
Electoral registration in Great Britain

To vote in an election in Great Britain it is necessary to be included on an electoral register. This factsheet examines the current registration process including recent changes.

Legal requirements

The Representation of the People Act 1983 requires Electoral Registration Officers to prepare and publish a register of electors for their area each year and maintain it throughout the year. It is their statutory duty to include the names of everyone who appears to them to be eligible, taking reasonable steps to obtain the required information. A canvass form is sent to each household in Great Britain every autumn for completion and return by the householder. The form asks for the details of all those eligible to vote (or eligible to vote in the near future) who are resident on 15 October. If an Electoral Registration Officer considers someone is entitled to be registered as an elector, they have no discretion to omit that person's name from the register.

Although registration is not in itself compulsory, an Electoral Registration Officer has the power to require information for the purposes of maintaining the register of electors. A penalty for failing to complete and return the electoral registration form or for giving false information was first imposed in 1918 and

extended to include rolling registration in 2006. The current penalty for this offence is a fine not exceeding £1,000.

Electors have the right not to vote if they so choose.

Access to the register

The electoral register is, by law, a public document. It is available for inspection to allow members of the public and political parties to check to ensure that all eligible names have been included and that the names of ineligible people have not. This is considered to be an important safeguard against the potential for abuse of the electoral system.

Until 2002, any company, organisation or person could buy a copy of the register to use for any purpose. The law has now changed so that electors have some choice about who can buy details of their name and address. There are now two versions of the register produced: the full version and the edited version.

The full register lists the name and address of everyone who is registered to vote and is updated every month. You do

not have a choice about your details being on this register. A copy is held at your local council (and electoral registration office in Scotland). Anyone can look at it and make notes but copies can only be supplied for certain purposes. The main use of the full register is to show who can vote in elections and referendums. Credit reference agencies can use it, but only to check your name and address if you are applying for credit. It can also be used for law enforcement.

The edited register is available for general sale and can be used for any purpose. You can choose not to be on the edited register, which is kept separate from the full register. The edited register can be bought by any person, company or organisation and can be used for commercial activities such as marketing.

Under the Juries Act 1974 a separate version of the register is produced from which jurors are selected. The dates of birth of those 69 years old and over are marked in order to exclude them from jury service.

Overseas voters

Since 1985, British citizens resident abroad have been permitted to register and vote at parliamentary and European parliamentary elections. Applications to register in the constituency where electors were last registered before they left the United Kingdom must be renewed annually. Electoral Registration Officers send all registered overseas voters a reminder to make a fresh declaration to be included on the register for the following

year. Voters can register for up to 15 years after they were last registered in the UK. Initial applications by overseas voters must be witnessed (attested) by a British passport holder living outside of the UK.

Service voters and Crown servants

Arrangements for the electoral registration of members of the armed forces were introduced in 1918 to ensure that servicemen in scattered locations did not lose their right to vote. Members of the armed forces and their families can either register at their home address as ordinary electors or by making a service declaration based on their last UK address. Service declarations must be renewed every three years.

Crown servants and British Council employees can register by declaration, like overseas voters, however, these voters can vote in all UK elections.

Double registration

A person's name may appear on the electoral register only if they reside at an address within the electoral area. Residence is not defined in law, but it has been held by the courts to entail a 'considerable degree of permanence'. For example, a student who has a permanent home address and a term-time address, and spends about the same amount of time in each, can be registered lawfully at both addresses. It is for the local Electoral Registration Officer to decide in the light of the relevant circumstances, whether a person may be said to be resident at a particular address.

Although a person may appear on two or more electoral registers it is an offence to vote twice, either in the same parliamentary general election or in the same local council election. It is, however, legal to vote in elections for two different local councils. Any offence, if detected and successfully prosecuted, could result in a fine of up to £5,000.

Declarations of local connection

The Representation of the People Act 2000 introduced a new facility to allow certain people to make a 'declaration of local connection', i.e. a statement that they have a significant link with a locality.

Previous electoral legislation did not prevent the homeless, remand prisoners or those in mental institutions (other than the criminally insane) from registering, but the requirement to establish residence on a qualifying date effectively did. The Representation of the People Act 2000 empowers Electoral Registration Officers to register applicants by accepting a declaration providing a contact address, e.g. that of the institution in which remand prisoners or mental patients are resident, or the address at which they were or would otherwise be living. The homeless can register at the address of a place they spend a substantial part of time or can be contacted at.

Rolling registration

The Representation of the People Act 2000 introduced voluntary 'rolling' electoral registration to enable people to be added to the electoral register or change their registration details at any time of the year rather than on a single date. These arrangements enable those qualified to be registered to contact their local Electoral Registration Officer after the annual publication date of the electoral register (on 1 December) seeking registration at their residential address at that time. Provided the Electoral Registration Officer receives such applications by about the middle of a month, applicants' names should be added to the register on the first working day of the following month. The only exception to this is between September and November each year when the Electoral Registration Officer carries out the comprehensive canvass upon which is based the new revised register published on 1 December.

Anonymous registration

The Electoral Administration Act 2006 introduced the ability to register anonymously. Anyone who does not wish for their name to appear on the register can apply to their Electoral Registration Officer to be registered anonymously, although good reason would have to be provided for this. Applicants would need documentary evidence of a

Court Order or attestation from certain persons to support their application.

If you are registered anonymously, instead of your name and address appearing on the electoral register a code will be added to the end of the section of the register for your polling district. Instead of including you on the annual canvass form, the Electoral Registration Officer will contact you separately and in such a way as to not reveal that you are registered anonymously. You should receive polling cards as usual.

Anyone who has concerns about their name appearing on the electoral register should contact their Electoral Registration Officer for further details.

Conclusion

The Electoral Administration Act 2006 introduced a number of measures aimed at getting more people registered to vote and improving the accuracy of the register. From the 2007 elections the deadline for registration was moved to 11 working days before an election day to maximise the numbers eligible to vote. Also, the Act gave new powers to Electoral Registration Officers to acquire information for the electoral register and applied the fines for giving false information in the annual canvass to rolling registration as well.

Publications

Home Affairs Select Committee, *Electoral law and administration, fourth report* (1998).

The Electoral Commission, *Electoral registers: access, supply and sale* (2002).

The Electoral Commission, *Election 2005: the official results* (2005).

Feedback

Please contact:

Public Information
The Electoral Commission
Trevelyan House,
Great Peter Street
London SW1P 2HW

Tel: 020 7271 0500

Fax: 020 7271 0505

Email: [info@](mailto:info@electoralcommission.org.uk)

electoralcommission.org.uk
www.electoralcommission.org.uk

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