Draft Order laid before Parliament under section 15(11)(b) of the Representation of the People Act 1983, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2010 No.

REPRESENTATION OF THE PEOPLE

The Service Voters' Registration Period Order 2010

Made - - - -	***
Coming into force - -	***

The Secretary of State, in exercise of the powers conferred by section 15(9) and (10) of the Representation of the People Act 1983(**a**), makes the following Order.

In accordance with section 15(11)(a) of that Act he has consulted the Electoral Commission.

In accordance with section 15(11)(b) of that Act a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1.—(1) This Order may be cited as the Service Voters' Registration Period Order 2010.

(2) This Order comes into force on the day after the day on which it is made.

Persons registered in a register of electors pursuant to a service declaration

2. Section 15(2)(a) of the Representation of the People Act 1983 (service declaration) shall have effect in relation to the persons mentioned in section 14(1)(a) and (d)(**b**) of that Act (members of the forces and their spouses or civil partners) as if for "the period of 12 months" there was substituted "the period of 5 years"(**c**).

Consequential amendment to the Representation of the People (England and Wales) Regulations 2001

3. For regulation 25(3)(b) of the Representation of the People (England and Wales) Regulations 2001(**d**) substitute—

(**a**) 1983 c.2. Section 15 was amended by sections 8 and 15 of and paragraphs 1 and 8 of Schedule 1 and the first entry in Part 1 of Schedule 7 to the Representation of the People Act 2000 (c.2), section 12(7) of the Electoral Administration Act 2006 (c.22) and regulation 5(2) and paragraphs 2 and 4(b) of Schedule 2 to S.I. 1995/1948. Subsections (9) to (12) of section 15 were inserted by section 13(1) of the Electoral Administration Act 2006.

(**b**) The reference to a spouse or civil partner in section 14(1)(d) was inserted by section 261 of, and paragraph 80(2) of Schedule 27 to, the Civil Partnership Act 2004 (c.33).

(**c**) Article 2 of S.I. 2006/3406 made provision for England and Wales and Scotland to the effect that section 15(2)(a) was to be read as if the reference to a period of 12 months was substituted by a reference to a period of 3 years. Article 2 of S.I. 2008/1726 made equivalent provision for Northern Ireland. Article 6 of this Order revokes both of those Orders.

(**d**) S.I. 2001/341. Regulation 25(3)(b) was the subject of an earlier substitution by virtue of article 3 of S.I. 2006/3406.

"(b) in the case of a person mentioned in section 14(1)(a) or (d) of the 1983 Act (members of the forces and their spouses or civil partners) who is registered in pursuance of a service declaration, the period beginning 57 months after the date when the existing entry in a register of the person in question first takes effect and ending 58 months after that date.".

Consequential amendment to the Representation of the People (Scotland) Regulations 2001

4. For regulation 25(3)(b) of the Representation of the People (Scotland) Regulations 2001(**a**) substitute—

"(b) in the case of a person mentioned in section 14(1)(a) or (d) of the 1983 Act (members of the forces and their spouses or civil partners) who is registered in pursuance of a service declaration, the period beginning 57 months after the date when the existing entry in a register of the person in question first takes effect and ending 58 months after that date.".

Consequential amendment to the Representation of the People (Northern Ireland) Regulations 2008

5. For regulation 26(3)(b) of the Representation of the People (Northern Ireland) Regulations 2008(**b**) substitute—

"(b) in the case of a person mentioned in section 14(1)(a) or (d) of the 1983 Act (members of the forces and their spouses or civil partners) who is registered in pursuance of a service declaration, the period beginning 57 months after the date when the existing entry in a register of the person in question first takes effect and ending 58 months after that date.".

Revocation

6. The Service Voters' Registration Period Order 2006(**c**) and the Service Voters' Registration Period (Northern Ireland) Order 2008(**d**) are revoked.

Name
Secretary of State
Ministry of Justice

Date

(**a**) S.I. 2001/497. Regulation 25(3)(b) was the subject of an earlier substitution by virtue of article 4 of S.I. 2006/3406.
(**b**) S.I. 2008/1741.
(**c**) S.I. 2006/3406.
(**d**) S.I. 2008/1726.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies to the United Kingdom, extends the duration of a service voter's registration as an elector from 3 years to 5 years (article 2). It applies only to persons whose service qualification comes from being a member of the armed forces or their spouse or civil partner and who is registered further to a service declaration.

Article 3 makes a consequential amendment to regulation 25(3)(b) of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341). This amendment ensures that a service voter (or spouse or civil partner) to whom this Order applies will be reminded to renew their service declarations three months before the end of the new five year period. Articles 4 and 5 make corresponding consequential amendments to, respectively, the Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497) and the Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741).

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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