



# House of Commons

Wednesday 31 October 2018

## PUBLIC BILL COMMITTEE

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

### OVERSEAS ELECTORS BILL

#### NOTE

**This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.**

- Christian Matheson 30
- Clause 3, page 8, line 11, at end insert—  
 “(2A) No regulations shall be made under subsection (2) until the report under section [Review of absent vote arrangements] has been laid before Parliament.”
- Christian Matheson 31
- Clause 3, page 8, line 11, at end insert—  
 “(2A) No regulations shall be made under subsection (2) until the report under section [Report on postal voting arrangements for overseas electors] has been laid before Parliament.”
- Christian Matheson 32
- Clause 3, page 8, line 11, at end insert—  
 “(2A) No regulations shall be made under subsection (2) until the report under section [Report on overseas electors in other national elections] has been laid before Parliament.”

**Overseas Electors Bill, *continued***

Layla Moran

NC1

To move the following Clause—

**“Report on the effects on the number of registered electors**

- (1) The Secretary of State must prepare and publish a report on the effects of the provisions of this Act on—
    - (a) the number of overseas electors registered to vote in Parliamentary elections in each constituency, and
    - (b) the policy implications of any such changes.
  - (2) The report must consider—
    - (a) whether any differential effects on the electorates of constituencies necessitates a review of constituency boundaries, and
    - (b) the merits of creating one or more overseas constituencies.
  - (3) The report must be laid before Parliament within 3 years of the provisions of this Act coming into force.”
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Layla Moran

NC2

To move the following Clause—

**“Report on the effects on processes for controlling political party donations**

- (1) The Secretary of State must prepare and publish a report on the effects of the provisions of this Act on—
    - (a) the ability of political parties and campaigners to determine the permissibility of donations from persons resident overseas, and
    - (b) the ability of the Electoral Commission to take enforcement action where the rules on such donations have been breached.
  - (2) The report must be laid before Parliament within 3 years of the provisions of this Act coming into force.”
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Christian Matheson

NC3

To move the following Clause—

**“Prompt to register as an overseas elector**

- (1) If the registration officer receives information that leads him or her to believe that a registered elector has moved, or is going to move, outside the United Kingdom, the registration officer shall contact that elector to prompt him or her to register as an overseas elector.
  - (2) The Electoral Commission may issue guidance for contact under subsection (1).”
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**Overseas Electors Bill, *continued***

Christian Matheson

NC4

To move the following Clause—

**“Registration as an overseas elector and donations to registered political parties**

- (1) The Political Parties, Elections and Referendums Act 2000 is amended as follows.
  - (2) In section 54 (permissible donors), in subsection (2)(a), for “registered in an electoral register” substitute—
    - “resident in the United Kingdom and registered in an electoral register;
    - (aa) an overseas elector and registered in an electoral register at the time of the donation;”
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Christian Matheson

NC5

To move the following Clause—

**“Report on awareness of how to participate in elections as an overseas elector**

- (1) The Minister for the Cabinet Office or the Secretary of State must publish a report on levels of awareness of how to participate in parliamentary elections as a UK elector among—
    - (a) persons entitled to vote as an overseas elector under the provisions of this Act, and
    - (b) overseas electors in general.
  - (2) The report shall consider awareness of—
    - (a) the law governing entitlement to qualify and vote as an overseas elector,
    - (b) the processes of registering and voting, and
    - (c) other matters as the Minister for the Cabinet Office or the Secretary of State sees fit.
  - (3) The report shall set out any steps the Minister for the Cabinet Office or the Secretary of State intends to take to increase awareness of—
    - (a) how to participate in elections as an overseas elector, and
    - (b) the provisions of this Act.”
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Christian Matheson

NC6

To move the following Clause—

**“Report on effects of extension of franchise**

- (1) The Minister for the Cabinet Office or the Secretary of State must publish a report assessing the likely effects of the extension of the franchise in Section 1 of this Act and any measures necessary in response to those effects.

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**Overseas Electors Bill, *continued***

- (2) The report must contain assessments of—
- (a) how many British citizens currently resident overseas are eligible to register as overseas electors, and how many are likely to be eligible if the 15-year time limits under sections 1(3)(c) and 1(4)(a) of the Representation of the People Act 1985 were removed;
  - (b) likely demand for online registration services and how this demand should be met;
  - (c) the effects of removing the 15-year time limits on the workloads of local authorities, including demands on electoral registration officers, and how any consequent resourcing requirements should be met;
  - (d) any possible increased risk of electoral fraud by those purporting to be overseas electors related to the provisions in this Act;
  - (e) whether current election timetables are of sufficient duration to enable the full participation of any increased numbers of overseas electors;
  - (f) how the electorates of existing UK constituencies will be affected;
  - (g) how the electorates of new constituencies recommended by the most recent reports of the Boundary Commissions for England, Wales, Scotland and Northern Ireland will be affected.”
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Christian Matheson

NC7

To move the following Clause—

**“Report on the representation of overseas electors**

- (1) The Minister for the Cabinet Office or the Secretary of State shall, within 12 months of this section coming into force, lay before Parliament a report on the representation of overseas electors.
  - (2) That report shall include—
    - (a) consideration of how well overseas electors are represented by their MPs and any related consequences of the provisions of this Act,
    - (b) an assessment of any additional demands that may be placed on MPs and their resources as a consequence of the provisions of this Act,
    - (c) any plans the Government has to monitor the representation of overseas electors, and
    - (d) an assessment of alternative models of representation of overseas electors, including the creation of overseas constituencies.”
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Christian Matheson

NC8

To move the following Clause—

**“Review of absent vote arrangements**

- (1) The Minister for the Cabinet Office or the Secretary of State shall—
  - (a) review absent voting arrangements to consider whether they allow sufficient time for overseas electors to participate adequately in

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**Overseas Electors Bill, *continued***

- parliamentary elections, taking into account the likely effects of the provisions of this Act;
- (b) consult the Electoral Commission, local authorities and the Association of Electoral Administrators as part of the review; and
  - (c) lay before Parliament a report on the review and any steps to be taken as a result.”
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Christian Matheson

NC9

To move the following Clause—

**“Report on postal voting arrangements for overseas electors**

- (1) The Minister for the Cabinet Office or the Secretary of State shall publish a report on postal voting arrangements for overseas electors.
  - (2) The report shall set out—
    - (a) any barriers to the participation of overseas electors in parliamentary elections, including in—
      - (i) the availability of pre-paid postal services for returning ballot papers,
      - (ii) the financial resources of returning officers, and
      - (iii) capacity in the specialist print and production markets to meet absent vote and ballot paper requirements;
    - (b) whether any such barriers are likely to become more significant or widespread as a result of the extension of the franchise in the provisions of this Act, including in particular countries and regions;
    - (c) any steps to be taken to make it easier for overseas electors to participate in parliamentary elections.
  - (3) The report shall, in particular, consider the effectiveness and cost of the International Business Response Licence for postal votes and any associated implications of the provisions of this Act.”
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Christian Matheson

NC10

To move the following Clause—

**“Report on overseas electors in other national elections**

The Minister for the Cabinet Office or the Secretary of State must publish a report on qualification requirements for non-resident citizens to participate in national elections in other countries.”

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**Overseas Electors Bill, *continued***

Christian Matheson

NC11

To move the following Clause—

**“Evaluation of the effects of the Act**

- (1) The Minister for the Cabinet Office or the Secretary of State must, within 12 months of the provisions of this Act coming into force, lay before Parliament a report evaluating the effects of the Act and the extent to which it has met its objectives.
  - (2) That report must include assessments of the effects on numbers of overseas electors registered in each parliamentary constituency.”
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Alex Norris

NC12

To move the following Clause—

**“Closing date for electoral registration applications by overseas electors**

- (1) The Representation of the People (England and Wales) Regulations 2001 are amended as follows.
- (2) In regulation 56, after paragraph (7), insert—
  - “(8) This regulation does not apply to applications by overseas electors.”
- (3) After regulation 56 insert—

**“56A Closing date for electoral registration applications by overseas electors**

- (1) The provisions in this regulation relate to applications to vote by post or proxy by overseas electors in parliamentary elections.
- (2) An application by an overseas elector under paragraph 3(6) or (7) of Schedule 4 shall be disregarded for the purposes of a particular parliamentary election and an application under paragraph 4(3) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eighteenth day before the date of the poll at that election.
- (3) An application under paragraph 3(1) or (2), or 6(7) or 7(4) of Schedule 4 shall be disregarded for the purposes of a particular parliamentary election if it is received by the registration officer after 5 p.m. on the thirteenth day before the date of the poll at that election.
- (4) An application under paragraph 4(1) or (2) or 6(8) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the thirteenth day before the date of the poll at the election for which it is made.
- (5) An application under paragraph 7(7) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eighteenth day before the date of the poll at the election for which it is made.
- (6) An application under—
  - (a) paragraph 3(5)(a) of Schedule 4 by an elector to be removed from the record kept under paragraph 3(4) of that Schedule, or

**Overseas Electors Bill**, *continued*

- (b) paragraph 7(9)(a) of Schedule 4 by a proxy to be removed from the record kept under paragraph 7(6) of that Schedule, and a notice under paragraph 6(10) of that Schedule by an elector cancelling a proxy's appointment shall be disregarded for the purposes of a particular parliamentary election if it is received by the registration officer after—
- (i) 5 p.m. on the eighteenth day before the date of the poll at that election in the case of an application by an elector who is entitled to vote by post to be removed from the record kept under paragraph 3(4) of Schedule 4, and
  - (ii) 5 p.m. on the thirteenth day before the date of the poll at that election in any other case.
- (7) In computing a period of days for the purposes of this regulation, the same rules shall apply as in regulation 56.”
- (4) The Representation of the People (Scotland) Regulations 2001 are amended as follows.
- (5) In regulation 56, after paragraph (7), insert—
- “(8) This regulation does not apply to applications by overseas electors.”
- (6) After regulation 56 insert—

**“56A Closing date for electoral registration applications by overseas electors**

- (1) The provisions in this regulation relate to applications to vote by post or proxy by overseas electors in parliamentary elections.
- (2) An application by an overseas elector under paragraph 3(6) or (7) of Schedule 4 shall be disregarded for the purposes of a particular parliamentary election and an application under paragraph 4(3) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eighteenth day before the date of the poll at that election.
- (3) An application under paragraph 3(1) or (2), or 6(7) or 7(4) of Schedule 4 shall be disregarded for the purposes of a particular parliamentary election if it is received by the registration officer after 5 p.m. on the thirteenth day before the date of the poll at that election.
- (4) An application under paragraph 4(1) or (2) or 6(8) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the thirteenth day before the date of the poll at the election for which it is made.
- (5) An application under paragraph 7(7) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eighteenth day before the date of the poll at the election for which it is made.
- (6) An application under—
  - (a) paragraph 3(5)(a) of Schedule 4 by an elector to be removed from the record kept under paragraph 3(4) of that Schedule, or
  - (b) paragraph 7(9)(a) of Schedule 4 by a proxy to be removed from the record kept under paragraph 7(6) of that Schedule,
 and a notice under paragraph 6(10) of that Schedule by an elector cancelling a proxy's appointment shall be disregarded for the purposes of a particular parliamentary election if it is received by the registration officer after—

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**Overseas Electors Bill, *continued***

- (i) 5 p.m. on the eighteenth day before the date of the poll at that election in the case of an application by an elector who is entitled to vote by post to be removed from the record kept under paragraph 3(4) of Schedule 4, and
  - (ii) 5 p.m. on the thirteenth day before the date of the poll at that election in any other case.
- (7) In computing a period of days for the purposes of this regulation, the same rules shall apply as in regulation 56.”
- (7) The Representation of the People (Northern Ireland) Regulations 2001 are amended as follows.
- (8) In regulation 57, after paragraph (6), insert—
- “(7) This regulation does not apply to applications by overseas electors.”
- (9) After regulation 57 insert—

**“57A Closing date for electoral registration applications by overseas electors**

- (1) The provisions in this regulation relate to applications to vote by post or proxy by overseas electors in parliamentary elections.
  - (2) An application under section 6(1) or (5), 8(6) or 9(4) of the 1985 Act shall be disregarded for the purposes of a particular election if it is received by the registration officer after 5 p.m. on the twenty-first day before the day of the poll at that election.
  - (3) Subject to paragraph (4) below, an application under section 7(1) or (2), 8(7) or 9(7) or (8) of the 1985 Act shall be refused if it is received by the registration officer after 5 p.m. on the twenty-first day before the day of the poll at the election for which is made.
  - (4) Paragraph (3) above shall not apply to an application which satisfies the requirements of either paragraphs (6) and (7) or paragraph (8) of regulation 55 above; and such an application shall be refused if it is received by the registration officer after 5 p.m. on the thirteenth day before the day of the poll at the election for which it is made.
  - (5) An application under—
    - (a) section 6(4)(a) of the 1985 Act by an elector to be removed from the record kept under section 6(3) of that Act, or
    - (b) section 9(11)(a) of that Act by a proxy to be removed from the record kept under section 9(6) of that Act,
 and a notice under section 8(9) of that Act by an elector cancelling a proxy’s appointment shall be disregarded for the purposes of a particular election if it is received by the registration officer after 5 p.m. on the twenty-first day before the date of the poll at that election.
  - (6) In computing a period of days for the purposes of this regulation, the same rules shall apply as in regulation 57.”
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**Overseas Electors Bill, *continued***

Alex Norris

NC13

To move the following Clause—

**“Offence of registering to vote as overseas elector in more than one constituency**

- (1) A person commits an offence if he or she is an overseas elector and is simultaneously registered to vote in more than one constituency.
  - (2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.”
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Alex Norris

NC14

To move the following Clause—

**“Consolidated register of overseas electors**

- (1) The Minister for the Cabinet Office or the Secretary of State to compile a single, consolidated register of overseas electors for UK parliamentary elections.
  - (2) The Minister for the Cabinet Office or the Secretary of State may, by regulations, specify requirements for the publication, availability for inspection and sale of information in that register.”
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Christian Matheson

NC15

To move the following Clause—

**“Report on electoral offences, overseas electors and the extension of the franchise**

- (1) The Minister for the Cabinet Office or Secretary of State must publish a report on electoral offences, overseas electors and the extension of the franchise.
- (2) The report must include assessments of—
  - (a) the effects of the extension of the franchise under the provisions of this Act on the incidence of—
    - (i) reports of electoral offences under the Representation of the People Act 1983, and
    - (ii) prosecutions for such offences,
  - (b) the capacity of appropriate authorities to investigate and prosecute such alleged offences,
  - (c) the number of reports of electoral offences under the Representation of the People Act 1983 alleged to have been committed by overseas electors—
    - (i) in the period since the provisions of this Act came into force, and
    - (ii) in a comparable period before the provisions of this Act came into force,

**Overseas Electors Bill**, *continued*

- (d) the number of prosecutions for electoral offences under the Representation of the People Act 1983 alleged to have been committed by overseas electors—
    - (i) in the period since the provisions of this Act came into force, and
    - (ii) in a comparable period before the provisions of this Act came into force, and
  - (e) any steps to be taken to reduce the incidence of such electoral offences.”
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