
STATUTORY INSTRUMENTS

2023 No. 1116

**The Representation of the People and Recall Petition
(Northern Ireland) (Amendment) Regulations 2023**

PART 2

Amendments relating to Parliamentary elections

Applications for electoral identity card: notification and appeal

3. After regulation 13 (applications for an electoral identity card) insert—

“Notification of determination of application for electoral identity card

13A.—(1) Where the Chief Electoral Officer for Northern Ireland determines an application for an electoral identity card, they must notify the applicant of that determination, together with any other information required by this regulation.

(2) Where the Chief Electoral Officer refuses the application, they must also notify the applicant of—

- (a) the reason for the refusal,
- (b) the right of appeal under section 58(1)(bb) of the 1983 Act⁽¹⁾, and
- (c) the time in which any notice of appeal under that section must be given (in accordance with regulation 13B(1)).

(3) Where the Chief Electoral Officer notifies the applicant other than by written notification, they must, as soon as reasonably practicable after that notification send a written notification containing the same information to the applicant’s address, as specified in the application.

Appeal following determination

13B.—(1) A person who wishes to appeal under section 58(1)(bb) of the 1983 Act against a determination of the Chief Electoral Officer for Northern Ireland to refuse an application for an electoral identity card must give notice of the appeal to the Chief Electoral Officer before the end of the period of 14 days beginning with the day on which the notification under regulation 13A is given, specifying the grounds of the appeal.

(2) Where regulation 13A(3) applies in respect of the refusal, the reference to notification in paragraph (1) is to be read as the first notification under regulation 13A to that person.

(3) The Chief Electoral Officer must forward any such notice of appeal to the appropriate county court in the manner directed by rules of court together with a statement setting out—

- (a) the material facts which in the Chief Electoral Officer’s opinion have been established in the case,

(1) Section 58(1)(bb) was inserted by paragraph 6 of Schedule 1 to the Elections Act 2022 (c. 37).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) the Chief Electoral Officer’s decision, and
 - (c) the Chief Electoral Officer’s representations on any point specified as a ground of appeal.
- (4) The Chief Electoral Officer must also give to the county court any other information which the court may require and which the Chief Electoral Officer is able to give.
- (5) Where it appears to the Chief Electoral Officer that any notices of appeal given to the Chief Electoral Officer are based on similar grounds, the Chief Electoral Officer must inform the county court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.”.