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STATUTORY INSTRUMENTS

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**2023 No. 1406**

**The Representation of the People (Overseas Electors etc.) (Amendment) Regulations 2023**

**PART 2**

Overseas electors

**CHAPTER 1**

Amendment of the Representation of the People (England and Wales) Regulations 2001

**Amendment of Part 1 (general, interpretation and miscellaneous)**

**3.—**(1) Part 1 (general, interpretation and miscellaneous) is amended as follows.

(2) In regulation 3 (interpretation)—

(a) in paragraph (1)—

(i) in the definition of “digital service”, in paragraph (b), after “29ZA” insert “, 29ZAA, 29ZAB”;

(ii) after the definition of “overseas elector” insert—

““previous registration condition” has the same meaning as in section 1A(2) of the 1985 Act<sup>(1)</sup>;

“previous residence condition” has the same meaning as in section 1A(3) of the 1985 Act;”;

(iii) after the definition of “relevant contact details” insert—

““renewal declaration” means a declaration made under and in accordance with section 1E of the 1985 Act<sup>(2)</sup>.”;

(b) for paragraph (3B) substitute—

“(3B) The following documents may be transmitted by an applicant to a registration officer by electronic means—

(a) a document provided in accordance with regulation 18(8)(b), 24A(4) or 26(9B) or (9C);

(b) in relation to an application to which regulation 26A applies which is made by an applicant who is registered in pursuance of an overseas elector’s declaration, a document provided in accordance with regulation 26A(4);

(c) in relation to an application made in pursuance of an overseas elector’s declaration, a document provided in accordance with regulation 26B(2) to (4);

(d) a document provided in accordance with regulations 26C to 26H or 26J;

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(1) 1985 c. 50. Section 1A was inserted by section 14(1) of the Elections Act 2022 (c. 37).

(2) Section 1E was inserted by section 14(1) of the Elections Act 2022 (c. 37).

- (e) in relation to an application to which regulation 31G applies which is made by an applicant who is, or who has applied to be, registered in pursuance of an overseas elector’s declaration, a document provided in accordance with regulation 31G(3);
  - (f) a document provided in accordance with regulation 51(9) or 56C.”.
- (3) In regulation 5 (communication of applications, notices etc.)—
  - (a) in paragraph (1), after “relevant attestation” insert “, renewal declaration”;
  - (b) for paragraph (3) substitute—
    - “(3) In paragraph (1), “relevant attestation” means—
      - (a) an attestation under regulations 26B(6ZA), 26E, 26F, 26G or 26H;
      - (b) an attestation under regulation 31J in relation to an application to which regulation 31G applies which is made by an applicant who is, or who has applied to be, registered in pursuance of an overseas elector’s declaration;
      - (c) an attestation under regulation 56C(6).”.