



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Wednesday 17 October 2018

New Amendments handed in are marked thus ★

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

PUBLIC BILL COMMITTEE

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This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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.

Clause 1.

Amendment (No. 2) proposed, in page 2, line 39, at end, to insert ““resident” must be defined in regulations made by the Minister for the Cabinet Office or the Secretary of State”.—(*Mr Christian Matheson*).

Question proposed, That the Amendment be made.

Alex Norris

36

Clause 1, page 3, leave out lines 5 to 8 insert—

- “(3) The second condition is that the person making the declaration (“the declarant”) proves that they qualify as an overseas elector in respect of the constituency by providing valid supporting documentation to the registration officer.
- (3A) Valid supporting documentation for the purposes of proving qualification for the previous registration condition are—
 - (a) a poll card, or
 - (b) a letter from the appropriate local authority stating that the person was on the electoral roll at the appropriate time.

Overseas Electors Bill, *continued*

- (3B) Valid supporting documentation for the purposes of proving qualification for the previous residence condition must include—
- (a) one document from List A, or
 - (b) two documents from List B.
- (3C) For the purposes of subsection (3B), List A documents include but are not limited to—
- household utility bill (such as gas, electric, water or telephone);
 - full UK photocard driving licence with signature or ‘old style’ driving licence (including provisional or expired licences);
 - bank, building society or credit card statement, or bank or building society passbook;
 - local authority tax bill (e.g. council tax bill);
 - local authority rent book;
 - solicitor’s letter confirming house purchase or land registry confirmation, or an official copy of the land register or other proof of title;
 - HM Revenue & Customs (Inland Revenue) tax document such as a tax assessment, statement of account or notice of coding;
 - original notification letter from the relevant benefits agency confirming entitlement to benefits or the state pension;
 - pension or benefit correspondence from the Department for Work and Pensions;
 - instrument of a court appointment, e.g. probate or court-registered power of attorney.
- (3D) For the purposes of subsection (3B), List B documents include but are not limited to—
- payslip;
 - employment document, such offer of employment or reference;
 - school, college or university (or UCAS) document, such as offer of a place, or confirmation of attendance;
 - insurance documents, such as full insurance schedule, or letter confirming insurance cover;
 - student loans company letter;
 - mobile telephone bill;
 - other evidence prescribed in guidance given by the Minister.
- (3E) To be valid supporting documentation, a document must contain both a date (which can be earlier than the date the declarant left the address concerned) and the declarant’s declared last address in the United Kingdom.”

Alex Norris

37

Clause 1, page 3, line 23, at end insert—

- “(5A) An overseas elector’s declaration shall be disregarded for the purposes of registration to vote in a particular parliamentary election if it received by the registration officer after 5pm on the nineteenth day before the date of the poll at that election.”

Christian Matheson

3

Clause 1, page 3, line 34, after “name” insert “and date of birth”

Overseas Electors Bill, *continued*

- Christian Matheson 4
- Clause 1, page 3, line 35, at end insert—
“(aa) state either the declarant’s National Insurance number or the reason the declarant is unable to provide his or her National Insurance number,”
- Christian Matheson 5
- Clause 1, page 3, line 35, at end insert—
“(aa) state any previous full names held by the declarant in the period since they were last resident in the United Kingdom or registered and the reasons for any changes of name,”
- Christian Matheson 6
- Clause 1, page 3, line 35, at end insert—
“(aa) state the number and date of issue of a British passport held by the declarant or, if the declarant no longer holds a British passport, prescribed information relating to the nationality of the declarant,”
- Christian Matheson 7
- Clause 1, page 3, line 35, at end insert—
“(aa) state a telephone number for the declarant,”
- Christian Matheson 8
- Clause 1, page 3, line 35, at end insert—
“(aa) state an email address for the declarant,”
- Christian Matheson 9
- Clause 1, page 3, line 35, at end insert—
“(aa) state the declarant’s preferred means of contact by the registration officer,”
- Christian Matheson 10
- Clause 1, page 3, line 38, leave out “that the declarant is not resident in the United Kingdom” and insert “state the country of residence of the declarant, and how long they have lived there,”
- Christian Matheson 11
- Clause 1, page 3, line 42, at end insert—
“(ea) state that the declarant is aware of the voting offences under sections 60 and 61 of the Representation of the People Act 1983 and associated punishments under sections 168 and 169 of that Act,”
- Christian Matheson 12
- Clause 1, page 3, line 42, at end insert—

Overseas Electors Bill, *continued*

- “(ea) state whether the declarant intends to make absent voting arrangements or to vote in person at a polling station,”

Alex Norris

38

Clause 1, page 3, line 44, leave out from first “requirements” to end of paragraph and insert—

- “(fa) contain a valid attestation of identity under section [*Attestation of identity*],”

Alex Norris

39

Clause 1, page 4, line 48, at end insert—

“1CA Attestation of identity

- (1) A valid attestation of identity must contain attestations from two attestors.
- (2) The first attestor must be a registered elector resident in the constituency in which the declarant wishes to be registered.
- (3) The second attestor must be a registered overseas elector.
- (4) An attestor must not be the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the declarant.
- (5) An attestation must—
 - (a) be in writing and signed by the attestor,
 - (b) swear that, to the best of the attestor’s knowledge, the declarant is the person named in the declaration,
 - (c) state the attestor’s British passport number together with its date of issue,
 - (d) be dated on the date on which the attestation is made,
 - (e) confirm that the person attestor is aware of the offence, under section 13D of the Representation of the People Act 1983, of providing false information to a registration officer, and
 - (f) confirm that the attestor is a person of good standing in the community
- (6) For the purposes of paragraph (5)(f), examples of a person of good standing in the community include, but are not limited to, the following or their local equivalents—
 - accountant
 - airline pilot
 - articled clerk of a limited company
 - assurance agent of recognised company
 - bank or building society official
 - barrister
 - chiropodist
 - Commissioner of Oaths
 - civil servant (permanent)
 - dentist
 - director, manager or personnel officer of a limited company
 - director or manager of a VAT-registered charity
 - director or manager or personnel officer of a VAT-registered company
 - engineer (with professional qualifications)
 - financial services intermediary (e.g. a stockbroker or insurance broker)

Overseas Electors Bill, *continued*

fire service official
 funeral director
 insurance agent (full time) of a recognised company
 journalist
 Justice of the Peace
 lecturer
 legal secretary (fellow or associate member of the Institute of Legal Secretaries and PAs)
 licensee of public house
 local government officer
 medical professional
 member, associate or fellow of a professional body
 Merchant Navy officer
 minister of a recognised religion (including Christian Science)
 nurse (Registered General Nurse or Mental Health Nurse)
 officer of the armed services
 optician
 paralegal (certified paralegal, qualified paralegal or associate member of the Institute of Paralegals)
 person with an honour (such as an OBE or MBE)
 pharmacist
 photographer (professional)
 police officer
 Post Office official
 publicly-elected representative (such as MP, Councillor or MEP)
 president or secretary of a recognised organisation
 Salvation Army officer
 social worker
 solicitor
 surveyor
 teacher
 trade union officer
 travel agent (qualified)
 valuer or auctioneer (fellows and associate members of the Incorporated Society of Valuers and Auctioneers)
 warrant officers and chief petty officers.”

Christian Matheson

Clause 1, page 5, line 5, leave out “12” and insert “18”

13

Christian Matheson

Clause 1, page 5, line 5, , leave out “12 months” and insert “4 years”

14

Christian Matheson

Clause 1, page 5, line 5, leave out “12 months” and insert “5 years and 1 month”

15

Overseas Electors Bill, *continued*

Christian Matheson	16
Clause 1, page 5, line 18, leave out “12” and insert “18”	
Christian Matheson	17
Clause 1, page 5, line 18, leave out “12 months” and insert “4 years”	
Christian Matheson	18
Clause 1, page 5, line 18, leave out “12 months” and insert “5 years and 1 month”	
Christian Matheson	19
Clause 1, page 6, line 11, at end insert—	
“(aa) state either the declarant’s National Insurance number or the reason the declarant is unable to provide his or her National Insurance number,”	
Christian Matheson	20
Clause 1, page 6, line 11, at end insert—	
“(aa) state any previous full names held by the declarant in the period since they last made a renewal declaration and the reasons for any changes of name,”	
Christian Matheson	21
Clause 1, page 6, line 11, at end insert—	
“(aa) state the number and date of issue of a British passport held by the declarant or, if the declarant no longer holds a British passport, prescribed information relating to the nationality of the declarant,”	
Christian Matheson	22
Clause 1, page 6, line 11, at end insert—	
“(aa) state a telephone number for the declarant,”	
Christian Matheson	23
Clause 1, page 6, line 11, at end insert—	
“(aa) state an email address for the declarant,”	
Christian Matheson	24
Clause 1, page 6, line 11, at end insert—	
“(aa) state the declarant’s preferred means of contact by the registration officer,”	
Christian Matheson	25
Clause 1, page 6, line 14, leave out “that the declarant is not resident in the United Kingdom” and insert “the country of residence of the declarant, and how long they have	

Overseas Electors Bill, continued

lived there,”

- Christian Matheson 26
- Clause 1, page 6, line 15, at end insert—
“(da) state that the declarant is aware of the voting offences under sections 60 and 61 of the Representation of the People Act 1983 and associated punishments under sections 168 and 169 of that Act,”
- Christian Matheson 27
- Clause 1, page 6, line 15, at end insert—
“(da) state whether the declarant intends to make absent voting arrangements or to vote in person at a polling station,”
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- Christian Matheson 28
- 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 awareness of how to participate in elections as an overseas elector*] has been laid before Parliament.”
- Christian Matheson 29
- 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 effects of extension of the franchise*] has been laid before Parliament.”
- 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—

Overseas Electors Bill, *continued*

“(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.”

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.”

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.”

Christian Matheson

NC3

To move the following Clause—

Overseas Electors Bill, *continued***“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).”

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;”

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

Overseas Electors Bill, *continued*

- (b) the provisions of this Act.”
-

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.
 - (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.”
-

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

Overseas Electors Bill, *continued*

- (d) an assessment of alternative models of representation of overseas electors, including the creation of overseas constituencies.”
-

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 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.”
-

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.”
-

Overseas Electors Bill, *continued*

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.”

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.”
-

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

Overseas Electors Bill, *continued*

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—
 - (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.

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- (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—
- (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,

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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.”

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.”

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.”
-