

Representation of the People Bill

Supplementary Memorandum from the Ministry of Housing, Communities and Local Government to the Delegated Powers and Regulatory Reform Committee

Introduction

1. This supplementary memorandum has been prepared for the Delegated Powers and Regulatory Reform Committee to assist with its scrutiny of the Representation of the People Bill ("the Bill"). The Bill was originally introduced in the House of Commons on 12 February 2026, and carried over and reintroduced in the House of Commons on 14 May 2026. The Bill was introduced to the House of Lords on 3 September 2026. This memorandum identifies the amendment tabled at Lords Committee on 26 October 2026 that confers a power to make delegated legislation. It explains why the power has been taken and explains the nature of, and the reason for, the procedure selected.

Delegated powers

Government amendment "Canvass conducted in England before the coming into force of section 3", inserting paragraph 23 into Schedule 1 to the Bill – duty on the Electoral Commission to design a form and communications for use in a pre-commencement canvass (as defined in new paragraph 20 of Schedule 1)

Power conferred on: Electoral Commission

Power exercised by: N/A

Parliamentary Procedure: N/A

Context and Purpose:

2. The amendment provides for a pre-commencement canvass (being a canvass that occurs between Royal Assent and the commencement of clause 3 to the Bill). The amendment requires that in a pre-commencement canvass, a registration officer in England must attempt to ascertain information about fourteen and fifteen year olds who may be entitled to be registered when clause 3 is brought into force.
3. To facilitate the use of the pre-commencement canvass to obtain this information, and in line with existing provision relating to canvass forms and communications, the Electoral Commission must design and make available forms containing provision which enables the registration officer to obtain information about fourteen and fifteen year olds who may be entitled to be registered once clause 3 takes effect. The registration officer must use those forms and communications in the canvass.

Justification for taking the power:

4. The Electoral Commission is the organisation that provides guidance to registration officers, including in relation to the canvass. The Electoral Commission is already required to design canvass forms and communications, and this provision reflects this delegation of responsibility. The duty is expanded to include an additional requirement relating to the information that must be sought in a pre-commencement canvass.

Justification for the procedure:

5. There is no parliamentary procedure attached. The requirements for the contents of the form and communications are already set out in regulations (regulation 32ZBG of the Representation of the People (England and Wales) Regulations 2001), and those requirements are modified by this amendment (see new paragraphs 23 and 24 of Schedule 1 to the Bill, as introduced by this amendment). The Electoral Commission is exercising an administrative function in designing the form that follows requirements already set out in secondary legislation, as modified by this amendment. In line with existing requirements, no parliamentary approval is required for these forms.
6. No other government amendments tabled on 26 October 2026 confer or amend delegated powers.

Ministry of Housing, Communities and Local Government

26 October 2026