

# **Automatic Electoral Registration (No. 2) Bill**

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TO

Impose certain duties upon Her Majesty's Government to ensure the accuracy, completeness and utility of electoral registers; to make provision for the sharing of data for the purposes of electoral registration; and for connected purposes.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Duty to ensure that electoral registers are accurate and complete**

- (1) The Secretary of State must take all necessary steps to ensure that all electoral registers in the United Kingdom are accurate and complete.
- (2) Where the Secretary of State reasonably considers that an electoral register is not accurate and complete, the Secretary of State may give such a direction as he or she considers appropriate to a registration officer or a local authority responsible for appointing a registration officer for the purposes of ensuring accuracy and completeness, including but not limited to a direction that—
  - (a) the registration officer or local authority must take a course of action specified in the direction; 10
  - (b) the local authority must provide more resources to the registration officer.
- (3) For the purposes of this section, an electoral register is accurate and complete if at least 98% of those entitled to be registered in it are so registered.

**2 Data matching and sharing for the purposes of electoral registration** 15

- (1) The Secretary of State must by regulations impose a duty on public bodies requiring those bodies to provide specified information to registration officers for the purposes of electoral registration.
- (2) Regulations under subsection (1) must apply to public bodies including but not limited to the following— 20
  - (a) HM Revenue and Customs;

- (b) the Driver and Vehicle Licensing Agency;
  - (c) the National Health Service;
  - (d) NHS Scotland;
  - (e) all types of state funded schools;
  - (f) local authorities; 5
  - (g) the Department for Work and Pensions;
  - (h) HM Passport Office;
  - (i) a police force; and
  - (j) the TV Licensing Authority.
- (3) Regulations made under subsection (1) shall include the provision of data collected by specified public bodies by virtue of specified applications or submissions, which must include applications or submissions of returns or payments for – 10
- (a) tax;
  - (b) new or renewed driving licences; 15
  - (c) registration with a general practitioner;
  - (d) school registration;
  - (e) Housing Benefit;
  - (f) Council Tax;
  - (g) Disability Living Allowance; 20
  - (h) Jobseeker’s Allowance;
  - (i) Employment and Support Allowance;
  - (j) Personal Independence Payments;
  - (k) new or renewed passports; and
  - (l) television licences, 25
- as applicable to the specified public body.
- (4) Registration officers shall use the specified information received in relation to a person –
- (a) if the specified information received contains all of the required information, to register that person on the appropriate electoral register or registers; or 30
  - (b) if the specified information does not contain all of the required information, to contact that person for the purpose of obtaining the required information to register that person on the appropriate electoral register or registers. 35
- (5) Where a person is registered under subsection (4)(a), that person shall be omitted from the edited register unless that person notifies the registration officer to the contrary.
- (6) For the purposes of subsection (4), “the required information” shall be – 40
- (a) that person’s full name;
  - (b) that person’s residential address within the area in respect of which the registration officer is responsible for maintaining an electoral register;
  - (c) information that indicates that the person is aged 18 or older, or in the case of a person under the age of 18, the person’s date of birth; and
  - (d) information that indicates that the person is qualified by nationality to be so registered, 45

and this information shall also be sufficient information for a person to be registered on the appropriate electoral register or registers where a person is to be registered otherwise than under subsection (4).

- (7) A registration officer shall be deemed to have fulfilled the duty under subsection (4)(b) to contact a person for the purpose of obtaining the required information to register that person only if the registration officer has taken all reasonable steps to contact that person, including by telephone, by post, by email or in person, and where necessary with the aid of an interpreter. 5

### 3 Delegation of registration functions to certain institutions

- (1) The following institutions must collect the required information under section 2 and report it to the appropriate registration officer for the purpose of electoral registration each year – 10
- (a) universities in respect of students living in halls of residence;
  - (b) hospitals in respect of employees living in their accommodation;
  - (c) schools in respect of their pupils aged 16 or over; and 15
  - (d) other institutions specified by regulations.
- (2) In this section, the “appropriate registration officer” means the registration officer who is responsible for maintaining an electoral register in respect of the area in which an institution under this section is situated.

### 4 Notification and emendation 20

- (1) Within a reasonable period of time after a registration officer has registered a person under section 2, the officer must notify that person so that the person may correct any mistaken information.
- (2) Where a person has been notified that he or she has been entered on to an electoral register and that person is not entitled to be so registered, and if that person notifies the registration officer, the registration officer must amend the electoral register accordingly. 25

### 5 Civil penalties

- (1) Where a registration officer believes that a person is not co-operating with the officer in the exercise of functions under this or any other enactment, the registration officer must write to that person requiring that person to co-operate in a specified manner within a period of 2 months and notifying that person that a penalty must be imposed if that person fails to do so. 30
- (2) A registration officer must impose a penalty of £500 on a person who does not comply with a requirement under subsection (1) within the specified period unless that person can prove that it was reasonable not to do so. 35

### 6 Unregistered dwellings

Where no individuals have been entered on to the electoral register in respect of a dwelling, a registration officer must canvass the dwelling’s residents.

## 7 Digital software system

The Secretary of State must implement a single and integrated software system to be used for all electoral registers in the United Kingdom.

## 8 Regulations

Regulations under this Act are to be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament. 5

## 9 Interpretation

In this Act—

“electoral register or registers” means the registers in section 9 of the Representation of the People Act 1983 (registration officers); 10

“specified applications” means any applications made by a person potentially entitled to be registered to vote as are specified in regulations made under section 2(1);

“specified public bodies” means any bodies specified in regulations made under section 2(1); 15

“police force” means any of the following—

(a) any police force in England and Wales outside London maintained under section 2 of the Police Act 1996 (maintenance of police forces),

(b) the metropolitan police force, 20

(c) the City of London police force,

(d) the Police Service of Scotland,

(e) the Police Service of Northern Ireland,

(f) the British Transport Police;

“edited register” has the same meaning as in regulation 93 of the Representation of the People (England and Wales) Regulations 2001 (SI 2001/341) (edited version of the register). 25

## 10 Financial provisions

*There is to be paid out of money provided by Parliament—*

(a) *any expenditure incurred by the Secretary of State in consequence of this Act, and* 30

(b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

## 11 Extent, commencement and short title

(1) This Act extends to the whole of the United Kingdom. 35

(2) This Act comes into force after the period of six months beginning with the day on which this Act is passed.

(3) This Act may be cited as the Automatic Electoral Registration Act 2018.

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To impose certain duties upon Her Majesty's Government to ensure the accuracy, completeness and utility of electoral registers; to make provision for the sharing of data for the purposes of electoral registration; and for connected purposes.

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