Draft Order laid before Parliament under section 35(10) of the Political Parties and Elections Act 2009, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2011 No. 0000

REPRESENTATION OF THE PEOPLE

The Electoral Registration Data Schemes Order 2011

Made - - - - ***

Coming into force in accordance with article 1

The Lord President of the Council makes the following Order in exercise of the powers conferred by sections 35 and 36 of the Political Parties and Elections Act 2009(a).

In accordance with section 36(1) of that Act, the schemes set out in this Order give effect to proposals which have been submitted to the Lord President of the Council by the registration officers to whom the schemes relate, and this Order gives effect to such schemes with modifications suggested by him and agreed to by the relevant registration officers.

In accordance with section 36(2) of that Act, before making this Order the Lord President of the Council consulted the Electoral Commission, the Information Commissioner and the persons authorised by the Order to provide information.

In accordance with section 35(10) of that Act, a draft of this Order has been laid before and approved by each House of Parliament.

Citation, commencement and interpretation

1. This Order may be cited as the Electoral Registration Data Schemes Order 2011 and comes into force on the day after the day on which it is made.

2. In this Order—

"the Act" means the Political Parties and Elections Act 2009;

"area" means—

(a) in England, a district or London borough;

(b) in Wales, a county or county borough;

(c) in Scotland, a local government area;

"the table" means the table set out in the Schedule.

(**a**) 2009 c. 12. Article 3 of the Lord President of the Council Order 2010 (S.I. 2010/1837) provides that the powers conferred on the Secretary of State under the 2009 Act (with exceptions which are not relevant here) are exercisable concurrently by the Secretary of State and the Lord President of the Council.

Schemes

3. Subject to article 4, at any time before 1st December 2011 a person mentioned in the second column of the table ("the authority") may provide to the registration officer for the area mentioned in the corresponding entry in the first column information described in the corresponding entry in the third column ("data") which relates to addresses in that area, for the purpose mentioned in section 35(2) of the Act.

Agreements as to processing of data

4.—(1) The authority may provide data to the registration officer under article 3 only if the authority and the registration officer have agreed in writing, in relation to the scheme, requirements as to the processing of data, including requirements as to the transfer, storage, destruction and security of data.

(2) An agreement under paragraph (1) must make provision for the consequences of a failure to comply with such requirements, and those consequences may include the suspension or termination of the provision of data by the authority.

(3) An agreement under paragraph (1) must be consistent with the provisions of Part 4 of the Act and this Order.

Evaluation date

5. For the purpose of section 36(3) of the Act, the evaluation date for each scheme is 1st March 2012.

Signed by authority of the Lord President of the Council

Name
Minister for Political and Constitutional Reform
Cabinet Office

Date

SCHEDULE

Article 2

Specification of areas, authorities and data

Area	*Authority*	*Data*
Borough of Blackpool	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development(**a**)	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security

(**a**) The Department for Social Development was established by article 3(1)(e) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283(N.I. 1)).

	Her Majesty's Revenue and Customs(**a**)	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Royal Mail Group Limited	Name and address of individuals appearing in data relating to Royal Mail's mail redirection service and contained in the National Change of Address Update, National Change of Address Suppress and Home Mover Mailing Service databases
	Secretary of State for Education	Name, address and date of birth of individuals appearing in the National Pupil Database who are pupils at schools maintained by local authorities, city technology colleges, city colleges for the technology of the arts or Academies (as defined in section 579(1) of the Education Act 1996(**b**)), and who are at least 16 years old but less than 19 years old
	Higher Education Funding Council for England	Name, postcode and date of birth of individuals appearing in the database known as the HESA individualised student record
	Secretary of State for Business, Innovation and Skills	Name, postcode and date of birth of individuals appearing in the database known as the Individual Learner Record
	Secretary of State for Transport	Name, address and date of birth of individuals in relation to whom the Secretary of State maintains driving records (as defined in section 97A of the Road Traffic Offenders Act 1988(**c**)
London Borough of Camden	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit

(**a**) "Her Majesty's Revenue and Customs" is defined at section 4 of the Commissioners for Revenue and Customs Act 2005 (c. 11).
(**b**) 1996 c. 56. The definition of "Academy" was inserted by paragraph 6 of Schedule 2 to the Academies Act 2010 (c. 32).
(**c**) 1988 c. 53. Section 97A was inserted by section 8 of the Road Safety Act 2006 (c. 49).

	Secretary of State for Education	Name, address and date of birth of individuals appearing in the National Pupil Database who are pupils at schools maintained by local authorities, city technology colleges, city colleges for the technology of the arts or Academies (as defined in section 579(1) of the Education Act 1996), and who are at least 16 years old but less than 19 years old
	Secretary of State for Business, Innovation and Skills	Name, postcode and date of birth of individuals appearing in the database known as the Individual Learner Record
	Higher Education Funding Council for England	Name, postcode and date of birth of individuals appearing in the database known as the HESA individualised student record
	Student Loans Company Limited	Name, address and date of birth of individuals appearing in databases in the student finance customer account system (higher education)
City and County of Cardiff	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Secretary of State for Transport	Name, address and date of birth of individuals in relation to whom the Secretary of State maintains driving records (as defined in section 97A of the Road Traffic Offenders Act 1988)
Borough of Colchester	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit

	Secretary of State for Defence	Name, address and date of birth of individuals appearing in databases kept by Joint Personnel Administration, and addresses of service family accommodation managed on behalf of the Secretary of State for Defence which appear on the database known as the ANITE housing system
	Royal Mail Group Limited	Name and address of individuals appearing in data relating to Royal Mail's mail redirection service and contained in the National Change of Address Update, National Change of Address Suppress and Home Mover Mailing Service databases
	Student Loans Company Limited	Name, address and date of birth of individuals appearing in databases in the student finance customer account system (higher education)
City of Edinburgh, East Lothian, Midlothian and West Lothian	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
District of Forest Heath	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
District of Forest of Dean	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs

	Customs	relating to working tax credit, child tax credit and child benefit
	Secretary of State for Education	Name, address and date of birth of individuals appearing in the National Pupil Database who are pupils at schools maintained by local authorities, city technology colleges, city colleges for the technology of the arts or Academies (as defined in section 579(1) of the Education Act 1996), and who are at least 16 years old but less than 19 years old
	Secretary of State for Business, Innovation and Skills	Name, postcode and date of birth of individuals appearing in the database known as the Individual Learner Record
	Higher Education Funding Council for England	Name, postcode and date of birth of individuals appearing in the database known as the HESA individualised student record
	Secretary of State for Transport	Name, address and date of birth of individuals in relation to whom the Secretary of State maintains driving records (as defined in section 97A of the Road Traffic Offenders Act 1988)
City of Glasgow	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Secretary of State for Transport	Name, address and date of birth of individuals in relation to whom the Secretary of State maintains driving records (as defined in section 97A of the Road Traffic Offenders Act 1988)
	Student Loans Company Limited	Name, address and date of birth of individuals appearing in databases in the student finance customer account system (higher education)
London Borough of Greenwich	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security

	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Secretary of State for Education	Name, address and date of birth of individuals appearing in the National Pupil Database who are pupils at schools maintained by local authorities, city technology colleges, city colleges for the technology of the arts or Academies (as defined in section 579(1) of the Education Act 1996), and who are at least 16 years old but less than 19 years old
	Secretary of State for Business, Innovation and Skills	Name, postcode and date of birth of individuals appearing in the database known as the Individual Learner Record
	Higher Education Funding Council for England	Name, postcode and date of birth of individuals appearing in the database known as the HESA individualised student record
	Secretary of State for Transport	Name, address and date of birth of individuals in relation to whom the Secretary of State maintains driving records (as defined in section 97A of the Road Traffic Offenders Act 1988)
	Secretary of State for Defence	Name, address and date of birth of individuals appearing in databases kept by Joint Personnel Administration, and addresses of service family accommodation managed on behalf of the Secretary of State for Defence which appear on the database known as the ANITE housing system
City of Manchester	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Secretary of State for Transport	Name, address and date of birth of individuals in relation to whom the Secretary of State maintains driving records (as defined in section 97A of the Road Traffic Offenders Act

		1988)
	Student Loans Company Limited	Name, address and date of birth of individuals appearing in databases in the student finance customer account system (higher education)
London Borough of Newham	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
City of Peter-borough	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
Renfrew-shire, East Renfrew-shire and Inverclyde	Improvement Service Company(**a**)	Name, address and date of birth of individuals appearing in databases relating to the citizen's account
Borough of Rushmoor	Secretary of State for Defence	Name, address and date of birth of individuals appearing in databases kept by Joint Personnel Administration, and addresses of service family accommodation managed on behalf of the Secretary of State for Defence which appear on the database known as the ANITE housing system
County of Shropshire	Secretary of State for Defence	Name, address and date of birth of individuals appearing in databases kept by Joint Personnel Administration, and addresses of service family accommodation managed on behalf of the Secretary of State for Defence which appear on the database known as the ANITE housing system

(**a**) Improvement Service Company is a company limited by guarantee, registered number SC287978.

London Borough of Southwark	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Royal Mail Group Limited	Name and address of individuals appearing in data relating to Royal Mail's mail redirection service and contained in the National Change of Address Update, National Change of Address Suppress and Home Mover Mailing Service databases
District of Stratford-on-Avon	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Secretary of State for Defence	Name, address and date of birth of individuals appearing in databases kept by Joint Personnel Administration, and addresses of service family accommodation managed on behalf of the Secretary of State for Defence which appear on the database known as the ANITE housing system
City of Sunderland	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Secretary of State for	Name, address and date of birth of individuals appearing in the National Pupil Database who are pupils at schools

	Education	maintained by local authorities, city technology colleges, city colleges for the technology of the arts or Academies (as defined in section 579(1) of the Education Act 1996), and who are at least 16 years old but less than 19 years old
	Secretary of State for Business, Innovation and Skills	Name, postcode and date of birth of individuals appearing in the database known as the Individual Learner Record
	Higher Education Funding Council for England	Name, postcode and date of birth of individuals appearing in the database known as the HESA individualised student record
	Student Loans Company Limited	Name, address and date of birth of individuals appearing in databases in the student finance customer account system (higher education)
District of Teignbridge	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Secretary of State for Transport	Name, address and date of birth of individuals in relation to whom the Secretary of State maintains driving records (as defined in section 97A of the Road Traffic Offenders Act 1988)
London Borough of Tower Hamlets	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Secretary of	Name, address and date of birth of individuals appearing in

	State for Education	the National Pupil Database who are pupils at schools maintained by local authorities, city technology colleges, city colleges for the technology of the arts or Academies (as defined in section 579(1) of the Education Act 1996), and who are at least 16 years old but less than 19 years old
	Secretary of State for Business, Innovation and Skills	Name, postcode and date of birth of individuals appearing in the database known as the Individual Learner Record
	Higher Education Funding Council for England	Name, postcode and date of birth of individuals appearing in the database known as the HESA individualised student record
Borough of Wigan	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit
	Secretary of State for Transport	Name, address and date of birth of individuals in relation to whom the Secretary of State maintains driving records (as defined in section 97A of the Road Traffic Offenders Act 1988)
County of Wiltshire	Secretary of State for Defence	Name, address and date of birth of individuals appearing in databases kept by Joint Personnel Administration, and addresses of service family accommodation managed on behalf of the Secretary of State for Defence which appear on the database known as the ANITE housing system
City of Wolver-hampton	Secretary of State for Work and Pensions	Name, address and date of birth of individuals appearing in databases kept by the Secretary of State for Work and Pensions for the purpose of functions relating to social security
	Department for Social Development	Name, address and date of birth of individuals appearing in databases kept by the Department for Social Development for the purpose of functions relating to social security
	Her Majesty's Revenue and Customs	Name, address and date of birth of individuals appearing in databases kept by Her Majesty's Revenue and Customs relating to working tax credit, child tax credit and child benefit

Secretary of State for Education	Name, address and date of birth of individuals appearing in the National Pupil Database who are pupils at schools maintained by local authorities, city technology colleges, city colleges for the technology of the arts or Academies (as defined in section 579(1) of the Education Act 1996), and who are at least 16 years old but less than 19 years old
Secretary of State for Business, Innovation and Skills	Name, postcode and date of birth of individuals appearing in the database known as the Individual Learner Record
Higher Education Funding Council for England	Name, postcode and date of birth of individuals appearing in the database known as the HESA individualised student record

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes schemes for the provision of data to specified electoral registration officers, in order to assist them in meeting the registration objectives set out at section 31(8) of the Political Parties and Elections Act 2009, those being—

(a) that persons who are entitled to be registered in an electoral register are registered in it;

(b) that persons who are not entitled to be registered in an electoral register are not registered in it; and

(c) that none of the information relating to a registered person that appears in a register or other record kept by a registration officer is false.

Article 3 provides that the authorities may provide data to the registration officers under the schemes at any time before 1st December 2011. The table in the Schedule lists the area for which each scheme has effect, and for each scheme the authorities which may provide data and the data which may be provided

Article 4 provides that data may only be provided under each scheme if the authority and the registration officer have agreed in writing requirements for the processing of data under the schemes. The agreement must include the consequences of failing to comply with the requirements agreed.

Article 5 provides that the date by which the Electoral Commission must produce a report on the operation of each scheme under section 36(3) of the 2009 Act is 1st March 2012.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. However a privacy impact assessment is annexed to the Explanatory Memorandum which is available alongside this instrument at www.legislation.gov.uk.

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DRAFT STATUTORY INSTRUMENTS

2011 No. 0000

REPRESENTATION OF THE PEOPLE

The Electoral Registration Data Schemes Order 2011

£5.75

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