Part F – Special category electors

Contents

1 Introduction

2 Overseas electors
   Who may register?
   Contents of application
   Checking an application
   The 15-year period
   Processing of applications
   Inclusion on the register
   Renewal of declarations
   Methods of voting
   Maintenance of records

3 HM Forces service voters
   Introduction
   Members of HM Forces
   Entitlement to register
   Validity of service declarations
   Contents of service declarations
   Processing of declarations
   Renewal of service declarations
   Inclusion on the register
   Maintenance of records
   Methods of voting

4 Crown servants and British Council employees
   Entitlement to register
   Validity of declarations
   Contents of Crown Servant declarations
   Processing of declarations
   Renewal of Crown Servant and British Council declarations
   Inclusion on the register
   Maintenance of records
   Methods of voting

5 Declaration of local connection
   Patients in mental hospitals
   Remand prisoners
   Homeless people
   Residence on boats and houseboats and in other residences
   Submission of declaration
   Validity of declaration
   Contents of declaration
   Processing of declarations
6 Anonymous registration

   Introduction
   Requirements for anonymous registration
   Processing of applications
   Types of documents and attestation
   Inclusion on the register and records of anonymous electors
   Methods of voting
   Miscellaneous provisions concerning anonymous electors
   Data collection
1 Introduction

1.1 Special category electors are primarily those who do not meet the residence qualification required for registration as an ordinary elector but may still obtain registration due to their particular circumstances. Additionally, special category electors include persons whose safety would be at risk if they were registered as ordinary electors.

1.2 Special category electors are:

- overseas electors, who can be defined as British citizens living outside the UK
- HM Forces service voters
- Crown servants and British Council employees
- declaration of local connection electors, who include people living in the UK but who have no permanent address or have no residential address
- anonymously registered electors, who can be defined as those who can register anonymously because their safety would be at risk if they appeared on the register using their name

1.3 The criteria for registering as a special category elector and the process for doing so for each of the types of special category elector are set out below.
2 Overseas electors

Who may register?

2.1 A British citizen living abroad is entitled to be registered as an overseas elector if they satisfy one of two sets of conditions.

2.2 The first set covers a person who is or was included in a register of Parliamentary electors in the UK, and:¹

- that entry on the register was made on the basis that they were resident, or treated for the purposes of registration as resident, at that address
- that entry on the register was in force within 15 years of the date given on the application to register as an overseas elector, and
- they have not appeared in any other electoral register for any other qualifying address since being last registered at the application address

2.3 The second set of conditions covers a person who was too young to be included on the register at the time they left the UK and must:²

- have last lived in the UK within 15 years of the date given on their application to register as an overseas elector
- have been too young to have been included in a register of electors prior to residing overseas
- have the names of their parents or guardians included in a register of electors for the address at which they were residing prior to living overseas, and
- have reached the age of 18 years within a period of 12 months starting from the 1 December following their application

2.4 Only British citizens are entitled to be registered as overseas electors. Other qualifying Commonwealth citizens, citizens of the Republic of Ireland and citizens of European Union member states may only register for voting at UK elections when they are resident in the UK.

Contents of application

2.5 A person who is resident overseas and wishes to register as an overseas elector must complete an application for registration and a declaration as an overseas elector. The Electoral Registration Officer should combine these into a single application form.

2.6 Electoral Registration Officers must maintain a stock of forms in order to be able to respond to requests for applications and for the issue of reminders.³ There is no prescribed application or declaration form for applications to be registered as an overseas elector. Some computer software

¹ Section 1(3), RPA 1985.
² Section 1(4), RPA 1985.
³ Regulation 4, RPR 2001.
systems produce an application form/declaration for this purpose. Alternatively, Electoral Registration Officers could produce their own forms. Application forms for overseas electors should have absent voting application forms attached to or included with them in order to allow electors to select their method of voting at the same time as completing their registration application.

2.7 The Electoral Commission has developed an application form for those seeking to be registered as overseas electors which is available to download from www.aboutmyvote.co.uk. The Commission also supplies forms to offices of British consular or diplomatic missions for supply to British citizens. Commission forms, or links to them, are also available on many UK mission websites.

2.8 An overseas elector’s declaration must be signed and dated by the applicant and must state:⁴

1. the applicant’s full name and present overseas address
2. that the applicant is not resident in the UK
3. which of the two sets of conditions apply to the applicant:
   a. in the case of the first set of conditions, the address in the UK at which they were resident⁵
   b. in the case of the second set of conditions:⁶
      i. the date of the applicant’s birth
      ii. the address in the UK at which they were resident, and
      iii. the name and address of the parent or guardian on whose registration in respect of that address they rely, and whether the person named was a parent or guardian

2.9 In either case, the declaration may not specify more than one UK address. Where more than one declaration is made specifying different addresses in the UK all the declarations are void.⁷

2.10 The declaration must also state:⁸

- the date they ceased to be resident in the UK, or
- in the case of a person relying on registration in pursuance of a service declaration, the date they ceased to have a service qualification
- whether the applicant was registered in pursuance of a service or other declaration and no longer had connection with that address at the time at which they were so registered

⁴ Section 2(3) and (4), RPA 1985; Regulation 18, RPR 2001.
⁵ Section 2(4)(b), RPA 1985.
⁶ Section 2(4)(c), RPA 1985.
⁷ Section 2(4), RPA 1985.
⁸ Section 2(3), RPA 1985; Regulation 18(3) and (4), RPR 2001.
• whether there has been a change to the applicant’s name since they were last registered as an ordinary elector, and the reasons for any change of name
• whether the applicant has previously been registered in pursuance of an overseas declaration and has not subsequently been registered as an ordinary elector, and if so shall indicate when they were last so registered as an overseas elector

2.11 In the case where an applicant is not currently or has not previously been registered as an overseas elector, when completing an overseas declaration:

1. the applicant must: \(^9\)
   a. state their passport number with its date and place of issue
   b. if the applicant is not a bearer of a passport but was born in the UK before 1 January 1983 state that fact, or
   c. if neither (a) nor (b) applies, make a statement to that effect indicating when and how they acquired the status of a British citizen, together with the date, place and country of their birth, and

2. the declaration must be attested by a British citizen possessing a British passport who is: \(^10\)
   a. not resident in the UK
   b. aged 18 years or over, and
   c. not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant

2.12 A person may only attest an overseas declaration if they are satisfied, to the best of their knowledge and belief, that the applicant is a British citizen who is not resident in the UK on the date of the declaration. A person attesting an overseas declaration must record on it: \(^11\)

• their full name and address
• that they are the bearer of a British passport which describes their national status as British citizen and give their passport number, together with its date and place of issue
• that they are aged 18 years or over
• that they are not resident in the UK on the date of the declaration
• that they are not a close relative (i.e. not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant)
• that to the best of their knowledge and belief the applicant is a British citizen and is not resident in the UK on the date of the declaration

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2.13 Where the applicant relies on the second set of conditions, they must show their connection to their parent or guardian who appeared on the register by supplying:  

- the applicant’s birth certificate, which must contain the names of either or both of their parents and include a reason for any name change between the name on that document and the name on the register and the name given on the application, or  
- a statement that they rely on their guardian being on the register and the reason for any name change of that guardian

2.14 The declaration for all applicants must also state:

- that the applicant is a British citizen and not subject to any legal incapacity to vote (age apart)  
- that the particulars given in the application are true

2.15 In both cases, the applicant must sign the application. In addition, the application form should include information on the ‘opt-out’ provision, with the prescribed wording, or a form of words to the same effect explaining about the two versions of the register.

Checking an application

2.16 Overseas applications are more complicated than the ordinary elector registration form and so it is important that detailed explanatory notes are included with the application form. The error rate on such applications is generally slightly higher than with ordinary registration applications; most queries are, however, minor and are frequently concerned with the qualifying address, the date of the declaration, the year in which the applicant was last registered as an ordinary elector or the calculation of the 15-year period.

2.17 Where a declaration is incomplete or incorrectly completed, the form should be returned to the applicant without delay for further information.

2.18 The applicant must sign the declaration, and failure to do so will result in the form being returned to the applicant for completion.

The 15-year period

2.19 The 15-year period begins from the last day that the elector was last on a register of electors in the UK, either as an ordinary elector or as a service voter. This date is not the date the register was first published but the date by which the elector’s registration was removed by the publication of a register which does not contain their name or when their name had been removed by any notice of alteration. The date the elector left the UK is not relevant.

2.20 The applicant’s declaration is deemed to be made on the date that it is dated. If a declaration is dated within 15 years of the last date the applicant

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12 Regulations 18(6) and (7) and 19, RPR 2001.
appeared on a register, the 15-year period requirement is fulfilled. Additionally, the Electoral Registration Officer must have received the application within three months of the date on which the declaration is made or else it must be rejected.\textsuperscript{13}

2.21 Consequently, entries may be made or registration renewed after the end of the 15-year period where the applicant meets the application deadline as set out above. Accepted applications last for a full 12 months in all cases unless: they have been cancelled by the elector; the elector is added as an ordinary Parliamentary elector or in pursuance of a declaration other than as an overseas elector; or it is found that the elector should never have been registered through the above procedures (i.e. as a result of an objection or review).\textsuperscript{14}

2.22 Applications with declarations dated after the 15-year period must be rejected, even if the applicant can prove that they were resident at the address after the last registration date and within 15 years of the date of their application.\textsuperscript{15}

2.23 Applicants applying on the basis that they were too young to have registered must not have been able to have been included on the register; they would not qualify if they should have been added as an attainer but were not. For those who were too young to register, the 15-year period begins from the date they claim to have left the UK as long as on that day a parent or guardian appeared on the register for that qualifying address. Their birth certificate should prove that they were too young to be included as an elector or attainer.

Using an historic qualifying address

2.24 If the property that the applicant is using as their qualifying address in the UK has been demolished, renumbered or split into smaller units, the Electoral Registration Officer should create, for the exclusive purpose of registering special category electors and in this particular instance overseas electors, the qualifying address as stated on the register when they were last resident in the UK. These addresses will only appear on the lists of overseas electors and cannot be included on the register itself. Care should be taken to ensure that any historic qualifying address being used for the registration of an overseas elector and which is no longer a residential address is not canvassed.

Applications for a different Electoral Registration Officer

2.25 If the registration address stated is not in the Electoral Registration Officer’s area, the form must be forwarded to the relevant Electoral Registration Officer without delay. This is important as the applicant may wish

\textsuperscript{13} Section 2(6), RPA 1985.
\textsuperscript{14} Section 2(2), RPA 1985.
\textsuperscript{15} Section 1(3)(c), RPA 1985.
to register in time for a particular election in that area, or to make any postal or proxy voting arrangements in time for an election.

First-time applications

2.26 The applications of all first-time applicants must have an attestation by a British citizen.\textsuperscript{16} The form should be returned to the applicant if it does not contain an attestation. The address of the attester must indicate their residence outside the UK. In instances where applicants claim that they do not know any British citizens not related to them where they live, the form must still be returned to the applicant. In such an instance, the applicant could be directed to the nearest British consulate office for assistance.

2.27 No further attestation is required on any renewal of an application to register as an overseas elector, even where there is a break in the continuity of registration as an overseas elector.

2.28 If the applicant is not included on the register at the stated address for the year shown in the application, it is suggested that a search be made of up to two registers on either side of the year stated in the application.

Applications from those too young to appear on a register

2.29 In the case where an applicant relies on the second set of conditions and a copy of the birth certificate has not been submitted with the application, this must be requested.\textsuperscript{17}

2.30 An out-of-date passport will not invalidate the application.

2.31 Statements made should normally be accepted at face value unless there is good reason for suspecting a false statement has been made.

Processing of applications

2.32 All applications should be given an initial assessment as quickly as possible following their receipt. In the event that an application has to be returned for further information this should be despatched by airmail. It is advisable to take a copy of the application prior to returning the form to the applicant.

2.33 The Electoral Registration Officer has the power to require an applicant to supply further evidence relating to the applicant’s age and nationality.\textsuperscript{18} Further information may also be requested on any other matter relating to their eligibility for registration if considered necessary.

2.34 Electoral Registration Officers will need to retain copies of or have easy access to past registers for the purpose of verifying entries.

\textsuperscript{16} Regulation 20, RPR 2001.
\textsuperscript{17} Regulation 19, RPR 2001.
\textsuperscript{18} Regulation 24, RPR 2001.
2.35 The application does not have to contain information on the full and edited registers and a decision as to whether to opt out of having the applicant’s details appear on the edited register in order to be a valid application. If, however, the application form used does not contain any information or decision on the opt-out, the Electoral Registration Officer must send the applicant the prescribed wording or a form of words to the same effect explaining about the two versions of the register, together with a written explanation that the applicant must reply within 21 days with a written request if they wish to be excluded from the edited register. This does not have any impact on the processing of their application to register and does not delay their application.

2.36 It is advisable to use email to seek further information wherever possible as this can speed up communication. Email addresses should be requested on applications or renewals, although it should be made clear that the provision of this information is optional, and these contact details should only be used for registration and electoral purposes.

2.37 Where an application is to be rejected because it does not conform to the specified requirements, the declaration must be returned to the applicant setting out the reason for its rejection.19

2.38 Where an application is accepted, the applicant must be informed.20 Some computer systems produce a letter of acknowledgement for this purpose, but a simple letter will suffice. The applicant should also be notified of the details of any postal or proxy voting arrangements made. Postage costs can be reduced by combining the registration acknowledgement and any absent vote acknowledgement.

2.39 Where the applicant has not indicated in the declaration that they wish to be treated as an absent voter, it is advisable to remind the applicant when acknowledging that their application has been accepted that they have not made provision to be treated as an absent voter. If any subsequent application to vote by post or by proxy is received, the applicant must be notified of the details of the absent voting arrangements made.

2.40 Where the applicant is currently registered as an ordinary elector at the qualifying address stated in the declaration, the declaration should be treated as a simultaneous request to be removed from the register as an ordinary elector. The deletion of the previous registration and the addition as an overseas elector will occur at the next register update (for further information on monthly updates to the register, see Part D, ‘Monthly alterations to the register’). Any absent voting arrangement made as an ordinary elector should be cancelled.

20 Regulation 22, RPR 2001.
2.41 A declaration received later than three months after it was made must be disregarded.\textsuperscript{21} In these circumstances, the applicant should be notified of the need to submit a fresh declaration.

Inclusion on the register

2.42 Applications determined as successful must be added to the register at the next update to the register as discussed in Part D, ‘Monthly alterations to the register’. Overseas applications are added as part of the monthly update process and form no part of the annual canvass, although they may be added as part of the annual revision of the register by 1 December.

2.43 All overseas electors should be listed at the end of each relevant part of the register beneath the heading ‘other electors’ and must be shown without an address. They must be grouped in alphabetical order together with any service voters and persons registered in pursuance of a declaration of local connection.\textsuperscript{22} All overseas electors must have the letter F prefixed before their name on the register unless they are a member of the House of Lords, in which case the letter E should be placed against their name. Overseas electors prefixed with the letter E may only vote at European Parliamentary elections.\textsuperscript{23}

Renewal of declarations

2.44 Where a person is registered as an overseas elector, they are entitled to remain registered until the end of the 12-month period beginning with the date when the registration took effect, which will be either the date of a notice of alteration or the publication of a revised register.

2.45 The Electoral Registration Officer is required to issue to overseas electors a reminder of the need to make a fresh declaration if they wish to remain registered as an overseas elector.\textsuperscript{24} The reminder is required to be issued to each overseas elector who may be entitled to renew their declaration in the period beginning nine months after the date when the existing entry on the register of the person in question first takes effect and ending 10 months after that date. The reminder should indicate the deadline date by which the declaration needs to be returned to the Electoral Registration Officer to maintain the registration.

2.46 The deadline for receipt of the renewal is the application deadline for the next update to the register as set out in Part D, ‘Monthly alterations to the register’. If the application is late, the elector is deleted from the register. The elector would then need to make a new application should they wish to be included on the register again as an overseas elector. The Electoral Registration Officer should send a new application form to such electors after the deadline for return of the renewal, with a covering letter to explain that

\textsuperscript{21} Section 2(6), RPA 1985.
\textsuperscript{22} Regulation 41(3), RPR 2001.
\textsuperscript{23} Regulations 42 and 45(4), RPR 2001.
\textsuperscript{24} Regulation 25, RPR 2001.
their registration has lapsed and that if they wish to be included on the register for future elections it will be necessary to submit a fresh application.

Electoral Registration Officers should consider sending renewal forms to overseas electors by email in addition to a hard copy posted version. Overseas electors may change their address between making declarations and email contact can go some way to ensure that electors can be reached and to ensure that addresses and absent voting arrangements remain accurate and up-to-date.

2.47 A reminder should not be sent to a person where the Electoral Registration Officer has received information and is satisfied that:

- the elector is no longer entitled to make the relevant declaration or no longer wishes to be registered as an overseas elector
- the period of 15 years since their registration as an ordinary or service elector has expired, or
- the elector has died

2.48 A record should be maintained by Electoral Registration Officers of the date when each overseas elector is to be sent a reminder.

2.49 An acknowledgement of receipt of the application to renew must be sent to the applicant, who should also be informed of any postal or proxy arrangement. Where the proxy details on the renewal application remain unchanged, there is no need to issue a further proxy paper.

2.50 An overseas elector's declaration can be cancelled at any time by the elector. The declaration can also be cancelled as a result of the objection or review procedure outlined in Part D, ‘Monthly alterations to the register’, but the basis on which the registration can be questioned must be that the overseas elector should not have been registered at all rather than as a result of any loss of eligibility during the 12-month period.

2.51 In the instance where the period of 15 years has expired, the overseas elector should be notified by way of a letter that they no longer qualify to be registered as an elector.

Methods of voting

2.52 Overseas electors prefixed with a letter F on the register may vote at a UK Parliamentary or European Parliamentary election at their allotted polling station if they are in the UK at the time of an election, provided that they have not made arrangements to vote by post or their appointed proxy has not applied to vote by post. Overseas electors prefixed with the letter E may only vote in European Parliamentary elections.  

Absent voting

2.53 Overseas electors have the choice to vote by post or by proxy. Due to the short time period available to post to and receive back from an overseas address, the Commission recommends that overseas electors should consider appointing a proxy to vote on their behalf unless they are satisfied that their ballot will be able to be returned by the close of poll.

2.54 Many proxy appointments for overseas electors will be unable to vote in person and should be given the opportunity to vote by post. This is particularly important where an appointed proxy lives in a different electoral area. The Electoral Registration Officer should send to the proxy an application to vote by post. An application by an overseas elector for the appointment of a proxy does not have to state whether it is for a definite or an indefinite period, and no attestation is required.

2.55 Where an overseas elector has appointed a proxy to vote on their behalf, and the proxy has applied to vote by post, the overseas elector will not be permitted to vote in person at the allotted polling station in the event that they are in the UK at the time of the election. Where the proxy has applied to vote by post there is no requirement to send any notification to the elector. At the next renewal the elector should be informed of their current absent vote status and reminded that any cancellation must be made in writing and be received by the Electoral Registration Officer no later than 11 working days before any election.

2.56 Where a person ceases to be registered as an overseas elector, even when they become an ordinary elector at the same qualifying address, any proxy or postal voting arrangement should be cancelled. The appointed proxy should also be notified of the cancellation.26

For further information on absent voting, see Part G, ‘Absent voting’.

Maintenance of records

2.57 The Electoral Registration Officer should determine the most suitable system for maintaining and filing overseas applications and their associated absent voting records. Consideration needs to be given as to whether:

- applications are filed with absent voting applications or separately
- those with postal or proxy voting arrangements should be filed with the remainder of the absent voting applications
- records are going to be filed electronically
- they are filed in alphabetical order or in order as they appear on the register by polling districts, or
- they are filed in monthly date order for renewal purposes

26 Regulation 59, RPR 2001.
Compilation and listing of overseas electors

2.58 In addition to the inclusion of the names of overseas electors on the register, a separate list (or lists) of overseas electors is to be compiled in alphabetical order by surname within each constituency or part of a constituency within each local authority area. Electoral Registration Officers are required to publish this list by making available a copy at their offices at the time when a new version of the register is published following the annual canvass by 1 December each year. The list for each constituency, or part of a constituency, is to remain published until the register is published on the conclusion of the canvass the following year. The list is not required to be compiled in polling district order nor is it required to contain any elector numbers. The list must specify both the qualifying address and the full address outside the UK of each overseas elector. In the event that a revised register is published during the year, a separate list of overseas electors is not required to be prepared.

2.59 There is no requirement to produce an edited version of the list.

Issue and sale of the list of overseas voters

Part H, ‘Access and supply’, describes the requirements to supply copies of the list of overseas voters to certain individuals and bodies.

2.60 The duty to supply data copies of the list is a duty to supply only such data recorded in the form in which they hold it. No data copy may include information not included in the printed version.28

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27 Regulation 45, RPR 2001.
3 HM Forces service voters

Introduction

3.1 An HM Forces service voter is a person who is registered as a voter in pursuance of an HM Forces service declaration. This declaration gives the applicant the residence qualification required for registration and must be accompanied by an application for registration.

3.2 Only a person having a service qualification can make a service declaration.29

Members of HM Forces

3.3 Members of HM Forces and their spouses or civil partners can either register by means of a service declaration or choose to be registered as an ordinary elector instead.

Service voter registration forms are available on the Commission’s website at www.aboutmyvote.co.uk

3.4 A member of HM Forces is a person serving on full pay as a member of any of the naval, military or air forces of the Crown raised in the UK.30

3.5 The following do not qualify as a service voter:

- persons serving only as a member of a reserve or auxiliary force (except those serving during a period of emergency)
- members of the regular army required, by the terms of their service, to serve in Northern Ireland only

3.6 When a person is not qualified to be a service voter for one of these reasons listed above they are deemed to be resident at any UK qualifying address at which they have been resident. They can therefore be registered as an ordinary elector while outside the UK on duty.31

3.7 Contact with a service voter should be made direct to them at their last known service address or at the address at which they are registered as an elector.

3.8 The Commission continues to work with the Ministry of Defence to maximise the registration of service voters. Each unit of the services has designated one member of staff to be a Unit Registration Officer (URO) and each base commander has been asked to give assistance to the URO and

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29 Section 14(1), RPA 1983.
30 Section 59(1), RPA 1983.
31 Section 59(2), RPA 1983.
other personnel in their unit to promote participation in the electoral process.\textsuperscript{32} The duties of the URO include providing information to service personnel and their dependants and acting as a liaison between the unit and local Electoral Registration Officers.

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The Commission recommends that Electoral Registration Officers who have any military establishments in their area make contact with the UROs. If any problems occur with the registration of service personnel, such as contacting service personnel currently registered or gaining access to military establishments for the purposes of conducting the canvass, Electoral Registration Officers should raise these issues with the URO of the unit in the first instance. It should now be possible for Electoral Registration Officers to contact a URO in any location, including overseas. To ascertain who the URO is for any particular unit, the Ministry of Defence recommends contacting the unit directly, initially through directory enquiries, and then asking for information about the URO from: \\
\begin{itemize}
\item Royal Navy – First Lieutenant’s office \\
\item Army – Adjutant’s office \\
\item RAF – OC PSF (Officer Commanding Personnel Services Flight)
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### Entitlement to register

3.9 Members of HM Forces and their spouses or civil partners may apply to register at any time throughout the year, either as an ordinary elector or as a service voter.

#### As an ordinary elector

3.10 Applications to be registered as an ordinary elector by a member of HM Forces and their spouse or civil partner are dealt with as those of any other ordinary elector.

3.11 As long as the applicant meets the age and nationality qualifications for registration, a member of HM Forces serving overseas would be entitled to be registered as an ordinary elector in respect of an address where they are deemed to be resident in the UK.\textsuperscript{33} Further consideration of persons away from their residence due to their employment and their ability to register as ordinary electors at that address is contained in Part B, ‘Entitlement to register’.

3.12 Members of HM Forces and their spouses or civil partners may cancel their registration as ordinary electors at any time by submitting an application to be registered for a different address either as an ordinary elector or by making a service voter application.

\textsuperscript{32} A unit could be a base, ship, depot, barracks, etc.

\textsuperscript{33} Section 5(3), RPA 1983.
As a service voter

3.13 Service declarations by members of HM Forces and their spouse or civil partner may be made at any time throughout the year. Applications are dealt with under the rolling registration procedure. A service declaration should be accompanied by an application to register, although in practice the two will most often be combined.

Registration of service voters who are qualifying Commonwealth citizens

3.14 A service declaration must state the address where the applicant is or would have been living in the UK or, if they cannot give any such address, an address at which they have lived in the UK.34

3.15 Service personnel who are qualifying Commonwealth citizens, who have been recruited to the services in their country of origin or outside the UK without previously being resident in the UK, but who receive their training in the UK and are then immediately posted overseas may register at:

- the address of the barracks where they were enlisted and/or did their training
- a barracks where they were or would be resident if they were not posted abroad
- their regimental headquarters where they may have been resident
- an address in the UK where they would be resident were they no longer in the forces or not required to be resident in barracks, such as a relative’s address

Validity of service declarations

3.16 A service declaration for members of HM Forces or their spouses or civil partners is valid for five years.35 A service voter may, however, cancel their declaration at any time.36

3.17 An entry on the register as a result of a service declaration can be deleted by the service voter submitting either another service declaration or an application to be registered as an ordinary elector for the same or for a different qualifying address, and the existing entry should be deleted on the subsequent entry taking effect. Additionally, the Electoral Registration Officer can remove the entry if it is found that the elector should never have been registered through the above procedures (i.e. as a result of an objection or review).37

34 Section 16, RPA 1983.
35 Section 15(9), RPA 1983; Article 2, The Service Voters’ Registration Period Order 2010.
36 Section 15(7), RPA 1983.
37 Section 15(2), RPA 1983.
3.18 A person registered as a service voter is entitled to vote at all UK elections. Service voters who are also members of the House of Lords may vote in local government and European Parliamentary elections only. Service voters who are European Union citizens (and not citizens of the UK, Republic of Ireland, Cyprus or Malta) are only entitled to vote in local government elections.

3.19 A service declaration received by the Electoral Registration Officer later than three months after it is dated must be rejected. The applicant should be informed and invited to submit a fresh declaration.

Contents of service declarations

3.20 Electoral Registration Officers may devise their own service declaration form although they must accept any form produced by the applicant or others as long as it contains the necessary information.

3.21 A service declaration must state:

- the date of declaration
- the applicant’s full name and address
- that on that date the applicant is, or but for the circumstances entitling that person to make the declaration would have been, residing in the UK
- the address where the applicant is, or, as the case may be, would have been residing in the UK, or if they cannot give such an address, an address at which they have resided in the UK
- that on the date of the declaration the applicant is a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of a member state of the European Union
- whether the applicant had on the date of the declaration attained the age of 18 years and, if they had not, their date of birth
- such particulars (if any) as are prescribed of the applicant’s identity and service qualifications
- the grounds on which a service qualification is claimed
- information relating to the service in which they serve, their rank and service number

Processing of declarations

3.22 All service declarations should be processed as soon as possible after receipt. If the qualifying address is outside the Electoral Registration Officer’s area it should be forwarded to the relevant Electoral Registration Officer without delay.

3.23 The application does not have to contain information on the full and edited registers and a decision as to whether to opt out of having their details appear on the edited register in order to be a valid application. If, however, the

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38 Section 15(5), RPA 1983.
39 Section 15(8), RPA 1983.
40 Section 16, RPA 1983; Regulation 15, RPR 2001.
application form used does not contain any information or decision on the opt out, the Electoral Registration Officer must send the applicant the prescribed wording or a form of words to the same effect explaining about the two versions of the register, with a written explanation that the applicant must reply within 21 days with a written request if they wish to be excluded from the edited register. This does not have any impact on the processing of their application to register and does not delay their application.

3.24 In all cases a service voter should be notified of either acceptance or rejection of the declaration and should be informed of the grounds for rejection. The applicant should also be informed of any postal or proxy appointment made, with a proxy appointment letter (proxy paper) also sent if an appointment is made. Where the proxy does not live within the same electoral area as that of the qualifying address of the applicant, a form should be sent to the proxy to enable the proxy to apply to vote by post if they wish to do so.

3.25 Successful service voter applications should be deemed to be a simultaneous application for removal from the register as an ordinary elector. The deletion as an ordinary elector and addition as a service voter should be made on the same register update, whether by way of publication of a revised version of the register or publication of a notice of alteration.

Renewal of service declarations

3.26 Where a person is registered in pursuance of an HM Forces service declaration they are entitled to remain registered until the end of the five-year period beginning with the date when the entry first takes effect.

3.27 The Electoral Registration Officer is required to issue to every service voter a reminder of the need to make a fresh declaration if they wish to remain registered as a service voter. This should include a new declaration for the service voter to complete.

3.28 The reminder must be sent between 57 and 58 months after the date when the service entry first takes effect.

3.29 Reminders must not be sent where the Electoral Registration Officer has received information that the person is no longer entitled to make the relevant declaration or no longer wishes to be registered as a service voter. Electoral Registration Officers will need to maintain a record showing when reminders are due to be sent to service voters. Computer systems should be capable of recording such information and producing reminders for relevant electors on a monthly basis.

3.30 An acknowledgement of receipt of an application to renew registration must be sent to the applicant, who should also be informed of any absent

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---41 Regulation 17, RPR 2001.
voting arrangements. Where the absent voter details on the renewal of application remain unchanged, there is no need to issue a further proxy paper.

3.31 Where a declaration to renew is received too late to enable the registration to be continued without a break, any postal or proxy voting arrangement in respect of the earlier declaration would lapse. It would then be necessary to issue a fresh notice of any proxy appointment based on the absent voting details supplied on the later declaration.

Although service declarations from HM Forces remain valid for five years, given the mobility of service personnel, the Commission recommends that HM Forces service voters are contacted annually to ensure that details such as service addresses and absent voting arrangements remain accurate and up-to-date.

Inclusion on the register

3.32 It should be remembered that service voters should not be listed as ‘other electors’ as a matter of course, but only when they no longer have a connection to their qualifying address other than the fact that they once lived there.

3.33 Service voters should be listed as ‘other electors’ with no address if the service voter’s declaration has given an address at which they have resided, but it is not an address at which they are or would be residing but for the circumstances entitling them to make such a declaration.44

3.34 Where service voters have given the qualifying address in their declaration as that at which they have previously resided, their names are to be listed in alphabetical order at the end of the relevant polling district of the register beneath the ‘other electors’ heading. The entry will show their name and elector number but not their address.

3.35 Some service voters will be either living at their qualifying address or would be living there were it not for the fact that they were stationed elsewhere because of their employment in the services. In this case, the elector’s details must be shown in the main body of the register, in the same way as those of ordinary electors. Service voters who have indicated in their declaration that they would be resident at their qualifying address in the UK if they were not in the service should be included on the register in the same manner as any ordinary elector.

3.36 People qualified to be a service voter who have chosen to be registered as ordinary electors should be included on the register in the same way as any other ordinary elector.

44 Regulation 40, RPR 2001.
Maintenance of records

3.37 The Electoral Registration Officer should determine the most suitable system for maintaining and filing service applications, declarations and their associated absent voting records. Consideration needs to be given to whether:

- applications are filed with absent voting applications or separately
- those with postal or proxy voting arrangements are filed with the remainder of the absent voting applications
- records are going to be filed electronically
- they are filed in alphabetical order or in order as they appear on the register by polling district, or
- they are filed in monthly date order for renewal purposes

Methods of voting

3.38 Service voters who are able to attend their allotted polling station at the time of an election may vote there if:

- they are not a postal voter
- they have appointed a proxy and that proxy has not applied to vote by post

3.39 When any appointed proxy has not applied to vote by post, the service voter may vote in person if they attend the polling station before their proxy.

3.40 Postal and proxy arrangements may be cancelled by the service voter at any time by a written cancellation. The requirement to cancel an arrangement 11 working days prior to a particular election in order to be effective at that election should be highlighted on the annual communications sent to the service voter.

3.41 The cancellation of a service declaration will cancel any postal or proxy voting arrangement made in connection with that declaration even if the elector makes an application to register as an ordinary elector at the same qualifying address.

For further information on absent voting, see Part G, ‘Absent voting’. All service voters (registered by declaration) are able to vote by post or proxy without the need for attestation.
4 Crown servants and British Council employees

4.1 Crown servants and British Council employees employed in a post outside the UK, together with their spouse or civil partner, are entitled to register for all elections. Such electors are required to submit a Crown servant or British Council service declaration along with their application to register, which should be combined into a single application form.

4.2 Forms are obtainable from the appropriate government department or the British Council, and can also be found on the Electoral Commission’s website at www.aboutmyvote.co.uk. Electoral Registration Officers will need to have ready access to these forms for the purpose of registering this category of electors and for inviting annual renewals. The declaration for Crown servants and British Council employees is different from that for HM Forces and lasts for a different period of time.

4.3 Spouses and civil partners of Crown servants and British Council employees residing in the UK do not qualify for this type of registration.

Entitlement to register

4.4 Crown servants and British Council employees abroad and their spouse or civil partner who is accompanying them can be registered at any time, but only in pursuance of a declaration, referred to throughout this guidance as a ‘Crown Servant declaration’.

As an ordinary elector

4.5 Applications to be registered as an ordinary elector by a Crown servant or British Council employee posted overseas and their spouse or civil partner are dealt with as those of any other ordinary elector.

4.6 As long as the applicant meets the age and nationality qualifications for registration, a Crown servant or British Council employee abroad would be entitled to be registered as an ordinary elector in respect of an address where they are deemed to be resident in the UK. Further consideration of persons away from their residence due to their employment and their ability to register as ordinary electors at that address is contained in Part B, ‘Entitlement to register’.

4.7 Crown servants and British Council employees and their spouse or civil partner can cancel their registration as ordinary electors at any time by submitting an application to be registered for a different address either as an ordinary elector or by making a special category elector application.

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45 Section 14(1)(b), (c) and (e), RPA 1983.
46 Section 5(3), RPA 1983.
As a Crown servant or British Council voter

4.8 Declarations by Crown servants and British Council employees and their spouse or civil partner can be made at any time throughout the year. Applications are dealt with under the rolling registration procedure. A Crown Servant declaration needs to be accompanied by an application to register, but in practice most application forms will contain both.

Validity of declarations

4.9 Crown Servant declarations made by Crown servants, British Council employees or their spouse or civil partner have a validity of 12 months. The elector may, however, cancel their declaration at any time.

4.10 Declarations by Crown servants and British Council employees abroad are initially to be submitted to the appropriate government department or the British Council which will then forward them to the relevant Electoral Registration Officer. It is recommended that a space on the application form is provided for a departmental stamp to be applied in order to ensure that this requirement is complied with.

The Commission has produced an application form that may be used. This is available from www.aboutmyvote.co.uk

4.11 An entry on the register in pursuance of a Crown Servant declaration can be deleted by the elector submitting either another declaration, for the same or for a different qualifying address, or submitting an application to be registered as an ordinary elector for the same or for a different qualifying address.

4.12 A person registered as a Crown servant or British Council employee elector will be entitled to vote at all UK elections. Crown servant or British Council employee electors who are also members of the House of Lords may vote in local government and European Parliamentary elections only. Crown servant or British Council employee electors who are European Union citizens (and not citizens of the UK, Republic of Ireland, Cyprus or Malta) may not vote in UK Parliamentary elections.

4.13 A Crown Servant declaration received by the Electoral Registration Officer later than three months after it is dated must be rejected. The applicant should be informed of the position and invited to submit a fresh declaration.

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47 Section 15(2)(a), RPA 1983.
48 Section 15(7), RPA 1983.
49 Regulation 16(2) and (3), RPR 2001.
50 Section 15(5), RPA 1983.
51 Section 15(8), RPA 1983.
Contents of Crown Servant declarations

4.14 Electoral Registration Officers may devise their own Crown Servant declaration form although they must accept any form produced by the applicant or others as long as it contains the necessary information.

4.15 A Crown Servant declaration must state:52

- the date of declaration
- the applicant’s full name and address
- that on that date the applicant is, or but for the circumstances entitling that person to make the declaration would have been, residing in the UK
- the address where the applicant is, or, as the case may be, would have been residing in the UK, or if they cannot give such an address, an address at which they have resided in the UK
- that on the date of the declaration the applicant is a qualifying Commonwealth citizen or a citizen of the Republic of Ireland
- whether the applicant had on the date of the declaration attained the age of 18 years and, if they had not, their date of birth
- such particulars (if any) as are prescribed of the applicant’s identity and Crown servant qualifications
- the grounds on which a Crown servant qualification is claimed, and
- information relating to their job: for Crown servants, the department in which they work and their position; for British Council employees, a description of their post

4.16 Any application form produced by the Electoral Registration Officer should include information on the opt out provision, with the prescribed wording or a form of words to the same effect explaining about the two versions of the register.

Processing of declarations

4.17 All Crown Servant declarations should be processed as soon as possible after receipt. If the qualifying address is outside the Electoral Registration Officer’s area it should be forwarded to the relevant Electoral Registration Officer without delay.

4.18 The application does not have to contain information on the full and edited registers and a decision as to whether to opt out of having the applicant’s details appear on the edited register in order to be a valid application. If, however, the application form used does not contain any information or decision on the opt out, the Electoral Registration Officer must send the applicant the prescribed wording or a form of words to the same effect explaining about the two versions of the register, with a written explanation that the applicant must reply within 21 days with a written request if they wish to be excluded from the edited register. This does not have any

52 Section 16, RPA 1983; Regulation 15, RPR 2001.
impact on the processing of their application to register and does not delay their application.

4.19 In all cases a Crown servant applicant should be notified of either acceptance or rejection of the declaration and should be informed of the grounds for rejection. The applicant should also be informed of any absent voting arrangements made, with a proxy appointment letter (proxy paper) also sent if an appointment is made.

4.20 Successful Crown servant elector applications should be deemed to be a simultaneous application for removal from the register as an ordinary elector, if such an entry remains on the current register. The deletion as an ordinary elector and addition as a declaration voter should be made on the same register update, whether by way of publication of a revised version of the register or publication of a notice of alteration.

Renewal of Crown Servant and British Council declarations

4.21 Where a person is registered in pursuance of a Crown Servant declaration they are entitled to remain registered until the end of the 12-month period beginning with the date the entry first takes effect.

4.22 The Electoral Registration Officer is required to issue to every Crown servant elector a reminder of the need to make a fresh declaration if they wish to remain registered. This should include a new declaration for the Crown servant elector to complete.

4.23 The reminder must be sent between 9 and 10 months after the date when the entry on the register first took effect.

4.24 Reminders must not be sent where the Electoral Registration Officer has received information that the person is no longer entitled to make the relevant declaration or no longer wishes to be registered as a Crown servant elector voter. Electoral Registration Officers will need to maintain a record showing when reminders are due to be sent to Crown servant electors. Computer systems should be capable of recording such information and producing reminders for relevant electors on a monthly basis.

4.25 An acknowledgement of receipt of an application to renew registration must be sent to the applicant, who should also be reminded of any absent voting arrangements. Where the absent voter details on the renewal of application remain unchanged, there is no need to issue a further proxy paper.

4.26 Where a declaration to renew is received too late to enable the registration to be continued without a break, any absent voting arrangement in respect of the earlier declaration would lapse. It would then be necessary to issue a fresh notice of any proxy appointment based on the absent voting details supplied on the later declaration.

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53 Regulation 17, RPR 2001.
54 Regulation 25, RPR 2001.
Inclusion on the register

4.27 It should be remembered that Crown servants should not be listed as ‘other electors’ as a matter of course, but only when they no longer have a connection to their qualifying address other than the fact that they once lived there.

4.28 Crown servant electors should be listed as ‘other electors’ with no address if the Crown Servant declaration has given an address at which they have resided, but it is not an address at which they are or would be residing but for the circumstances entitling them to make such a declaration.  

4.29 Where Crown servant electors have given the qualifying address in their declaration as that at which they have previously resided, their names are to be listed in alphabetical order at the end of the relevant polling district of the register beneath the ‘other electors’ heading. The entry will show their name and elector number but not their address.

4.30 Some Crown servant electors either will be living at their qualifying address or would be living there were it not for the fact that they were stationed elsewhere because of their employment. In this case, the elector’s details must be shown in the main body of the register, in the same way as those of ordinary electors. Crown servant electors who have indicated in their declaration that they would be resident at their qualifying address in the UK if they were not in their current position should be included on the register in the same manner as any ordinary elector.

4.31 Persons qualified to be a Crown servant elector but who have chosen to be registered as ordinary electors are to be included on the register in the same way as any ordinary elector.

Maintenance of records

4.32 The Electoral Registration Officer should determine the most suitable system for maintaining and filing Crown servant applications, declarations and their associated absent voting records. Consideration needs to be given to whether:

- applications are filed with absent voting applications or separately
- those with postal or proxy voting arrangements are filed with the remainder of the absent voting applications
- records are going to be filed electronically
- they are filed in alphabetical order or in order as they appear on the register by polling district, or
- they are filed in monthly date order for renewal purposes

56 Regulation 40, RPR 2001.
Methods of voting

4.33 Crown servant electors who are able to attend their local polling station at the time of an election may vote there if:

- they are not a postal voter
- they have appointed a proxy and that proxy has not applied to vote by post

4.34 When any appointed proxy has not applied to vote by post, the Crown servant elector may vote in person if they attend the polling station before their proxy.

4.35 Postal and proxy arrangements may be cancelled by the Crown servant elector at any time by a written cancellation but the requirement to cancel an arrangement 11 working days prior to a particular election should be mentioned on the annual communications to the Crown servant elector.

4.36 A cancellation of a Crown Servant declaration will cancel any postal or proxy voting arrangement made in connection with that declaration even if the elector makes an application to register as an ordinary elector at the same qualifying address.

For further information on absent voting, see Part G, ‘Absent voting’. All Crown servant electors (registered by declaration) are able to vote by post or proxy without the need for attestation.
5 Declaration of local connection

Patients in mental hospitals

5.1 A person who is a patient in a mental hospital or an establishment maintained wholly or mainly for the reception and treatment of persons suffering from any form of mental disorder, whether or not they are detained there, is entitled to register as an elector. A patient who is not qualified by virtue of residence at any place other than the hospital may choose to register by means of a declaration of local connection in respect of the address where they would be living if they were not a patient or an address where they used to live before they were a patient.\textsuperscript{57}

5.2 Patients in mental hospitals who are detained offenders are not legally capable of voting and so cannot be registered, whether as an ordinary elector or by way of a declaration of local connection.\textsuperscript{58}

5.3 Persons with a mental health problem resident at an address other than a mental hospital or special establishment for reception of such persons should be registered as an ordinary elector.

5.4 The Electoral Registration Officer is not required to canvass mental hospitals and establishments for treatment of persons with a mental health condition, nor institutions for the detention of remand prisoners, to identify persons for registration purposes.\textsuperscript{59} The Electoral Registration Officer should, however, try to ensure that all eligible people are registered in such places as part of their duty to maintain the registers.\textsuperscript{60} One possible course of action could be to provide such places with the relevant application forms and offer guidance to the staff of those locations as to the registration requirements and processes.

Remand prisoners

5.5 Persons remanded in custody, excluding convicted prisoners, who are detained in a penal institution or other place for custodial purposes, are entitled to be registered as electors at the place at which they are detained, provided that the period of their detention at that address is sufficient to enable them to be regarded as having a residence there.\textsuperscript{61} A person who is not qualified by virtue of residence at any place other than where they are detained may choose to register by means of a declaration of local connection in respect of the address at which they would be living were they not detained or an address at which they had previously resided.\textsuperscript{62}

\begin{itemize}
\item \textsuperscript{57} Sections 7 and 7B, RPA 1983.
\item \textsuperscript{58} Sections 3A and 4, RPA 1983.
\item \textsuperscript{59} Section 10(3)(a), RPA 1983.
\item \textsuperscript{60} Section 9, RPA 1983.
\item \textsuperscript{61} Section 7A(2), RPA 1983.
\item \textsuperscript{62} Section 7B, RPA 1983.
\end{itemize}
Homeless people

5.6 Any person who is resident in the UK but does not have a permanent address or an address of any description can register by way of a declaration of local connection.

5.7 A person with no fixed address may be registered at the address of, or which is nearest to, a place in the UK where they commonly spend a substantial part of their time (whether during the day or night). This address may be, for example, a park bench, a bus shelter or the doorway to a high street store. They cannot be registered as ordinary electors.

5.8 One of the most productive methods of contacting people who may be entitled to register in this way is through the agencies that work with them. Contacts with homeless charities and organisations, wardens of day centres and drop-in centres, hostels and other similar places could provide a range of information relating to people who may be entitled to be registered in pursuance of a declaration of local connection.

Residence on boats and houseboats and in other residences

5.9 Any person who lives on a boat within the UK and who meets the age and nationality criteria should be included on an electoral register after completing the necessary registration process.

5.10 When the boat, houseboat or other residence has a permanent mooring, the residents must be registered as ordinary electors. The property itself must also be canvassed and treated as a qualifying address.

5.11 If the boat or other residence does not have a permanent mooring, the residents, on application, should be registered by means of a declaration of local connection. The electors should be registered at a place they spend the most time or where they have some connection, such as the area where they were last permanently registered or any boatyard they may use for maintenance.

Submission of declaration

5.12 Declarations of local connection can be made at any time throughout the year and must be accompanied by an application to register; these should be combined into a single application form. Successful applicants are added to the register based on the timetable for rolling registration as described in Part D, ‘Monthly alterations to the register’.

5.13 At a by-election to the UK Parliament, Scottish Parliament or the National Assembly for Wales, any declaration of local connection made by a homeless person received during the period from the date of the vacancy to

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63 Section 7B(4)(b), RPA 1983.
64 Regulation 26(2), RPR 2001.
the close of nominations must include a statement that the applicant has spent a substantial part of time during the past three months at or near to the address at which they claim to be entitled to be registered.\textsuperscript{65}

**Validity of declaration**

5.14 A declaration of local connection is valid for 12 months from the date when the entry on the register first takes effect.\textsuperscript{66} The elector may cancel their declaration at any time.\textsuperscript{67} An entry on the register relating to a declaration of local connection can be removed by the Electoral Registration Officer if the applicant submits a fresh declaration in respect of the same or a different qualifying address. If a person is registered in pursuance of a declaration of local connection this does not preclude that elector from registering as an ordinary elector at a different qualifying address during the 12 months during which the declaration is effective, although where this is the case the declaration ceases to have effect.

5.15 A declaration of local connection must be disregarded unless it is received by the Electoral Registration Officer within a period of three months from the date on which the declaration was dated.\textsuperscript{68}

**Contents of declaration**

5.16 A declaration of local connection must be signed and dated by the applicant and state:\textsuperscript{69}

- the applicant’s name in full
- the date of the declaration
- the address to which correspondence for them can be delivered or a statement confirming that they are willing to collect correspondence from the Electoral Registration Officer
- the category in which their declaration falls, i.e. mental patient, remand prisoner or person of no fixed address
- if applicable, the address of the mental hospital or penal institution where the person is resident
- in the case of a person of no fixed address, the address of, or near, a place where they commonly spend a substantial part of their time
- the address at which the applicant would be residing if they were not a patient or detained or, if they are unable to give such an address, an address at which they have previously resided
- any address at which the applicant is currently registered (if they have ceased to reside at that address)
- that they have attained 18 years of age or if not their date of birth
- that they are a Commonwealth citizen or a citizen of the Republic of Ireland or a citizen of a European Union member state, and

\textsuperscript{65} Section 7B(6), RPA 1983.
\textsuperscript{66} Section 7C(2)(a), RPA 1983.
\textsuperscript{67} Section 7B(9), RPA 1983.
\textsuperscript{68} Section 7B(10), RPA 1983.
\textsuperscript{69} Section 7B, RPA 1983.
that the information supplied is true

Processing of declarations

5.17 All applications should be given an initial assessment as quickly as possible upon receipt. If there is no reason to ask for evidence of age or nationality or more information on any other registration matter the application should be determined before the next determination deadline.

5.18 Where the qualifying address is not in the Electoral Registration Officer’s area, the application should be forwarded to the relevant Electoral Registration Officer without delay.

5.19 In all cases the applicant should be notified of acceptance or rejection of the application and, where it has been rejected, should be informed of the grounds for rejection.

5.20 The application does not have to contain information on the full and edited registers and a decision as to whether to opt out of having the applicant’s details appear on the edited register in order to be a valid application. If, however, the application form used does not contain any information or decision on the opt-out, the Electoral Registration Officer must send the applicant the prescribed wording or a form of words to the same effect explaining about the two versions of the register, with a written explanation that the applicant must reply within 21 days with a written request if they wish to be excluded from the edited register. This does not have any impact on the processing of their application to register and does not delay their application.

Renewal of declarations

5.21 The Electoral Registration Officer is required to issue to every person registered in pursuance of a declaration of local connection a reminder of the need to make a fresh declaration if they wish to remain registered as a voter and their circumstances remain unchanged.70 The reminder is to be issued to the elector in the period beginning nine months after the date when the existing entry on the register first takes effect and ending 10 months after that date.

5.22 Reminders do not have to be sent to an elector where the Electoral Registration Officer has received information that the person is no longer entitled to make the relevant declaration or to a person who has already made a fresh declaration. Electoral Registration Officers will need to maintain a record of when reminders are to be sent to persons registered in pursuance of a declaration of local connection. Failure to renew will result in the name of a person being removed from the register at the expiry of 12 months from the date on which their declaration became effective. Their names cannot be retained on the register if they fail to respond.

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70 Regulation 25, RPR 2001.
5.23 The Electoral Registration Officer should consider which other methods of obtaining a renewal may be appropriate in addition to simply sending a renewal notice by post, taking into consideration the individual circumstances of the elector. The use of a personal visit either by staff of the Electoral Registration Officer or by council staff who regularly contact homeless electors may be appropriate. Any person appointed as a proxy should be contacted if no renewal is made to enquire about the circumstances of the elector.

Inclusion on the register

5.24 All persons registered in pursuance of a declaration of local connection giving an address in their declaration at which they have resided or would reside but for their circumstances are to be included at the end of each relevant part of the register under the heading ‘other electors’ without an address.71 Their names are to be included in alphabetical order grouped together with any service voters and overseas electors but before any anonymously registered electors.72

Methods of voting

5.25 Electors registered by means of a declaration of local connection may vote using the same methods as ordinary electors. It may be useful to include an absent voting application with declaration forms.

71 Regulation 40, RPR 2001.
72 Regulation 41, RPR 2001.
6 Anonymous registration

Introduction

6.1 Anonymous registration is available to people meeting certain statutory requirements where, if their name or address were listed on the electoral register, their safety would be at risk. Any other person in the same household as a person at risk is also qualified to register as an anonymous elector.

Requirements for anonymous registration

6.2 An application for anonymous registration consists of a normal application for registration accompanied by an application for anonymous registration. It would be practical to combine the two as is usual practice with other declaration applications. All applicants must meet the normal requirements for registration (age, nationality, residence and not disqualified).

6.3 Applications must be signed and dated by the applicant and must contain:

- the applicant’s full name
- their address
- the reason for their application
- evidence to support their application (a court document or an attestation as described below)
- evidence that the applicant is in the same household as a person who meets the safety test (if they are not the person at risk themselves)
- a declaration that:
  - the evidence to support their application is genuine
  - any evidence given when they are in the same household as someone at risk is also genuine
  - the other information given is true, and
  - they are a citizen of the European Union or a Commonwealth country as stated in the application

6.4 All applicants must satisfy the Electoral Registration Officer that their safety or that of any other person in the same household would be at risk if their details were made public. To prove this there is a test that must be passed to the satisfaction of the Electoral Registration Officer called the ‘safety test’. The safety test is that ‘the safety of the applicant for an anonymous entry or that of any person of the same household would be at risk if the register contains the name of the applicant or his qualifying address’.74

74 Section 9B(10), RPA 1983.
6.5 This is achieved by the applicant giving a reason for their application and documentary evidence or an attestation in support of this reason.\textsuperscript{75}

6.6 The Electoral Registration Officer should not involve themselves in the personal circumstances of applicants and decisions on the safety test should rely on the presence and content of the accompanying documents. The Electoral Registration Officer should be satisfied that those documents are genuine.

6.7 Someone living in the same household as a person who qualifies for anonymous registration also qualifies for anonymous registration. Their application must contain the evidence required to meet the safety test of the person who qualifies as well as evidence that they reside in the same household.\textsuperscript{76} Evidence could be a utility bill, bank statement, photocard driving licence, etc. It is suggested that the applicant should be advised that others in their household can apply, although the other residents must not be contacted directly in order to protect the applicant.

6.8 Anonymousely registered electors are entitled to submit a correspondence address which must be used for all future registration correspondence if given.\textsuperscript{77} It should also be used for election communications such as poll cards. The use of this correspondence address does not apply to the address to which postal ballot papers will be sent and therefore the postal vote application will require any alternative address to be stated in the relevant section.

**Processing of applications**

6.9 These applications do not have the same type of public scrutiny as other electoral registration applications as people may not inspect the name and address supplied by an applicant for anonymous registration. The Electoral Registration Officer should therefore be particularly proactive in being satisfied that all the requirements for registration are met.

6.10 In determining an application, an Electoral Registration Officer has the power to ask for more information on any requirement if they are not satisfied that the applicant qualifies for registration.\textsuperscript{78} Applications need not be determined until the evidence or information is received. At all times, Electoral Registration Officers should ensure that any procedure put in place is not overly arduous for these vulnerable people, while ensuring the accuracy and integrity of the register.

6.11 The application deadlines are different from those for ordinary registration applications as there is no requirement for a five-day objections period. Applications may, therefore, be received after the deadline for ordinary registration for the same notice of alteration or revised register. It is important

\textsuperscript{75} Regulations 31G, 31I and 31H, RPR 2001.
\textsuperscript{76} Regulation 31G(4), RPR 2001.
\textsuperscript{77} Regulation 31G(6), RPR 2001.
\textsuperscript{78} Regulation 24, RPR 2001.
to note that applications should not be determined until the Electoral Registration Officer has gathered the information required and has undertaken the process of determination.

| Applications should be date-stamped on the day they are determined as well as on the date they are received. The deadlines by which the determination must be made to be included in any notice of alteration or revised register are discussed in Part D, ‘Monthly alterations to the register’. |

6.12 The Electoral Registration Officer must be satisfied that the elector meets the attestation or documentary evidence requirement so that the safety test is met in addition to the normal registration requirements. Therefore, the Electoral Registration Officer should not publish a deadline for completion of any anonymous application as applications received on the determination deadline may be incomplete or any check as to the evidence given or other registration particulars may mean that such applications cannot be added to the register at that time. Applications should be given an initial assessment as soon as practicable so that the formal determination can be made in time for the next publication deadline.

6.13 Anonymous registration application details such as name and address are not added to the lists of applications.\(^{79}\) Anonymous applications are not available for public inspection at any time.\(^{80}\)

6.14 Many potential applicants are not currently registered or may not want to register if there is any possibility that their privacy could be compromised. They may not use the new system if they feel that their name would be published should they make a mistake on the anonymous application form. The law therefore is clear that they must not be added to the register at all if the anonymous part of the application fails.\(^{81}\)

6.15 The Electoral Registration Officer would be acting contrary to legislation and thus in breach of official duty if a person was given an entry in the main section of the register with their name and address if they had applied using an anonymous application which did not pass the safety test (and they did not then go on to apply as an ordinary elector), even if doing otherwise meant that that person had no entry on the register at all. Consequently, an Electoral Registration Officer is not in breach of official duty in not registering the person following a failure of an anonymous application; however, the Electoral Registration Officer should make a reasonable effort to obtain a new application from that person.

6.16 If the anonymous application is rejected, the person is allowed to make a new application for ordinary or anonymous registration if they wish.

\(^{79}\) Regulation 29(2B), RPR 2001.
\(^{80}\) Regulation 28(2), RPR 2001.
\(^{81}\) Section 9B(6), RPA 1983.
6.17 When an anonymous application is received, all previous ‘ordinary’ applications either awaiting determination or determined but not added to the register for that individual are suspended until the anonymous application is determined. If the anonymous application is rejected then all previous applications for registration are disregarded and no entry at all is made on the register.\(^{82}\)

6.18 In practice an application from a canvass form may include a note asking for more privacy with a reason that may satisfy the requirements for anonymous registration. An anonymous registration application should then be sent. Upon receipt of a completed anonymous registration application form the original canvass form is then suspended (for the anonymous applicant only) until the anonymous application is determined.

6.19 If the anonymous registration application is rejected, no entry can be made on the register for that elector either as an anonymous or ordinary elector, not even based on any original canvass form or rolling registration application. If the anonymous application is accepted, the original canvass form is disregarded for that elector and only the anonymous entry shall apply. This does not affect any other people on a canvass form; they should be registered normally unless they also apply for anonymous registration.

6.20 If a person already has an entry on the register and an anonymous application is accepted, the ordinary entry is removed and the anonymous entry used instead. The existing entry is not removed unless and until the anonymous application is accepted by the Electoral Registration Officer. There is no flexibility to remove an existing entry from a register before the anonymous application has been accepted. Any existing entry is removed at the same time that the anonymous registration is added.

6.21 Registration lasts for 12 months from the day the anonymous entry is first made on the register (the date of the notice of alteration). Once that period of 12 months has ended, the registration is removed on the next notice of alteration subject to the standard application deadline (note that this is not the special anonymous application deadline). Applications can be removed earlier by cancellation from the elector or a review of registration.\(^ {83}\)

6.22 The Electoral Registration Officer must send a reminder between 9 and 10 months after the date of first registration (and each anniversary).\(^ {84}\) The reminder must explain that a new application must be made and, if the elector wants to remain registered anonymously, must be accompanied by a new application for an anonymous entry.

6.23 Registration can be renewed annually for another 12-month period. Renewals must contain the same level of evidence as original applications. Applicants should therefore be advised to keep a copy of attestations or copies of court documents for subsequent applications. It would be good

\(^{82}\) Section 9B(6), RPA 1983.
\(^{83}\) Section 9C, RPA 1983.
practice to offer to copy any originals so that they can be returned and the copy kept for reference. It is recommended that if the elector loses their supporting documents, the Electoral Registration Officer supply a copy of any document or attestation which is still in force to assist with any renewal.

6.24 Anonymous entries can be subject to Electoral Registration Officer review. Further consideration of the review process is contained in Part D, ‘Monthly alterations to the register’. If the Electoral Registration Officer considers that such a person should not be or should never have been on the register they can be reviewed. The name and address of the person is not entered on the list of persons under review. Anonymous entries or applications cannot be objected to under the objection procedure.⁸⁵

6.25 In England and Wales, the Ministry of Justice has made arrangements so that anonymous registration appeals, which can only arise from reviews or the original application, should be heard in private.⁸⁶ Equivalent arrangements are in place in Scotland.⁸⁷ Further information can be found in Part D, ‘Monthly alterations to the register’, Section 7, ‘Hearings’.

Types of documents and attestation

6.26 The application must contain the elector’s reason as to why they are applying for an anonymous entry.⁸⁸ The application must also be accompanied by either a court order or an attestation.⁸⁹

6.27 Any court order or injunction must be for the protection or the benefit of the applicant or another person of the same household. The order must also be in force on the day of the application but not necessarily for the whole 12-month period of registration.⁹⁰ An order ceasing to be in force during the 12-month period of registration does not reduce or otherwise affect the length of registration. A copy rather than the original of any court document being relied on is acceptable.⁹¹

6.28 The eligible court documents are:⁹²

- an injunction for the purpose of restraining a person from pursuing any conduct which amounts to harassment granted in proceedings under Section 3 of the Protection from Harassment Act 1997 or under article 5 of the Protection from Harassment (Northern Ireland) Order 1997

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⁸⁵ Section 10A(3B), RPA 1983.
⁸⁶ Paragraphs 24 and 25, Civil Procedure Rules, Practice Direction 52 (applicable to all appeals in England and Wales). Paragraph 24(5)(8) of the Practice Direction provides that the hearing of appeals by the county court for anonymous registration will be in private unless the court orders otherwise and paragraph 24(5)(9) contains similar provision for appeals to the Court of Appeal.
⁸⁷ Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) Amendment (Registration Appeals) 2008.
⁸⁸ Regulation 31G(1)(c), RPR 2001.
• an injunction granted under Section 3A(2) of the Protection from Harassment Act 1997
• a restraining order made under Section 5(1) of the Protection from Harassment Act 1997, or under article 7 of the Protection from Harassment (Northern Ireland) Order 1997
• a restraining order on acquittal made under Section 5A(1) of the Protection from Harassment Act 1997, or under article 7A(1) of the Protection from Harassment (Northern Ireland) Order 1997
• a non-harassment order made under Section 8(5)(b)(ii) of the Protection from Harassment Act 1997
• a non-harassment order made under Section 234A(2) of the Criminal Procedure (Scotland) Act 1995
• a non-molestation order made under Section 42(2) of the Family Law Act 1996, or under the Family Homes and Domestic Violence (Northern Ireland) Order 1998

6.29 If an attestation is used it must certify that if the name and/or address were on the register the applicant's or another member of the same household's 'safety would be at risk'. Attestations must be signed and dated by a qualifying officer. The period of the attestation begins on the date stated and lasts for a period of between one and five years. The actual length must be stated within the attestation. The Commission has produced an anonymous registration application form which contains an attestation.

6.30 The qualifying officers who may attest are:

• a police officer of or above the rank of superintendent of any police force in the UK
• the Director General of the Security Service or the Serious Organised Crime Agency
• a director of adult social services or children’s services in England or a director of social services in Wales
• any chief social work officer in Scotland
• any director of social services of a Health and Social Services Board or executive director of social work of a Health and Social Services Trust in Northern Ireland

6.31 It is recommended that the Electoral Registration Officer contact their relevant directors and chief officers to alert them to their powers under the anonymous registration process. They may wish to be aware of their attestation powers and any guidance that their representative groups have given on dealing with requests for attestation (such as from the Association of Chief Police Officers for police officers). They may also know of establishments (such as refuges) where people who may qualify for anonymous registration visit or are resident.

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6.32 The attestation can come from one of the qualifying officers from a different area than that in which the elector now lives and is registering. This may often be the case where the applicant has moved to a new area to set up home away from the cause of the risk to their safety. For example, an attestation from one English local authority director of children’s services is valid in every local authority area in Great Britain.

6.33 The attestation cannot be delegated from a qualifying officer to a more junior person within their organisation and the attestation must be in writing and signed by the qualifying officer.

Inclusion on the register and records of anonymous electors

6.34 Once an anonymous application is accepted, an entry is made on the register at the next register alteration or revision. Neither the name nor the address of anyone accepted as an anonymous elector will appear on the register. The entry for each person must consist of the elector number and the letter N. The letter N can appear as an addition to the column for the normal franchise or absent vote letters such as G or A, or the letter N could appear in the name column if desired. These electors must be placed in the ‘other electors’ section at the end of the register and placed after all the other declaration electors.96 Part H, ‘Access and supply’, sets out an example register layout which shows the options available.

6.35 Communications from the Electoral Registration Officer or the Returning Officer should not be able to be used to identify those with an anonymous entry. Items such as renewals, poll cards and postal votes should be in a covering plain envelope.

6.36 The Electoral Registration Officer must keep a special list, the ‘record of anonymous entries’, of those people with an anonymous entry. This shall contain the electoral number, full name, address, correspondence address (if any) and date that the registration first took effect.97 The utmost security must be applied to this list and no unauthorised access must be allowed (see ‘Access and supply issues’ below). Absent vote delivery address details should be kept on the anonymous record.98

6.37 When a person is entered in the record, a ‘certificate of anonymous registration’ must be issued. This must mention the area for which the Electoral Registration Officer has responsibility, the elector’s name, qualifying address, electoral number and date on which the registration took effect. It must also state that the registration will end no later than 12 months from that registration date if no renewal is made.99

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99 Regulation 45G, RPR 2001; Regulation 45F, RPR (Scotland) 2001.
6.38 Anonymously registered electors may find it difficult to prove their identity and in obtaining credit and financial facilities as they will not appear on the register. The major credit reference agencies have introduced facilities to assist in this matter but the choice of whether the information from the certificate is given to the credit reference agencies is one for the anonymously registered elector not the Electoral Registration Officer. The Commission has provided some sample wording (below) for use in the compulsory certificate of anonymous registration.

<table>
<thead>
<tr>
<th>Certificate of anonymous registration</th>
</tr>
</thead>
<tbody>
<tr>
<td>I, the Electoral Registration Officer for [name of area], certify that the person named below has an anonymous entry.</td>
</tr>
<tr>
<td>Name:</td>
</tr>
<tr>
<td>Qualifying address:</td>
</tr>
<tr>
<td>Elector number:</td>
</tr>
<tr>
<td>This registration commenced on [date of register update or revision] and will continue for 12 months unless cancelled by the elector or removed under any enactment.</td>
</tr>
<tr>
<td>Signed:</td>
</tr>
<tr>
<td>[Name]</td>
</tr>
<tr>
<td>Electoral Registration Officer</td>
</tr>
</tbody>
</table>

**Important information for anonymous electors. Credit reference agencies, identity and political donations.**

**Credit and identity**
The electoral register is used as an important part of proving your identity and deciding on whether to give people credit facilities. As your name and address will not appear on the register you may find it difficult to open a bank account or make other financial arrangements. You may find it useful to contact the credit reference agencies to add your name to their special anonymous elector database. However, this will involve handing your details to a third party. Remember that the decision on handing over your details is yours and you should only consider this if you are confident about the process the company has to keep your data secure.

**Political donations**
Only people who are on the electoral register may donate or loan money to a registered political party (or other regulated person or organisation) in Great Britain. As your name and address is not included on the register you will need to show and possibly supply a copy of this certificate to the regulated person or body if you wish to donate or loan money. Remember that the decision on handing over your details is yours but if you do not supply a copy of this certificate you will not be able to donate or loan money.
Absent voting lists

For more information see Part G, ‘Absent voting’. The absent voting lists must, for anonymous electors and their proxies, contain only the electoral number and the period for which the absent vote is in effect, but not any address. At an election, the copy of the absent voting lists to enable postal vote issuing and marking the return of postal votes contains only the electoral number. The address to which the ballot pack will be sent must not be on that list and all correspondence must be sent in an unidentifiable envelope.\(^{100}\)

6.39 The edited register must not contain an anonymous entry. All anonymous electors are automatically opted out.\(^{101}\) No action is required if an anonymous application form does not contain information on the opt-out.

Access and supply issues

6.40 The record of anonymous entries is clearly a very sensitive document and proper precautions must be made to ensure that there is no unauthorised access to it.

6.41 Access is allowed only to the following persons and organisations that have a duty to ensure that the record is kept securely and used only for prescribed uses:

- Returning Officers and referendum Counting Officers (provided with any copy of the register or part of it)\(^ {102}\)
- in England and Wales, the jury service (on written request)\(^ {103}\)
- the security services, including GCHQ (provided with any register request)\(^ {104}\)
- police forces (including the Police Information Technology Organisation and the Serious Organised Crime Agency) (on request in writing from a senior office as defined in the Regulations)\(^ {105}\)

6.42 When the lists of postal and proxy voters are inspected or supplied, only the electoral number and duration of the absent vote of any anonymous elector can be shown or supplied. This is because the lists can only include this information. Marked lists mirror this by containing only the electoral number.

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\(^{100}\) Section 9B(8), RPA 1983.
\(^{101}\) Regulation 93(2A), RPR 2001.
\(^{102}\) Regulation 45C, RPR 2001.
\(^{103}\) Regulation 45D, RPR 2001.
\(^{104}\) Regulation 45E, RPR 2001; Regulation 45D, RPR (Scotland) 2001.
\(^{105}\) Regulation 45F, RPR 2001; Regulation 45E, RPR (Scotland) 2001.
Methods of voting

Voting at the polling station

6.43 A poll card must be sent to all anonymous electors. There are amendments to the prescribed form of poll card for anonymous electors and these are shown on the form. The poll card will contain the elector’s number but not their name or qualifying address. Poll cards must be sent even in cases where a parish or community council has not asked for poll cards to be sent to normal electors (as otherwise they cannot vote in person). The poll card must state clearly that the elector must take this card to the polling station otherwise they will not be able to vote.

6.44 As anonymously registered electors are required to have their poll card to vote, a process to create replacement poll cards should be put in place. Such replacement should be made after appropriate security checks have been made. These checks should mirror the checks made before the replacement of a lost postal vote.

Voting by post or proxy

6.45 Applications for an absent vote must state that the elector has been granted or has applied for anonymous registration. There is no requirement for a reason for ballot papers to be sent to other addresses for such electors.

6.46 No reason is required for an elector with an anonymous entry making a proxy application for a particular election. Applications for emergency proxies due to a disability received after the normal proxy deadline do not have to be accompanied by evidence or attestation but the applicant would still have to state the grounds and time they became eligible for the late proxy.

6.47 Postal votes must be sent to the address given in the postal vote application in a plain envelope. The Returning Officer should require the list of anonymous electors for this purpose and the Electoral Registration Officer should keep the absent voting details up-to-date.

Miscellaneous provisions concerning anonymous electors

6.48 Anonymously registered people can donate to registered political parties but they must provide the party with a copy of their certificate of anonymous registration as proof of eligibility. A registered political party may ask the Electoral Registration Officer to confirm the validity of any certificate. The elector details cannot be confirmed but the Electoral Registration Officer may wish to confirm the format of their certificate and that the electoral number on that certificate matches the register entry for an anonymous elector. The same applies for other political donations which are regulated.

106 Section 65(2A), PPERA.
6.49 The Electoral Registration Officer should ensure that any electoral software system they use is capable of handling all of the procedures and actions required for anonymous registration.

6.50 The Electoral Registration Officer should consider which establishments or properties such as refuges may welcome anonymous registration forms and additional information in order to ensure maximum registration as part of the duty to maintain the register. Registration application forms could be sent with a note explaining what this type of registration could mean for people in these places.

6.51 Anonymous registration does not affect any other special category elector entitlement and can be combined. For example, a person may be an anonymous elector with a local connection or an anonymous service voter if they meet the qualification for both registrations. They would appear on the register as ‘other anonymously registered electors’ after the other declaration electors.

Data collection

6.52 The Commission’s research department intends to produce statistics on anonymous registration. They are interested in the reasons given by applicants for their application, the type of evidence given and if the Electoral Registration Officer accepted or rejected the application and the reason for any rejection. This data will aid with any further guidance for administrators in the processing of applications and in understanding how this new type of registration is working.

6.53 Please send returns in the format below in December and May each year (after publication of revision/update of the register) to anonymousregistration@electoralcommission.org.uk or post to Research Team, The Electoral Commission, Trevelyan House, Great Peter Street, London SW1P 2HW. Please also send in any ‘nil returns’ so that the data will be complete.

<table>
<thead>
<tr>
<th>Local authority</th>
<th>Date of application</th>
<th>Reason given</th>
<th>Evidence provided</th>
<th>Accept/reject – if accepted, date of registration</th>
<th>Reason for rejection</th>
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