

**The proposed registration process for newly enfranchised overseas electors
if the Overseas Electors Bill passes into law.**

This paper discusses three main questions:

- **What are the detailed proposals in the Overseas Electors Bill for the registration of British citizens who were previously disenfranchised by the '15 year rule'?**
- **How easy will it be for Britons who have lived abroad for over 15 years to meet the proposed registration requirements?**
- **What potential problems arise from the proposals and how might they be overcome?**

See also the text of the [Bill and Explanatory notes here](#).

- PLEASE READ THIS DISCUSSION PAPER AND OFFER YOUR COMMENTS ON THE DISCUSSION FORUM AT <https://www.britonsvotingabroad.co.uk/debates/forums/#/categories>

Under current legislation (Political Parties, Elections and Referendums Act 2000),

registration as an overseas elector is conditional on previous registration: a UK citizen who moves abroad can become an 'overseas elector' and vote from abroad for the first fifteen years after departure as long as they were on the electoral register before leaving. They should notify their Electoral Registration Officer (ERO) of their new address if they wish to continue being eligible to vote and they should renew this registration annually to maintain eligibility. If an individual does not notify the ERO when they move abroad but decides some years later to register, as long as this is within 15 years after departure, their previous registration can be verified because EROs are required by law to keep electoral registers for 15 years, corresponding to the time restriction of the '15 year rule'. An individual not previously registered in the UK is not currently eligible to become an overseas elector. Those who were minors when they left the UK can register if their parents were registered.

Under the proposed terms of the Overseas Electors Bill, the '15 year rule' would be abandoned, but the requirement to demonstrate a connection to the last UK constituency would be maintained for historical reasons. The basis for registration would however be extended from the 'previous registration condition' to include a new 'previous residence condition'.

The previous registration condition requires evidence that an applicant was previously on the electoral register in their last place of residence before leaving the UK. **Problems: This will be problematic because Electoral Registration Officers (EROs) are not legally required to keep old registers for more than 15 years.**

Previous residence condition: the Bill states that in order to fulfil this condition a 'declarant' (someone applying to register) must specify the address at which they were resident and the date at which they were last resident there; they must also state that this was their last residence in the UK. There are special dispositions for those who were of no fixed abode and for Northern Ireland.

Eligibility for registration by previous residence will be approved on the basis of either a) documentary evidence, or b) 'attestation' by another UK registered elector of previous residence.

- Problems:** a) How many people will still be in possession of any of these documents, especially having moved abroad many years before?
- b) How many new overseas applicants will still know anyone living in the UK who would have known them when they lived at that address and who would be able to testify to this?
- c) How will electoral fraud be prevented?

For more details of the problems and possible solutions see the full version.

Sue Collard, March 2019.

Britons Voting Abroad