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

2013 No.

REPRESENTATION OF THE PEOPLE

The Electoral Registration (Postponement of 2013 Annual Canvass) Order 2013

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 11(3), (4) and (5) and 25(1) of, and paragraph 9(1) of Schedule 5 to, the Electoral Registration and Administration Act 2013(**a**).

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

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Electoral Registration (Postponement of 2013 Annual Canvass) Order 2013 and comes into force on the day after the day on which it is made.

(2) In this Order—

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

"the annual canvass for 2013" means the annual canvass which, but for this Order, each registration officer would be required under section 10(2) of the Act to conduct by reference to residence on 15th October 2013; and

"registration officer" has the same meaning as in section 8(1) of the Act.

(3) This Order does not extend to Northern Ireland.

Postponement of 2013 annual canvass

2.—(1) The annual canvass for 2013 to be conducted under section 10(1) of the Act shall be postponed.

(2) A registration officer must not conduct any part of that canvass before 1st October 2013.

(3) That canvass must be conducted within the period starting on 1st October 2013 and ending on 17th February 2014 in relation to England and on 10th March 2014 in relation to Scotland and Wales.

(**a**) 2013 c.6; section 25(1) defines "the Minister" as the Lord President of the Council or the Secretary of State.
(**b**) 1983 c.2.

(4) Section 10A(2A)(**a**) of the Act shall apply to that canvass as if the reference to 15th October were a reference to the date the canvass form was received by the registration officer and the reference in section 4(6) of the Act to section 10A(2)(**b**) shall be treated as a reference to section 10A(2) as subject to the modification in this paragraph.

(5) Section 10A(5)(a)(**c**) of the Act shall apply to that canvass as if the reference to 15th October were omitted.

Publication of revised version of register following postponed 2013 canvass

3.—(1) Each registration officer in England must publish a revised version of their registers by 17th February 2014.

(2) Each registration officer in Scotland and Wales must publish a revised version of their registers by 10th March 2014.

Consequential provisions

4.—(1) In consequence of article 2—

(a) section 10(2) of the Act does not apply in respect of the annual canvass for 2013 in any area in Great Britain;

(b) section 13(1)(**d**) and (1A)(**e**) of the Act does not apply to registration officers in Great Britain for 2013;

(c) any other provision of the Act which refers to a register published under section 13(1)(a) of the Act applies in the same way to a register published in Great Britain under article 3;

(d) section 13BB(**f**) of the Act applies in connection with the annual canvass for 2013 as if, in subsections (1)(b)(ii) and (5)(b)(ii), for "1st July in the year of the canvass and ending with 1st December in that year" there were substituted —

(i) in relation to England, "1st October 2013 and ending with 17th February 2014", and

(ii) in relation to Scotland and Wales, "1st October 2013 and ending with 10th March 2014".

(2) In consequence of article 2, the Schedule to the Representation of the People (Form of Canvass) (England and Wales) Regulations 2006(**g**) applies to the annual canvass for 2013 as if—

(a) for "living at your address on 15 October [year]" there were substituted "currently living at your address";

(b) for "If you will be 70 or over on 15 October [year]" there were substituted "If you will be 70 or over on 17 February 2014 (England)/10 March 2014 (Wales)";

(c) for "Property empty on 15 October" there were substituted "Property currently empty";

(d) for "We will publish the revised register on 1 December, or shortly before" there were substituted "We will publish the revised register by 17 February 2014 (England)/10 March 2014 (Wales)";

(e) for "your details have changed since 15 October [year]" there were substituted "your details have changed since the date you completed this form";

(**a**) 1983 c. 2; section 10A (2A) was inserted by section 39 of, and paragraph 1 of Schedule 6 to, the Political Parties and Elections Act 2009 c.12

(**b**) Section 10A(2) was amended by section 39 of, and paragraph 1 of Schedule 6 and Schedule 7, to the Political Parties and Elections Act 2009.

(**c**) Section 10A(5)(a) was amended by section 33(2) and (5)(f) of the Political Parties and Elections Act 2009, but the amendment is not in force.

(**d**) Section 13(1) was amended by section 8 of, and Schedule 1 to, the Representation of the People Act 2000 c. 2.

(**e**) Section 13(1A) was amended by section 23(2) of the Political Parties and Elections Act 2009.

(**f**) Section 13BB was inserted by section 23(1) of the Political Parties and Elections Act 2009.

(**g**) S.I. 2006/1694.

(f) for "Whether the person will be 70 or over on 15 October [year]" there were substituted "Whether the person will be 70 or over on 17 February 2014 (England)/10 March 2014 (Wales)".

(3) In consequence of article 2, the Schedule to the Representation of the People (Form of Canvass) (Scotland) Regulations 2006(**a**) applies to the annual canvass for 2013 as if—

(a) for "living at your address on 15 October [year]" there were substituted "currently living at your address";

(b) for "Property empty on 15 October" there were substituted "Property currently empty";

(c) for "We will publish the revised register on 1 December, or shortly before" there were substituted "We will publish the revised register by 10 March 2014";

(d) for "your details have changed since 15 October [year]" there were substituted "your details have changed since the date you completed this form".

Signed by the authority of the Lord President of the Council

Name
Ministerial title
Cabinet Office

Date

EXPLANATORY NOTE

(This note is not part of the Order)

This Order postpones the annual canvass for 2013 to be conducted under section 10(1) of Representation of the People Act 1983, as part of the transitional arrangements for the implementation of individual electoral registration under the Electoral Registration and Administration Act 2013.

Article 2 provides that the 2013 canvass is postponed. In England the canvass must be conducted within the period starting on 1st October 2013 and ending on 17th February 2014. In Wales and Scotland the canvass must be conducted within the period starting on 1st October 2013 and ending on 10th March 2014. A registration officer must not conduct any part of the 2013 canvass before 1st October 2013.

Article 2(4) modifies section 10A(2A) of the Representation of the People Act 1983 providing that, where the return of a canvass form is treated as an application for registration in the register, the application shall be treated as having been made on the date the canvass form was received by the registration officer, instead of on 15th October. Article 2(5) modifies section 10A(5)(a) of that Act providing that an elector must be resident at the address in respect of which they are registered at the conclusion of the 2013 canvass, instead of on 15th October, in order to be entitled to remain registered.

Article 3 provides for new publication dates of the revised version of the registers in consequence of the canvass having been postponed. Registration officers in England must publish a revised version of their registers by 17th February 2014 and registration officers in Wales and Scotland by 10th March 2014.

Article 4 makes consequential provisions, removing the requirement in section 10(2) of the Act that the 2013 canvass be conducted by reference to residence on 15th October that year and the requirement in section 13(1) that revised versions of the registers be published by 1st December in 2013, and by 1st February 2014 in the case of an election to which section 13B applies being held during the canvass period. Article 4(1)(d) modifies section 13BB by extending the period to which that section applies to the postponed canvass period. Article 4(2) and (3) modifies the form of canvass which is prescribed in England and Wales and in Scotland to take account of the omission of references to 15th October and the revised publication dates of the registers.

(**a**) S.I. 2006/1836.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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