

Changes to legislation: There are currently no known outstanding effects for the Electoral Registration and Administration Act 2013, PART 4. (See end of Document for details)

SCHEDULES

SCHEDULE 5

TRANSITIONAL PROVISION TO DO WITH PART 1

PART 4

ABSENT VOTING

Applicant for absent vote must have made successful new application for registration or had registration confirmed

- 16 (1) For the purposes of an absent voting application made on or after the commencement date, a person is to be regarded as registered in a register in Great Britain only if the person—
- (a) was registered in the register immediately before the commencement date and has had his or her entitlement to remain registered confirmed, or
 - (b) has made a successful new application for registration.
- (2) “Absent voting application” means an application under paragraph 3(1) or (2) or 4(1) or (2) of Schedule 4 to the Representation of the People Act 2000.
- (3) This paragraph does not apply in relation to a person who is a relevant person for the purposes of Part 5 or 6 of this Schedule.

Commencement Information

- I1** Sch. 5 para. 16 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), **art. 5(m)**
- I2** Sch. 5 para. 16 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), **art. 2(m)**

Entitlement to absent vote ceases after first new canvass if no successful new application for registration or confirmation of registration

- 17 (1) Sub-paragraph (2) applies if, on the day on which a registration officer in Great Britain publishes a register following the first new canvass—
- (a) a person is shown in the absent voters' record as the result of an application made in reliance on the person's registration in the register, and
 - (b) the person was registered in the register immediately before the commencement date and has not had his or her entitlement to remain registered confirmed or made a successful new application for registration in the register.
- (2) The officer must remove the person's entry from the absent voters' record so far as the entry concerns elections of the kind to which the register relates.

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- (3) “Absent voters' record” means the record kept under paragraph 3 of Schedule 4 to the Representation of the People Act 2000.
- (4) Sub-paragraph (5) applies if, on the day on which a registration officer in Great Britain publishes a register following the first new canvass—
- (a) a person is shown in an absent voters' list as the result of an application made in reliance on the person's registration in the register, and
 - (b) the person was registered in the register immediately before the commencement date and has not had his or her entitlement to remain registered confirmed or made a successful new application for registration in the register.
- (5) The officer must remove the person's entry from the absent voters' list.
- (6) “Absent voters' list” means the list mentioned in paragraph 5(2) or (3) of Schedule 4 to the Representation of the People Act 2000.
- (7) If a registration officer removes a person's entry from an absent voters' record or list, the officer must—
- (a) notify the person in the prescribed manner, and
 - (b) take any other prescribed steps.
- (8) This paragraph does not apply in relation to a person who is a relevant person for the purposes of Part 5 or 6 of this Schedule.

Commencement Information

- I3** Sch. 5 para. 17 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), **art. 5(m)**
- I4** Sch. 5 para. 17 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), **art. 2(m)**

*Proxies to have made successful new application
for registration or had registration confirmed*

- 18 A person is to be regarded as registered in a register in Great Britain for the purposes of paragraph 6(3) or (3A) of Schedule 4 to the Representation of the People Act 2000 (as substituted by section 3 of this Act) only if the person—
- (a) was registered in the register immediately before the commencement date and has had his or her entitlement to remain registered confirmed, or
 - (b) has made a successful new application for registration.

Commencement Information

- I5** Sch. 5 para. 18 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), **art. 5(m)**
- I6** Sch. 5 para. 18 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), **art. 2(m)**

*Proxy for existing absent voter need not have made successful new application
for registration or had registration confirmed until after first new canvass*

- 19 (1) The amendment made by section 3 (read with paragraph 18 above) does not apply in relation to a proxy appointment for an existing absent voter (or the proxy's

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entitlement to vote) until the registration officer who made the appointment publishes the relevant register following the first new canvass.

- (2) In this paragraph—
- (a) “proxy appointment” means an appointment of a person as proxy under paragraph 6(7) or (8) of Schedule 4 to the Representation of the People Act 2000 (whether made before, on or after the commencement date);
 - (b) “existing absent voter”, in relation to a proxy appointment, means a person whose absent voting application was made before the commencement date;
 - (c) “absent voting application” means the application under paragraph 3(2) or 4(2) or (3) of Schedule 4 to the Representation of the People Act 2000 by virtue of which the proxy appointment is made;
 - (d) “relevant register” means the register in which the existing absent voter is registered and which relates to elections of the same kind as those to which the proxy appointment relates.
- (3) If a proxy appointment ceases to be in force because sub-paragraph (1) ceases to preserve it, the officer must—
- (a) notify the proxy and the existing absent voter in the prescribed manner, and
 - (b) take any other prescribed steps.
- (4) This paragraph does not apply in relation to an existing absent voter who is a relevant person for the purposes of Part 5 or 6 of this Schedule.

Commencement Information

- I7** Sch. 5 para. 19 in force at 10.6.2014 for E.W. and 19.9.2014 for S. by [S.I. 2014/414](#), **art. 5(m)**
- I8** Sch. 5 para. 19 in force at 15.9.2014 for N.I. by [S.I. 2014/2439](#), **art. 2(m)**

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