notice to the Commission informing them of the change. 20
- (14) The notice must contain a declaration, made by an individual authorised to do so by the unincorporated association, that to the best of their knowledge and belief everything stated in the notice is accurate.

Prohibition on using gifts from impermissible donors etc to make political contributions 25

- 1B (1) This paragraph applies where the making of a political contribution by an unincorporated association causes the association to be subject to the notification requirement in paragraph 1. 30
- (2) Every gift with a value of more than £500 that the unincorporated association uses (or has used) for the purposes of making a relevant political contribution must be a permissible gift.
- (3) A “relevant political contribution” means a political contribution that is made in the calendar year in which the contribution date falls. 35
- (4) A gift is a “permissible gift” in relation to a relevant political contribution if –
 - (a) it was received in the relevant period, and
 - (b) at the time the gift was received by the unincorporated association, the person by whom the gift was made was a permissible donor. 40

- (5) The “relevant period” is the period beginning with the start of the calendar year preceding the year in which the contribution date falls, and ending with the date on which the relevant political contribution is made.

Meaning of “permissible donor”

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1C (1) A person is a permissible donor for the purposes of this Schedule if they fall within any of paragraphs (a) to (g) of section 54(2).

- (2) For the purposes of this Schedule, a gift received by an unincorporated association which is an exempt trust donation is to be regarded as a gift received from a permissible donor.

10

- (3) But, for the purposes of this Schedule, a gift received by an unincorporated association from a trustee of any property (in the trustee’s capacity as such) which is not—

- (a) an exempt trust donation, or
- (b) a gift transmitted by the trustee to the unincorporated association on behalf of beneficiaries under the trust who are persons who, at the time of its receipt by the unincorporated association, are permissible donors falling within any of paragraphs (a) to (g) of section 54(2),

15

is to be regarded as a gift received by the unincorporated association from a person who is not a permissible donor.

20

- (4) Section 162 (meaning of exempt trust donation) applies for the purposes of this paragraph as if, in subsection (2)(a), for “27th July 1999” there were substituted “7th April 2026”.

6 In paragraph 2 (requirement to report gifts to Electoral Commission)—

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- (a) for “£11,180” (in each place it occurs) substitute “£2,230”;
- (b) omit sub-paragraph (6);
- (c) at the end insert—

“(9) If—

- (a) a requirement imposed by this paragraph is prescribed for the purposes of paragraph 1(1)(b) or 5(1)(b) of Schedule 19C (civil sanctions), and
- (b) the unincorporated association breaches the requirement,

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the responsible person in relation to the unincorporated association is to be treated for the purposes of paragraph 1 or (as the case may be) paragraph 5 of Schedule 19C as having also contravened the requirement.”

35

7 In the italic heading before paragraph 3, at the end insert “: non-political gifts”.

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8 In paragraph 3 (information to be included in reports under paragraph 2: non-political gifts), in sub-paragraph (1)—

- (a) in the words before paragraph (a), after “specified” insert “that is not a political gift”;
 - (b) after paragraph (b) insert –
 - “(ba) the fact that it was not a political gift”;
 - (c) after sub-paragraph (1) insert – 5
 - “(1A) A gift is a “political gift” if it is retained by the unincorporated association for the purposes of making a political contribution.”
- 9 After paragraph 3 insert – 10
- “Information to be included in reports under paragraph 2: political gifts*
- 3A (1) A report under paragraph 2 must give the following information in relation to each gift that is required to be specified that is a political gift –
- (a) the date on which it was received;
 - (b) the form that it took; 15
 - (c) the fact that it was a political gift;
 - (d) the amount or value of it;
 - (e) the information about the person by whom the gift was made which is, in connection with recordable donations to registered parties, required to be recorded in donation reports by virtue of paragraph 2 or 2A of Schedule 6. 20
- (2) A gift is a “political gift” if it is retained by the unincorporated association for the purposes of making a political contribution.
- (3) Where paragraph 2(5) applies, each of the gifts of more than £500 mentioned in that provision is required to be specified separately for the purposes of sub-paragraph (1). 25
- (4) Where a person (“P”) makes a gift indirectly through one or more intermediaries, the reference in sub-paragraph (1)(e) to the person by whom the gift was made is to be read as a reference to P and each of the intermediaries. 30
- (5) In the case of a gift given by an individual who has an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983), if the report states that the unincorporated association has seen evidence of such description as is prescribed by the Secretary of State in regulations that the individual has such an anonymous entry (see paragraph 2(3B) of Schedule 6, as applied by sub-paragraph (1)(e)), the report must be accompanied by a copy of the evidence.” 35
- 10 In the italic heading before paragraph 4, for “authorised individual” substitute “responsible person”. 40
- 11 In paragraph 4 (declaration) –
- (a) the existing text becomes sub-paragraph (1);

- (b) in that sub-paragraph, in the words before paragraph (a) –
 - (i) for “an individual authorised to do so” substitute “the responsible person appointed under paragraph 1A”;
 - (ii) for “individual’s” substitute “person’s”;
- (c) at the end insert – 5
 - “(2) A notification under paragraph 1 must also contain a declaration that, to the best of the responsible person’s knowledge and belief, every gift with a value of more than £500 that was used for the purposes of making –
 - (a) the political contribution that was made on the contribution date, and 10
 - (b) any political contribution made previously in the calendar year in which the contribution date falls, was a permissible gift.
 - (3) A report under paragraph 2 must also contain a declaration that, to the best of the responsible person’s knowledge and belief – 15
 - (a) every gift received by the unincorporated association in the period covered by the report that is required by paragraph 2 to be specified in the report has been so specified; 20
 - (b) every gift with a value of more than £500 –
 - (i) that was received by the unincorporated association in the period covered by the report, and 25
 - (ii) that the unincorporated association has used, or intends to use, for the purposes of making a relevant political contribution, is a permissible gift.”

12 In paragraph 5 (additional matters to be included in notifications and reports) – 30

 - (a) in the words before paragraph (a), after “3” insert “, 3A”;
 - (b) in paragraph (c), for “individual making the declaration under paragraph 4” substitute “responsible person”;
 - (c) omit paragraphs (d) and (e). 35

13 In paragraph 6 (offences) –

 - (a) before sub-paragraph (3) insert –
 - “(2A) An unincorporated association and the responsible person for the unincorporated association each commits an offence if – 40
 - (a) the unincorporated association uses a gift for the purposes of making a relevant political contribution which –

- (i) has a value of more than £500, and
 - (ii) is not a permissible gift; and
 - (b) the responsible person for the unincorporated association knew or ought reasonably to have known of the matters mentioned in paragraph (a). 5
 - (2B) It is a defence for a responsible person charged with an offence under sub-paragraph (2A) to prove that they took all reasonable steps to prevent the unincorporated association from making the political contribution using a gift that was not a permissible gift.”; 10
 - (b) in sub-paragraph (3), after “paragraph” insert “1A(6) or (13) or”;
 - (c) after sub-paragraph (3) insert –
 - “(3A) A person commits an offence if –
 - (a) they knowingly give an unincorporated association any information relating to – 15
 - (i) the amount of any gift to the association, or
 - (ii) the person or body making such a gift, which is false in a material particular, or
 - (b) with intent to deceive, they withhold from an unincorporated association any material information relating to a matter within paragraph (a)(i) or (ii), 20
 - in circumstances where they believe that the unincorporated association may use the gift for the purposes of making a political contribution.” 25
- 14 In paragraph 7 (register of recordable gifts to unincorporated associations) –
- (a) in sub-paragraph (2)(a), at the end insert –
 - “(iv) the name of the responsible person appointed by the unincorporated association under paragraph 1A;” 30
 - (b) in sub-paragraph (2)(b)(iii), at the end insert “or 3A”.
- 15 For the italic heading before paragraph 9 substitute “Interpretation”.
- 16 In paragraph 9 (interpretation), at the end insert –
- “(5) In this Schedule – 35
 - “contribution date” has the meaning given in paragraph 2;
 - “permissible gift” has the meaning given in paragraph 1B;
 - “relevant political contribution” has the meaning given in paragraph 1B.”

17 For section 140A of PPERA 2000 and the italic heading before it, substitute –

“Unincorporated associations making political contributions

140A Unincorporated associations making political contributions

Schedule 19A, which makes provision about unincorporated associations making political contributions, has effect.”

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18 In section 145 of PPERA 2000 (duties of Electoral Commission with respect to compliance with controls imposed by the Act etc), in subsection (1)(a), after sub-paragraph (iii) (but before the “and”) insert –

“(iv) Schedule 19A;”

19 In Schedule 19B to PPERA 2000 (investigatory powers of Electoral Commission) –

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(a) in paragraph 1 (power to require disclosure), in sub-paragraph (1), after paragraph (e) insert –

“(ea) an unincorporated association;”

(b) in paragraph 2 (inspection warrants), in sub-paragraph (1), at the end insert –

15

“(e) an unincorporated association.”

20 In Schedule 20 to PPERA 2000 (penalties), at the appropriate place insert –

“Paragraph 6(2A) of Schedule 19A (using impermissible gift to make political contribution)

On summary conviction in England and Wales: fine or the general limit in a magistrates’ court

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On summary conviction in Scotland: statutory maximum or 12 months
On summary conviction in Northern Ireland: statutory maximum or 6 months

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On indictment: fine or 1 year

Paragraph 6(3A)(a) of Schedule 19A (knowingly giving unincorporated association false information about gifts)

On summary conviction in England and Wales: fine or the general limit in a magistrates’ court

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On summary conviction in Scotland: statutory maximum or 12 months
On summary conviction in Northern Ireland: statutory maximum or 6 months

35

On indictment: fine or 1 year

Paragraph 6(3A)(b) of Schedule 19A (withholding from unincorporated association information about gifts with intent to deceive)

On summary conviction in England and Wales: fine or the general limit in a magistrates’ court

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On summary conviction in Scotland: statutory maximum or 12 months

On summary conviction in Northern
Ireland: statutory maximum or 6
months
On indictment: fine or 1 year”.

- | | | |
|----|---|----|
| 21 | In section 62 of the Electoral Administration Act 2006 (regulation of loans: power to make provision for candidates, third parties, referendums and recall petitions) – | 5 |
| | (a) in subsection (2), at the end insert – | |
| | “(e) an unincorporated association that is subject to the notification requirement in paragraph 1 of Schedule 19A to the 2000 Act.”; | 10 |
| | (b) in the heading, for the words from “provision” to the end, substitute “additional provision”. | |

SCHEDULE 10

Section 66

DECriminalISATION OF CERTAIN ADMINISTRATIVE REQUIREMENTS 15

PART 1

ABOLITION OF OFFENCES

Introduction

- 1 PPERA 2000 is amended as follows.

Registered parties 20

- | | | |
|---|---|----|
| 2 | Omit section 47 (criminal penalty for failure to submit proper statement of accounts). | |
| 3 | In section 65 (submission of donation reports) omit subsections (3) and (4). | |
| 4 | In section 71S (submission of transaction reports) omit subsections (4) and (5). | 25 |
| 5 | In section 82 (delivery of campaign expenditure returns) omit subsection (4). | |
| 6 | In section 83 (treasurers’ declarations about campaign expenditure returns) in subsection (3) omit paragraph (b). | |
| 7 | In Schedule 7 (control of donations to party members and members associations) – | 30 |
| | (a) omit paragraph 1B and the italic heading before it (offence of failing to appoint responsible person); | |
| | (b) in paragraph 12 (failure to comply with requirements about donation reports) omit sub-paragraphs (1) and (2). | 35 |

- 8 In paragraph 12 of Schedule 7A (failure to comply with reporting requirements in relation to certain transactions involving party members and members associations) omit sub-paragraphs (1) and (2).

Recognised third parties

- 9 In section 95C (offences in relation to donation reports by recognised third parties) omit subsection (1). 5
- 10 In section 98 (delivery of controlled expenditure returns) omit subsection (4).
- 11 In section 99 (responsible persons' declarations about controlled expenditure returns), in subsection (4) omit paragraph (b). 10
- 12 In section 99A (responsible persons' declarations about statements of accounts), in subsection (3) omit paragraph (b).

Referendum participants

- 13 In section 122 (delivery of permitted participants' referendum expenses returns) omit subsection (4). 15
- 14 In section 123 (responsible persons' declarations about referendum expenses returns), in subsection (4) omit paragraph (b).

Unincorporated associations making political contributions

- 15 In paragraph 6 of Schedule 19A (offences relating to the notification and reporting of contributions and gifts) omit sub-paragraphs (1), (2) and (4). 20

PART 2

CONSEQUENTIAL AMENDMENTS

PPERA 2000

- 16 (1) PERA 2000 is amended as follows.
- (2) In section 48 (revision of accounts), in subsection (9) omit paragraph (b) (power to modify section 47(1)). 25
- (3) In section 65(6) (forfeiture of party donation not properly reported)—
- (a) for “such requirements” substitute “relevant requirement”;
- (b) at the end insert—
- ““Relevant requirement” means a requirement of this Part as regards the recording of donations in a donation report.” 30
- (4) In Schedule 7 (control of donations to party members and members associations)—
- (a) for the italic heading before paragraph 12 substitute “Forfeiture of donation not properly reported”; 35

- (b) in paragraph 12(4), for “such requirements” substitute “requirement of paragraph 10 or 11”;
 - (c) in paragraph 17 –
 - (i) in sub-paragraph (2)(b) omit “, and paragraph 12(1) and (2),”;
 - (ii) omit sub-paragraph (3). 5
- (5) In Schedule 7A (control of loans and other transactions involving party members or members associations) –
 - (a) for the italic heading before paragraph 12 substitute “Reversal of transaction not properly reported”;
 - (b) in paragraph 12(4), for “such requirements” substitute “requirement of paragraph 9, 10 or 11”; 10
 - (c) in paragraph 17(4) omit “or 12(1) or (2)”;
 - (d) in paragraph 18 –
 - (i) in sub-paragraph (2) omit paragraph (b);
 - (ii) omit sub-paragraph (3). 15
- (6) In the table in Schedule 20 (penalties for offences) omit the rows that begin as follows –
 - “Section 47(1)(a)”;
 - “Section 47(1)(b)”;
 - “Section 65(3)”;
 - “Section 65(4)”;
 - “Section 71S(4)”;
 - “Section 71S(5)”;
 - “Section 82(4)(a)”;
 - “Section 82(4)(b)”;
 - “Section 82(4)(c)”;
 - “Section 83(3)(b)”;
 - “Section 95C(1)(a)”;
 - “Section 95C(1)(b)”;
 - “Section 95C(1)(c)”;
 - “Section 98(4)(a)”;
 - “Section 98(4)(aa)”;
 - “Section 98(4)(b)”;
 - “Section 98(4)(ba)”;
 - “Section 98(4)(c)”;
 - “Section 99(4)(b)”;
 - “Section 99A(3)(b)”;
 - “Section 122(4)(a)”;
 - “Section 122(4)(b)”;
 - “Section 122(4)(c)”;
 - “Section 123(4)(b)”;
 - “Paragraph 1B of Schedule 7”;20
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- “Paragraph 12(1) of Schedule 7”;
 - “Paragraph 12(2) of Schedule 7”;
 - “Paragraph 12(1) of Schedule 7A”;
 - “Paragraph 12(2) of Schedule 7A”;
 - “Paragraph 6(1) of Schedule 19A”;
 - “Paragraph 6(2) of Schedule 19A”.
- 5

Political Parties and Elections Act 2009

- 17 In section 13 of the Political Parties and Elections Act 2009 (addition of “reasonable excuse” defence to certain offences under PPERA 2000) omit –
- (a) subsection (2)(a) and (b);
 - (b) subsection (3)(a);
 - (c) subsection (4)(a);
 - (d) subsection (5)(a) and (b);
 - (e) subsection (6)(a) and (b).
- 10

SCHEDULE 11

Section 67 15

EXTENSION OF ELECTORAL COMMISSION’S ENFORCEMENT FUNCTIONS

PART 1

AMENDMENTS OF PPERA 2000

Introduction

- 1 PPERA 2000 is amended as follows. 20

General provisions

- 2 For the italic heading before section 145 substitute “Enforcement functions of the Commission”.
- 3 (1) Section 145 (general duties with respect to compliance) is amended as follows. 25
- (2) In subsection (1) –
- (a) omit the “and” after paragraph (a);
 - (b) after paragraph (b) insert “, and
 - (c) any other restriction or requirement failure to comply with which amounts or may amount to an offence that is prescribed for the purposes of paragraph 1, 5, 10 or 15 of Schedule 19C (offences in respect of which civil sanction may be imposed).” 30
- (3) Omit subsection (7).

- 4 In section 147(1) (which introduces Schedule 19C), in paragraph (a), at the end insert “and offences under certain provisions of the Representation of the People Act 1983, the Electoral Law Act (Northern Ireland) 1962, the Recall of MPs Act 2015 and the Elections Act 2022”.

Offences relating to the supply of information

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- 5 (1) Section 148 (general offences) is amended as follows.
- (2) In subsection (1) –
- (a) in the words before paragraph (a), after “if” insert “, with the requisite intention,”;
- (b) omit the words after “19B”. 10
- (3) After subsection (1) insert –
- “(1A) The requisite intention is that of –
- (a) falsifying the book, record or other document in question, or
- (b) enabling any person to evade a relevant enactment.” 15
- (4) In subsection (2), in the words before paragraph (a), for “any of the provisions of this Act” substitute “a relevant enactment”.
- (5) In subsection (3), in the words after paragraph (b), for “any of the provisions of this Act” substitute “a relevant enactment”.
- (6) Omit subsection (5). 20
- (7) In subsection (6) –
- (a) before paragraph (a) insert –
- “(za) “relevant enactment” means –
- (i) an enactment that confers functions on the Commission, or
- (ii) an enactment in relation to which the Commission has an enforcement function; 25
- (zb) “enforcement function”, in relation to an enactment, means a function of, or conferred for the purpose of –
- (i) monitoring or securing compliance with the enactment, or
- (ii) investigating, or taking measures in response to, failures to comply with the enactment;”;
- (b) in paragraph (a), for the words after “is” substitute “– 30
- (i) a regulated donee,
- (ii) a regulated participant,
- (iii) a recognised third party,
- (iv) a permitted participant,
- (v) a candidate at an election, 40

- (vi) the election agent for such a candidate,
 - (vii) subject to third-party election campaigning requirements, or
 - (viii) an accredited recall campaigner;”;
 - (c) in paragraph (b) – 5
 - (i) omit the “or” after sub-paragraph (iii);
 - (ii) after sub-paragraph (iv) insert –
 - “(v) a person, other than an individual, who is subject to third-party election campaigning requirements, or 10
 - (vi) an accredited recall campaigner other than an individual;”;
 - (d) in paragraph (c), after sub-paragraph (v) insert –
 - “(vi) in relation to a person who is subject to third-party election campaigning requirements, 15
means the treasurer or similar officer of the person or, if there is no such officer, an individual authorised by the person for the purposes of subsections (2) and (3),
 - (vii) in relation to an accredited recall campaigner, 20
the person who is the responsible person in relation to the campaigner for the purposes of Schedule 3 to the Recall of MPs Act 2015 (see paragraph 21 of that Schedule);”.
- (8) After subsection (6) insert – 25
 - “(7) For the purposes of this section, a person is “subject to third-party election campaigning requirements” if the person –
 - (a) is required to deliver a return under section 75(2) of the Representation of the People Act 1983 or section 41(5) of the Electoral Law Act (Northern Ireland) 1962, or 30
 - (b) has been given a disclosure notice under paragraph 1 of Schedule 19B in reliance on sub-paragraph (1)(i) or (j) of that paragraph.”

Interpretation of enforcement provisions

- 6 After section 148 insert – 35

“148A Interpretation of enforcement provisions

- In sections 145 to 148 and Schedules 19B and 19C –
 - “accredited recall campaigner” means a person who is an accredited campaigner for the purposes of Schedule 3 to the Recall of MPs Act 2015 (see paragraph 17 of that Schedule); 40
 - “candidate” is to be read –

- (a) in relation to an election to which Part 2 of the Representation of the People Act 1983 applies, in accordance with section 118A of that Act, and
 - (b) in relation to an election to which Part 6, 9 or 10 of the Electoral Law Act (Northern Ireland) 1962 applies, in accordance with section 130(3) and (3A) of that Act; 5
- “election” means a relevant election for the purposes of Part 2;
- “election agent” includes a sub-agent.” 10

Procedure for orders prescribing offences

- 7 In section 156(4A) (orders subject to affirmative procedure), for the words from “1(1)” to “or paragraph” substitute “1, 5, 10 or”.

Investigatory powers

- 8 (1) Schedule 19B (Commission’s investigatory powers) is amended as follows. 15
- (2) In paragraph 1(1) (persons subject to power to require financial disclosure) –
- (a) in paragraph (f) omit “(other than a local government election in Scotland)”;
 - (b) after paragraph (h) insert –
- “(i) a person who the Commission believes or reasonably suspects has incurred expenditure that – 20
 - (i) contravenes subsection (1) of section 75 of the Representation of the People Act 1983 (unauthorised third-party expenditure),
 - (ii) would do so but for the authorisation of an election agent as mentioned in that section, 25
 - or
 - (iii) would do so but for subsection (1ZZB) of that section;
 - (j) a person who the Commission believes or reasonably suspects has incurred expenditure that – 30
 - (i) contravenes subsection (1) of section 41 of the Electoral Law Act (Northern Ireland) 1962 (unauthorised third-party expenditure),
 - (ii) would do so but for the authorisation of an election agent as mentioned in that section, 35
 - or
 - (iii) would do so but for subsection (2)(ii) of that section;
 - (k) an accredited recall campaigner.” 40

- (3) In paragraph 3(1)(a) (offences engaging power to require documents or other information), for “an offence under this Act” substitute “—
 - (i) an offence under this Act, or
 - (ii) any other offence that is prescribed for the purposes of paragraph 1, 5, 10 or 15 of Schedule 19C (offences in respect of which civil sanction may be imposed),”.
- (4) In paragraph 4(2) (powers of court where document not obtained under paragraph 3), in paragraph (a), for “under this Act” substitute “within paragraph 3(1)(a)”.
- (5) In paragraph 5(2) (powers of court where information or explanation not obtained under paragraph 3), in paragraph (a), for “under this Act” substitute “within paragraph 3(1)(a)”.

Civil sanctions

- 9 (1) Schedule 19C (imposition by Commission of civil sanctions) is amended as follows.
- (2) In paragraph 1 (fixed monetary penalties)—
 - (a) after sub-paragraph (2) insert—
 - “(2A) The Commission may by notice impose a fixed monetary penalty on an accounting unit of a registered party if satisfied beyond reasonable doubt that the registered treasurer of the unit—
 - (a) has committed a prescribed offence, or
 - (b) has (otherwise than by committing an offence under this Act) contravened a prescribed restriction or requirement imposed by or by virtue of this Act.”;
 - (b) after sub-paragraph (4) insert—
 - “(4A) The Commission may by notice impose a fixed monetary penalty on the responsible person if satisfied beyond reasonable doubt that a members association has contravened a prescribed restriction or requirement imposed by or by virtue of Schedule 7 or 7A (otherwise than by committing an offence under or by virtue of that Schedule).
 - (4B) The Commission may by notice impose a fixed monetary penalty on a relevant electoral candidate if satisfied beyond reasonable doubt that the candidate’s election agent has committed a prescribed offence.
 - (4C) The Commission may by notice impose a fixed monetary penalty on an accredited recall campaigner if satisfied beyond reasonable doubt that the responsible person has committed a prescribed offence.”;

- (c) at the end insert –
 - “(7) A person’s ceasing to fall within a category referred to above does not affect any liability already incurred (by that person or any other) to the imposition of a penalty under this paragraph.” 5
- (3) In paragraph 4 (effect of fixed monetary penalty on criminal proceedings) –
 - (a) in sub-paragraphs (1)(a) and (b) and (2), for “this” substitute “the applicable”;
 - (b) after sub-paragraph (2) insert –
 - “(3) In this paragraph, “the applicable Act” means the Act that contains the offence, restriction or requirement in respect of which the penalty is imposed or proposed to be imposed.” 10
- (4) In paragraph 5 (discretionary requirements) –
 - (a) after sub-paragraph (2) insert – 15
 - “(2A) The Commission may by notice impose one or more discretionary requirements on an accounting unit of a registered party if satisfied beyond reasonable doubt that the registered treasurer of the unit –
 - (a) has committed a prescribed offence, or 20
 - (b) has (otherwise than by committing an offence under this Act) contravened a prescribed restriction or requirement imposed by or by virtue of this Act.”;
 - (b) after sub-paragraph (4) insert – 25
 - “(4A) The Commission may by notice impose one or more discretionary requirements on the responsible person if satisfied beyond reasonable doubt that a members association has contravened a prescribed restriction or requirement imposed by or by virtue of Schedule 7 or 7A (otherwise than by committing an offence under or by virtue of that Schedule). 30
 - (4B) The Commission may impose one or more discretionary requirements on a relevant electoral candidate if satisfied beyond reasonable doubt that the candidate’s election agent has committed a prescribed offence. 35
 - (4C) The Commission may impose one or more discretionary requirements on an accredited recall campaigner if satisfied beyond reasonable doubt that the responsible person has committed a prescribed offence.”; 40
- (c) at the end insert –
 - “(9) A person’s ceasing to fall within a category referred to above does not affect any liability already incurred (by

- that person or any other) to the imposition of a requirement under this paragraph.”
- (5) In paragraph 8 (effect of discretionary requirement on criminal proceedings) –
- (a) in sub-paragraph (1), for “this” substitute “the applicable”; 5
 - (b) after sub-paragraph (2) insert –
 - “(3) In this paragraph, “the applicable Act” means the Act that contains the offence, restriction or requirement in respect of which the discretionary requirement is imposed.”
- (6) In paragraph 10 (stop notices) – 10
- (a) in sub-paragraph (2)(c), for the words from “controls” to “others” substitute “relevant system of controls”;
 - (b) in sub-paragraph (3)(c), for “controls mentioned in sub-paragraph (2)(c)” substitute “relevant system of controls”;
 - (c) after sub-paragraph (4) insert – 15
 - “(5) In this paragraph, “the relevant system of controls” means the system of controls of which the offence, restriction or requirement in question forms part.”
- (7) In paragraph 15 (enforcement undertakings) –
- (a) in sub-paragraph (2)(a), for “this” substitute “the applicable”; 20
 - (b) after sub-paragraph (2) insert –
 - “(3) In this paragraph, “the applicable Act” means the Act that contains the offence, restriction or requirement that engaged sub-paragraph (1)(a).”
- (8) In paragraph 20 (extension of time for taking criminal proceedings) – 25
- (a) the existing text becomes sub-paragraph (1);
 - (b) in that sub-paragraph, for the words from “under” to the end of paragraph (b) substitute “to which this paragraph applies”;
 - (c) after that sub-paragraph insert –
 - “(2) This paragraph applies to an offence of which a person is liable to be convicted by virtue of – 30
 - (a) paragraph 8(2) (failure to comply with non-monetary discretionary requirement), or
 - (b) the words before paragraph (a) in paragraph 15(2) (failure to comply with undertaking).” 35
- (9) In paragraph 23 (use of statements made compulsorily), after sub-paragraph (2) insert –
- “(3) If the offence under section 48(1) of the Elections Act 2022 (breaching requirements as to publication of electronic material) is prescribed for the purposes of paragraph 1, 5 or 10, sub-paragraph (1) applies to a requirement imposed under 40

Schedule 12 to that Act as it applies to a requirement imposed under Schedule 19B.”

- (10) In paragraph 25(1) (guidance as to enforcement action), in paragraph (a)(ii), for “contravenes a restriction or requirement” substitute “commits any other offence, or contravenes a restriction or requirement,”. 5
- (11) In paragraph 29 (interpretation) –
- (a) at the appropriate place insert –
- ““relevant electoral candidate” means a candidate at an election to which Part 2 of the Representation of the People Act 1983 or Part 6 of the Electoral Law Act (Northern Ireland) 1962 applies;”;
- (b) in the definition of “responsible person”, after paragraph (b) insert –
- “(c) in relation to a members association, means the responsible person for the purposes of Schedule 7 and 7A (see paragraphs 1(9) and 1A of the former and paragraph 1(7A) to (7C) of the latter); 15
- (d) in relation to an accredited recall campaigner, means the responsible person for the purposes of Schedule 3 to the Recall of MPs Act 2015 (see paragraph 21 of that Schedule);”.
- 20
- 10 In Schedule 7 (control of donations to party members and members associations), in paragraph 17 (functions and liabilities of compliance officers), after sub-paragraph (2) insert –
- “(2A) If – 25
- (a) a notice under this paragraph is in force,
- (b) a restriction or requirement imposed by or by virtue of this Schedule is prescribed for the purposes of paragraph 1(1)(b) or 5(1)(b) of Schedule 19C, and
- (c) the office-holder contravenes the restriction or requirement, 30
- the compliance officer is to be treated for the purposes of paragraph 1 or (as the case may be) 5 of Schedule 19C as having also contravened the restriction or requirement.”
- 11 In Schedule 7A (control of loans and other transactions involving party members or members associations), in paragraph 18 (compliance officers), after sub-paragraph (2) insert – 35
- “(2A) If –
- (a) a notice under paragraph 17 of Schedule 7 is in force,
- (b) either –
- (i) an offence under paragraph 8 of this Schedule, or 40
- (ii) a restriction or requirement imposed by or by virtue of this Schedule,

is prescribed for the purposes of paragraph 1(1)(b) or 5(1)(b) of Schedule 19C, and
(c) the office-holder commits the offence or contravenes the restriction or requirement,
the compliance officer is to be treated for the purposes of paragraph 1 or (as the case may be) 5 of Schedule 19C as having also committed the offence or contravened the restriction or requirement.”

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PART 2

MINOR AND CONSEQUENTIAL AMENDMENTS OF OTHER LEGISLATION

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Electoral Law Act (Northern Ireland) 1962

- 12 (1) The Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)) is amended as follows.
- (2) In section 49(7) (liabilities avoided where court allows excuse for non-compliance), after “this Act” insert “or the Political Parties, Elections and Referendums Act 2000”.
- (3) In section 120 (Director of Public Prosecutions) –
- (a) omit subsection (1) (duty to inquire and prosecute);
 - (b) in subsection (3) omit “other than his general duties under sub-section (1)”.

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RPA 1983

- 13 (1) RPA 1983 is amended as follows.
- (2) In section 86(7) (liabilities avoided where court allows excuse for non-compliance), after “this Act” insert “or the Political Parties, Elections and Referendums Act 2000”.
- (3) In section 181 (Director of Public Prosecutions) –
- (a) omit subsection (1) (duty to inquire and prosecute);
 - (b) in subsection (2), after “Director” insert “of Public Prosecutions”;
 - (c) in subsection (5) omit the words from “(other” to “above)”.

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Elections Act 2022

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- 14 In the Elections Act 2022 –
- (a) omit section 50 (enforcement by Electoral Commission of Part 6 of that Act);
 - (b) in section 53 (supply of information) omit subsection (2).

Representation of the People Bill

[REINTRODUCED AT REPORT STAGE]

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B I L L

TO

Make provision extending the right to vote to 16 and 17 year olds; to make provision about the registration of voters; to make provision about the administration and conduct of elections, referendums and recall petitions; to make provision about election agents' addresses; to make provision about political expenditure and political donations; to make provision about information to be included in electronic campaigning material; to make provision about offences and civil sanctions in connection with elections, referendums and recall petitions and with donations and expenditure for political purposes; to repeal provision about the designation of a strategy and policy statement for the Electoral Commission; to make provision about the disclosure of information by the Electoral Commission; to make provision about the disqualification of offenders for holding elective offices, and their sentencing, where offences are aggravated by hostility towards persons involved in elections, referendums or recall petitions or holders of such offices; and for connected purposes.

*Presented by Secretary Steve Reed
supported by the Prime Minister, Darren Jones,
Secretary Liz Kendall, Secretary Lisa Nandy,
Dan Jarvis, Samantha Dixon and Chris Ward.*

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