Draft Order laid before Parliament under section 11(2) of the Electoral Registration and Administration Act 2013, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2016 No. 0000

REPRESENTATION OF THE PEOPLE, ENGLAND

The Electoral Registration Pilot Scheme (England) Order 2016

Made - - - - ***

Coming into force in accordance with article 1

The Chancellor of the Duchy of Lancaster makes this Order in exercise of the powers conferred by sections 7(1) and (2)(a), 9 and 11(5)(a) of the Electoral Registration and Administration Act 2013(**a**)("the Act").

In accordance with section 9(3) of the Act, the making of an Order under section 7 of the Act in relation to a limited period has been proposed by the registration officers for the areas to which this Order relates.

In accordance with section 11(2) of the Act, a draft of this Order has been laid before and approved by a resolution of each House of Parliament.

Citation, commencement, extent and duration

1.—(1) This Order may be cited as the Electoral Registration Pilot Scheme (England) Order 2016 and comes into force on the day after the day on which it is made.

(2) This Order extends to England and Wales.

(3) This Order ceases to have effect on 7th July 2017.

Interpretation

2. In this Order—

"1983 Act" means the Representation of the People Act 1983(**b**);

"2001 Regulations" means the Representation of the People (England and Wales) Regulations 2001(**c**);

(**a**) 2013 c. 6. Powers under section 7 and 9 of the Electoral Registration and Administration Act 2013 are vested in "the Minister", which is defined in section 25 of that Act. By virtue of the Chancellor of the Duchy of Lancaster Order 2015 (S.I. 2015/1376), article 3 and Schedule 1, sub-paragraph (q), powers under that Act exercisable by the Secretary of State concurrently with the Lord President of the Council are instead exercisable concurrently with the Chancellor of the Duchy of Lancaster. A consequential amendment to section 25(1) was accordingly made by article 10 of, and paragraph 16 of Schedule 2 to, that Order.

(**b**) 1983 c. 2. Section 9D was inserted into the Representation of the People Act 1983 by section 4 of the Electoral Registration and Administration Act 2013.

(**c**) S.I. 2001/341; relevant amendments were made by S.I. 2013/3198.

"specified area" means the area of a district council specified in the Schedule.

Period of pilot scheme

3. Articles 4 to 6 have effect in relation to a specified area for the period beginning with the day on which this Order comes into force and ending with 30th June 2017.

Modification of the Representation of the People Act 1983 and the Representation of the People (England and Wales) Regulations 2001

4. Section 9D(3) of the 1983 Act and regulations 32ZA(1), (4), (5) and (6) and 32ZB of the 2001 Regulations do not apply to the annual canvass required by section 9D(1) of that Act for a specified area.

Annual canvass

5.—(1) A registration officer for a specified area must conduct the annual canvass required by section 9D(1) of the 1983 Act in accordance with paragraph (2).

(2) The registration officer must attempt to make contact with a person at each residential address in the specified area at least once during the period beginning with the day on which this Order comes into force and ending with 2nd February 2017.

(3) The registration officer may comply with the requirement in paragraph (2) by any means the registration officer thinks appropriate, including—

(a) by sending a canvass form, which may be in the form designed by the Electoral Commission under regulation 32ZA(2) of the 2001 Regulations;

(b) by visiting the address;

(c) by telephone;

(d) by electronic means.

Specified date for Electoral Commission report on the pilot scheme

6. The date specified for the purposes of section 9(7)(b) of the Electoral Registration and Administration Act 2013 (date by which the Electoral Commission must give report) is 30th June 2017.

Name
Minister for Constitutional Reform
Cabinet Office

Date

SCHEDULE

Article 2

Specified Areas

Birmingham

Ryedale

South Lakeland

EXPLANATORY NOTE

(This note is not part of the Order)

Following the introduction of individual electoral registration under changes made by the Electoral Registration and Administration Act 2013 (c. 6), this Order establishes a pilot scheme giving electoral registration officers in specified areas of England wider discretion over the manner in which they conduct the annual canvass under section 9D of the Representation of the People Act 1983 (c. 2). Article 4 modifies the existing requirements in relation to the canvass in the specified areas. Article 5 requires electoral registration officers in the specified areas to canvass each residential address in the area for which they act at least once but the manner in which they do so and whether they take further steps where no information is received in respect of a particular address will be at the electoral registration officer's discretion. Article 6 specifies the date by which the Electoral Commission is required to give a copy of their report on the pilot scheme under section 9(7)(b) of the Electoral Registration and Administration Act 2013 to the Chancellor of the Duchy of Lancaster and the electoral registration officers. The Order ceases to have effect on 7th July 2017.

An impact assessment has been prepared and is annexed to the Explanatory Memorandum which is available alongside the Order on legislation.gov.uk.

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