



Registering to Vote - deadlines

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This note updates one element of SN/PC/1114 *Electoral Registration Changes*: it provides details of the last date by which voters must register in order to be able to vote at a General Election on a given date.

Standard Note SN/PC/1114, *Electoral registration changes*, provides details of the changes to the electoral registration procedures that were introduced by the *Representation of the People Regulations (England and Wales) 2001*. It changed the voter registration process to allow voters to be added to the electoral register through the year instead of annually. This note describes the rolling registration process before detailing the latest dates for registration.

Contents

A.	The rolling registration process	2
B.	Latest dates for registering to vote	3
C.	Possible future developments	4

A. The rolling registration process

Rolling registration allows voters to apply to be put on the electoral register at any time. However, rules governing the publication of the electoral register and rules determining which electoral register is in force on the day of an election effectively determine the last possible date by which a voter must apply to be on the register.

In its May 2003 report on the electoral registration process, the Electoral Commission noted that this date was six to seven weeks before the date of an election, and before the formal beginning of an election campaign:

Under the existing arrangements, the cut-off date by which a person entitled to vote may register or update their details is effectively some six or seven weeks before polling day. The date is always ahead of the notice of election being published, the formal beginning of the election campaign. For example, for elections to the Scottish Parliament and the National Assembly for Wales held on 1 May 2003, the registers closed on 11 March, although the notices of election were not published until 20 March and 24 March respectively. There is no reason at all why the public in Scotland and Wales should be expected to know those dates, bearing, as they do, no relation to any electoral matter in the public consciousness.¹

The register used to determine who is eligible to vote at an election is the one that was in force on the day that nominations closed:

(1) An alteration in a published version of a register of electors which takes effect under section 13A(2) above after the final nomination day in the case of an election to which this section applies shall not have effect for the purposes of that election unless the alteration—

- (a) is made in consequence of a decision or determination falling within section 13A(1)(c) or (d) above; and
- (b) takes effect on or before the fifth day before the date of the poll.²

The provisions of s13A(1)(c) and (d) allow for appeals lodged with courts to be resolved and clerical errors to be corrected.

Changes to the electoral register, accepted by an electoral registration officer are published on the first day of the following month, as long as fourteen days have elapsed since the application was received:

¹ Electoral Commission, *The Electoral Registration Process: Report and Recommendations*, May 2003, para 4.16, http://www.electoralcommission.gov.uk/files/dms/Registration_9799-7973_E_N_S_W_.pdf

² *Representation of the People Act 1983* (chapter 2), as amended, s13B(1)

13A Alteration of registers]

(1) This section applies where, at any time (“the relevant time”) after the publication of a revised version of a register by a registration officer under section 13 above, the registration officer—

(a) on an application for registration being made by any person in accordance with the prescribed requirements, determines that that person is entitled to be so registered;

(b) is required, by virtue of any provision of this Part of this Act, to remove a person’s entry from the register;

(c) is notified of any decision on an appeal by virtue of section 56 below which requires any such alteration in the register as is mentioned in subsection (4) of that section; or

(d) determines that the register contains any clerical error.

(2) In such a case the registration officer shall (subject to subsection (3) below) issue, in the prescribed manner, a notice specifying the appropriate alteration in the register; and—

(a) the notice shall be so issued by him—

(i) on the first day of the month which follows that in which the relevant time falls, or

(ii) if that day is less than 14 days after that time, on the first day of the month immediately following that month; and

(b) (subject to section 13B(1) below) the alteration in question shall have effect as from the beginning of the day on which the notice is issued.³

However, as the *Representation of the People (England and Wales) Regulations 2001* provide for applications to be allowed “without a hearing provided that no objection is made within five days of the entry of the application in the list of applications”,⁴ voters are advised to register at least five working days before the deadline suggested by the *Representation of the People Act 1983*, as amended.

B. Latest dates for registering to vote

To guarantee that a voter is on the appropriate register for elections on the following dates, applications should be made on or before the dates in the table:

Election Date	Close of nominations	Date added to register	Last date for applications to be on register
31 March 2005	10 March 2005	1 March 2005	8 February 2005
7 April 2005	18 March 2005	1 March 2005	8 February 2005
14 April 2005	30 March 2005	1 March 2005	8 February 2005
21 April 2005	6 April 2005	1 April 2005	11 March 2005
28 April 2005	13 April 2005	1 April 2005	11 March 2005

³ *Ibid* s13(A)(1) and (2)

⁴ *Representation of the People (England and Wales) Regulations 2001*, SI 2001/341, 29(4)

Election Date	Close of nominations	Date added to register	Last date for applications to be on register
5 May 2005	19 April 2005	1 April 2005	11 March 2005
12 May 2005	26 April 2005	1 April 2005	11 March 2005
19 May 2005	4 May 2005	3 May 2005	12 April 2005
26 May 2005	11 May 2005	3 May 2005	12 April 2005
2 June 2005	17 May 2005	3 May 2005	12 April 2005
9 June 2005	24 May 2005	3 May 2005	12 April 2005
16 June 2005	1 June 2005	1 June 2005	11 May 2005
23 June 2005	8 June 2005	1 June 2005	11 May 2005
30 June 2005	15 June 2005	1 June 2005	11 May 2005
7 July 2005	22 June 2005	1 June 2005	11 May 2005
14 July 2005	29 June 2005	1 June 2005	11 May 2005
8 Sept 2005	23 Aug 2005	1 Aug 2005	11 July 2005
15 Sept 2005	31 Aug 2005	1 Aug 2005	11 July 2005
22 Sept 2005	7 Sept 2005	1 Sept 2005	11 Aug 2005
29 Sept 2005	14 Sept 2005	1 Sept 2005	11 Aug 2005

Notes:

- It is already too late to apply to be added to the electoral register, in time to vote in elections taking place on all dates up to and including 10 March 2005.
- A General Election cannot take place on either 17 March (St Patrick's Day – a bank holiday in Northern Ireland) or 24 March 2005 (Maundy Thursday) as both days are disregarded for the purposes of the electoral timetable.
- An election could take place in late July or in August but there has not been an election in July since 1945.

C. Possible future developments

The Electoral Commission has indicated its dissatisfaction with the length of time between applying to be on the register and actually being able to cast a vote in an election, although it does not think that it would be practical to allow registration right up to the day of the election:

Mr. Graham Allen (Nottingham, North) (Lab): What plans the commission has to recommend that electors be permitted to register closer to the date of a general election.

Mr. Peter Viggers (Gosport): The commission recommended in 2003 that electors should be permitted to register much closer to the date of an election than is currently allowed by law. The Government announced last month that they intend to act on the commission's recommendations.

Mr. Allen: I welcome that reply. Like the experience of many Members, the turnout of my electorate at the last election was the lowest ever at under 50 per cent. Will the hon. Gentleman commend the campaign by the Electoral Commission to encourage people to vote following last year's campaign? Will he consider the possibility of extending that to ensure that more people register for the forthcoming election? Will he also ensure that every possible encouragement is given to individuals to register, if

possible, as late as the same day as an election, as they do in many states in the United States? That means that people can register at one door of the town hall and vote in the election at the next door.

Mr. Viggers: The commission takes the view that it would not be practical or of great benefit to allow registration up to the date of the election, but it recommends that that date should be carried back to the date of nominations.

As for the hon. Gentleman's point about publicity, I understand that the commission is about to embark shortly—in early February—on a multi-media campaign aimed at encouraging people to register to vote. There has been some speculation already this afternoon that if there were to be an election in May, something about which I have no special knowledge, the cut-off date would be 11 March. It is important that people should register without delay.

The commission's similar campaign during the last election achieved excellent results with about one in three correspondents who had seen the advertising saying that they had voted on 10 June as a result of the campaign. The commission is encouraged by that.⁵

In May 2003, in its report on the electoral registration process, the Electoral Commission made the following proposals on the deadlines that should apply in the electoral registration process:

The Commission proposes that the last date for registration should normally be the close of nominations but, in addition to the requirement for individual voter identifiers and where individuals provide a statement that they have spent a substantial part of the time during the last three months at the address which they claim to be entitled to be registered, registration should be allowed up to six days before the election. The requirement to provide a statement related to residency for three months is analogous to current provisions concerning the declaration of local connection for homeless persons which currently applies.

Further, we propose that where an error on the electoral register arises as a result of the clerical error of the electoral registration officer, this should be correctable on the day of an election itself. If the clerical error comes to light on polling day too late to be resolved conclusively, a tendered ballot paper should be offered to the voter.⁶

The Government responded to the Electoral Commission's report in December 2004. Its response to the proposals above, which it summarised (in italics), was:

20. The last date for registration should be moved so that it is normally the close of nominations. However, where individuals can show they have been resident or have

⁵ HC Deb 17 January 2005 cc548-549

⁶ Electoral Commission, *The electoral registration process – report and recommendations*, May 2003, http://www.electoralcommission.gov.uk/files/dms/Registration_9799-7973_E_N_S_W_.pdf

had a local connection for three months, registration should be allowed up to six days before the election.

The Government accepts the recommendation for close of nominations, in principle, as part of making registration more responsive to the needs of the voter. We will need to look at the second part of this recommendation in the context of our wider consideration of registration.

21. Where an error on the electoral register arises as a result of the clerical error of the Electoral Registration Officer (in practice, a very small number of cases), this should be correctable on the day of an election itself.

The Government accepts this recommendation in relation to minor clerical errors, but will need to consider the limits of the changes allowed to be made on the day of the election.⁷

The ODPM and Constitutional Affairs Committees are currently undertaking a joint inquiry into voter registration. The first evidence session took place on 25 January 2005. On the same day, the Committees published a volume of written evidence.⁸

⁷ *The Government's Response to The Electoral Commission's report: Voting for change – An electoral law modernisation programme*, December 2004, Cm 6426, <http://www.dca.gov.uk/elections/govresp-vfc-cm6426.pdf>

⁸ Constitutional Affairs Committee, *Electoral Registration – Written Evidence*, 25 January 2005, HC 243-II 2004-05