Electoral Registration and Administration Bill 2012-13: progress of the Bill

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The *Electoral Registration and Administration Bill 2012-13* was introduced on 10 May 2012. The Bill makes provision for a legislative framework for the introduction of a new system of individual electoral registration (IER) under which electors will be registered individually instead of by household.

This Note summarises the progress of the Bill. It supplements Research Paper 12/26 which was produced for the Bill's second reading in the House of Commons on 23 May 2012. A programme motion made provision for three days in Committee of the whole House. The first Committee day took place on 18 June 2012, the second on 25 June 2012 and the third day of Committee and remaining stages on 27 June 2012. No amendments were made to the Bill.

The second reading of the Bill in the House of Lords was on 24 July 2012 and the first day in Committee of the whole House took place on Monday 29 October 2012. Further consideration of the Bill was postponed after disagreement about the admissibility of an amendment concerning the dates of the Parliamentary boundary reviews.

On 19 December 2012 the Electoral Commission issued a press notice calling for consideration of the Bill to be resumed because 'without urgent progress it will not be possible for IER to be delivered to the Government's current timetable'. The Committee stage of the Bill in the House of Lords was resumed on 14 January 2013. An amendment relating to the timing of constituency boundary reviews was agreed after a division**.** Report stage and third reading were taken on 23 January. An amendment was passed on dealing with queuing at polling stations at 10pm. Lords amendments were debated on 29 January in the Commons and agreed to. The Bill received Royal Assent on 31 January 2013.

The Electoral Commission published briefings for the second reading debates and the Committee and report stages in both Houses.

Library Standard Notes 6255, *Electoral offences since 2010*, and 3667, *Postal voting and electoral fraud 2001-09* provide information about electoral malpractice.

Contents

1 Background

A system of individual electoral registration (IER) was set out in the *Political Parties and Elections Act 2009* by the Labour government but the introduction was to be phased. There was a commitment in the Coalition's *Programme for government* to reduce electoral fraud by speeding up the implementation of IER so that it would be in place before the next general election in 2015.

The *Electoral Registration and Administration Bill* was presented on 10 May 2012. Library Research Paper 12/26 gives further details but briefly, the Bill provides a legislative framework for the introduction of individual electoral registration; the detailed arrangements will be in regulations made under the powers given to the Secretary of State. Electors will be registered individually, instead of by household, and there will be a new system to verify applicants to be included on the register. Secondary legislation will make provision about the identification that electors will have to provide in order to be registered under the new system. This will include date of birth, signature and National Insurance number. There are changes to the arrangements for the annual canvass and the Secretary of State is given the power to abolish, amend or reinstate the canvass. The Bill also makes provision for a civil penalty to be imposed by the Electoral Registration Officer on a person who fails to comply with a request to register.

There are other electoral administration measures in the Bill:

- The Secretary of State is given the power to withhold or reduce a Returning Officer's fee for reasons of poor performance.
- The timetable for parliamentary elections is extended from 17 days to 25 days.
- Parish elections would be allowed to take place on the same day as local elections and a general election.
- Local authorities would be required to carry out a review of polling districts and polling places every five years from 1 October 2013, amending the current provisions for a four yearly review.
- Candidates who are standing on behalf of two or more registered political parties at a Parliamentary election may use a registered emblem of one of those parties.

2 Second reading debate

The second reading debate in the House of Commons took place on 23 May 2012.[1] The Opposition tabled a reasoned amendment:

> ...this House, whilst affirming its support for a complete and accurate electoral register and a move to a system of individual electoral registration (IER), declines to give a Second Reading to the Electoral Registration and Administration Bill because whilst the Political Parties and Elections Act 2009 received cross-party support, establishing an orderly move to IER with a strong independent role for the Electoral Commission in guarding against a sharp fall in registration numbers, the Bill speeds up the introduction of IER, and downgrades the Electoral Commission's role, with the result that there will be no independent arbitrator with the power to halt the process if it is deemed to

[1] HC Deb 23 May 2012 c1172 -1252

> have resulted in a sharp drop in registration levels; notes that the 2015 parliamentary boundary changes will be based on the new electoral register which will potentially be inaccurate, risking illegitimate new constituency boundaries; believes the proposals would mean the young, the poor, ethnic minorities and disabled people would face an increased risk of being unregistered and thus excluded from a range of social and civic functions; further regards the proposals as flawed as they risk making the list from which juries are drawn less representative; concludes that because the evaluation of the second round of data-matching pilots will not be published until early 2013 an assessment of the likely completeness of the register is in effect prevented; and deplores the fact that the Government has not published secondary legislation and an implementation plan for the introduction of IER.[2]

The Minister, Mark Harper, said that the aim of the Bill was to 'tackle electoral fraud, increase the number of people registered to vote and improve the integrity of the electoral register'.[3] Mr Harper reminded the House that a move to individual electoral registration was supported by all three of the main political parties and was also supported by the Electoral Commission and the Association of Electoral Administrators.[4] He noted that the current system of registration was open to electoral fraud:

> An international observer body, the Office for Democratic Institutions and Human Rights, which is part of the Organisation for Security and Co-operation in Europe, described the voter registration system in Great Britain as
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> "the weakest link of the electoral process due to the absence of safeguards against fictitious registrations."
>
> It recommended:
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> "Consideration should be given to introducing an identification requirement for voters when applying for registration as a safeguard against fraudulent registration."
>
> That is very important. As I said, 36% of the public think that our electoral registration system is vulnerable to fraud, and that is clearly a problem.[5]

Mr Harper acknowledged the concerns that had been raised about the impact of the Government's proposals on the completeness of the register:

> We have listened to those points and have made four significant changes to the initial proposals. Those changes are included in the Bill and we are confident that they will safeguard the completeness of the register as we move to the new system.
>
> The first major change is that the Bill enables us to delay the timing of an annual canvass. There were concerns that in the initial proposals the gap between the last canvass under the old system and the start of the transition to individual registration was too long. It was thought to be preferable to carry out a full canvass in 2014, before sending electors individual invitations to register. We do not want to have an extra canvass, as that would be costly and confusing, but we intend to use this power to move the last canvass under the

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2 HC Deb 23 May 2012 c1187
3 HC Deb 23 May 2012 c1172
4 HC Deb 23 May 2012 c1173
5 HC Deb 23 May 2012 c1177

current system from autumn 2013 to spring 2014, so that the register is as up to date as possible before the transition to the new system.

[...]

The second major change in the Bill will enable us to require electoral registration officers, instead of inviting everyone on their register to make a new application, to begin the transition by matching the names and addresses of every elector already on the register against the DWP's customer information system. Where the name and address match, and the ERO therefore has confidence that a genuine person lives at the address that they say they live at, that person will be confirmed on the register and retained. They will be informed that they do not have to make an individual application to register. That means that we can balance the integrity of the register with not insisting that every voter takes action in the first transition

[...]

The third major change that we have made is removing the opt-out provision from the Bill. The original intention was very simple: to enable EROs to focus their resources on people who wanted to register to vote, rather than having to keep chasing individuals who had no intention of registering. However, we have listened to the arguments made by Members of the House, the Electoral Commission and the Political and Constitutional Reform Committee. We want the maximum number of eligible people to be registered to vote, so we have decided to remove that provision.

The final major change we have made to our proposals is that we will enable electoral registration officers to issue a civil penalty when an individual who has been required to make an application fails to do so. Over the past few months, there have been discussions about whether an offence should be attached to an individual form. At the moment, it is not an offence not to be registered, which will not change, but there is a criminal offence of not returning the household canvass form. That, too, will remain, because by not doing so somebody can disfranchise other people.

We were faced with the question whether we should create a new criminal offence to be applied to the individual application form. We did not think it appropriate to criminalise people who simply did not register to vote. After careful consideration with key stakeholders, and after listening to Members, we believe it is appropriate to create a civil penalty—akin to a parking fine—for individuals who, after being required to make an application by a certain date, fail to do so.[6]

Mr Harper gave details of how the transition to IER would be funded:

We have allocated £108 million over the spending review period to do so, including by meeting local authorities' costs over and above the current cost of electoral registration. I can confirm today—this is new information—that we will fund local authorities in England and Wales directly through grants under section 31 of the Local Government Act 2003. Those will be allocated grants for the purpose of paying for the transition, not just money buried in the revenue support grant. In Scotland, electoral registration is carried out for the most part by EROs who, barring two exceptions, in the city of Dundee and in

[6] HC Deb 23 May 2012 c1179-1182

> Fife, are independent of each local authority. There, the additional costs of implementing the new system will be paid directly to them.[7]

The Government would begin publishing draft secondary legislation for IER from June 2012 and would aim to complete this by the autumn.[8]

Wayne David said that the Opposition supported the move to individual electoral registration and that IER was 'an effective way in which to ensure the completeness and accuracy of voter registration.'[9] Mr David welcomed the Government's decision to drop the proposal for an 'opt-out' for individuals who did not wish to be reminded by about registration by the ERO and to introduce a civil penalty for those who fail to respond to the ERO's request to register. However, the Opposition were concerned about the speed of the introduction of IER and that there would be no carry-over for postal and proxy votes in the move to the new register; a number of charities including Mencap, Sense, the RNIB and Scope had all made representations about impact of this on the registration of disabled people.

Siobhain McDonagh (Labour) also expressed concern about a drop in **registration rates** after the introduction of IER and drew attention to the fall in registration after individual registration was introduced in Northern Ireland.[10] Other Opposition Members also criticised the acceleration of the timetable for the introduction of IER during the debate, saying that there was a risk that levels of registration would decrease when the 2014 register was drawn up and this register was the one which would be used for the 2015 general election.

Stewart Jackson (Conservative) suggested that an important effect of the changes proposed in Bill would be the reduction in the potential for financial fraud.[11] Mr Jackson also called for more resources to be invested in the **data-matching pilots** as this would be 'the bedrock of individual electoral registration.'[12] Clive Betts (Labour) welcomed the second round of data-matching pilots but said that there was still uncertainty about how data-matching would work.[13] Mr Betts also drew attention to the data-matching systems used in Australia to ensure the accuracy of the register. Later in the debate, Julie Elliott (Labour) expressed concern about data-matching with the Department for Work and Pensions records; a recent pilot scheme took place in a ward in her constituency and only about half the people there data-matched to DWP records.[14]

Andrew Stephenson (Conservative) raised the issue of **electoral fraud**, particularly that associated with postal voting and called for an end to postal voting 'on demand'.[15] Mr Stephenson drew attention to 'family voting':

> By family voting, I mean the head of a household pledging the entire family's votes to a particular political party. He can then ensure that all those votes go to that political party by watching family members complete their postal ballots,

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7 HC Deb 23 May 2012 c1184
8 HC Deb 23 May 2012 c1185
9 HC Deb 23 May 2012 c1188
10 HC Deb 23 May 2012 c1205
11 HC Deb 23 May 2012 c1194
12 HC Deb 23 May 2012 c1197
13 HC Deb 23 May 2012 c1198
14 HC Deb 23 May 2012 c1214
15 HC Deb 23 May 2012 c1201

> completing the ballots himself, or indeed completing them with an activist from the said political party.[16]

Frank Dobson (Labour) suggested that the Bill was paying more attention to the 'minor problem' of electoral fraud rather than 'the absence of 6 million people who should be on the electoral register.'[17]

Dan Rogerson (Liberal Democrat) raised the issue of being able to be on the electoral register in more than one place.[18] Mr Rogerson expressed his concerns about **second home owners being on the register in two locations** and said that if there was a system of individual electoral registration "it ought to be just that: each individual should be on the register in one place and should state where that place is."[19]

Dan Rogerson raised the issue of the **edited version of the electoral register**. He welcomed the Government's decision not to include a provision in the Bill to abolish the edited register and noted that it was a 'useful and valuable resource' which many organisations relied on, 'including charities, those who seek to unite family members who have been separated, credit referencing organisations and those who are seeking to catch up with people who are trying to avoid their responsibilities – for instance, by not paying their bills.'[20]

Eleanor Laing (Conservative) called on the Government to amend the Bill to include a provision to allow people in **queues outside polling stations** at 10pm to be able to cast their votes.[21] In response, the minister, Mark Harper, said that the Government had considered the issue following the 2010 general election and that the Political and Constitutional Reform Committee agreed with the Government's view that "careful planning and allocation of resources are likely to be more effective in ensuring all those who are eligible can access their vote without resorting to legislation."[22]

Several Members raised concerns about using the 2014 canvass for the next Parliamentary **boundary review** which will use the numbers of electors on that register to calculate the electoral quota for the 2015 review. Paul Blomfield (Labour) said that the Bill would effectively exclude thousands of students from the electoral roll in December 2015 and therefore from consideration when the boundaries are redrawn.[23]

Chris Ruane (Labour) drew attention to the Electoral Commission's research which indicated that 6 to 6.5 million **people were missing from the electoral register**.[24] Mr Ruane welcomed the civil penalty for failing to respond to an invitation to register saying that threats and fines did work and increased the levels of registration. Jonathan Edwards (Plaid Cymru) said it was unclear how IER, which he thought created a barrier to registration, would ensure that as many people as possible were included on the register.[25] He welcomed the moving of the 2013 canvass back to the spring of 2014 but added that this would 'presumably mean an 18 month gap and deterioration in the registers from this year's canvass until spring 2014'

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16 HC Deb 23 May 2012 c1202
17 HC Deb 23 May 2012 c1210
18 HC Deb 23 May 2012 c1205
19 HC Deb 23 May 2012 c1206
20 HC Deb 23 May 2012 c1208
21 HC Deb 23 May 2012 c1212
22 HC Deb 23 May 2012 c1213
23 HC Deb 23 May 2012 c1226
24 HC Deb 23 May 2012 c1219
25 HC Deb 23 May 2012 c1229

and asked how this would affect the preparation of the registers for the European elections in June 2014 and the Scottish independence referendum.[26]

There was some debate about **online electoral registration**; Members generally welcomed this but some, including Chris Ruane, noted that there were still problems with an online system especially if people did not know their National Insurance numbers.

Simon Reevell (Conservative) said that in the Savile Town area of Dewsbury, elections had been accompanied by allegations of voter **fraud** and intimidation.[27] At the elections in May 2012 the local authority raised concerns with the police about the similarity of handwriting on a large number of postal votes and some people had arrived to vote only to find that their votes had already been cast by post. Mr Reevell said that the police had been reluctant to act because of community sensitivities and called for all communities to be treated equally when there was evidence to suggest that a police investigation was required.[28]

Nick de Bois (Conservative) welcomed the measures in the Bill that dealt with fraudulent entries on the electoral register but said that very little was being done to address the problem of personation, ie using someone else's details to obtain a ballot paper.[29] Mr de Bois asked why the Government had not put forward a proposal to require some form of voter identification at the polling station.

Priti Patel (Conservative), sought an assurance from the Minister that the Bill would not be used to make provision for **prisoners** to be given the vote.[30] David Heath, winding up the debate for the Government, said that the Bill would not be used to amend prisoner voting rights 'whatever may be said in the courts.' [31]

Oliver Colvile (Conservative) raised the question of the under-registration of service personnel.[32] In response, David Heath said that the Government recognised that there was a need to 'consider a mechanism to facilitate registration and registration updates as part of the arrivals process for personnel at new postings.'[33]

Angela Smith, speaking for the Opposition, supported the principle of individual electoral registration but criticised the Government's plans to accelerate its introduction. Ms Smith called for the role of the Electoral Commission in assessing the implementation of the new system to be restored and for the funding set aside by the Government for the introduction of IER to be ring fenced.[34] The Parliamentary Secretary, David Heath, said the Government was confident that the Bill would not lead to a substantial fall in registration.[35]

The Opposition's reasoned amendment was defeated on a division: Ayes 223, Noes 283. The Bill received its Second Reading after a division: Ayes 283, Noes 219.

A programme motion was agreed which made provision for three days in Committee of the whole House, and for the Third Reading to take place on the third day.

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[26] HC Deb 23 May 2012 c1230
[27] HC Deb 23 May 2012 c1223
[28] HC Deb 23 May 2012 c 1224
[29] HC Deb 23 May 2012 c1236
[30] HC Deb 23 May 2012 c1228
[31] HC Deb 23 May 2012 c1244
[32] HC Deb 23 May 2012 c1231
[33] HC Deb 23 May 2012 c1244
[34] HC Deb 23 May 2012 c1241
[35] HC Deb 23 May 2012 c1243

3 Committee stage

3.1 Day One, 18 June 2012

No amendments were made to the Bill on the first day in Committee of the whole House. Details of the amendments debated are given below.

Clause 1 – Individual registration

The Opposition moved amendments which would require the Electoral Commission to make assessments about the effectiveness of the new IER system. Amendment 2 would allow the introduction of IER only if the Electoral Commission believed the system was working effectively. Amendment 30 would require the Commission to assess 'whether the establishment of an electoral register made up solely of electors who have registered individually would help or hinder the achievement of the registration objectives' and the Commission would also have to make a recommendation to the Secretary of State on whether to proceed with the introduction of IER. Wayne David, for the Opposition said that the amendment was

> important for the recognition of the Electoral Commission's role, as well as of the close relationship that should exist between the Secretary of State and the Commission. Critically, too, it recognises that Parliament should have a crucial role in monitoring the progress or otherwise that we make on the new system.[36]

Amendment 2 was pressed to a division and defeated: Ayes 209, Noes 291.

Amendment 31 on data matching, moved by the Opposition, sought to delay the implementation programme for IER until after the second round of data-matching pilot schemes.[37] Mark Harper, the Minister, explained the purpose of the new round of pilots:

> When we did our first set of pilots, more than 2 million records were matched against Department for Work and Pensions data. That showed us that we could check the accuracy of the information against the DWP database and, therefore, be confident that those people really existed and lived at those addresses. Therefore, that is a good way for moving two thirds of the electors on to the new register, thereby reducing the risk and enabling electoral registration officers to focus on the remaining third of electors. The Electoral Commission said that because we had drawn those conclusions from pilots where that had not been the intention of the pilots—they had been about using data matching to look at increasing the number of people on the register and at people who had not previously been registered—it felt that we should run a further set of pilots with that specific objective in order to be absolutely certain that confirmation would work.
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> We are very confident that confirmation will work, and we think that what the Electoral Commission said was very sensible, which is why the order we will be debating tomorrow will enable us to run that set of pilots. That will do two things: first, it will confirm to our satisfaction and that of the Electoral Commission that confirmation will work; and secondly, it will enable us to refine the process so that we make the process as efficient as possible for electoral registration officers. I think that is very sensible.[38]

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[36] HC Deb 18 June 2012 c628
[37] HC Deb 18 June 2012c630
[38] HC Deb 18 June 2012 c637

Geoffrey Clinton-Brown (Conservative) proposed that the cut-off for overseas voting (15 years after leaving the UK) should be eliminated in a new clause 3.[39]

Mark Harper acknowledged that the attestation requirements for overseas voters could pose difficulties, particularly in countries where there were not many other British citizens; he added that the Government was trying to establish whether there were changes that could be made under secondary legislation and was also considering a trial of online registration which would help voters living overseas as well as voters in the UK.[40]

Clause 1 was agreed to without amendment.

Schedule 1: Register of electors: alterations and removal

The Opposition moved a number of amendments to Schedule 1. Amendment 3 concerned the appeals process under the new system of IER for people who had been excluded from the register.[41] The Minister, Mark Harper, explained that the appeals procedure would continue under IER:

> I can confirm that sections 56 and 57 of the Representation of the People Act 1983 already make provision for appeals against the decisions of registration officers in Great Britain, including those to remove people from the register.
>
> Paragraph 17 of schedule 4 to the Bill makes the necessary amendments to ensure that that provision continues to apply under the new system, and I refer hon. Members in particular to the proposed insertion of paragraphs (azd) and (aa) in section 56(1) of the 1983 Act, which would deal with appeals against decisions under proposed section 10ZE.[42]

Amendments 18 and 19 related to postal and proxy votes and amendment 20 to the carry-over of voters from the old system to the new IER system.

Jonathan Edwards (Plaid Cymru) spoke to amendment 20:

> The change-over from the current system to IER is fraught with difficulties, and the length of time for the change-over should be as long as necessary to ensure that there are no adverse effects, and certainly should not be rushed. As I say, I am particularly concerned about the possible effects on the National Assembly elections in 2016, and I hope the Government will take this opportunity to push back the final date for the removal of all pre-IER registrations to ensure that the handover is as smooth as possible, without the cliff-edge drop in registration that we fear.[43]

Mark Harper rebutted the suggestion that the Government had rushed through the legislation for the introduction of IER:

> We have hardly rushed in the way we have conducted this legislation. I announced our decision in September 2010 and we then published the legislation with the pre-legislative scrutiny. We have been doing this in a very deliberate and careful way, as I think most people would accept.[44]

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[39] HC Deb 18 June 2012 c645
[40] HC Deb 18 June 2012 c653
[41] HC Deb 18 June 2012 c654
[42] HC Deb 18 June 2012 c666
[43] HC Deb 18 June 2012 c662
[44] HC Deb 18 June 2012 c665

Mr Harper said that the Government had learned from the introduction of IER in Northern Ireland and were introducing a carry-forward to stop people dropping off the register.[45] Data-matching would be used to confirm the details of existing electors which meant that two thirds of voters would be moved over automatically. All postal voters who have their entries on the register automatically confirmed will be asked to provide refreshed personal identifiers; those who are not automatically confirmed by data-matching will be invited to register under the new IER system.

During consideration of the amendments relating to postal and proxy votes there was some debate about electoral fraud. Wayne David said that it was important to keep the issue of fraud in perspective:

> Although electoral fraud is, of course, absolutely wrong and should be rooted out, we should not blow the situation out of all proportion and use it as a spurious justification for taking other measures when a far stronger case for them should be put forward—if, indeed, there is a case. The chair of the Electoral Commission, Jenny Watson, put it well:
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> "The evidence suggests that proven cases of electoral fraud are rare. But this is a serious issue and nobody should be complacent: more can and should be done to prevent electoral malpractice. We welcome Government plans to introduce individual electoral registration in Great Britain. This will strengthen our electoral system and reduce the risk of fraud. We also want the Government to make progress in reviewing whether voters should provide identification at polling stations."[46]

Mark Harper said that electoral fraud there was a real problem and quoted the report of the Organisation for Security and Co-operation in Europe (OSCE) after its election assessment mission to the UK in 2010. The OSCE had described voter registration in Great Britain as 'the weakest link of the electoral process due to the absence of safeguards against fictitious registrations.'[47] Mr Harper noted that the problem of financial fraud, as a result of fraudulent use of the register, and also that there was a public perception that there was a real problem with electoral fraud.

Schedule 1 was agreed to.

Amendment 3 was withdrawn.

Clause 2 – Applications for registration and verification of entitlement etc

Dan Rogerson (Liberal Democrat) moved an amendment to clause 2 which sought to resolve the issue of second home owners who are able to be registered in more than one place. Mr Rogerson said that his amendment sought

> to ensure that the individual has a legal duty to declare where their other property is, so that the electoral officer can make a judgment and perhaps enter into a brief discussion with the electoral officer in the other location to ensure that they are not seeking to be on the electoral register illegitimately. For those who can make a case that they are doing so legitimately, it will be absolutely fine. They will go on the register and will be able to vote in local elections as normal. If there is a suspicion that somebody is voting in two

[45] HC Deb 18 June 2012 c668
[46] HC Deb 18 June 2012 c656
[47] HC Deb 18 June 2012 c666

> places, for whatever reason, it will be much easier for the marked register to be checked and for any problem to be addressed.[48]

Mark Harper said that the draft secondary legislation contained a provision to be made under the powers in Clause 2

> requiring that an application form for registration must ask for other addresses at which the applicant is resident. That will mean that registration officers can then perform checks to ensure that the applicant is genuinely resident there. It is not about owning property there; it is about being resident there. If they are, they should be able to be registered to vote there in accordance with the law and not otherwise.
>
> We will need to design the paper forms carefully so that we do not make them too complicated and user-unfriendly, and the Electoral Commission will do so.[49]

The amendment was withdrawn.

The Opposition moved an amendment which would make provision for the requirement for electors to provide their date of birth and National Insurance number when they register to be included in the Bill and not just in the secondary legislation. Mark Harper said this was unnecessary:

> First, the draft legislation that I published earlier today sets out the requirements and the information that individuals will need to provide. It is worth saying that although regulations are made by Ministers, all the regulations under this Bill are affirmative and will have to be debated and voted for by both Houses of Parliament. It is not a power only for Ministers—there is parliamentary control over it. We will ask for that information as set out in the draft legislation.
>
> Secondly, as well as being unnecessary, the amendment would be unhelpful. Putting the details on the face of the legislation would make it difficult to change if it became preferable to use different evidence in the future. Although we expect the national insurance number and date of birth to be the standard information for the vast majority of the population, we have said that if there are people—it will be only a small number—who do not have an NI number, it should be possible for them to provide alternative evidence so that they may register to vote.[50]

Clause 2 was agreed to.

Schedule 2: Sharing and checking information etc

The Opposition moved amendments relating to data-sharing within local authorities. Angela Smith said that many Electoral Registration Officers made use of council tax databases to identify those who fail to register but amendment 5 would strengthen that practice by obliging them to do it as a matter of routine.[51] Amendments 9 -11 would

> require institutions such as universities, sheltered housing providers and private landlords to share with the ERO information on those resident in their premises—in other words, university residential accommodation, sheltered

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[48] HC Deb 18 June 2012 c675
[49] HC Deb 18 June 2012 c678
[50] HC Deb 18 June 2012 c679
[51] HC Deb 18 June 2012 c683

> housing and homes rented out by private landlords. In two of those cases, the data would be simple addresses. Those addresses should be available via the council tax database, but nevertheless it would be a useful addition to the many strings that EROs need to do their job properly.[52]

Mr Harper said that in two-tier authorities the Electoral Registration Officer already has the ability to look at all the data that the local authority they were appointed by has, this includes council tax data and housing benefit data. However the ERO does not have the ability to look at the data held by the higher tier authority. The Government proposed to use pilots to look specifically at how effective the sharing of data is between the tiers of local authorities.[53] Mr Harper added that the Government was working with the National Union of Students and the Student Loans Company to look at ways of making registration as easy as possible for students. EROs already have the power to require the managers of sheltered accommodation to provide them with the relevant information about voters living there.

Mark Durkan (SDLP) urged the Government to use the Bill as a vehicle to ensure that a common data standard was applied across all electoral management systems.[54] Mark Harper said that the data standards which local authorities used for their registers was a matter for them, however, the Government was currently working on data-matching systems with electoral management service suppliers contracted to local authorities in Great Britain.

Schedule 2 was agreed to.

Clause 3 (Proxies to be registered electors) was ordered to stand part of the Bill.

Clause 4 – Annual canvass

Amendment 6, which was moved by the Opposition, would reinstate the requirement for the annual canvass to be held in October of each year. Angela Smith argued that 'the annual canvass should take place at a time of year when we are least likely to have elections, and the EROs have the time and space to do the job properly'.[55] The Parliamentary Secretary, David Heath, pointed out that there was not a statutory requirement for the annual canvass to take place in October; the 15 October is a reference date which is the point in the year when people are asked to consider where they are resident. The panel of electoral administrators and experts had welcomed the Government's decision to remove the reference date in the Bill.[56]

Paul Blomfield (Labour) raised the issue of the annual canvass and the registration of students. He questioned why the Government was removing the ability of universities to have a block registration schemes for all eligible students in university accommodation.[57] Opposition amendment 9 required all higher and further education institutions to provide a list of students resident in the institutions' accommodation to the relevant ERO who would then write to each student with an electoral registration form.

Amendment 8 proposed that EROs should write once a year to every property listed in the *Local Land and Property Gazetteer*.[58] Amendment 7 would change the provision which

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52 HC Deb 18 June 2012 c684
53 HC Deb 18 June 2012 c686
54 HC Deb 18 June 2012 c691
55 HC Deb 18 June 2012 c693
56 HC Deb 18 June 2012 c701
57 HC Deb 18 June 2012 c696
58 HC Deb 18 June 2012 c694

states that EROs *may* carry out house-to-house enquiries to *must* make such enquiries to compile the register. David Heath pointed out that Section 9A of the *Representation of the People Act 1983* already required EROs 'to take all steps necessary' to maintain the register and therefore amendment 7 was not needed.

The Opposition pressed amendments 6 to a division. It was defeated: Ayes 211, Noes 287.

Amendment 9 was also pressed to a division and defeated: Ayes 209, Noes 291.

3.2 Day Two, 25 June 2012

No amendments were made to the Bill on the second day in Committee of the whole House.

MPs considered in the following order; Clause 4, Clause 6 and amendment 22, Clauses 7 and 8, Clause 9 and amendment 32, Clause 5 and amendments 12 and 33, Schedule 3, Schedule 5 and amendments 20 and 18.

Clause 6 – Power to amend or abolish the annual canvass

The Opposition moved a group of amendments to Clause 6 which would remove the provision in the Clause which gives the Minister the right to abolish the annual canvass. Angela Smith asked whether there would be a full canvass in 2014 or a modified canvass and argued that Parliament should have a role in scrutinising that decision.[59] In response, David Heath, for the Government, noted that the Bill already required a report from the Electoral Commission and affirmative resolution for the annual canvass to be dropped.[60] He rejected calls for the use of the super-affirmative resolution in this respect and confirmed that the planned canvass in early 2014 would be done in the traditional way and would be available before the European Parliament elections scheduled for that year. Ms Smith did not push the amendments to a vote, but signalled that she expected the Lords to take a keen interest.[61]

Clause 9 - Pilots for assistance for disabled voters

The Conservative MP Matthew Offord spoke to amendment 32 which would make provision for a pilot to allow EROs to establish the level of demand for documents in alternative formats and/or accessibility measures at polling stations by recording electors' needs at the time of registration. He pointed out that the Electoral Commission had proposed pilots, since it was concerned that ERO performance against their standards had shown that accessibility was a weak area.[62] Mr Heath supported the principle, but said that the amendment was unnecessary, since pilots could be undertaken under clause 9.[63] EROs would be able to use these pilot schemes to collect information about a voter's accessibility needs. Mr Heath promised to look at the powers given to EROs in the Bill to propose pilot schemes again to ensure that there was no gap.

Angela Smith expressed concerns about the lack of detail currently available as to how IER would be phased in during the debate on clause 9 stand part, but the Opposition did not oppose the clause.

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59 HC Deb 25 June 2012 c55
60 HC Deb 25 June 2012 c63
61 HC Deb 25 June 2012 c71
62 HC Deb 25 June 2012 c72
63 HC Deb 25 June 2012 c80

Clause 5 - Registration and Edited Register

Angela Smith spoke to amendment 12 and associated amendments, which required local authorities to issue invitations to register to unregistered voters when they sign up for council tax purposes.[64] A number of other MPs spoke of the need to ensure that missing voters were contacted during the move to IER and amendment 17 proposed that Government departments should inform individuals who apply for benefits or services of their possible entitlement to be included on the electoral register.

Graham Allen, chair of the Political and Constitutional Committee spoke to a committee-sponsored probing amendment 34 to make voters aware of the edited register. In response, Mark Harper confirmed that the Government had decided that the edited register should be retained. He acknowledged that the decision had been finely balanced.[65]

The Minister, Mark Harper, considered that it would not be necessary to prescribe everything that EROs should do to ensure the completeness of the register on the face of the Bill; this detail was better dealt with in the secondary legislation. Amendment 16 proposed that there should be a clear statement on the registration form that the register is used for purposes such as credit checks and fraud prevention. Mr Harper said that the IER form would carry a clear statement of the uses to which the data supplied would be used, including for the edited register.[66]

The amendments were withdrawn.

Amount of civil penalty

Mr Allen spoke to amendment 14 which would set the civil penalty for failure to comply with the requirement to register at £500.[67] Mr Harper noted that the secondary legislation had provisions setting out the steps the ERO had to take before insisting on a penalty. He thought it would not be sensible to put the level of the penalty on the face of the Bill.[68] The amendment was withdrawn.

Schedule 5 - Transitional arrangements

Mr David moved amendment 21 to require the Government to report to Parliament annually on the financing of individual electoral registration.[69] He cited concerns that insufficient funding would be available to implement IER effectively and called for the funding for IER to be ring-fenced. Mr David also noted the strong representations on postal votes made by organisations such as Mencap, the RNIB, Age Concern, Scope and Sense. Finally he referred to the potential impact of IER on the redistribution of parliamentary seats as the December 2015 register will be used for the next review of constituency boundaries. The amendment was lost by 276 to 206.

Schedule 5 was agreed to.

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64 HC Deb 25 June c86
65 HC Deb 25 June 2012 c101
66 HC Deb 25 June 2012 c103
67 HC Deb 25 June 2012 c108
68 HC Deb 25 June 2012 c114
69 HC Deb 25 June 2012 c118

3.3 Day 3 and remaining stages 27 June 2012

No amendments were made to the Bill on the third and final day in Committee of the whole House. The House did not complete consideration of the whole Bill before the programme motion took effect. Details of the amendments debated are given below.

Schedule 4 - Electoral Register

Mr David moved an amendment designed to strengthen the powers of Electoral Registration Officers, in particular for the detection of electoral fraud and the maintenance of the annual canvass.[70] In response, David Heath, for the Government said that the Bill as drafted already strengthened the role of EROs, so that it is a requirement to find people who should be registered. Mr David moved amendment 35 originally tabled by Mark Williams, designed as a probing amendment to raise the concerns of the Electoral Commission that the Bill might dilute the current responsibilities of EROs.[71] The amendment was defeated by 266 votes to 188.

Clause 15 - Publication of the Electoral Register

Mr David spoke to an amendment to highlight the concern that electors could be fraudulently added to the register and then not be detected if there were a short gap between the publication of the register and the election. Mr Heath agreed to take the problem away and try to find a technical solution, so the amendment was withdrawn.

Clause 18 - Use of emblem on ballot papers

Mr David checked that the provision applied only to Parliamentary elections, since the necessary changes for most other elections affected by the provision had already been made by secondary legislation.[72] Mr Heath confirmed this and said that the clause would allow a combined emblem of two parties as long as the emblem had been registered by one of the political parties. [73]

New Clause 1 - Personation

Liberal Democrat MP John Hemming spoke to this clause, and the debate was combined with New Clause 2 on regulations to prevent voter fraud. Mr Hemming referred to the comments of Richard Mawrey when hearing election petitions in Birmingham and expressed concern that the Bill did not address the issue of personation.[74] In response Mr Heath said that the number of instances of personation remained relatively low.[75] He also summarised other initiatives against postal voting fraud. The clause was withdrawn.

New Clause 3 - Overseas voters

Geoffrey Clifton-Brown (Conservative) spoke to a clause to remove the 15 year time limit currently applicable for British citizens living abroad, who cannot vote if they were last registered in the UK more than 15 years ago. . Mr Clifton-Brown explained the reasons for his amendment to the Bill:

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70 HC Deb 27 June 2012 c309
71 HC Deb 27 June 2012 c312
72 HC Deb 27 June 2012 c327
73 HC Deb 27 June 2012 c329
74 HC Deb 27 June 2012 c330
75 HC Deb 27 June 2012 c344

> At present, under sections 1 and 3 of the Representation of the People Act 1989, as amended by section 141 of the Political Parties, Elections and Referendums Act 2000, British citizens can qualify as overseas voters only if they have been resident in the UK in the previous 15 years. The new clause would remove this qualifying period altogether, so that all British citizens could qualify as overseas voters, regardless of when they were last resident in the UK.
>
> According to the Institute for Public Policy Research, 5.6 million British citizens currently live abroad. The shocking truth is that although, as of last December, about 4.4 million of them were of voting age, only 23,388 were registered for an overseas vote, according to the Office for National Statistics' electoral statistics. Out of 4.4 million potential overseas voters, only 23,000-odd are actually registered! Half the problem is the difficulties of the registration process, which I brought before the House during the clause 1 stand part debate on 18 June, but the other half of the problem is the cut-off limit or qualifying period.
>
> [...]
>
> The House and the British people should take no pride in the fact that so few citizens living abroad are registered to vote. At a time of decreasing voter turnout, the overseas vote represents a potentially large pool into which we could tap, if the House was minded to accept my new clause. This issue will not go away, and today is a timely opportunity to tackle it.[76]

The Parliamentary Secretary, David Heath, replied that the Government would give the issue 'serious consideration' but that it would not rush into a decision 'not because of any wish to obstruct, but simply because the question of extending the franchise is a fundamental one, and both the Government and the House would have to feel comfortable with doing that'.[77]

New Clause 5 - Right of British citizens to register and vote

Richard Shepherd spoke to a clause designed to make explicit the fact that British citizens had the right to vote, separately from their right as Commonwealth citizens in the *Representation of the People Act 1983*. Mr Heath noted that this was intended to be a declaratory provision and argued that British citizens were not entitled to vote only through membership of the Commonwealth. Where the distinction was necessary in law, it was made, as in the limitation of the right of electors to register when resident overseas to British citizens in the *Representation of the People Act 1985.* However, Mr Heath promised to consider at a later stage whether the distinction between British and Commonwealth citizens ought to be made, given that the Bill's main purpose was not about the franchise.[78]

New Clause 4 - 10pm cut off period for voting

Eleanor Laing (Conservative) spoke to this clause which would allow ballot papers to be issued to any voter in the polling station or in a queue immediately outside at 10pm, so that they could cast their vote.[79] She pointed out that the Scottish Government had recently changed the law for local elections in Scotland to enable this, and that the Electoral Commission was supportive. She received support from a number of Members, but Mr Heath quoted the Political and Constitutional Reform Committee report which noted that the

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[76] HC Deb 27 June 2012 c346
[77] HC Deb 27 June 2012 c353 and 354
[78] HC Deb 27 June 2012 c357
[79] HC Deb 27 June 2012 c359

problem was largely caused by poor planning than the need for legislative change and opposed the clause. The new clause was defeated by 284 votes to 211.

Schedule 5 - Commencement

At 5pm the programme motion came into play and an amendment from Wayne David to delay commencement until the data matching pilots had been completed was defeated by 293 votes to 204.[80]

3.4 Third reading

The House then moved to the third reading of the Bill. Mr David and several other Members raised the issue of the proposed boundary changes in 2015 which would be based on the new Individual Electoral Registration (IER) register.[81] A number of commentators had suggested that this register would be incomplete and that this would affect the distribution of constituencies. Mr David also raised concerns about the lack of full carry-over for postal and proxy votes, as well as giving to ministers the power to cancel the annual canvass, the lack of full draft secondary legislation and the impact of IER on multi-occupancy buildings, such as student or sheltered accommodation.[82] The House divided on third reading and the Bill passed by 284 votes to 204.

4 Lords stages

4.1 Second reading

The Bill received its second reading in the House of Lords on 24 July 2012.[83] Peers debated the completeness of the electoral register and the decline in the numbers registering to vote.

Lord Wallace of Saltaire set out the plans for the transition from the current to the new system of electoral registration:

> The last canvass under the current system will be postponed from autumn 2013 to spring 2014. This will ensure that the register will be as up to date as possible before the transition to the new system in 2014.
>
> We plan to confirm about two-thirds of existing entries by matching the names and addresses of every elector on the register against the Department for Work and Pensions' customer information system. Following this data match, electoral registration officers will carry out an amended canvass in the summer and autumn of 2014. The remaining one-third of electors whose details have not been confirmed through data matching will be sent a personal invitation to register under the new system. At the same time, the Electoral Commission will run a publicity campaign to inform the general public of the change to the new system.[84]

Lord Wallace confirmed that there would be a '**carry forward'** for existing electors 'so that, even if they have not had their details confirmed, and they have not made a successful new individual application in 2014, they will still be able to vote at the 2015 general election.'[85] However, voters who wanted to vote by post or proxy in 2015 will not be 'carried forward' and

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80 HC Deb 27 June 2012 c378
81 HC Deb 27 June 2012 c384
82 HC Deb 27 June 2012 c388
83 HL Deb 24 July 2012 c616 - 680
84 HL Deb 24 July 2012 c617
85 HL Deb 24 July 2012 c618

will have to make a new application to be on the register or have been confirmed and retained on the register through data matching.

Lord Wallace also gave further details of issues that had been debated during consideration of the Bill in the House of Commons. The size of the new **civil penalty** would be set out in regulations but the Government had decided that this should be

> within the parking fine spectrum and the draft regulations set out the arguments for it being at the lower end, at around £40, or at the higher end at around £130. We will shortly be engaging with relevant stakeholders to seek views as to the appropriate level and we will make a decision based on these discussions.
>
> It is also the Government's intention to produce further iterations of the draft legislation by the time this House returns from the Summer Recess. These will include the regulations setting out the appeal procedure for any civil penalties issued and the enforcement mechanism. This will enable the House to debate the details of the civil penalty scheme while the Bill is in Committee.[86]

Lord Rennard agreed that the level of the fixed penalty should be akin to that deemed appropriate for parking offences but suggested that 'repeatedly and wilfully refusing to comply with the process should attract repeat penalties.'[87] Lord Wallace disagreed saying that the Government was not persuaded that there should be multiple fines in a single year.[88]

Lord Wallace announced that he had deposited a paper in the Libraries of both Houses which set out the changes to the **electoral timetable** proposed in the Bill.[89] Lord Wallace said that extending the timetable for Parliamentary elections to 25 days would allow more time for service voters and overseas voters to receive and return their postal votes. Lord Baker of Dorking questioned why there was a need for another eight days for campaigning and suggested that it would be expensive for the political parties. Lord Dobbs called on the Government to look again at the provision to extend the timetable:

> We recently passed the Fixed-term Parliaments Act, which, in normal circumstances, means very predictable elections every five years. But not all circumstances are predictable. Let us imagine a national crisis-for example, a desperate economic and financial collapse in Europe, and political paralysis here at home. Let us further imagine a Government no longer capable of commanding a majority and losing a vote of confidence; and there being no agreement on a replacement and an election being called. Because of the provisions of the Fixed-term Parliaments Act, that cannot be for another two weeks. Five and a half weeks becomes seven and a half weeks, which adds to the political and economic crisis that has created this situation.
>
> We are talking of a potential situation of political paralysis and governmental chaos at a time of national crisis that could stretch into months. We cannot always predict political crises, let alone avoid them. But we can prepare for them better than the straitjacket of Clause 13. We need to look at it again, and I

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86 HL Deb 24 July 2012 c619
87 HL Deb 24 July 2012 c630
88 HL Deb 24 July 2012 c677
89 Dep 2012 - 1287

> hope that Ministers will take a look at this and allow us to discuss it in greater detail.[90]

Lord Falconer of Thoroton, said that there was no dispute about the need to introduce IER to reduce the possibility of **electoral fraud** but that there was an issue about striking a balance between reducing fraud on the one hand and ensuring that there was not a significant reduction in the number of people registering to vote on the other.[91] Lord Baker of Dorking said that fraud in elections had become much more sophisticated and that it took place as a result of having postal voting on demand. Lord Baker referred to ongoing investigations in Tower Hamlets and noted that fraud took place

> ...in high-density communities with crowded premises in towns and cities. There is a high turnover because people are moving all the time from flat to flat and from residence to residence. There is often a floating population which can generate what has been described by some electoral pundits as clan loyalty whereby people want to see their immediate friends and colleagues elected. Many of these cases have landed up in court and there has been the imprisonment and bankruptcy of some of the people involved. Mayors and councillors have been involved, and reputations have been destroyed. It has been a very sad episode. It is in the interests of all our parties to try to eliminate this as much as we can.[92]

Lord Trimble drew attention to the introduction of individual registration in **Northern Ireland** in 2002.[93] When individuals registering to vote had had to provide their personal details, including their National Insurance number, the immediate effect on the register was a 10% fall in the number of voters. He pointed out that when a number of measures such as the carry-forward of voters (which had ceased in 2003) was reinstated in 2005 and rolling registration was introduced the decline in the number of people registering was halted.

Baroness O'Loan raised the issue of access to the electoral process by the elderly and the **disabled**. She noted that five charities, Mencap, the RNIB, Age UK, Scope and Sense had all suggested that the Bill presented an opportunity to improve access, particularly by recording information about electoral access needs at the point of registration.[94] Lord Wallace responded that the Government was consulting with Scope and other bodies on how to ensure that access was maintained and on how to improve access to polling stations.[95]

Lord Norton of Louth raised the issue of **overseas voters**[96]:

> ...the Bill does not address the 15-year rule for those British nationals who live overseas. In the last Parliament, I raised the issue of British nationals working for international organisations. Here my concern is more general. It is an issue that was raised in the other place during the passage of the Bill by Geoffrey Clifton-Brown. As he noted, although there are 4.4 million British citizens of voting age living abroad, only just over 23,000 are registered as overseas voters. In response the Minister, David Heath, said that the Government would give the issue "serious consideration". I appreciate the reasons for not wishing to rush to judgement. There are practical issues as well as the issue of

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90 HL Deb 24 July 2012 c665
91 HL Deb 24 July 2012 c622
92 HL Deb 24 July 2012 c626
93 HL Deb 24 July 2012 c633
94 HL Deb 24 July 2012 c640
95 HL Deb 24 July 2012 c676
96 For further information about overseas voters see Library Standard Note 5923

> principle raised by the Minister-the two come together in terms of ensuring the integrity of the ballot. However, there is a countervailing principle in respect of the rights of those who, while they may live abroad, retain British citizenship. It will be helpful if my noble friend gives some indication of the Government's thinking in the light of the discussions in the other place.[97]

Lord Lexden also called for the 15 year rule to be abolished:

> Finally, I urge strongly that the scope of the Bill be extended, as my noble friend Lord Norton of Louth argued, by adding to it provision to enable all our fellow subjects of Her Majesty who live abroad to vote in our parliamentary elections. This would end the existing 15-year limit, for which no clear rationale has ever been offered. There are some, such as Mr Clegg, who are inclined to say that our fellow country men and women abroad should take the nationality of the country in which they reside, even though I understand that Mrs Clegg, who retains Spanish nationality, has a lifetime's right to vote in Spain's elections. There are others who say that because they pay no taxes here they should not vote here, but many do pay taxes. In any case, other countries do not admit taxation as a principle for access to their franchises. Others say that our fellow citizens abroad cannot feel a strong attachment to the United Kingdom after some years away from it. However, in the age of the internet, they can follow closely what is happening in their native land and, as online participants, contribute powerfully to developments taking place here whether they live in Perugia, Portugal or Pennsylvania.
>
> I set out the case for change more fully in a debate initiated by the noble Lord, Lord Wills, in January and I propose to return to it in Committee. The Government have this great issue under active consideration, as the Minister confirmed in a Written Answer to me on 25 June. There could be no better time for action than in this Diamond Jubilee year. Some 5.6 million subjects of Her Majesty live abroad. Many of them today stand hopefully at the bar of British democracy. Let all those who wish to join us be allowed to enter.[98]

Lord Wallace of Saltaire said there were no plans to extend the 15 year rule:

> I had a conversation off the Floor of the House with the noble Baroness, Lady Hayter, in which we agreed that we are both being lobbied heavily by our local party organisations from Brussels and Luxembourg on this issue. The Government do not have any plans at the present moment to lengthen the period from leaving the country beyond 15 years, nor do we have any really ambitious plans to do what is done in some other countries, which is to allow voting in embassies and consulates. However, the longer electoral period will help.[99]

Lord Norton raised the question of the **edited register**.[100] He noted that a survey of electoral officers found that almost 90% of them believed that the practice of selling the edited register discouraged people from registering to vote. Lord Norton suggested that, although the Government had decided to retain the edited register, there were still issues that needed addressing. Lord Wallace said the question would clearly be one that was returned to in Committee:

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97 HL Deb 24 July 2012 c642
98 HL Deb 24 July 2012 c659
99 HL Deb 24 July 2012 c680
100 HL Deb 24 July 2012 c642

> The edited register is much beloved of charities and voluntary organisations. Now that I have to speak for the Cabinet Office, I have learnt that the lobbies in the charities sector are as determined and uncompromising as the lobbies in any other sector. They are very strong on maintaining the edited register, but the Government are committed to maximising registration rates, although we recognise that there are a number of issues about the names that appear. Perhaps that is another question for discussion in Committee.[101]

4.2 Committee stage

First Day, 29 October 2012

The first day of Committee stage in the House of Lords took place on 29 October 2012.[102] Lord Falconer of Thoroton moved an amendment to clause 1 which would strengthen the role of the Electoral Commission during the transition from the present system of electoral registration to individual electoral registration. Other Opposition amendments would have required the Commission to produce annual registration reports to be laid before Parliament and the results of the ongoing data-matching pilots to be reported and evaluated before the full transition to IER took place.[103]

Lord Rennard said he had considerable sympathy with what the amendments were aiming to achieve but proposed that the responsibility for deciding whether the arrangements had been completed sufficiently well for the new system to be fully introduced should rest with Parliament.[104] Lord Wills spoke in support of the amendments suggesting that they would help mitigate 'the risks of a decline in the levels of registration as a result of this legislation.'[105] There was some debate on the completeness of the electoral register during which both Lord Dobbs and Lord Wigley raised the issue of the accuracy of the register, noting that there had been recent instances of electoral fraud.

Lord Wallace of Saltaire pointed out that the accuracy of the register had already declined over the past ten years and that the Government hoped 'to restore as far as we can a percentage in the high 80s rather than the one in the low 80s to which we are heading.'[106] Lord Falconer withdrew his amendment but noted that real concerns had been expressed by peers about the effect on the level of registration during the introduction of IER.[107]

Clause 1 was agreed.

Lord Falconer moved a probing amendment about the **appeals** process for people whose applications to be included on the electoral register were turned down under the new IER system. The amendment was withdrawn after Lord Gardiner confirmed that the current provisions for appeals against the decisions of Electoral Registration officers would continue to apply under the new system.[108]

Schedule 1 was agreed.

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101 HL Deb 24 July 2012 c679
102 HL Deb 29 October 2012 c407ff
103 HL Deb 29 October 2012 c409
104 HL Deb 29 October 2012 c411
105 HL Deb 29 October 2012 c416
106 HL Deb 29 October 2012 c420
107 HL Deb 29 October 2012 c429
108 HL Deb 29 October 2012 c431

A Government amendment was moved by Lord Wallace which related to the forms of acceptable evidence which could be used to verify an entitlement to register.[109] The Delegated Powers and Regulatory Reform Committee had expressed concern about the lack of a requirement for forms of evidence to be set out in regulations as had the Electoral Commission and the House of Lords Constitution Committee. Lord Wallace explained that the amendment: would address these concerns:

> The amendment will ensure that the list of evidence that is acceptable for the verification of applications is set out in regulations subject to the affirmative procedure. To attain flexibility in responding to extraordinary situations and unforeseen circumstances, we have also provided in the amendments that regulations removing allowable forms of evidence will be subject to the negative procedure. This will allow the Government to act quickly in response to information that an accepted form of evidence is no longer suitable for use in verifying applications. We feel that this strikes the right balance between parliamentary scrutiny and flexibility in response to potential threats to the integrity of the register.[110]

Government amendment 3 was agreed.

Amendments relating to the new **civil penalty** for failing to co-operate with an Electoral Registration Officer were debated. Lord Wallace argued that the purpose of the civil penalty was to encourage citizens to fulfil their civic duty and register to vote; the civil penalty was intended to be modest and reasonable.[111] He said that the Government opposed those amendments which would seem to force EROs to impose the civil penalty on any person who does not make an application to be registered. Lord Rennard's amendment was withdrawn and the Opposition amendment was not moved.

Government amendments 6, 7, 8 and 9 relating to the regulations on the provision of evidence to accompany an application to be registered were agreed without debate.

Clause 2, as amended, was agreed.

Peers debated an amendment moved by Lord Rennard which would authorise or require the Student Loans Company, the DVLA and credit reference agencies to disclose information from their databases to Electoral Registration Officers.[112] Lord Reid of Cardowan urged caution over creating such a precedent:

> I do not for a moment doubt the noble Lord's intention, which is to maximise the number of people on the voting register in order to enhance democracy, although perhaps I might express the wish that some of the comments made during earlier discussions had been listened to. It was predictable that we would end up with a shortfall on the electoral register and an anticipated greater shortfall. I think that lies behind the measures that the noble Lord has raised.
>
> Let me make this point. If, however good the ends, we adopt the means of proliferating the use of data mining and data matching, that would be of considerable significance. If we are suggesting that we data mine and data match records from HMRC, the DVLA, the DWP-that has already been agreed-

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109 HL Deb 29 October 2012 c432
110 HL Deb 29 October 2012 c433
111 HL Deb 29 October 2012 c441 and 442
112 HL Deb 29 October 2012 c473

> the Student Loans Company and credit reference agencies, that is a suggestion of huge import and ought to be scrutinised for its possible consequences.[113]

Lord Wallace said the Government was sympathetic to the spirit of the amendment but stressed that it was already carrying out work in this area and there were a number of data matching pilots currently under way. He added that the Government did not want to limit such schemes to the organisations listed in the amendment and it would make its intentions clearer at Report stage.[114] The next phase of data-matching pilots would look at which datasets were most useful for EROs to carry out their duties; some of these would target students and some recent home-movers. Lord Rennard withdrew the amendment after asking the Minister to consider further the comments made during the debate on the amendment.

Schedule 2 and Clause 3 were agreed.

Baroness Hayter of Kentish Town moved an amendment which would require the retention of the **annual canvass** in October. Lady Hayter said that without the annual canvass there would be no check on the completeness of the register and that it was 'a crucial democratic tool.'[115] She acknowledged that the Government had said that there were currently no plans to abolish the annual canvass but she wondered about the word 'currently':

> A canvass of all properties is an essential tool for making sure we have caught everybody, and the idea that it could be abolished by a Minister without Parliament having a say is one that we could not go along with.[116]

Lpord Rennard agreed saying he was 'instinctively sceptical about the prospect of abolishing this annual exercise' and he supported the proposal that if the annual canvass was to be abolished it must be approved by a resolution of both Houses using the super-affirmative procedure.[117]

The Minister, Lord Gardiner, reminded the House that there were already provisions in the Bill which required any proposal to amend or abolish the annual canvass to be subject to rigorous scrutiny and safeguards.[118] Baroness Hayter withdrew the amendment but urged the Government to reconsider the issue before Report stage.

Clause 4 and Clause 5 were agreed.

Second Day, 14 January 2013

The second day of Committee stage in the House of Lords had been due to take place on Wednesday 31 October 2012. Consideration of the Bill was postponed after disagreement about the admissibility of an amendment which had been tabled by Lord Hart of Chilton. Lord Strathclyde made a short business statement explaining the reason for not proceeding with the Committee stage of the Bill on that day:

> The reason for not proceeding today with the Electoral Registration and Administration Bill is that late yesterday the noble Lord, Lord Hart of Chilton,

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113 HL Deb 29 October 2012 c476
114 HL Deb 29 October 2012 c483
115 HL Deb 29 October 2012 c486
116 HL Deb 29 October 2012 c487
117 HL Deb 29 October 2012 c488
118 HL Deb 29 October 2012 c490

> tabled an amendment, printed as Amendment 28A on a supplementary sheet as it was too late to be included in the Marshalled List. Its intention is to change the date for the report from the Boundary Commission on parliamentary constituencies from before 1 October 2013 to not before 1 October 2018.
>
> It became apparent to me in the course of yesterday evening that the advice of the Public Bill Office to the noble Lord, Lord Hart, was that his amendment was inadmissible and should not be tabled because it was not relevant to the Bill.
>
> [...]
>
> Yesterday evening, I decided that, in view of the highly contentious nature of the amendment and the clear advice of the clerks, the House needed the opportunity to reflect on that advice before taking a decision on this matter. The Chief Whip withdrew the Bill from the Order Paper and informed the Opposition and the usual channels, and I have placed a copy of the advice from the Public Bill Office in the Library of the House. I would prefer an informed debate next week to an ill-informed, disorderly row today.
>
> By the late tabling of an inadmissible amendment the noble Lord proposed to ask the House to act precipitately without notice and against the advice of the clerks. This is not how we should go about our work. These are the reasons why I have changed the business before us today, to enable the House to reflect carefully before it takes a decision either on the admissibility of the amendment of the noble Lord, Lord Hart, or on its merits. I believe that it is a decision made in the best interests of the House.[119]

Consideration of the Bill in Committee was subsequently intended to take place on Monday 5 November 2012. On that day Lord Strathclyde made an announcement that the Committee stage of the Bill would not be proceeded with that day for the same reasons that he had given the week before:

> All those involved need further time to reflect before the House is invited to take a decision either on the admissibility of the amendment or on its merits. It will not surprise the House that those involved include senior members of the Government and, until their discussions are concluded, the Electoral Registration and Administration Bill will not proceed further in Committee.[120]

Consideration of the Bill was resumed on 14 January 2013.[121]

Lord Lexden moved an amendment to remove the 15 year limit on British citizens living overseas being registered as **overseas voters**. Lord Lexden noted that 22 of the 27 EU countries allowed their expatriate citizens the right to vote, without any restriction on the period of residence away from their home country.[122] Lord Lipsey and Lord Tyler spoke against the amendment. Lord Tyler suggested that there were difficulties for MPs in representing people who lived perhaps thousands of miles away in very different economic and social conditions to those in the UK. Lord Wills raised the case of UK citizens who worked for international organisations such as the United Nations; he proposed that the

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119 HL Deb 31 October 2012 c618
120 HL Deb 5 November 2012 c762
121 HL Deb 14 January 2013 c475
122 HL Deb 14 January 2013 c277

voting rights of this group of British citizens living overseas should be considered separately, like the armed forces and Crown servants serving abroad.[123]

Lord Norton supported the amendment; he saw no reason why British citizens living overseas should be disenfranchised.[124] Baroness Hayter disagreed; she said it was difficult to understand why people who lived abroad and who did not participate in UK civil life should continue to be able to vote in UK parliamentary elections. She added that if the amendment was agreed British citizens living overseas would be able to remain as permissible donors to UK political parties for as long as they wished.[125]

Lord Gardiner responded that the 15 year time limit remained under consideration by the Government as did the case for extending the voting rights of UK citizens who are employees of international organisations. In the mean time the Government was planning to remove the requirement for a voter's initial application as an overseas elector to be attested by another British citizen; this would simplify the registration process for overseas voters. The lengthening of the Parliamentary electoral timetable to 25 days would also assist overseas voters by providing more time for the despatch and return of postal ballot papers. Lord Lexden subsequently withdrew amendment 25.

Before Lord Hart of Chilton moved amendment 28A, which would amend Section 10 of the *Parliamentary Voting System and Constituencies Act 2011* relating to the timing of **constituency boundary reviews,** Lord Hill of Oareford urged the House to endorse the clerks' opinion which was that the amendment was inadmissible.[126] Lord Hart disagreed and explained the purpose of the amendment:

> The effect of the amendment would be to postpone the review of parliamentary constituency boundaries for one electoral cycle, and similarly delay the reduction in the number of Westminster seats from 650 to 600. It would ensure that the 2015 general election is contested on the basis of current boundaries. It would also provide a window of time to address the current deficiencies in the electoral register and the likely impact on its accuracy and completeness from the introduction of individual electoral registration. As the building block on which boundary reviews are being conducted, the status of the electoral register is fundamental to our system of representative democracy.
>
> The amendment has two principal purposes. The first is to allow time for the new system of electoral registration to bed down and to allow for opportunities to test how far the register is complete and accurate. That is essential, because the register provides the raw data to be used by the Boundary Commissions in determining constituency numbers and, hence, constituency boundaries. The two are inextricably linked, because any inadequacy or flaw in the register feeds inaccurate calculations in terms of seat numbers and their boundaries. It has the potential to be damaging to democracy and to seriously undermine the coalition objective of political renewal and re-engaging with the public.[127]

Lord Rennard, who had also signed the amendment, argued that the electoral register, on which the current boundary review was taking place, was 'not really fit for purpose' and that

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123 HL Deb 14 January 2013 c484
124 HL Deb 14 January 2013 c485
125 HL Deb 14 January 2013 c488
126 HL Deb 14 January 2013 c490
127 HL Deb 14 January 2013 c492

the review should be postponed.[128] Lord Forsyth of Drumlean opposed the amendment saying that it breached important constitutional principles including that of the integrity of the Boundary Commissions' decisions.[129]

Lord Falconer supported the amendment and said that by delaying the boundary changes there would be an opportunity to review the effect of the introduction of individual electoral registration which he suggested would result in a drop in registration rates.[130]

The Minister, Lord Taylor of Holbeach, pointed out that if the amendment was passed and the current boundary review was not implemented 'it would be the old boundaries, based on a register as old as February 2000 as far as England is concerned, that would be used for the May 2015 general election'.[131] He continued

> There has often been mention of the differing views within the coalition on the presentation and approval of the current review, which is now more or less completed. That may be so but, as the law stands, it is not the Government, or the coalition, that decide the response to the Boundary Commission; it is Parliament and it will have the final say. However, the amendment would deny this Parliament that opportunity by preventing the Boundary Commission finishing its work and so denying the House of Commons of this Parliament an opportunity to take an informed decision on the Commission's proposals. Is it right that this House takes it upon itself to deny the House of Commons that opportunity?[132]

Amendment 28A was agreed on a division: Contents 300; Not-contents 231. (c523).

Schedule 3 and Clauses 6, 7, 8, 9, 10, 11 and 12 were agreed without amendment.

Government amendments were agreed which related to the procedure for adding **anonymous entries** to the register and to the removal of the 14 day restriction on adding rolling registration applications before the publication of the revised register.[133]

A Government amendment was agreed which related to the **new civil penalty** which EROs can impose if an individual fails to register when required to do so. Lord Gardiner explained further:

> The amendment maintains our declared policy of keeping the criminal offence alongside the new civil penalty. The criminal offence of non-disclosure or providing false information is an important part of electoral registration, giving registration officers the capacity to offer a warning on the canvass form and to insist that it is duly completed and returned.
>
> The civil penalty is an additional tool for registration officers as they encourage individuals to register, but the criminal offence is still necessary to ensure that they receive as much information as possible in response to the annual canvass so that residents may be retained on the register or invited to make an individual application.

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128 HL Deb 14 January 2013 c496
129 HL Deb 14 January 2013 c503
130 HL Deb 14 January 2013 c519
131 HL Deb 14 January 2013 c520
132 HL Deb 14 January 2013 c521
133 HL Deb 14 January 2013 c534

> This is a technical amendment to paragraph 1B of Schedule 2 to the Representation of the People Act 1983, which is inserted by the Bill. [134]

Lord Falconer moved an amendment which would ensure the **carryover of voters' proxy and postal voting arrangements** to the 2014 electoral register. Lord Taylor responded that one of the drivers of IER was tackling the issue of electoral fraud, and especially fraudulent entries on the electoral register; electors who have an arrangement to have a postal ballot will be reminded that they will have to register under IER in order to reapply for their absent vote. Lord Falconer withdrew his amendment and other amendments concerning the carry forward of existing voters under IER were not moved.[135]

Schedule 5 was agreed.

Lord Rennard moved an amendment to insert a new clause into the Bill which would allow **polling to take place at weekends**.[136] Lord Rennard believed it would be more convenient for many voters to cast their votes at a weekend and that this would improve turnout. Lord Norton cautioned that a stronger evidence base was required before making such a change. Lord Gardiner responded that the Government had no plans to move polling day for either the general or other elections to the weekend.[137]

Baroness Hayter moved an amendment which would allow those electors who remained on the register following the canvass to retain their existing electoral number if an election were to take place within 30 days of the publication of the register. The amendment aimed to reduce the potential for electoral fraud. Lord Gardiner said the amendment could bring added complexity and would not necessarily reduce fraud. The amendment was withdrawn.

Lord Pannick moved an amendment to allow voters who are in the polling station, or outside in a queue, at 10pm the right to cast their vote.[138] He noted that the Electoral Commission had expressed support for the amendment and countered the arguments against it put forward by the Government:

> First, it is said by the Government that the voter need not wait until just before 10 pm. He or she could or should vote earlier. However, for many people, voting early is not an option because of work or family commitments. In any event, close of poll is 10 pm. Voters should not be required to guess how far in advance of 10 pm they need to attend at the polling station in order to be sure of being allowed to vote.
>
> The second argument presented by the Government is that such a change in the law would cause practical problems. That is very unconvincing. All that needs to happen is that at 10 pm the polling officer closes the door of the polling station, or if, unhappily, there is a queue outside, stands at the back of the queue to ensure that anyone arriving after 10 pm cannot join the queue. The Electoral Commission has pointed out that the Scottish Government introduced such a reform in 2011. At the Scottish council elections last year, the change in the law enabled voting by three people who arrived by 10 pm but would otherwise have been denied a ballot paper. There were no practical

134 HL Deb 14 January 2013 c534
135 HL Deb 14 January 2013 c542
136 HL Deb 14 January 2013 c560
137 HL Deb 14 January 2013 c564
138 HL Deb 14 January 2013 c567

> difficulties. The Electoral Commission issued sensible and practical guidance to presiding officers.
>
> The third argument advanced in opposition to this change in the law is that it is unnecessary, as the lessons have been learnt from the experience of the 2010 general election. The answer is that, however good the preparation may be, there is always a risk of a queue building up which prevents one or more eligible voters from voting because they have not received a ballot paper by 10 pm. Issuing a ballot paper may take a minute or two and, if several people arrive in the period just before 10 pm, a queue can easily build up. The risk of a queue is all the greater if ballot papers are being handed out for local as well as general elections. The Electoral Commission has rightly said that,
>
> "no degree of planning alone can entirely mitigate the potential risk of queues at the close of poll".
>
> The final argument which the Government advance is that not many voters will be adversely affected. However, even one eligible voter denied a vote in these circumstances is one too many. The Government cannot have it both ways. They cannot say both that very few voters will be affected and that the amendment will cause practical problems. This amendment is correct in principle, it is workable in practice and it is much needed.[139]

Baroness Jay of Paddington, Lord Tyler, Lord Norton and Lord Lexden spoke in support of the amendment. Lord Taylor responded for the Government and argued that there was a real danger of the amendment creating unintended consequences if it was agreed and of reducing the clarity and certainty of the law.[140] He expressed concern about exit polls; problems as to what actually constituted a queue; the possibility of deliberate queue forming and added:

> The Government take the view that the responsibility for ensuring that there are no queues at polling stations is not the responsibility of the voter but should be the responsibility of the returning officers by providing sufficient staff to deal with predicted levels of turnout. That must be the right way forward, and I think that all noble Lords will know that lessons will have been learnt from the 2010 queues.[141]

Lord Pannick withdrew the amendment but said the matter would be returned to at Report stage.

Lord Norton moved an amendment which would abolish the **edited register**. The Political and Constitutional Reform Committee, the Electoral Commission and the Association of Electoral Adminstrators had all called for its abolition. Lord Norton said that abolition was his preferred option but if the Government wanted to continue with the edited register he urged a move from an opt-out provision to an opt-in provision, 'in other words electors should be included in the edited register only if they have explicitly given their consent to their inclusion.'[142]

Lord Taylor responded that the Government had decided to retain the edited register after discussions with commercial organisations and electoral administrators; he suggested that if

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139 HL Deb 14 January 2013 c567
140 HL Deb 14 January 2013 c572
141 HL Deb 14 January 2013 c573
142 HL Deb 14 January 2013 c578

the edited register was abolished there would be pressure for access to the full electoral register and pointed out that before 2002 the full register was available for sale to any organisation. The Government was proposing that under IER an individual's choice as to whether they should be included on the edited register would be carried forward until they informed the ERO that they wished to change their mind.[143]

The amendment was withdrawn.

Clauses 22, 23, 24, 25 and 26 were agreed. The Bill was reported with amendments**.**

4.3 Report stage

The report stage and third reading of the Bill in the House of Lords took place on 23 January 2013. [144] The following summarises changes made.

Overseas voters

Lord Lexden again moved an amendment to insert a new clause which would extend the fifteen year time period during which British citizens living abroad can register to vote in UK Parliamentary elections as overseas voters. The amendment was withdrawn after Lord Wallace responded that the Government had listened to the arguments but had decided that:

> There are large questions here about what rights we might grant, for how long and for how many people we might grant them, and whether we should grant them for people who were born abroad. We might appropriately consider these questions, but, I suggest, not in the context of the Bill.[145]]

Lord Wallace also suggested that all-party inquiry into the issue might be the best way forward.

Annual canvass

An amendment to ensure that the annual canvass was maintained was moved by Baroness Hayter.[146] Lord Wallace acknowledged the importance of the annual canvass but noted that other means of compiling the register could become as important; any changes to the canvass would have to be recommended by the Electoral Commission and approved by Parliament. The provision in the Bill to allow for the abolition of the canvass had been included 'to remove the necessity of coming back to the House with primary legislation for a change when [the Government is] confident that other methods, in particular online methods, provide more efficient and cost-effective ways of ensuring that we have a complete and accurate register.'[147] **The amendment was disagreed on division**, Contents 199; Not-Contents 223.

Carry-forward

Lord Wallace moved a group of Government amendments which made provision to provide for an extended carry-forward of non-individually registered electors unless this is deemed

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143 HL Deb 14 January 2013 c580
144 HL Deb 23 January 2013
145 HL Deb 23 January 2013 c1130
146 HL Deb 23 January 2013 c1131
147 HL Deb 23 January 2013 c1134

unnecessary. The amendments would mean that the final date for the transition to a register made up entirely of individually registered electors following a third canvass under the new system could be postponed until December 2016. [148]**The amendments were agreed**.

Queues at polling stations

Lord Pannick moved an amendment to allow voters who find themselves in a queue at a polling station at 10pm to cast their vote. Lord Pannick told the House that **the Government now accepted the principle of the amendment and would be proposing an amendment at third reading.** [149]

Lord Lipsey moved an amendment to prohibit the publication of exit polls until 10.30pm in case the results of the exit polls became known to the people still in a queue to vote at 10pm.[150] Lord Pannick and Lord Lipsey withdrew their amendments after Lord Wallace gave further information about the Government's amendment:

> Having heard the view of the House and seen the cross-party support for this change, the Government are content to accept the principle of the amendment. Our resistance to it in its current form has been based on a concern about unexpected and unforeseen consequences flowing from the change, and we still have that concern. We have identified some of those consequences in debate and, in looking at them more closely since, have concluded that they need to be addressed.
>
> The amendment as it stands brings ambiguity and uncertainty to the impact of other legislative provisions upon the broadcasting of exit polls and other matters pertaining to secrecy within electoral law that are subject to criminal penalties of fines or up to six months in prison. There are other impacts on legislation that refers to the close of poll.
>
> The noble Lord, Lord Lipsey, has brought forward a further amendment to seek to address the issue of exit polls. Unfortunately, while deferring their publication until 30 minutes after close of play might deal with some potential instances of delay, it would not catch all such instances-for example, if there were a very considerable queue. In that sense, it would defer the problem to a later time.
>
> It is also necessary to make some drafting changes to the amendment to ensure that it applies consistently. The amendment, as a consequence of the intricacies of the current law, does not apply to Northern Ireland. It would be most regrettable if we were to accept it and have a position where voters in a queue at 10 pm could receive ballot papers and vote after that time in Great Britain but not in Northern Ireland.
>
> On that basis, and recognising the will of the House and the laudable principle behind the proposed change, the Government propose to bring forward at Third Reading an amendment that makes the change being sought in terms of electors voting at close of poll but which also contains a provision, through a proportionately limited power, to make further amendments on commencement to deal with all the potential consequences that it has on other elements of electoral legislation.[151]

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148 HL Deb 23 January 2013 c 1139
149 HL Deb 23 January 2013 c1145
150 HL Deb 23 January 2013 c1145
151 HL Deb 23 January 2013 c1149]

Edited register

Lord Norton moved an amendment to require voters to opt- in to having their details included on the edited register instead of opting- out as at present. [152] Lord Norton had argued at Committee stage for the abolition of the edited register but given that the Government had decided to retain the edited register he was now pursuing an 'opt-in'; he added that 'if electors are to have their personal data sold to third parties, then they should have to give their consent to it being sold in this way'. Lord Wallace disagreed:

> The Government believe that providing electors with a choice of an opt-out, alongside sufficient information to allow the individual to make an informed choice, provides electors with appropriate protection and control. So long as electors have an informed choice and can alter their preferences, there is little practical difference between an opt-out and an opt-in. We are not aware of any large-scale demand for change in the current situation.[153]

The amendment was withdrawn.

4.4 Third Reading in the Lords

The following amendments were agreed at Third Reading:

Parliamentary boundary reviews

Amendments to Clause 6 which was inserted at Committee stage in the Lords and which amends the *Parliamentary Voting System and Constituencies Act 2011*. The first amendment clarifies the date by when the Parliamentary Boundary Commissions must submit their reports:

"( ) In section 3(2)(a) of the Parliamentary Constituencies Act 1986 (timing of Boundary Commission reports), for "before 1st October 2013" substitute "before 1st October 2018 but not before 1st September 2018"."

Lord Wallace confirmed that the electoral register as at 1 December 2015 would be used for the 2018 review He noted that the purpose of the amendment was to make changes to Clause 6, which this House added to the Bill in Committee, to ensure that the meaning and effect of the clause was clear..[154] This was without prejudice to any subsequent decision of the Commons to overturn amendments on the boundaries review.

Queues at polling stations

A Government amendment to allow voters in a queue at a polling station at 10pm to cast their vote was agreed. The amendment applies to Parliamentary elections only and extends to Northern Ireland.[155]

The Bill was passed and returned to the Commons with amendments.

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[152] HL Deb 23 January 2013 c1150
[153] HL Deb 23 January 2013 c1156
[154] HL Deb 23 January 2013 c1173

[155] HL Deb 23 January 2013 c1175

5 Commons consideration of Lords amendments

The House of Commons considered the Lords amendments on 29 January 2013.[156]

The Leader of the House of Commons, Andrew Lansley, argued that the House should disagree with Lords amendment 5 which made provision to postpone the Parliamentary boundary review until 2018. The motion to disagree with Lords amendment 5 was defeated: Ayes 292, Noes 334 and the amendment made by the Lords which delays the boundary review until 2018 remained in the Bill.

The other Lords amendments were also agreed to:

Amendments 7, 10 and 11 will allow voters waiting in a queue at a polling station at the close of poll at 10pm to be issued with ballot papers and to vote.

Amendments 6, 8, 9, 20, 21 and 22 will provide for an extended carry-forward of non-individually registered electors from 2015 to 2016 unless that is deemed unnecessary.

6 Royal Assent

The Bill received Royal Assent on 31 January 2013. [157]

7 Draft secondary legislation

The draft secondary legislation has been published and this is available on the Cabinet Office website:[158]

> The passage of the Electoral Registration and Administration (ERA) Bill to introduce Individual Electoral Registration (IER) in Great Britain has been characterised by consultation, listening and reflection on the part of Government. The three published sets of draft secondary legislation reflect that approach.
>
> This draft is the third part of the draft secondary legislation and maintains and builds on the detail contained in the previous publications of the proposed main regulations. However, this tranche of legislation also includes two further draft statutory instruments covering:
>
> - The transitional provisions for the introduction of IER (which now includes the provisions for confirming existing electors during the transition to IER)
> - The postponement of the 2013 Annual Canvass.

156 HC Deb 29 January 2013 c806
157 *Electoral Registration and Administration Act 2013* (Chapter 6)
158 http://www.cabinetoffice.gov.uk/resource-library/individual-electoral-registration-draft-secondary-legislation