
Report Stage: Tuesday 11 January 2022

Elections Bill, As Amended (Amendment Paper)

This document lists all amendments tabled to the Elections Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New Amendments.

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

New Amendments: 9 to 124, NC11 and NC12 and NS1

Kemi Badenoch

NC11

★ To move the following Clause—

“Power to make regulations about registration, absent voting and other matters

Schedule (Power to make regulations about registration, absent voting and other matters) contains provision, including provision amending Schedule 2 to RPA 1983, in connection with applications relating to registration, applications to vote by post or proxy, and applications for particular kinds of document.”

Member’s explanatory statement

This new clause, to be inserted after clause 1, introduces NS1.

Kemi Badenoch

NC12

★ To move the following Clause—

“Purposes referred to in section 39

- (1) This section sets out the purposes referred to in section 39.
- (2) The first purpose is influencing the public, or any section of the public, to give support to or withhold support from—
 - (a) a registered party,
 - (b) registered parties who advocate (or do not advocate) particular policies or who otherwise fall within a particular category of such parties, or
 - (c) candidates or future candidates who hold (or do not hold) particular opinions or who advocate (or do not advocate)

particular policies or who otherwise fall within a particular category of candidates or future candidates.

- (3) For the purposes of determining whether electronic material can reasonably be regarded as intended to achieve the purpose mentioned in subsection (2), it is immaterial that it does not expressly mention the name of any party, candidate or future candidate.
- (4) The second purpose is influencing the public, or any section of the public, to give support to or withhold support from a particular candidate or particular future candidate.
- (5) For the purposes of determining whether electronic material can reasonably be regarded as intended to achieve the purpose mentioned in subsection (4), it is immaterial that it does not expressly mention the name of any candidate or future candidate.
- (6) The third purpose is influencing the public, or any section of the public, to give support to or withhold support from an elected office-holder.
- (7) The fourth purpose is influencing the public, or any section of the public, to give support to or withhold support from elected office-holders who hold (or do not hold) particular opinions or who advocate (or do not advocate) particular policies or who otherwise fall within a particular category of elected office-holders.
- (8) For the purposes of determining whether electronic material can reasonably be regarded as intended to achieve the purpose mentioned in subsection (6) or (7), it is immaterial that it does not expressly mention the name of any elected office-holder.
- (9) The fifth purpose is influencing the public, or any section of the public, to give support to or withhold support from—
 - (a) the holding of a referendum in the United Kingdom or any area in the United Kingdom, or
 - (b) a particular outcome of such a referendum.
- (10) For the purposes of determining whether electronic material can reasonably be regarded as intended to achieve the purpose mentioned in subsection (9)(b), it is immaterial that it does not expressly mention a particular outcome of a referendum.
- (11) In this section “referendum” does not include a poll held under section 64 of the Government of Wales Act 2006.”

Member’s explanatory statement

This new clause and Amendments 22 and 23 replace the purposes set out in clause 39(3) as the purposes intended to be achieved by paid-for electronic material in order for Part 6 to apply to the material. In particular the New Clause makes it clear that this covers material in support of categories of parties, candidates and elected office-holders and applies whether or not the material expressly names the party etc.

Alex Norris
Cat Smith
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss
Patrick Grady

Brendan O'Hara

NC1

To move the following Clause—

“Voting from age 16 in parliamentary elections

In section 1(1)(d) of the Representation of the People Act 1983 (definition of voting age for parliamentary elections), for “18” substitute “16”.

Member’s explanatory statement

This new clause would lower the voting age to 16 in UK parliamentary elections.

Alex Norris
Cat Smith
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss
Mr Virendra Sharma

NC2

To move the following Clause—

“Permissible donors

- (1) Section 54 (permissible donors) of PPERA is amended as follows.
- (2) In subsection (2)(a), after “register” insert “at the time at which the donation is made, but not an individual so registered as an overseas elector;”

Member’s explanatory statement

This new clause would prevent overseas electors donating to political parties in the UK.

Brendan O'Hara
Patrick Grady

NC3

To move the following Clause—

“Citizens’ assembly on electoral systems

- (1) The Secretary of State must establish a citizens’ assembly representative of the population aged 16 and over to consider electoral systems in the United Kingdom.
- (2) The Secretary of State must, for each category of election reformed by section (Simple majority system to be used in elections for certain offices), provide to the assembly a report assessing the effects of the reforms on the matters in subsection (3).

- (3) The matters are—
 - (a) voter engagement and understanding,
 - (b) electoral integrity,
 - (c) fairness and proportionality.
- (4) A report under subsection (2) must be provided to the assembly no later than three months after the first election in each category of election after this section comes into force.
- (5) The assembly must—
 - (a) consider the reports under subsection (2),
 - (b) consider other evidence relating to the matters in subsection (3).
- (6) The assembly may make recommendations for legislative or policy change, including for parliamentary elections.”

Brendan O’Hara
Patrick Grady

NC4

To move the following Clause—

“Automatic Voter Registration

- (1) It is a duty of—
 - (a) the Secretary of State; and
 - (b) registration officers
 to take all reasonable steps to ensure that persons eligible to register to vote in elections in the United Kingdom are so registered.
- (2) The Secretary of State must by regulations require public bodies to provide information to registration officers in accordance with the duty under subsection (1).
- (3) Regulations under subsection (2) must apply to public bodies including but not limited to—
 - (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;
 - (g) the Department for Work and Pensions;
 - (h) HM Passport Office;
 - (i) police forces;
 - (j) the TV Licensing Authority.
- (4) Registration officers must—
 - (a) use the information provided under regulations under subsection (2) to register otherwise unregistered persons on the appropriate electoral register or registers, or

- (b) if the information provided does not contain all information necessary to register a person who may be eligible, contact that person for the purpose of obtaining the required information to establish whether they are eligible to register and, if so, register them on the appropriate electoral register or registers.
- (5) If a registration officer has registered a person under subsection (4), the officer must notify that person within 30 days and give that person an opportunity to correct any mistaken information.
- (6) The Secretary of State may issue guidance to registration officers on fulfilling their duties under this section.
- (7) Where a person is registered under subsection (4), that person shall be omitted from the edited register unless that person notifies the registration officer to the contrary.
- (8) Nothing in this section affects entitlement to register to vote anonymously."

Brendan O'Hara
Patrick Grady

NC5

To move the following Clause—

"Voting by convicted persons sentenced to terms of 12 months or less

In section 3(1A) (exceptions to the disenfranchisement of prisoners) of the Representation of the People Act 1983, after "Scotland" insert "or a parliamentary election"."

Member's explanatory statement

This new clause would allow prisoners serving a sentence of 12 months or less to vote in UK parliamentary elections.

Brendan O'Hara
Patrick Grady

NC6

To move the following Clause—

"Voting by qualifying foreign nationals

In section 1(1) (entitlement to vote in parliamentary elections) of the Representation of the People Act 1983, for paragraph (c) substitute—

- "(c) is a Commonwealth citizen, a citizen of the Republic of Ireland or a qualifying foreign national; and"

Member's explanatory statement

This new clause would allow foreign nationals who either do not need leave to remain in the UK or have been granted such leave to vote in UK parliamentary elections.

Brendan O'Hara
Patrick Grady

NC7

To move the following Clause—

“Voting by EU nationals

In section 1(1) (entitlement to vote in parliamentary elections) of the Representation of the People Act 1983, for paragraph (c) substitute—

“(c) is a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union; and”

Member’s explanatory statement

This new clause would allow EU citizens to vote in UK parliamentary elections.

Brendan O'Hara
Patrick Grady

NC8

To move the following Clause—

“Fines for electoral offences

- (1) The Political Parties, Elections and Referendums (Civil Sanctions) Order 2010 is amended as follows.
- (2) In Schedule 1, paragraph 5, leave out “£20,000” and insert “£500,000, or 5% of the total spend by the organisation or individual being penalised in the election to which the offence relates, whichever is greater”.

Member’s explanatory statement

This new clause would allow the Electoral Commission to impose increased fines for electoral offences.

Alex Norris
Cat Smith
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss
Mr Virendra Sharma

NC9

To move the following Clause—

“Permissible donors to be based in the United Kingdom and associated offences

- (1) Section 54 of PPERA (permissible donors) is amended in accordance with subsections (2) to (5).
- (2) At the end of subsection (2)(a), insert “ordinarily resident in the United Kingdom, and domiciled in the United Kingdom for purposes of individual taxation.”
- (3) After subsection (2)(b)(ii) insert—

- “(iii) employing a majority of its staff at locations within the United Kingdom, and
- (iv) employing at least five staff within the United Kingdom”.
- (4) At the end of subsection (2)(f), insert “has a majority of partners who are on a UK electoral register, are ordinarily resident in the United Kingdom and are domiciled in the United Kingdom for purposes of individual taxation, employs a majority of its staff at locations within the United Kingdom, and employs at least five staff within the United Kingdom.”
- (5) At the end of subsection (2)(h), insert “has a majority of those persons with significant control who are on a UK electoral register, are ordinarily resident in the United Kingdom and are domiciled in the United Kingdom for purposes of individual taxation, and also either employs no staff at all, or employs a majority of its staff at locations within the United Kingdom.”
- (6) Section 61 of PPERA (offences concerned with evasion of restrictions on donations) is amended in accordance with subsection (7).
- (7) After subsection (2) insert—
 - “(3) A person commits an offence if they are a director of a company, hold a position of significant control in an unincorporated association, or are a partner in a limited liability partnership, and that company, association or partnership—
 - (a) is not a permissible donor and offers a donation to a political party (whether the donation is accepted or not), or
 - (b) commits, or otherwise causes to be committed, an act which were the body be a person, would be an offence under subsection (1) or (2).”

Member’s explanatory statement

This new clause makes requirements for individual and company donors to be based in the United Kingdom and makes persons running companies liable for donation restriction evasion offences committed by those companies.

Margaret Ferrier

NC10

☆ To move the following Clause—

“Removal of requirement for election agent’s address to be published

- (1) The Representation of the People Act 1983 is amended as follows.
- (2) In section 67 (appointment of election agent), after subsection (6) insert—
 - “(6A) Though if the candidate or the person acting on behalf of the candidate under this section provides a statement signed by the candidate that the candidate requires the address of the election agent not to be made public and instead states the relevant area within which that address is situated, the public notice under subsection (6) should state that relevant area rather than the address.
 - (6B) In this section, “relevant area” means—
 - (a) for a parliamentary election, the constituency,

- (b) for an Authority election, the Assembly constituency,
- (c) for any other local election, local government area, or
- (d) if the address is outside the United Kingdom, the country within which it is situated.””

Member’s explanatory statement

This new clause would remove the requirement for public notice of the addresses of election agents (including candidates acting as their own agent) to be given at parliamentary and local elections. The area in which the address is situated could instead be given, as for candidates.

Alex Norris	1
Cat Smith	
Fleur Anderson	
Kate Hollern	
Nick Smith	
Gill Furniss	
Mr Virendra Sharma	
Page 1, line 4, leave out Clause 1	

Member’s explanatory statement

This amendment would remove the Voter ID provisions.

Brendan O’Hara	6
Patrick Grady	
Clause 3, page 2, line 20, after “partner” insert “cohabitant”	

Member’s explanatory statement

This amendment would ensure that the cohabittees of those who receive a postal voting document do not commit an offence by handling such a document.

Brendan O’Hara	8
Patrick Grady	
Clause 3, page 2, line 25, leave out “dishonestly”	

Member’s explanatory statement

This amendment probes the necessity of adding a further test of dishonesty to the defence in subsection (4) of the inserted provision 112A.

Brendan O'Hara
Patrick Grady

7

Clause 3, page 3, line 15, at end insert—

““cohabitant” means either member of a couple consisting of two persons of the same or opposite sex who are (or were) living together as if they were married or civil partners.”

Member's explanatory statement

This amendment would ensure that the cohabitantes of those who receive a postal voting document do not commit an offence by handling such a document.

Alex Norris
Cat Smith
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss
Caroline Nokes
Crispin Blunt
Mr Virendra Sharma

Brendan O'Hara
Stephen McPartland
Daisy Cooper

Patrick Grady
Philip Davies
Margaret Ferrier

2

Clause 8, page 11, leave out lines 20 to 31 and insert—

- “(a) in paragraph (3A)(b), for “a device” substitute “equipment”;
- (b) after paragraph (3A)(b) insert—
 - “(c) such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote in the manner directed by rule 37.”;
- (c) after paragraph (3A) insert—
 - “(3B) In paragraph (3A)(c), “relevant persons” means persons who find it difficult or impossible to vote in the manner directed by rule 37 because of a disability.””

Member's explanatory statement

This amendment would retain the requirement for returning officers to make specific provision at polling stations to enable voters who are blind or partially-sighted to vote without any need for assistance from the presiding officer or any companion and change the nature of that provision from “a device” to “equipment”.

Brendan O'Hara 9
Patrick Grady

★ Page 20, line 19, leave out Clause 13

Brendan O'Hara 4
Patrick Grady

Clause 13, page 22, line 19, at end insert—

“(4A) The Secretary of State may not designate the statement under section 4A unless the Scottish Parliament has, before the end of the 40-day period, passed a motion of the form “That the Parliament approves the draft Electoral Commission strategy and policy statement so far as it relates to the Commission’s devolved Scottish functions”.”

Member’s explanatory statement

This amendment would require the Scottish Parliament to approve an Electoral Commission strategy and policy statement so far as it relates to the Commission’s devolved Scottish functions before the strategy could have effect.

Brendan O'Hara 10
Patrick Grady

★ Page 25, line 20, leave out Clause 14

Kemi Badenoch 13

★ Clause 15, page 26, line 29, leave out “Minister for the Cabinet Office” and insert “Secretary of State for Levelling Up, Housing and Communities”

Member’s explanatory statement

This amendment takes account of a change to the membership of the Speaker’s Committee made by the Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021.

Kemi Badenoch

14

- ★ Clause 15, page 26, line 32, leave out “with responsibilities in relation to the constitution”

Member’s explanatory statement

This amendment gives greater flexibility regarding which Minister of the Crown may be appointed to exercise, concurrently with the Secretary of State for Levelling Up, Housing and Communities, that Secretary of State’s functions as a member of the Speaker’s Committee.

Kemi Badenoch

15

- ★ Clause 15, page 26, line 36, leave out “Minister for the Cabinet Office” and insert “Secretary of State for Levelling Up, Housing and Communities”

Member’s explanatory statement

See the explanatory statement for Amendment 13.

Kemi Badenoch

16

- ★ Clause 15, page 27, line 4, leave out “Minister for the Cabinet Office” and insert “Secretary of State for Levelling Up, Housing and Communities”

Member’s explanatory statement

See the explanatory statement for Amendment 13.

Kemi Badenoch

17

- ★ Clause 15, page 27, line 6, leave out subsection (3) and insert—

“(3) The following are revoked—

- (a) the Transfer of Functions (Speaker’s Committee) Order 2021 (S.I. 2021/310);
- (b) in article 7(1) of the Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021 (S.I. 2021/1265), sub-paragraphs (b) and (c).”

Member’s explanatory statement

This amendment provides for the revocation of provisions of the Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021 that are superseded by clause 15 (as amended by Amendments 13 to 16).

Brendan O'Hara
Patrick Grady

11

★ Page 33, line 2, leave out Clause 23

Brendan O'Hara
Patrick Grady

12

★ Page 34, line 19, leave out Clause 24

Alex Norris
Cat Smith
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss
Mr Virendra Sharma

3

Page 37, line 5, leave out Clause 26

Member's explanatory statement

This amendment would remove the provisions relating to joint campaigning by registered parties and third parties.

Kemi Badenoch

18

- ★ Clause 33, page 45, line 29, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

Since the Bill was introduced, responsibility for elections has moved from the Minister for the Cabinet Office to the Secretary of State for Levelling Up, Housing and Communities. This amendment brings Ministerial functions under the Bill into line with the current allocation of Ministerial responsibilities.

Kemi Badenoch

19

- ★ Clause 36, page 47, line 6, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

20

- ★ Clause 37, page 47, line 27, at end insert—

“(10) Part 5 has effect for the purposes of subsections (4) to (6) as if the definition of “relevant elective office” in section 34(1) included an office to which a person may be elected by a municipal election in the City, as defined by section 191(1) of RPA 1983 (municipal elections in the City of London).”

Member’s explanatory statement

This amendment has the effect that references in Part 6 to a candidate, future candidate or elected office-holder apply to a candidate or future candidate at, or a person elected at, a municipal election in the City of London.

Kemi Badenoch

21

- ★ Clause 38, page 48, line 8, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

22

- ★ Clause 39, page 48, line 37, leave out “subsection (3)” and insert “section (*Purposes referred to in section 39*)”

Member’s explanatory statement

See the explanatory statement for NC12.

Kemi Badenoch

23

- ★ Clause 39, page 48, line 39, leave out subsection (3)

Member’s explanatory statement

See the explanatory statement for NC12.

Kemi Badenoch

24

- ★ Clause 39, page 49, line 12, leave out subsection (6)

Member’s explanatory statement

This amendment is consequential on NC12.

Kemi Badenoch

25

- ★ Clause 40, page 49, line 21, at end insert “and is published during the referendum period (within the meaning of that Part) for that referendum”

Member’s explanatory statement

This amendment clarifies that in order for electronic material to meet the condition in clause 40(2)(b) in relation to a referendum, the material must be published during the referendum period for that referendum.

Kemi Badenoch

26

- ★ Clause 41, page 49, line 34, leave out paragraph (a) and insert—
“(a) a registered party,”

Member’s explanatory statement

This amendment and Amendment 27 bring the drafting of clause 41(2) into line with that of subsection (2) in NC12.

Kemi Badenoch

27

- ★ Clause 41, page 49, line 35, leave out “one or more”

Member’s explanatory statement

See the explanatory statement for Amendment 26.

Kemi Badenoch

28

- ★ Clause 41, page 50, line 15, leave out from “candidates” to end of line 18

Member’s explanatory statement

This amendment and Amendment 29 replace subsection (2)(c) of clause 41 with a new subsection which matches subsection (3) in NC12 and subsections (5) and (7) of clause 41. All make it clear that electronic material need not expressly mention a particular name.

Kemi Badenoch

29

- ★ Clause 41, page 50, line 18, at end insert—

“(3A) For the purposes of determining whether electronic material can reasonably be regarded as intended to achieve the purpose mentioned in subsection (2), it is immaterial that it does not expressly mention the name of any party, candidate or future candidate.”

Member’s explanatory statement

See the explanatory statement for Amendment 28.

Kemi Badenoch

30

- ★ Clause 41, page 50, line 20, leave out “a particular election” and insert “one or more particular elections”

Member’s explanatory statement

This amendment makes the drafting of subsection (4) of clause 41 consistent with the drafting of subsection (2) of that clause, so that both make it clear that electronic material may relate to more than one particular election.

Kemi Badenoch

31

- ★ Clause 41, page 50, line 23, after “not” insert “expressly”

Member’s explanatory statement

This amendment makes the drafting of subsection (5) of clause 41 consistent with the drafting of subsection (7) of that clause, so that both make it clear that electronic material need not expressly mention a particular name.

Kemi Badenoch

32

- ★ Clause 42, page 51, line 3, leave out “section 39” and insert “sections 39 and (*Purposes referred to in section 39*)”

Member’s explanatory statement

This amendment is consequential on NC12.

Kemi Badenoch

33

- ★ Clause 43, page 52, line 20, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

34

- ★ Clause 46, page 54, line 4, leave out sub-paragraphs (i) and (ii) and insert—
- “(i) section (*Purposes referred to in section 39*)(2) (registered parties etc),
 - (ii) section (*Purposes referred to in section 39*)(7) (categories of elected office-holders), or
 - (iii) section (*Purposes referred to in section 39*)(9) (referendums), or”

Member’s explanatory statement

This amendment is consequential on NC12.

Kemi Badenoch

35

- ★ Clause 50, page 56, line 21, leave out “Minister for approval by the Minister” and insert “Secretary of State for approval by the Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

36

- ★ Clause 50, page 56, line 22, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

37

- ★ Clause 50, page 56, line 23, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

38

- ★ Clause 50, page 56, line 24, leave out “Minister has approved draft guidance, the Minister” and insert “Secretary of State has approved draft guidance, the Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

39

- ★ Clause 50, page 56, line 29, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

40

- ★ Clause 50, page 56, line 30, leave out “Minister’s” and insert “Secretary of State’s”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

41

- ★ Clause 50, page 56, line 33, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

42

- ★ Clause 50, page 57, line 3, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

43

★ Clause 50, page 57, line 7, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

44

★ Clause 50, page 57, line 12, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

45

★ Clause 56, page 61, line 28, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

46

★ Clause 58, page 62, line 6, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

47

- ★ Clause 60, page 62, leave out lines 33 and 34

Member's explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

48

- ★ Clause 60, page 63, line 1, leave out subsection (2)

Member's explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

49

- ★ Clause 61, page 63, line 21, after "3," insert "8A,"

Member's explanatory statement

This amendment provides for the new paragraph 8A for Schedule 1 to the Bill (inserted by Amendment 76) to extend to Northern Ireland.

Kemi Badenoch

50

- ★ Clause 61, page 63, line 21, after "14," insert "22A,"

Member's explanatory statement

This amendment provides for the new paragraph 22A for Schedule 1 to the Bill (inserted by Amendment 90) to extend to Northern Ireland.

Kemi Badenoch

51

- ★ Clause 62, page 64, line 7, leave out "Minister" and insert "Secretary of State"

Member's explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

52

- ★ Clause 62, page 64, line 11, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

NS1

- ★ To move the following Schedule—

“Power to make regulations about registration, absent voting and other matters

Amendments to the Representation of the People Act 1983

- 1 In section 53 of RPA 1983 (power to make regulations as to registration etc), in subsection (1)—

- (a) omit the “and” at the end of paragraph (b);
- (b) after paragraph (b) insert—
 - “(ba) with respect to applications under sections 13BD, 13BE and 13C and documents or cards issued under any of those sections; and”.

- 2 Schedule 2 to RPA 1983 (provision which may be contained in regulations as to registration etc) is amended in accordance with paragraphs 3 to 11.

- 3 (1) Paragraph 1 is amended as follows.

- (2) In sub-paragraph (2A)—

- (a) omit “in Great Britain”;
- (b) in paragraph (a), for “or 10ZD” substitute “, 10ZD, 13BD, 13BE or 13C”;
- (c) in the closing words, for “paragraph 3ZA(5)” substitute “paragraphs 3ZA(5) and 3A(6)”.

- (3) After sub-paragraph (5) insert—

- “(5A) References in this paragraph to a registration officer’s registration duties include references to—

- (a) in the case of a registration officer in Great Britain, the officer’s functions—
 - (i) under sections 13BD and 13BE, and
 - (ii) in relation to applications under paragraph 3, 4 or 6 of Schedule 4 to the Representation of the People Act 2000, other than applications in relation to a local government election, or local government elections, in Scotland or Wales;
- (b) in the case of the Chief Electoral Officer for Northern Ireland, the Chief Electoral Officer’s functions—
 - (i) under section 13C, and
 - (ii) in relation to applications under section 6, 7 or 8 of the Representation of the People Act 1985.”

4 (1) Paragraph 1A is amended as follows.

(2) In sub-paragraph (1)(a), for the words from the first “who is” to the end substitute “within sub-paragraph (1A),”.

(3) After sub-paragraph (1) insert—

“(1A) The following persons are within this sub-paragraph—

(a) a person who is registered in a register maintained by the registration officer;

(b) a person who is named in—

(i) an application for registration in, or alteration of, a register;

(ii) an application (including a partially completed application) under section 13BD, 13BE or 13C, or

(iii) a relevant absent voting application.

(1B) In sub-paragraph (1A)(b)(i), the reference to an application for registration in, or alteration of, a register includes a reference to a partially completed application submitted through the UK digital service.”

(4) After sub-paragraph (5) insert—

“(6) In sub-paragraph (1), the reference to disclosing information includes, in relation to verifying information relating to a person who is named in a relevant registration application or a relevant absent voting application, references to disclosing evidence provided by a person in connection with the application.

(7) In this paragraph—

(a) “relevant absent voting application” means—

(i) an application (including a partially completed application) under paragraph 3, 4 or 6 of Schedule 4 to the Representation of the People Act 2000, other than an application in relation to a local government election, or local government elections, in Scotland or Wales, or

(ii) an application (including a partially completed application) under section 6, 7 or 8 of the Representation of the People Act 1985;

(b) “relevant registration application” means an application (including a partially completed application) for registration in, or alteration of—

(i) a register of parliamentary electors, or

(ii) a register of local government electors in England,

and includes a form (or partially completed form) in connection with a canvass under section 10;

(c) “the UK digital service” means a digital service provided by a Minister of the Crown for the registration of electors, and the reference in sub-paragraph (1B) to an application submitted through the UK digital service is a reference to an application submitted using that service as an intermediary.

(8) A notice, including a partially completed notice, under section 8(9) of the Representation of the People Act 1985 (cancellation of proxy appointment) is to be treated as a relevant absent voting application for the purposes of this paragraph.”

5 (1) Paragraph 3ZA is amended as follows.

(2) In sub-paragraph (1)—

(a) for “or 10ZD” substitute “, 10ZD, 13BD or 13BE”;

(b) in paragraph (b), after “applications” insert “and any such declarations”.

- (3) After sub-paragraph (2) insert—
- “(2A) Provision made under sub-paragraph (1) in relation to applications within sub-paragraph (2B) may include provision—
- (a) conferring functions on the Secretary of State to enable applications to be made in a particular manner;
 - (b) authorising the Secretary of State, in prescribed circumstances, to complete applications in part for people.
- (2B) The following applications are within this sub-paragraph—
- (a) an application for registration in, or alteration of—
 - (i) a register of parliamentary electors,
 - (ii) a register of local government electors in England, or
 - (iii) a register of local government electors in Scotland or Wales, where the application is submitted through the UK digital service;
 - (b) an application under section 13BD or 13BE.”
- (4) After sub-paragraph (3) insert—
- “(3A) Provision requiring a person making an application under section 13BD or 13BE to provide evidence that the person is the person named in the application.”
- (5) In sub-paragraph (4), after “(3)” insert “or (3A)”.
- (6) In sub-paragraph (6), after “(3)” insert “or (3A)”.
- (7) After sub-paragraph (6) insert—
- “(7) In sub-paragraph (2B)(a)(iii), “the UK digital service” means a digital service provided by a Minister of the Crown for the registration of electors, and the reference to an application submitted through the UK digital service is a reference to an application submitted using that service as an intermediary.”
- 6 For paragraph 3A substitute—
- “3A (1) Provision about—
- (a) applications for registration in Northern Ireland and applications under section 13C, including in particular provision about—
 - (i) the form and contents of applications and of any declarations to be made in connection with them;
 - (ii) the manner in which applications and any such declarations are to be made;
 - (b) the manner in which forms in connection with a canvass under section 10 are to be submitted.
- (2) Provision made under sub-paragraph (1) may include provision—
- (a) conferring functions on the Secretary of State or the Chief Electoral Officer for Northern Ireland to enable applications to be made, or forms to be submitted, in a particular manner;
 - (b) conferring other functions on the Chief Electoral Officer for Northern Ireland;
 - (c) conferring functions on the Electoral Commission;
 - (d) authorising the Secretary of State or the Chief Electoral Officer for Northern Ireland, in prescribed circumstances, to complete applications or forms in part for people.
- (3) Provision requiring a person making an application for registration in Northern Ireland—
- (a) to provide evidence that the person is the person named in the application;
 - (b) to provide evidence of entitlement to be registered.
- (4) Provision requiring a person making an application under section 13C to provide evidence that the person is the person named in the application.

- (5) Provision made under sub-paragraph (3) or (4) must specify the kind of evidence that a person is required to provide.
 - (6) Examples of the evidence that may be specified include a person's date of birth or national insurance number.
 - (7) Provision made under sub-paragraph (3) or (4) may require a person to provide the evidence to the Chief Electoral Officer for Northern Ireland or to some other prescribed person (or person of a prescribed description).
 - (8) Provision about how any requirement for an applicant to provide a signature in connection with—
 - (a) an application for registration in Northern Ireland, or
 - (b) a form submitted in connection with a canvass under section 10, may be satisfied.”
- 7 After paragraph 5 insert—

“5ZA(1) Provision about the manner in which relevant absent voting applications are to be made.

- (2) Provision made under sub-paragraph (1) may include provision—
 - (a) conferring functions on the Secretary of State, registration officers, or local or public authorities in Great Britain, to enable applications to be made in a particular manner;
 - (b) conferring other functions on registration officers;
 - (c) conferring functions on the Electoral Commission;
 - (d) authorising the Secretary of State or the Chief Electoral Officer for Northern Ireland, in prescribed circumstances, to complete applications in part for people.
 - (3) Provision imposing requirements to be met in relation to a relevant absent voting application.
 - (4) Provision about how any requirement for an applicant to provide a signature in connection with a relevant absent voting application may be satisfied.
 - (5) In this paragraph “relevant absent voting application” has the same meaning as in paragraph 1A.
 - (6) A notice under section 8(9) of the Representation of the People Act 1985 (cancellation of proxy appointment) is to be treated as a relevant absent voting application for the purposes of this paragraph.”
- 8 In paragraph 8B(1), for “or 10ZD” substitute “, 10ZD, 13BD, 13BE or 13C”.
- 9 After paragraph 8B insert—

“8BA(1) Provision requiring a registration officer in Great Britain to keep records of—

- (a) applications made to the officer under sections 13BD and 13BE;
 - (b) documents issued by the officer under those sections.
- (2) Provision requiring the Chief Electoral Officer for Northern Ireland to keep records of—
 - (a) applications made to the Chief Electoral Officer under section 13C;
 - (b) electoral identity cards issued under that section.
 - (3) Provision made under sub-paragraph (1) or (2) may include provision about information to be shown in a record.
 - (4) Provision authorising or requiring a relevant registration officer—
 - (a) to supply a copy of a record kept by the officer by virtue of provision made under sub-paragraph (1) or (2), or
 - (b) to disclose information contained in such a record,

to such persons and for such purposes as may be prescribed.

- (5) In sub-paragraph (4), “relevant registration officer” means—
- (a) in relation to a record referred to in sub-paragraph (1), a registration officer in Great Britain;
 - (b) in relation to a record referred to in sub-paragraph (2), the Chief Electoral Officer for Northern Ireland.”

10 In paragraph 8C(1)—

- (a) in paragraph (a), for “or 10A” substitute “, 10A, 13BD, 13BE or 13C”;
- (b) in paragraph (c), after “3ZA” insert “, 3A or 8BA”.

11 In paragraph 13, after sub-paragraph (1) insert—

“(1ZZA) References in sub-paragraph (1)(b) to a registration officer’s registration duties include references to—

- (a) in the case of a registration officer in Great Britain, the officer’s functions—
 - (i) under sections 13BD and 13BE, and
 - (ii) in relation to applications under paragraph 3, 4 or 6 of Schedule 4 to the Representation of the People Act 2000, other than applications in relation to a local government election, or local government elections, in Scotland or Wales;
- (b) in the case of the Chief Electoral Officer for Northern Ireland, the Chief Electoral Officer’s functions—
 - (i) under section 13C, and
 - (ii) in relation to applications under section 6, 7 or 8 of the Representation of the People Act 1985.”

Power to remove signature requirements

12 (1) The Secretary of State may by regulations—

- (a) amend Schedule 4 to the Representation of the People Act 2000 (absent voting in Great Britain) by removing any requirement for an application under paragraph 3, 4 or 7 of that Schedule, other than an excluded application, to contain the applicant’s signature;
 - (b) amend section 6 or 7 of the Representation of the People Act 1985 (absent voting at parliamentary elections in Northern Ireland) by removing any requirement for an application under either of those sections to contain the applicant’s signature.
- (2) In sub-paragraph (1), “excluded application” means an application in relation to a local government election, or local government elections, in Scotland or Wales.
- (3) Regulations under sub-paragraph (1) may make—
- (a) different provision for different purposes;
 - (b) consequential, supplementary, incidental, transitional, transitory or saving provision.
- (4) The consequential provision that may be made by virtue of sub-paragraph (3)(b) includes provision amending any provision made by the Representation of the People Acts.
- (5) Regulations under sub-paragraph (1) are to be made by statutory instrument.

- (6) A statutory instrument containing regulations under sub-paragraph (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

Power to make provision about unique reference numbers: elections in Northern Ireland

- 13 (1) The Secretary of State may by regulations make provision about the issuing or use of unique reference numbers in connection with—
- (a) applications for registration in a register of parliamentary electors, or a register of local electors, in Northern Ireland;
 - (b) applications to vote by post or proxy at parliamentary or local elections in Northern Ireland;
 - (c) a canvass under section 10 of RPA 1983 (maintenance of registers: duty to conduct canvass in Northern Ireland).
- (2) Regulations under sub-paragraph (1) may in particular make provision—
- (a) amending or repealing section 10B of RPA 1983 or any other provision made by the Representation of the People Acts about unique reference numbers allocated under that section;
 - (b) amending or repealing any provision made by the Elected Authorities (Northern Ireland) Act 1989 about such unique reference numbers;
 - (c) changing how unique reference numbers are referred to in any provision made by the Representation of the People Acts or the Elected Authorities (Northern Ireland) Act 1989.
- (3) Regulations under sub-paragraph (1) may make—
- (a) different provision for different purposes;
 - (b) consequential, supplementary, incidental, transitional, transitory or saving provision.
- (4) The consequential provision that may be made by virtue of sub-paragraph (3)(b) includes provision amending any provision made by the Representation of the People Acts or the Elected Authorities (Northern Ireland) Act 1989.
- (5) Regulations under sub-paragraph (1) are to be made by statutory instrument.
- (6) A statutory instrument containing regulations under sub-paragraph (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

Consequential repeals

- 14 The following are repealed—
- (a) section 2(2) of the Elections (Northern Ireland) Act 1985;
 - (b) paragraph 24(5) of Schedule 1 to the Representation of the People Act 2000;
 - (c) paragraph 20(4) of Schedule 4 to the Electoral Registration and Administration Act 2013.”

Member’s explanatory statement

This new schedule contains provision about registration, absent voting and some other applications, including provision about how applications are made and about the verification of information or evidence provided in connection with such applications.

Alex Norris 5
 Cat Smith
 Fleur Anderson
 Kate Hollern
 Nick Smith
 Gill Furniss
 Mr Virendra Sharma

Page 65, line 2, leave out Schedule 1

Member's explanatory statement

This amendment is consequential on Amendment 1.

Kemi Badenoch 53

- ★ Schedule 1, page 65, line 10, after "is" insert "or has applied to be"

Member's explanatory statement

This amendment and Amendments 54 to 56 enable an application for an electoral identity document to be made by a person at the same time as the person applies to be registered in a register of electors.

Kemi Badenoch 54

- ★ Schedule 1, page 65, line 13, after "is" insert "or has applied to be"

Member's explanatory statement

See the explanatory statement for Amendment 53.

Kemi Badenoch 55

- ★ Schedule 1, page 65, line 15, after "vote" insert "or, as the case may be, will on being registered be entitled to vote,"

Member's explanatory statement

See the explanatory statement for Amendment 53.

Kemi Badenoch 56

- ★ Schedule 1, page 65, line 19, after "vote" insert "or, as the case may be, will on being registered be entitled to vote,"

Member's explanatory statement

See the explanatory statement for Amendment 53.

Kemi Badenoch

57

- ★ Schedule 1, page 65, line 21, leave out from “to” to “registered” in line 22 and insert “a registration officer who maintains a register referred to in subsection (1) in which the applicant is or has applied to be”

Member’s explanatory statement

This amendment enables an applicant for an electoral identity document to apply to any electoral registration officer who maintains a register in which the applicant is, or has applied to be, registered.

Kemi Badenoch

58

- ★ Schedule 1, page 65, leave out lines 23 to 28

Member’s explanatory statement

This amendment leaves out provision that is no longer needed as a result of NS1.

Kemi Badenoch

59

- ★ Schedule 1, page 65, leave out lines 34 to 37

Member’s explanatory statement

This amendment leaves out provision that is no longer needed as a result of NS1.

Kemi Badenoch

60

- ★ Schedule 1, page 66, leave out lines 3 to 5

Member’s explanatory statement

This amendment leaves out provision that is no longer needed as a result of NS1.

Kemi Badenoch

61

- ★ Schedule 1, page 66, line 27, at end insert—

“(12) Regulations under subsection (10) or (11)(a) may confer functions on the Electoral Commission (for example, the Commission may be required to design an electoral identity document).”

Member’s explanatory statement

This amendment enables functions relating to the content or form of an electoral identity document to be conferred on the Electoral Commission.

Kemi Badenoch

62

- ★ Schedule 1, page 66, line 31, after “has” insert “or has applied for”

Member’s explanatory statement

This amendment and Amendments 63 to 65 enable an application for an anonymous elector’s document to be made by a person at the same time as the person applies to be registered in a register of electors.

Kemi Badenoch

63

- ★ Schedule 1, page 66, line 34, after “has” insert “or has applied for”

Member’s explanatory statement

See the explanatory statement for Amendment 62.

Kemi Badenoch

64

- ★ Schedule 1, page 66, line 36, after “vote” insert “or, as the case may be, will on having an anonymous entry in the register be entitled to vote,”

Member’s explanatory statement

See the explanatory statement for Amendment 62.

Kemi Badenoch

65

- ★ Schedule 1, page 66, line 40, after “vote” insert “or, as the case may be, will on having an anonymous entry in the register be entitled to vote,”

Member’s explanatory statement

See the explanatory statement for Amendment 62.

Kemi Badenoch

66

- ★ Schedule 1, page 67, line 1, leave out from “to” to an” in line 2 and insert “a registration officer who maintains a register referred to in subsection (1) in which the applicant has or has applied for”

Member’s explanatory statement

This amendment enables an applicant for an anonymous elector’s document to apply to any electoral registration officer who maintains a register in which the applicant is, or has applied to be, registered.

Kemi Badenoch

67

- ★ Schedule 1, page 67, leave out lines 4 to 9

Member's explanatory statement

This amendment leaves out provision that is no longer needed as a result of NS1.

Kemi Badenoch

68

- ★ Schedule 1, page 67, leave out lines 15 to 18

Member's explanatory statement

This amendment leaves out provision that is no longer needed as a result of NS1.

Kemi Badenoch

69

- ★ Schedule 1, page 67, leave out lines 21 to 23

Member's explanatory statement

This amendment leaves out provision that is no longer needed as a result of NS1.

Kemi Badenoch

70

- ★ Schedule 1, page 68, line 5, at end insert—

“(12) Regulations under subsection (10) or (11)(a) may confer functions on the Electoral Commission (for example, the Commission may be required to design an anonymous elector's document).”

Member's explanatory statement

This amendment enables functions relating to the content or form of an anonymous elector's document to be conferred on the Electoral Commission.

Kemi Badenoch

71

- ★ Schedule 1, page 68, line 5, at end insert—

“(13) Regulations—

- (a) may authorise or require a registration officer to remind a person who has an anonymous entry in a register maintained by the officer of the need to obtain an anonymous elector's document in order to be able to vote in person;
- (b) may require a registration officer, in prescribed circumstances, to replace an anonymous elector's document issued to a person with a new anonymous elector's document issued by the officer.”

Member's explanatory statement

This amendment provides for the making of regulations authorising or requiring a reminder to be sent to an anonymous elector about the need for an anonymous elector's document for voting in person, and requiring a registration officer to issue the holder of an anonymous elector's document with a new document in prescribed circumstances.

Kemi Badenoch

72

★ Schedule 1, page 68, line 6, at end insert—

“(1A) In subsection (2)—

- (a) omit the “and” after paragraph (a);
- (b) omit paragraph (b).”

Member's explanatory statement

This amendment omits from section 13C of the Representation of the People Act 1983 provision that is no longer needed as a result of NS1.

Kemi Badenoch

73

★ Schedule 1, page 68, leave out lines 9 to 12

Member's explanatory statement

This amendment leaves out provision that is no longer needed as a result of NS1.

Kemi Badenoch

74

★ Schedule 1, page 69, line 15, at end insert—

“4A In section 56 (registration appeals: England and Wales), in subsection (1), after paragraph (ab) insert—

- “(ac) from a determination of a registration officer not to issue—
 - (i) an electoral identity document following an application under section 13BD, or
 - (ii) an anonymous elector's document following an application under section 13BE,”.

4B In section 58 (registration appeals: Northern Ireland), in subsection (1), after paragraph (ba) insert—

- “(bb) from a determination of the Chief Electoral Officer not to issue an electoral identity card following an application under section 13C;”.

Member's explanatory statement

This amendment enables an appeal to be made against the refusal of an application for an electoral identity document, an anonymous elector's document or an electoral identity card.

Kemi Badenoch

75

- ★ Schedule 1, page 70, line 28, leave out “56A” and insert “19B, 56A”

Member’s explanatory statement

This amendment makes it an offence to fail to comply with a condition imposed by regulations under rule 19B of Schedule 1 to the Representation of the People Act 1983 (inserted by Amendment 76).

Kemi Badenoch

76

- ★ Schedule 1, page 70, line 30, at end insert—

“8A After rule 19A insert—

“Date of birth lists for polling stations in Northern Ireland

- 19B (1) The Chief Electoral Officer for Northern Ireland must prepare the following lists for each polling station—
- (a) a list setting out, in relation to each elector allotted to the polling station, the elector’s date of birth as supplied pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b);
 - (b) a list setting out, in relation to each person appointed to vote as proxy for an elector allotted to the polling station, the person’s date of birth as supplied pursuant to—
 - (i) section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b), where the person is or will be registered in a register of parliamentary electors in Northern Ireland, or
 - (ii) section 8(7A) of the Representation of the People Act 1985, where the person is or will be registered in a register of parliamentary electors in Great Britain.
- (2) A list prepared under paragraph (1) must include sufficient information for the purposes of enabling the presiding officer or a clerk at the polling station to make a decision under rule 37(1B)(a)(ii) (decision whether specified document raises doubt as to voter’s apparent age).
- (3) A person to whom paragraph (4) applies must not, otherwise than in accordance with these rules (including regulations under paragraph (5))—
- (a) permit a list prepared under paragraph (1) for a polling station to be inspected;
 - (b) supply to any person a copy of a list prepared under paragraph (1) for a polling station or information contained in such a list;
 - (c) make use of information contained in a list prepared under paragraph (1).
- (4) This paragraph applies to—
- (a) the Chief Electoral Officer for Northern Ireland;
 - (b) a person to whom functions are delegated by the Chief Electoral Officer;
 - (c) the presiding officer of the polling station;
 - (d) a clerk or other officer appointed to work at the polling station.
- (5) Regulations may make provision—
- (a) enabling the inspection of a list prepared under paragraph (1) by prescribed persons;
 - (b) authorising or requiring prescribed persons to supply a copy of a list prepared under paragraph (1) to such persons as may be prescribed;
 - (c) for the payment of a fee in respect of the inspection of a list or the supply of a copy of a list.
- (6) Regulations under paragraph (5)(a) or (b) may impose conditions in relation to—

- (a) the inspection of a list;
 - (b) the supply of a copy of a list;
 - (c) the purposes for which information contained in a list that is inspected or supplied in pursuance of the regulations may be used.
- (7) The conditions that may be imposed by virtue of paragraph (6)(b) include conditions relating to the extent to which a person to whom a copy of a list has been supplied may—
- (a) supply the copy to any other person,
 - (b) disclose to any other person information contained in the copy, or
 - (c) use any such information for a purpose other than that for which the copy was supplied to the person.
- (8) Regulations under paragraph (5) may also impose, in respect of persons to whom a copy of a list has been supplied or information has been disclosed by virtue of paragraph (7), conditions corresponding to those mentioned in paragraph (7).””

Member’s explanatory statement

This amendment requires the Chief Electoral Officer for Northern Ireland to prepare lists containing the dates of births of electors at polling stations in Northern Ireland and of proxies appointed to vote for such electors, and makes provision about disclosure of such lists.

Kemi Badenoch

77

- ★ Schedule 1, page 71, line 30, at end insert—

“(1A) In paragraph (3), after sub-paragraph (e) insert—

“(f) in the case of an election held in Northern Ireland, the lists prepared for the polling station under rule 19B.””

Member’s explanatory statement

This amendment requires the Chief Electoral Officer for Northern Ireland to provide to a polling station the date of birth lists prepared under rule 19B (inserted by Amendment 76).

Kemi Badenoch

78

- ★ Schedule 1, page 73, line 34, leave out “section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of this Act” and insert “a relevant provision (see paragraph (1DC))”

Member’s explanatory statement

This amendment and Amendment 79 enable a date of birth check to be made where a person who is registered in a register of parliamentary electors in Great Britain is voting as proxy for an elector at a parliamentary election in Northern Ireland.

Kemi Badenoch

79

- ★ Schedule 1, page 74, line 17, at end insert—

“(1DC) For the purposes of paragraph (1B)(a)(ii), “relevant provision” means—

- (a) where the voter is registered in a register of parliamentary electors in Northern Ireland, section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of this Act, and

- (b) where the voter is registered in a register of parliamentary electors in Great Britain, section 8(7A) of the Representation of the People Act 1985.”

Member’s explanatory statement

See the explanatory statement for Amendment 78.

_____ Kemi Badenoch 80

- ★ Schedule 1, page 76, line 8, after “document” insert “, except in the case of a voter with an anonymous entry in the register of electors (as to which see paragraph 11B),”

Member’s explanatory statement

This amendment, together with Amendments 83 and 85, clarify that the only form of photo identification that may be used by a voter who has an anonymous entry in the register is a current anonymous elector’s document issued under section 13BE of the Representation of the People Act 1983.

_____ Kemi Badenoch 81

- ★ Schedule 1, page 76, line 9, leave out “and regardless of any expiry date”

Member’s explanatory statement

See the explanatory statement for Amendment 86.

_____ Kemi Badenoch 82

- ★ Schedule 1, page 76, leave out lines 26 to 40 and insert—
“(h) a relevant concessionary travel pass (see paragraph (11A));”

Member’s explanatory statement

This amendment and Amendment 84 set out the full list of concessionary travel passes that may be used for the purposes of obtaining a ballot paper at a polling station.

_____ Kemi Badenoch 83

- ★ Schedule 1, page 77, leave out lines 3 to 6

Member’s explanatory statement

See the explanatory statement for Amendment 80.

_____ Kemi Badenoch 84

- ★ Schedule 1, page 77, line 15, at end insert—
“(11A) In paragraph (1H)(h), “relevant concessionary travel pass” means a concessionary travel pass listed in the second column of the following table—

passes funded by the Government of the United Kingdom	<ul style="list-style-type: none"> an Older Person’s Bus Pass a Disabled Person’s Bus Pass an Oyster 60+ card a Freedom Pass
passes funded by the Scottish Government	<ul style="list-style-type: none"> the National Entitlement Card
passes funded by the Welsh Government	<ul style="list-style-type: none"> a 60 and Over Welsh Concessionary Travel Card a Disabled Person’s Welsh Concessionary Travel Card
passes issued under the Northern Ireland Concessionary Fares Scheme	<ul style="list-style-type: none"> a Senior SmartPass a Registered Blind SmartPass or Blind Person’s SmartPass a War Disablement SmartPass or War Disabled SmartPass a 60+ SmartPass a Half Fare SmartPass”

Member’s explanatory statement

See the explanatory statement for Amendment 82.

Kemi Badenoch

85

★ Schedule 1, page 77, line 15, at end insert—

“(1B) In this rule a “specified document”, in the case of a voter who has an anonymous entry in the register of electors, means an anonymous elector’s document issued to the voter under section 13BE which—

- (a) was issued by an appropriate registration officer, and
- (b) contains the voter’s current electoral number.

(1C) For the purposes of paragraph (1B)—

“appropriate registration officer” means—

- (a) the registration officer for the constituency in which the election is being held, or
- (b) where the election is being held in a constituency for which there is more than one registration officer, any of those officers;

a voter’s “electoral number” is the number—

- (a) allocated to the voter as stated in the copy of the register of electors, or
- (b) where an entry relating to the voter is added to the register in pursuance of a notice issued under section 13B(3B) or (3D), as stated in the copy of that notice.”

Member's explanatory statement

See the explanatory statement for Amendment 80. This new paragraph for rule 37 of Schedule 1 to the Representation of the People Act 1983 would be inserted immediately after paragraph (11A) inserted into that rule by Amendment 84.

Kemi Badenoch

86

★ Schedule 1, page 77, line 15, at end insert—

“(11D) A reference in this rule to a document that is a specified document is a reference to the document regardless of any expiry date relating to it (subject to paragraph (11E)).

(11E) Paragraph (11D) does not apply to a document which—

- (a) is referred to in paragraph (1H)(k) or (11B), and
- (b) in accordance with regulations made by virtue of section 13BD or 13BE (as the case may be), is issued for use only at a particular poll or at particular polls being held on the same day.”

Member's explanatory statement

This amendment provides that while most documents listed in rule 37(1H) (inserted by the Bill) may be used regardless of any expiry date, that does not apply to certain documents that have been issued for a limited period. These new paragraphs would be inserted immediately after paragraph (11C) inserted by Amendment 85.

Kemi Badenoch

87

★ Schedule 1, page 77, leave out lines 18 to 23 and insert—

“(1K) Regulations may make provision varying paragraph (1H), (1I) or (1IA) by—

- (a) adding a reference to a document to any of those paragraphs,
- (b) removing a reference to a document from any of those paragraphs (other than the document referred to in paragraph (1H)(k)), or
- (c) varying any description of document referred to in any of those paragraphs.”

Member's explanatory statement

This amendment clarifies that the power to vary the list of acceptable forms of photo identification extends to varying the lists in rule 37(1I) (inserted by the Bill) and the list in paragraph (1IA) (inserted by Amendment 84).

Kemi Badenoch

88

★ Schedule 1, page 77, line 32, leave out sub-paragraph (5) and insert—

“(5) In paragraph (2), omit the words from “and only” to the end.”

Member's explanatory statement

This amendment corrects an error relating to the Amendment of rule 37(2) of Schedule 1 to the Representation of the People Act 1983.

Kemi Badenoch

89

- ★ Schedule 1, page 82, line 16, at end insert—

“(dc) in the case of an election held in Northern Ireland, the lists provided to the polling station under rule 29(3)(f),”

Member’s explanatory statement

This amendment requires the date of birth lists provided to a polling station in Northern Ireland under rule 29(3)(f) (inserted by Amendment 77) to be sealed and delivered to the returning officer after the close of the poll for a parliamentary election in Northern Ireland.

Kemi Badenoch

90

- ★ Schedule 1, page 82, line 16, at end insert—

“22A After rule 53A insert—

“Destruction of date of birth lists: Northern Ireland

- 53B The Chief Electoral Officer for Northern Ireland must destroy the lists provided to the polling station under rule 29(3)(f)—

- (a) on the next working day following the 21st day after the Chief Electoral Officer has returned the name of the member elected, or
- (b) if an election petition questioning the election or return is presented before that day, on the next working day following the conclusion of proceedings on the petition or on appeal from such proceedings.””

Member’s explanatory statement

This amendment requires the Chief Electoral Officer for Northern Ireland to destroy the date of birth lists provided to a polling station under rule 29(3)(f) (inserted by Amendment 77) within a particular period after the close of the poll for a parliamentary election in Northern Ireland.

Kemi Badenoch

91

- ★ Schedule 2, page 88, line 30, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

92

- ★ Schedule 3, page 92, line 2, at end insert—

“(g) At an election held in Northern Ireland, “What is your date of birth?”.”

Member’s explanatory statement

This amendment enables a person voting as proxy to be asked for their date of birth when applying for a ballot paper at a parliamentary election in Northern Ireland.

Kemi Badenoch

93

- ★ Schedule 3, page 93, line 24, at end insert—

“(5) After subsection (7) insert—

“(7A) The requirements prescribed under subsections (6) and (7) must include a requirement for an application to contain the proxy’s date of birth.””

Member’s explanatory statement

This amendment provides that an application under section 8(6) or (7) of the Representation of the People Act 1985 to appoint a proxy to vote at a parliamentary election in Northern Ireland must include the proxy’s date of birth.

Kemi Badenoch

94

- ★ Schedule 3, page 95, line 34, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

95

- ★ Schedule 3, page 96, line 28, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

96

- ★ Schedule 5, page 104, line 17, at end insert—

“6A After rule 16A insert—

“Date of birth lists

- 16B (1) The returning officer must prepare the following lists for each polling station—
- (a) a list setting out, in relation to each elector allotted to the polling station, the elector’s date of birth as supplied pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the Representation of the People Act 1983 (as applied by Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989);
 - (b) a list setting out, in relation to each person appointed to vote as proxy for an elector allotted to the polling station, the person’s date of birth as supplied pursuant to—
 - (i) section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the Representation of the People Act 1983 (as applied by Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989), where the person is or will be registered in a register of local electors in Northern Ireland, or
 - (ii) paragraph 9(1) of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985, where the person is or will be registered in a register of local government electors in Great Britain.
- (2) A list prepared under paragraph (1) must include sufficient information for the purposes of enabling the presiding officer or a clerk at each polling station to make a decision under rule 34(3)(a)(ii) (decision whether specified document raises doubt as to voter’s apparent age).
- (3) A person to whom paragraph (4) applies must not, otherwise than in accordance with these rules or provision made by or under any other enactment—
- (a) permit a list prepared under paragraph (1) for a polling station to be inspected;
 - (b) supply to any person a copy of a list prepared under paragraph (1) for a polling station or information contained in such a list;
 - (c) make use of information contained in a list prepared under paragraph (1).
- (4) This paragraph applies to—
- (a) the returning officer;
 - (b) a person to whom functions are delegated by the returning officer;
 - (c) the presiding officer of the polling station;
 - (d) a clerk or other officer appointed to work at the polling station.””

Member’s explanatory statement

This amendment requires the Chief Electoral Officer for Northern Ireland to prepare lists containing the dates of births of electors at polling stations in Northern Ireland and of proxies appointed to vote for such electors and makes provision about disclosure of such lists.

Kemi Badenoch

97

- ★ Schedule 5, page 104, line 31, at end insert—

“(1A) In paragraph (3), after sub-paragraph (e) insert—

“(f) the lists prepared for the polling station under rule 16B.””

Member's explanatory statement

This amendment requires the Chief Electoral Officer for Northern Ireland to provide to a polling station the date of birth lists prepared under rule 16B (inserted by Amendment 96).

Kemi Badenoch

98

- ★ Schedule 5, page 105, line 3, at end insert—

“(1A) In paragraph (1A), after “elector” insert “or as proxy””

Member's explanatory statement

This amendment enables a person voting as proxy to be asked for their date of birth when applying for a ballot paper at a local election in Northern Ireland.

Kemi Badenoch

99

- ★ Schedule 5, page 106, line 21, leave out from “to” to “raises” in line 25 and insert “a relevant provision (see paragraph (5C)),”

Member's explanatory statement

This amendment and Amendment 100 make provision, for local elections in Northern Ireland, corresponding to the provision made in relation to parliamentary elections by Amendments 78 and 79.

Kemi Badenoch

100

- ★ Schedule 5, page 107, line 7, at end insert—

“(5C) For the purposes of paragraph (3)(a)(ii), “relevant provision” means—

- (a) where the voter is registered in a register of local electors in Northern Ireland, section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the Representation of the People Act 1983 (as applied by Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989), and
- (b) where the voter is registered in a register of local government electors in Great Britain, paragraph 9(1) of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985.”

Member's explanatory statement

See the explanatory statement for Amendment 99.

Kemi Badenoch

101

- ★ Schedule 5, page 108, line 15, at end insert—

“15A In rule 41(1) (sealing and delivery of documents etc), after sub-paragraph (da) insert—

“(db) the lists provided to the polling station under rule 26(3)(f),”.

15B(1) Rule 56A (destruction of home address forms) is amended as follows.

(2) For “each candidate’s home address form” substitute “the documents mentioned in paragraph (1A)”.

(3) After paragraph (1) insert—

“(1A) The documents referred to in paragraph (1) are—

(a) each candidate’s home address form;

(b) the lists provided to the polling station under rule 26(3)(f).”

(4) In the heading, after “forms” insert “and date of birth lists”.

Member’s explanatory statement

This amendment makes provision, for local elections in Northern Ireland, corresponding to that made by Amendments 89 and 90.

Kemi Badenoch

102

★ Schedule 5, page 114, line 18, at end insert—

“22A In paragraph 9(1) of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 (additional requirements for applications for appointment of a proxy), after “name” insert “, date of birth”.”

Member’s explanatory statement

This amendment provides that an application under paragraph 3(5) or (6) of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 to appoint a proxy to vote at a local election in Northern Ireland must include the proxy’s date of birth.

Kemi Badenoch

103

★ Schedule 5, page 114, line 18, at end insert—

“Elected Authorities (Northern Ireland) Act 1989

22A(1) Part 2 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (application and modification of RPA 1983 in relation to local elections in Northern Ireland) is amended as follows.

(2) In paragraph 14, after sub-paragraph (b) insert—

“(ba) subsection (1)(ba) is omitted;”.

(3) In paragraph 16, for “subsection (1)(c)” substitute “subsection (1)(bb) and (c)”.

(4) For paragraph 18 substitute—

“18A In Schedule 2, references to applications under sections 13BD, 13BE and 13C and documents or cards issued under any of those sections are to be disregarded, and the following are omitted—

(a) in paragraph 1A—

(i) sub-paragraph (1A)(b)(iii);

(ii) in sub-paragraph (6), “or a relevant absent voting application”;

(iii) sub-paragraphs (7)(a) and (8);

(b) in paragraph 5(2), “or with his appointment as a proxy”;

(c) paragraphs 5ZA and 5A;

(d) in paragraph 13(1)(a), “or paragraph 2”.

Member’s explanatory statement

This amendment makes amendments relating to the application of provisions of the Representation of the People Act 1983 in relation to local elections in Northern Ireland.

Kemi Badenoch

104

- ★ Schedule 5, page 115, line 35, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

105

- ★ Schedule 5, page 116, line 37, at end insert—

“29A In the table, after the entry for rule 19A of Schedule 1 to RPA 1983 insert—

“Rule 19B (preparation of date of birth lists)

In paragraph (1)(b)(ii), for the words “register of parliamentary electors in Great Britain” substitute “register of local government electors in Great Britain”.

Member’s explanatory statement

This amendment and Amendment 108 apply to elections for the Northern Ireland Assembly requirements relating to date of birth lists for polling stations.

Kemi Badenoch

106

- ★ Schedule 5, page 117, line 3, leave out “and” and insert “to”

Member’s explanatory statement

This amendment and Amendment 107 provide for a modification in the way in which rule 37 of Schedule 1 to the Representation of the People Act 1983 applies for the purposes of elections for the Northern Ireland Assembly.

Kemi Badenoch

107

- ★ Schedule 5, page 117, line 5, at end insert—

“31A In the entry for rule 37 (voting procedure), before the paragraph beginning “In paragraph (1E)(b)” insert—

“In paragraph (1DC), for sub-paragraph (b) substitute—
“(b) where the voter is registered in a register of local government electors in Great Britain, paragraph 9(1) of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985.””

Member’s explanatory statement

See the explanatory statement for Amendment 106.

Kemi Badenoch

108

- ★ Schedule 5, page 117, line 9, at end insert—

“32A In the table, after the entry for rule 53A of Schedule 1 to RPA 1983 insert—

“Rule 53B (destruction of date of birth lists)””

Member’s explanatory statement

See the explanatory statement for Amendment 105.

Kemi Badenoch

109

- ★ Schedule 5, page 117, line 9, at end insert—

“32B In the entry for section 8 of the Representation of the People Act 1985 (proxies at elections), in the right-hand column—

- (a) before the entry relating to subsection (3)(b) of that section insert—

“In subsection (2A), for “register of parliamentary electors in Great Britain or Northern Ireland” substitute “register of local government electors in Great Britain or a register of local electors in Northern Ireland”;

- (b) after the entry relating to subsection (6) of that section insert—

“In subsection (7A), for “subsections (6) and” substitute “subsection”.”

Member’s explanatory statement

This amendment provides for modifications in how section 8 of the Representation of the People Act 1985 is applied in relation to elections to the Northern Ireland Assembly.

Kemi Badenoch

110

- ★ Schedule 5, page 118, line 14, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

111

- ★ Schedule 6, page 122, line 2, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

112

- ★ Schedule 6, page 123, line 10, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

113

- ★ Schedule 6, page 123, line 19, leave out “Minister may take whatever steps the Minister” and insert “Secretary of State may take whatever steps the Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

114

- ★ Schedule 6, page 123, line 30, leave out “Minister for the purpose of enabling the Minister” and insert “Secretary of State for the purpose of enabling the Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

115

- ★ Schedule 6, page 123, leave out line 32 and insert “The Secretary of State may use information held by, or provided to, the Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

116

- ★ Schedule 7, page 130, line 9, at end insert—

“City of London (Various Powers) Act 1957

“1A(1) The City of London (Various Powers) Act 1957 is amended as follows—

(2) In section 4(1) (interpretation of Part 2)—

- (a) omit the definitions of “citizen of the Union” and “relevant citizen of the Union”;
- (b) at the appropriate places insert—

““EU citizen with retained rights” has the same meaning as in the Act of 1983 (see section 203B of that Act);”;

““qualifying EU citizen” has the same meaning as in the Act of 1983 (see section 203A of that Act);”.

- (3) In section 5 (qualification of candidate for election to common council), in subsection (1), for “or a relevant citizen of the Union” substitute “or a qualifying EU citizen or an EU citizen with retained rights”.
- (4) In section 6 (qualification of voters at ward elections), in subsection (1), for “relevant citizens of the Union” substitute “qualifying EU citizens or EU citizens with retained rights”.

Member’s explanatory statement

This amendment provides for amendments to the City of London (Various Powers) Act 1957 in relation to the voting and candidacy rights of EU citizens in elections to the Common Council of the City of London.

Kemi Badenoch

117

- ★ Schedule 7, page 131, line 6, after “citizen” insert “(within the meaning given by section 79 of the Local Government Act 1972)”

Member’s explanatory statement

This amendment ensures that the expression “qualifying Commonwealth citizen” in paragraph 8 of Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 has the meaning given by section 79 of the Local Government Act 1972.

Kemi Badenoch

118

- ★ Schedule 7, page 135, line 33, leave out “Minister” and insert “Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 18.

Kemi Badenoch

119

- ★ Schedule 10, page 149, line 35, leave out “39(3)(b)” and insert “(Purposes referred to in section 39)(4)”

Member’s explanatory statement

This amendment is consequential on NC12.

Kemi Badenoch

120

- ★ Schedule 10, page 150, line 28, leave out “39(3)(b)” and insert “(Purposes referred to in section 39)(4)”

Member’s explanatory statement

This amendment is consequential on NC12.

Kemi Badenoch

121

- ★ Schedule 10, page 151, line 8, leave out “39(3)(b)” and insert “(Purposes referred to in section 39)(4)”

Member’s explanatory statement

This amendment is consequential on NC12.

Kemi Badenoch

122

- ★ Schedule 10, page 151, line 29, leave out "39(3)(b)" and insert "(Purposes referred to in section 39)(4)"

Member's explanatory statement

This amendment is consequential on NC12.

Kemi Badenoch

123

- ★ Schedule 10, page 152, line 7, leave out "39(3)(b)" and insert "(Purposes referred to in section 39)(4)"

Member's explanatory statement

This amendment is consequential on NC12.

Kemi Badenoch

124

- ★ Schedule 10, page 152, line 22, leave out "39(3)(b)" and insert "(Purposes referred to in section 39)(4)"

Member's explanatory statement

This amendment is consequential on NC12.

Order of the House

[7 September 2021]

That the following provisions shall apply to the Elections Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Wednesday 3 November 2021.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.
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