

*Status: This version of this provision is prospective.*

*Changes to legislation: The Representation of the People (Franchise Amendment and Eligibility Review) Regulations 2023, Section 21 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## STATUTORY INSTRUMENTS

# 2023 No. 1150

## The Representation of the People (Franchise Amendment and Eligibility Review) Regulations 2023

### PART 2

Review of registration entitlement of relevant citizens of the Union in England and of eligibility of relevant citizens of the Union to vote in PCC elections in Wales

### CHAPTER 3

Review of eligibility of relevant citizens of the Union to vote in a PCC election in Wales

PROSPECTIVE

#### Procedure for determination of ineligibility following response to communications

**21.**—(1) This regulation applies where—

- (a) a relevant person has responded to a notice, notification or request under regulations 16 to 19 or has provided requested information in response to the registration officer making contact with that person, and
- (b) the registration officer is not satisfied that the relevant person continues to satisfy the eligibility criteria.

(2) The registration officer must send a notice to the relevant person's address, which must—

- (a) state the date of issue of the notice,
- (b) advise that eligibility criteria under section 52 of the 2011 Act for a citizen of a member State to vote in PCC elections have changed,
- (c) state that the registration officer is of the opinion that the relevant person has ceased to satisfy the eligibility criteria, and the grounds for the registration officer's opinion,
- (d) state that eligibility to vote in PCC elections in Wales is unrelated to eligibility to register and vote in local government elections in Wales,
- (e) state that if the relevant person does not notify the registration officer within 14 days beginning with the date of issue that the relevant person requires the review to be heard—
  - (i) the registration officer may determine that the relevant person is not eligible to vote in a PCC election, and
  - (ii) the relevant person would not be entitled to appeal against the registration officer's determination in those circumstances.

(3) The relevant person is entitled to require the review to be heard by notifying the registration officer within 14 days beginning with the date of issue of the notice sent under paragraph (2), and where the relevant person does so the following provisions of the 2001 Regulations apply—

- (a) regulation 31F(2) to (7), and

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- (b) regulation 31FZA(1), which applies as if the reference to regulation 31D(2) were a reference to a notice under paragraph (2).
- (4) The registration officer may determine that the relevant person has ceased to satisfy the eligibility criteria where—
  - (a) the registration officer has delivered the notice under paragraph (2), and
  - (b) the relevant person has not requested a hearing within 14 days beginning with the date of that notice.

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#### **Commencement Information**

**II** Reg. 21 in force at 7.5.2024, see [reg. 1\(2\)](#)

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**Changes and effects yet to be applied to :**

- reg. 21 coming into force by [S.I. 2023/1150 reg. 1\(2\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 11(3) inserted by [S.I. 2023/1406 reg. 16\(3\)](#)
- reg. 12(5) inserted by [S.I. 2023/1406 reg. 16\(4\)](#)
- reg. 13(4) inserted by [S.I. 2023/1406 reg. 16\(5\)](#)
- reg. 20(3) inserted by [S.I. 2023/1406 reg. 16\(6\)](#)