
STATUTORY INSTRUMENTS

2013 No. 3206

The Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013

Amendments in relation to applications for registration

10. For regulation 26, substitute—

“Applications for registration

26.—(1) An application for registration as a parliamentary or local government elector (or both) under section 10ZC or an application for alteration in respect of address under section 10ZD of the 1983 Act (“an application”) must be in writing and must state—

- (a) the applicant’s full name and any previous name by which the applicant has been known within 12 months before the date of the application;
- (b) except in the case of an application being made in pursuance of a service declaration or an overseas elector’s declaration, the address in respect of which the applicant applies to be registered and at which they are resident on the date of the application;
- (c) any address at which the applicant has ceased to reside within 12 months before the date of the application and, where that address is not in the United Kingdom, an indication of whether the person was registered in pursuance of an overseas elector’s declaration during this period;
- (d) an indication of whether the applicant is resident at any other address, including at any address in respect of which the applicant is currently registered as an elector and in respect of which the applicant claims to be entitled to remain registered;
- (e) the applicant’s date of birth or, if they are not able to provide that information, the reason why they are not able to do so and a statement as to whether the applicant is under 18 years old;
- (f) the applicant’s national insurance number or, if they are not able to provide that information, the reason why they are not able to do so;
- (g) except in the case of a person applying to be registered in pursuance of an overseas elector’s declaration, the applicant’s nationality or nationalities or, if they are not able to provide that information, the reason why they are not able to do so;
- (h) an indication of whether the applicant requests that their name and address are omitted from the edited version of the register;
- (i) in the case of an applicant whose application is accompanied by an application for an anonymous entry, that fact;
- (j) a declaration by the applicant that the information provided in the application is true; and
- (k) the date of the application.

(2) In the case of a person applying to be registered as a parliamentary or local government elector (or both) in pursuance of a service declaration, a declaration of local connection or an overseas elector's declaration, an application under paragraph (1) must include the appropriate declaration.

(3) The Electoral Commission must design a paper application form which requires the information and declarations in paragraphs (1) and (2) and includes—

- (a) a statement that the information provided in the application will be processed in accordance with the Data Protection Act 1998⁽¹⁾ and as to what information will appear on the electoral register;
- (b) a statement that persons without lawful immigration status are ineligible to register to vote, and that registration officers may request checks in relation to an applicant's immigration status against Home Office records;
- (c) a statement that it is an offence to provide false information to the registration officer, together with a statement of the maximum penalty for that offence;
- (d) space for a bar code, local authority reference number and security code unique to each form;
- (e) space for the email address and telephone number or numbers of the applicant and an explanation that provision of this information is not mandatory;
- (f) space for the registration officer to include local authority information and details of how the registration officer may be contacted;
- (g) an indication of whether the applicant wishes to be able to cast an absent vote;
- (h) an explanation of what the edited register is, using the short version of the form of words prescribed by regulation 47 of and Schedule 3 to the Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013; and
- (i) the web site address of the digital service.

(4) The paper application form for persons applying to be registered in pursuance of a service declaration must—

- (a) instead of the information required in paragraph (1)(b), request the applicant's correspondence address or British Forces Post Office Number;
- (b) in the case of an application in pursuance of a service declaration on the grounds that the applicant is a member of the forces (within the meaning of section 59(1) of the 1983 Act) or the spouse or civil partner of a member of the forces (within the meaning of section 59(1) of the 1983 Act), also include a statement that the applicant must renew their application for registration every 5 years but may cancel it at any time.

(5) The paper application form for persons applying to be registered in pursuance of an overseas elector's declaration must, instead of the information required in paragraph (1) (b), request—

- (a) the last address at which the applicant was registered as an elector; and
- (b) the address at which the applicant can be contacted.

(6) The Electoral Commission must obtain the approval of the Lord President of the Council to the design of the application forms under paragraphs (3), (4) and (5) and must then make the forms available to registration officers.

(1) 1998 c.29.

(7) Where a registration officer gives a paper application form to a person resident in Scotland, it must be accompanied by a pre-addressed reply envelope, return postage of which must be prepaid.

(8) A registration officer may authorise the applicant to provide the information required by paragraph (1) to the registration officer by telephone or in person and, where the officer does so, the registration officer must—

(a) provide the applicant with an explanation of what the edited register is, using the short version of the forms of words prescribed by regulation 47 of and Schedule 3 to the Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013; and

(b) transfer the information provided by the applicant into an application in writing.

(9) An application under paragraph (1) may be made through the digital service and, where it is, the Lord President of the Council must request the applicant's email address and telephone number or numbers and provide an explanation of the purpose for which this information will be used.

(10) A registration officer may, but need not, accept an application in pursuance of an overseas elector's declaration through the digital service.

(11) The Lord President of the Council must send to the registration officer any application he receives together with—

(a) the applicant's email address and telephone numbers (if provided); and

(b) a reference number unique to that application.”