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

2017 No.

REPRESENTATION OF THE PEOPLE, SCOTLAND

The Electoral Registration Pilot Scheme (Scotland) Order 2017

Made - - - -	***
Coming into force - -	*30th June 2017*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 7(1) and (2)(a), 9(1) and (7)(b), 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 registration officer for each area to which this Order relates proposed the making of a pilot scheme in relation to that area and has agreed to the modifications made by the Minister to the proposal.

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, duration and extent

1.—(1) This Order may be cited as the Electoral Registration Pilot Scheme (Scotland) Order 2017 and comes into force on 30th June 2017.

(2) This Order ceases to have effect on 6th July 2018.

(3) This Order extends to Scotland.

Interpretation

2. In this Order—

"2001 Regulations" means the Representation of the People (Scotland) Regulations 2001(**b**);

(**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, paragraph (q) and the Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016 (S.I. 2016/997), article 3 and Schedule 1, paragraph (s), powers under that Act exercisable by the Secretary of State concurrently with the Lord President of the Council are instead exercisable concurrently with the Minister for the Cabinet Office. A consequential amendment to section 25(1) was accordingly made by article 13 of, and paragraph 26 of Schedule 2 to, the Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016.

(**b**) S.I. 2001/497, amended by S.I. 2013/3206, 2015/1376, 2016/997 and section 2(2) of the Scottish Elections (Reduction of Voting Age) Act 2015 (asp 7); there are other amendments which are not relevant to this Order.

"annual canvass" means the annual canvass required by section 9D(1) of the Representation of the People Act 1983(**a**).

Period of pilot scheme

3. Articles 4 to 6 have effect for the period beginning with 1st July 2017 and ending with 29th June 2018 in relation to the following local authority areas—

(a) Dumfries and Galloway;

(b) City of Glasgow.

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

4. Section 9D(3) of the Representation of the People Act 1983 and regulations 32ZA and 32ZB of the 2001 Regulations do not apply in relation to the annual canvass.

Annual canvass

5.—(1) The registration officer must conduct the annual canvass in accordance with paragraph (2).

(2) The registration officer must attempt to make contact with a person at each residential address in the local authority area at least once during the period beginning with 1st July 2017 and ending with 2nd February 2018.

(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 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 the Electoral Commission to 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 copy of their report) is 29th June 2018.

Name
Secretary of State for Scotland

Date

(**a**) 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.

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 in Scotland giving electoral registration officers in the local authority areas of Dumfries and Galloway and the City of Glasgow 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 of this Order modifies the existing requirements in relation to the canvass in those local authority areas. Article 5 requires electoral registration officers in those 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 Minister and the electoral registration officers. The Order ceases to have effect on 6th July 2018.

An impact assessment has been prepared and is annexed to the Explanatory Memorandum which is available alongside the Order on legislation.gov.uk or from the Modern Registration Division, Constitution Group, Cabinet Office, 1 Horse Guards Road, London, SW1A 2HQ.

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