

Planning for tranche 2 of the Elections Act changes

Updates to this document

Updated	Description of change
August 2023	Updated to reflect the recently published Polling District Review guidance. Changes to the transitional arrangements for existing postal voters to reflect the final SI.
September 2023	Updated to reflect the publication of updated absent voting guidance for EROs. Inclusion of additional considerations in relation to postal or proxy applications requested during the annual canvass.

Background

The Elections Act (the Act), which received Royal Assent in April 2022, makes a range of changes which will impact on electoral administrators, campaigners and voters. The first tranche of changes, which included the introduction of voter ID requirements and new measures to make it easier for disabled people to vote, are already in force and our guidance for Returning Officers (ROs) and Electoral Registration Officers (EROs) has been updated to reflect these provisions.

This is the second of our supplementary guidance documents to support you with preparing for the implementation of changes under the Act. The first covered the initial tranche of measures and can be found [here](#). This will remain available to support those ROs and EROs who have yet to have a poll in their area which is subject to the new voter ID and accessibility provisions.

The next tranche of changes is expected to come into force in advance of the May 2024 polls and includes provisions relating to absent voting, overseas electors, EU citizens' voting and

candidacy rights, postal vote handling and secrecy and commonly used names. These will apply at the following election types:

- UK Parliamentary elections in Great Britain
- Local elections in England – including mayoral elections
- Police and Crime Commissioner elections in England and Wales

There are also new measures relating to undue influence and intimidation, which will apply at all election types in England and Wales and at UK Parliamentary elections in Scotland, and measures which change the way candidate addresses are provided, which will only apply at UK Parliamentary elections. Unless otherwise stated, references in this guidance to a local government election should be read to include local government referendums and references to UK Parliamentary elections should be read to include all polls that use the UK Parliamentary franchise, such as recall petitions.

The detail relating to some of these measures is still to be confirmed. This resource will be updated as needed and we will highlight when any changes are made through the EA Bulletin and a change log in this document. We are taking a phased approach to the provision of guidance covering the next tranche of measures, focussing on getting you what you need as swiftly as possible and in the order that you will need it, taking into account the timing of when the legislation will be confirmed and will come into effect for the different provisions.

The first updates to our core ERO guidance, which cover the new absent voting provisions, have now been published for EROs in [England](#), [Scotland](#) and [Wales](#). Further updates to our guidance will be published in November, these will be:

- Updates to core ERO guidance to support changes to overseas electors' voting rights
- Updates as a result of other measures such as postal vote handling and secrecy, changes to commonly used name requirements and changes to EU citizens candidacy rights which will be included in our updates to core guidance in preparation of for the May polls.

We will also be publishing guidance to support the delivery of the Eligibility Confirmation and Review (ECR) process for EU citizens, as a result of the changes to EU citizens' voting rights by the end of this year.

The final draft of the statutory guidance on the digital imprints provisions is available to view [here](#). The guidance was laid by the Minister on 13 July and once approved by Parliament it will be published on our guidance pages. We will confirm when this is available through the EA Bulletin.

Purpose

The aim of this resource is to highlight aspects of the changes you can start considering and planning for now. It covers areas that you will need to think about to assess the overall impact of the tranche 2 provisions, particularly on staffing, training and communications. It also highlights specific points relating to the different measures that you will need to consider in advance of the full guidance for each provision being published.

The [annex](#) at the end of this guidance contains a summary of the key changes included in this tranche. Further information on the policy detail and regular updates can be found in the Business Change Network information pack and FAQs, circulated by DLUHC.

You can subscribe to their Business Change Network (BCN) bulletins by emailing EIPBusinessChange@levellingup.gov.uk.

Whilst some areas do not have scheduled polls in May 2024, the guidance can still support you in making early preparations so that you are ready for the first polls – whether scheduled or unscheduled – at which the second tranche of provisions will apply.

This guidance has been informed by consultation with the Elections, Registration and Referendums Working Group (ERRWG), UK Government, the Society of Local Authority Chief Executives (SOLACE), the Association of Electoral Administrators (AEA), the Electoral Management Board for Scotland (EMB), the Scottish Assessors Association (SAA), the Wales Electoral Coordination Board (WECB) and the Wales Electoral Practitioners Working Group (WEPWG).

Assessing the overall impact of the provisions

The second tranche of changes from the Elections Act will be implemented over the course of 2023 and 2024. You will need to assess the cumulative impact of these changes, alongside the ongoing requirements relating to voter ID and accessibility, and identify any associated risks for your workplan for the next 12 months. You will need to build in the time and resource to deliver all the changes alongside the day-to-day delivery of electoral services.

This should include an assessment of the impact of any scheduled elections in your area in 2024, as well as the fact that a UK Parliamentary general election must take place in or before January 2025. You will also need to consider the impact of the UK Parliamentary constituency boundary review. We have provided separate information on this in our updated [Polling District Review guidance](#).

The table below shows a timeline of the planned in force dates for the different measures in tranche two:

Provision	Current planned in force date
Postal voting rule changes	Legislation made and takes effect from October 2023
Proxy voting rule changes	Legislation made and takes effect from October 2023
Online absent voting applications	Legislation made and takes effect from October 2023
Undue influence and intimidation changes	Legislation made and takes effect from November 2023
Digital imprints	Legislation made and takes effect from November 2023

Overseas electors changes	Legislation made and takes effect from January 2024
Candidate addresses changes (at UK Parliamentary elections) and commonly used names changes	Legislation made in November 2023 and in effect from May 2024 polls
EU voting and candidacy rights changes	Legislation made in November 2023 and in effect after May 2024 polls
Postal vote handling and secrecy rules	Legislation made in December 2023 and in effect from May 2024 polls

Some of these measures introduce new ongoing requirements, such as the online absent voting application and identity verification process for absent voters, whilst others are a one-off requirement, such as the review of the eligibility of registered EU citizens.

You should use your project plan and risk register to identify and allocate your resources and work out delivery timescales and treat these as living documents that you will need to update as further detail on the provisions becomes available. There may be particular pinch-points that will require careful planning to manage increased workload and competing demands on your team. You will also need to ensure that the implications and impacts resulting from these changes are reflected in wider corporate plans and risk management.

There are some specific considerations for ROs and EROs in Scotland and Wales as a result of the measures only applying for certain elections and we have highlighted these throughout the document.

Actions to take...

There are things that you can do in advance to help you to prepare for the delivery of the new measures and plan your resources and timelines accordingly:

- Update your project plan and risk register to reflect the individual and cumulative impact of the new provisions on your existing workplan and highlight any potential pinch-points and associated risks
- Liaise with colleagues across your local authority, so that wider corporate risk registers, equality impact assessments and project plans take into account the impact of the changes, ensuring that the necessary resources are made available
- If available, you should use reports generated by your electoral management software (EMS) system to identify those electors who will be impacted by each of the provisions

Staffing

You should identify everyone who will be involved in implementing the upcoming changes. These are likely to include:

- Core/temporary electoral services staff

- Canvass staff
- Front line call centre staff
- Reception staff at key local authority buildings
- Communications colleagues
- Polling station staff

You should think about when you may need additional core or temporary staff to assist with queries and to ensure you are prepared to process applications in online and paper format to register to vote, for an absent vote and for Voter Authority Certificates and Anonymous Elector's Documents.

This will be especially important where multiple processes may peak at the same time, for example, postal vote applications and overseas elector registration applications in the run up to a UK Parliamentary general election.

Training

Your training plan should identify when different staff will need to be trained and how you will support them going forward with updated FAQs, processing instructions and training notes.

You will need to update your training plans to cover:

- The impact of the legislative changes on the day-to-day delivery of processes for your core team
- Training for your core team, public facing and communications staff on managing queries relating to the new measures from members of the public, candidates and agents, local political parties and the media
- Practical training for staff on processing new applications and any associated changes to software systems, including ensuring staff are trained to use the ERO Portal (EROP) for new processes
- Practical training on handling completed postal vote packs at both council offices and polling stations, including the completion of associated forms

Communications

You should start thinking about the additional messaging you will need to include in your ongoing work to ensure that everyone who is eligible can register to vote and take part in elections. To begin this work you should plan for:

- Early liaison with your communications team to make them aware of the changes and to plan your communications strategy
- What information you will need to include in your messaging to ensure that electors understand the changes being brought in by the new provisions; in Scotland and Wales careful consideration will be needed to manage messaging where there is divergence between the new provisions and the legislation which applies to devolved elections
- Any updates you will need to make to your website as the different measures come into force to make sure it reflects the latest information and provides any relevant links for electors to find out more or make online applications

- How you will use the different channels available to you, including social media, email, telephone and gov.notify to amplify any key messages
- How you can implement targeted campaigns to reach electors who do not have access to the internet, or require information in different formats, using links and contacts that you have with the likes of local community groups, charities and care homes
- The timing of your communications, taking into account the timeline for the implementation of the new provisions as a whole, and the way this will interact with the annual canvass and any election timetables in your area. For example, you should consider the timing of when you send out applications for postal and proxy votes to those who request one during the canvass to manage the risk that electors return postal or proxy vote application forms that do not include the information required due to the new identity verification requirements after they come into force on 31 October.
- Incorporating changes into your briefings and guidance for candidates and agents at elections

We will inform you of the resources that we will provide to support local communications through the EA Bulletin and Roll Call.

As well as these overarching considerations that will inform your planning, there are specific things that you can do to prepare for the implementation of the individual provisions and these are set out in the sections on each of the provisions below.

Absent voting

Background policy information on the absent voting provisions can be found in the [annex](#).

Online absent voting applications

You should think about how an online application process for absent votes for all election types in England, Police and Crime Commissioner and UK Parliamentary elections in Wales, and UK Parliamentary elections in Scotland will impact on workloads and peaks for processing during elections. Whilst the processing of online applications may potentially be quicker, the ability to apply online may lead to particular peaks - for example during televised party leader debates or other direct calls to electors during election campaigns - as we saw after the introduction of online registration. You should therefore ensure you build in resource to support anticipated peaks, taking into account that you will still need to process both paper application forms as well as online applications.

Identity verification for absent voting applications

The requirement for verification of an elector's identity to take place, when making an absent voting application for the election types as listed above, is expected to come into effect on the 31 October. This means that any such applications received on or after that date must include the relevant information required for identity verification for you to be able to process them. You should therefore consider:

- when to stop sending any pre-commencement style postal or proxy application forms in advance of the commencement of the new provisions to limit potential confusion for electors. As part of this you will need to consider any by-elections taking place in your area and take steps to ensure that those entitled to vote in these polls are still able to make an application to vote in their preferred way.

- including a deadline date of 30 October on any letters accompanying relevant postal or proxy application forms that you send out before the new absent vote application provisions are in force, explaining that any forms received after this point will not be able to be processed without additional information being provided.
- making use of electors' email addresses to send links to the online portal for relevant postal or proxy applications after the commencement of the provisions.

Once commencement takes effect, if an elector is not able to provide a NINo, or where their identity could not be verified with DWP records, they will need to provide appropriate documentary evidence through the exceptions process. There is no provision for the use of local data matching to verify absent voting applications that fail the DWP check.

Any information you have from your experience of managing other applications that require such verification (such as applications to register or for Voter Authority Certificates) on the approximate percentage that fail verification and how long on average the process for exceptions and/or attestation process usually takes, could help to inform your resource plans.

The additional identity verification process could create delays for the determination of some applications so you will need to think about any impact on your usual printing schedule and any further contingency plans that may be required.

Issuing of postal votes

If an elector applying for a new postal vote close to the deadline in advance of an election fails identity verification, their application can be determined using the exception or attestation process up to and including polling day. Whilst the processing of applications is the responsibility of the ERO, the RO is responsible for the issuing of postal packs.

The ERO and RO will need to plan how they will coordinate the determination and subsequent issuing of postal packs. Ensuring clear lines of communication will be particularly important for UK Parliamentary elections and cross-boundary constituencies where you either give away or take on electors from other local authorities. The number of cross-boundary constituencies are likely to increase when the new constituency boundaries come into force.

As part of this planning, you should:

- Work together to decide how you will determine postal vote applications in advance of an election and manage the practical implications of issuing postal votes up until the close of poll, whether through a supplier or in-house. While you should allow the greatest opportunity for the determination process to be completed to ensure that everyone has the opportunity to vote using their preferred method, you will also need to identify how you will manage the local delivery and collection of postal votes for those electors whose postal vote applications are determined during the week leading up to polling day.
- Plan your overall communications strategy so that electors are aware of the absent voting deadlines and the new identity verification requirement. For those electors who apply close to the deadline you may need specific messaging to manage expectations given that the processing of absent vote applications may take longer. This might include messaging to support electors to consider whether a temporary proxy vote may be more

suitable for their circumstances if there is a risk that they may not receive their postal vote application in time to use it, for example, if they are going away on holiday.

- Plan how you will communicate your decisions on absent voting applications to electors so that they know how they are able to vote at the forthcoming election and future elections.
- Make plans to track the volume of applications you receive in the run up to the postal vote application deadline that are not matched with DWP on the ERO Portal, so that you are prepared in terms of spare packs.
- Ensure that you order more blank postal packs than usual to enable the issue of packs at short notice in the run up to polling day.
- Consider how you will manage the potential increase in completed postal packs being returned by hand by electors as a result of the new requirements, especially in light of the new postal vote handling and secrecy provisions.

The postal vote reapplication process and transitional arrangements for permanent postal and postal proxy voters

There will be a new requirement for electors to reapply every three years if they wish to continue to vote by post, at all election types in England, UK Parliamentary elections and Police and Crime Commissioner elections in Wales, and UK Parliamentary elections in Scotland. This will replace the current requirement to submit a fresh signature every five years for these polls.

The personal identifiers refresh process for proxy voters and for postal votes at devolved polls remains the same and will continue to operate on the five-year refresh cycle, except for overseas electors where the proxy signature refresh will take place every three years, in line with the updated overseas registration renewal process.

EROs will need to establish plans for managing both the new and existing processes as necessary.

EROs will need to write to all postal and postal proxy voters for relevant elections to tell them the date on which their existing postal or postal proxy voting arrangements end. This must happen before the voter's entitlement ends on 31 January 2026. The notification must also explain how to make a fresh application if they want to continue to vote by post. EROs will be able to determine the detail of how and when they will write to these voters. Further information can be found in our updated core absent voting guidance for EROs in [England](#), [Scotland](#) and [Wales](#).

Transitional arrangements for permanent proxy voters and changes to proxy limits

Under the transitional arrangements for the new proxy rules, you will need to need to write to all electors who have a permanent proxy vote for all election types in England, UK Parliamentary elections and Police and Crime Commissioner elections in Wales, and UK Parliamentary elections in Scotland, to inform them that they will need to re-apply for their proxy vote by 31 January 2024.

You should identify the number of permanent proxy voters you have registered and think about how much, if any, additional resource may be required to manage this write out. You should consider that:

- Permanent proxy applications cannot be made online, so this will be a paper-based process
- The new applications will need to go through the new verification process and if they fail ID verification will need to go through the exceptions and possibly attestation process
- There will likely be an increase in queries from electors about the need to make a new application and provide their NINo

You should use this opportunity to flag with electors the change to the maximum number of people a proxy may act for to help them to change their proxy arrangements in good time if needed. You will also need to have processes in place to react to reports of breaches - including arrangements for reporting the issue to the police - ensuring that you keep a clear audit trail.

We have provided further detail on these transitional arrangements in our updates to core absent voting guidance for EROs in [England](#), [Scotland](#) and [Wales](#).

The impact of absent voting changes in Scotland and Wale

You will need to plan for how you will manage the different requirements for different election types, this should include:

- Planning for the impact on your team's workload of processing applications in different systems, using EROP for reserved applications and your EMS for devolved elections
- Planning how you will handle electors who currently have an absent vote for all elections. The electors' record will need to be split for the different election types and could lead to you managing separate processes
- Ensuring that your core electoral services team and front-line staff who are managing queries understand the requirements for the absent vote applications depending on the election type. They should be prepared to assist electors with completing some applications online and to explain the differences between the two types of application
- Thinking about how you can best communicate some of the most complicated messages to electors. For example, for the changes to proxy voting limits, how you can explain the differences between the rules for different polls and give clear instructions on what electors need to do to continue to vote by proxy at the different election types
- Liaising with your communications team to plan your engagement strategy and identify what communication channels you will use to inform absent voters about the changes.
- Thinking about how you will manage messaging during this year's canvass, as it will be underway when the changes come into force. The canvass forms themselves will only be updated to reflect the new provisions ahead of the 2024 canvass. Therefore, if someone makes a request for an absent vote on a canvass form following the commencement of the new provisions, you should consider how you will communicate the new requirements for the different elections during any correspondence about completing the application(s).
- Following the commencement of these provisions you may want to include in any future election project plans a new action to identify electors who have a permanent absent vote in place for one election type, who might not understand that they will need to make a separate application to ensure they have an absent vote in place for the other. Your EMS provider should be able to support you to identify the most appropriate report to retrieve this information from your system.

Overseas electors

Information on the overseas electors' provisions can be found in the [annex](#).

As there will no longer be a 15 year limit on the eligibility for British citizens living overseas to register to vote, you should ensure that you start to retain historical registers and lists of overseas electors beyond the 15 year point and think about how you might be able to access any further historical registers in order to confirm that an applicant was previously registered in your local authority area.

You might have to look at new storage options for these registers, including digitising the information if possible, and think about any additional resource you may need to achieve this. You will need to think about what, if any, other data may be available to you to establish the eligibility of overseas electors, for example, council tax or school admission data. You will need to arrange appropriate data sharing agreements to enable you to access this.

Public awareness

We will be running a public information awareness campaign to inform potential overseas electors of the change to registration rights. We are currently working on how best to reach such a diverse audience and to confirm the timeline for our activities. We will update you with more information as it becomes available through Roll Call and the EA Bulletin.

You should liaise with your local authority's communications team about what channels might be most appropriate to amplify these messages once available, for example, through sharing resources via social media and providing messaging on the local authorities' website.

Postal vote handling and secrecy

Detail on the postal vote handling and secrecy provisions can be found in the [annex](#).

The new provisions introduce restrictions on the handling of postal votes by political campaigners and limiting the number that can be handed in by an individual at a polling station or council office.

As well as updating your training for polling station staff to manage this new requirement in polling stations, you will need to consider how you will handle postal votes which are handed into council offices or posted into council office letter boxes, including potentially late in the day on polling day.

You will need to think about which council buildings might be impacted by this change, what processes you will have in place to ensure that no one is able to hand in a postal pack without completing the appropriate form, and how you will ensure that there is a clear audit trail.

Post-poll considerations

There will be a requirement to send rejection letters where someone hands in postal votes not in accordance with the new rules.

You will need to think about the impact on resources as a result of this requirement - will you need additional staff to carry out the process and deal with queries?

EU citizens' voting and candidacy rights (EUVCR)

Information on the EU citizens' voting and candidacy rights provisions, including the eligibility criteria for EU citizens, can be found in the [annex](#). These provisions do not apply in Scotland.

There are two main parts to the implementation of these provisions: changes to the application process in relation to the determination of applications under the new eligibility criteria, which will be ongoing, and a review of EU citizens who are already registered to check their eligibility, which will be a one-off process.

As part of the latter, you will need to identify EU citizens who should have their eligibility reviewed as part of the Eligibility Confirmation and Review (ECR) process. You will also need to plan to write to electors that you identify as being 'qualifying EU citizens' (i.e. citizens from Luxembourg, Poland, Portugal and Spain) and 'EU citizens with retained rights' (i.e. citizens from other EU countries who were legally resident from before 31/12/2020), to inform them that they do not need to take any action and that, in England, they are eligible to remain registered and, in Wales, they remain eligible to vote in Police and Crime Commissioner elections.

Timing of the ECR process

The ECR process must be completed between 7 May 2024 and 31 January 2025. It will be for you to determine the best time to complete the process within this window. You will need to consider whether this should be before, during or after the annual canvass in 2024.

Your decision on the most appropriate time to carry out the ECR will depend on your local circumstances, including the scale of the write out required in your area and the impact of post-poll work following any scheduled elections in May 2024.

When making the decision about when you will run the ECR process you should consider the following:

- The results of your data-based review which will allow you to determine:
 - how many electors are eligible to remain registered
 - how many electors you will need to contact by correspondence to confirm their eligibility
- The requirement that you must write to every EU citizen on your register to confirm the outcome of the review (even if they remain eligible)
- That where a review is required the full reminder cycle will require three written contacts, and a personal contact attempt (which may be a door knock or a telephone call)
- The number of staff available to you, both in your core team and temporary staff
- The ability of your printers to produce the additional forms and materials needed

If you decide to conduct the ECR before you start the annual canvass, you will also need to think about:

- Staffing implications – you will need to consider the availability of staff post-election and pre-canvass for example, will you have sufficient staff available to manage the process, answer queries and make personal contacts when required?

- How you will ensure that you have clear messaging to EU citizens, taking into account that their household will also receive a canvass communication shortly after receiving an ECR letter/email

If you decide to conduct the ECR during the canvass period, you will need to think about:

- The impact on staff time and resources of processing canvass returns at the same time as responses to the ECR process
- Whether you will utilise canvassers to complete the personal contact part of the ECR process at the same time as door-knocking for the canvass
- How you will mitigate for queries/potential confusion from electors who receive canvass communications at the same time as being contacted as part of ECR process

If you decide to conduct the ECR process after canvass, you will need to think about:

- Timescales –
 - whether you will have sufficient time to complete all three possible contact stages as appropriate before 31 January 2025
 - whether you will use your ability to delay register publication until 1 February 2025, and if so what impact that may have on your plans in advance of May 2025 polls
- Any impact conducting the ECR process during the Christmas period could have on staff availability and, if you are conducting the personal contact stage at this time, your success rates for making contact with electors
- Tailoring your communications with EU citizens so that they understand a response is required to ECR correspondence even though they may have just completed a canvass response

Considerations for EROs in Wales

Given that EU citizens in Wales will only be subject to a review of their right to vote at Police and Crime Commissioner elections, you will need to consider carefully the messaging you will use when contacting EU citizens as part of the ECR process.

Changes to candidacy rights

The changes to candidacy rights for EU citizens are due to come into force from 7 May 2024. EU citizens standing as candidates or elected after this date will need to ensure that they have leave to enter or remain in the UK, or not require such leave. You will need to consider how you will communicate this change to candidates and agents, and current members.

Annex – Additional detail on the new provisions

Set out below is an overview of the provisions which are coming into force during 2023 and 2024. Further detail on the individual provisions can be found in the Business Change Network (BCN) Information pack and FAQs.

Absent voting

The following provisions are due to come into force in October 2023 and will apply for all election types in England, Police and Crime Commissioner and UK Parliamentary elections in Wales, and UK Parliamentary elections in Scotland:

- Electors will have the option to apply for a postal vote and some types of proxy vote using a new online portal
- New identity verification requirements will be introduced for all absent vote applications, whether they are made online or by the paper route, with the exception of emergency proxies:
 - All applications will be subject to a DWP check similar to the process for applications to register to vote
 - For applicants whose identity cannot be verified by the DWP check, there will be a need to follow an exceptions process and, failing that, an attestation process
- Postal vote arrangements will be limited to a maximum of three years, at which point the elector will need to make a new application
- The total number of electors for whom a person may act as a proxy will be limited to four, of which no more than two can be domestic electors (i.e. an elector that is neither an overseas elector nor a service voter)
- All electors who have a permanent proxy vote will be required to reapply for their proxy vote before 31 January 2024
- The personal identifiers (PI) refresh process for proxy voters and postal voters at devolved polls remains the same however and will continue to operate on the five-year refresh cycle.

The secondary legislation that provides for these changes has now been laid and can be found [here](#).

Overseas electors

The following provisions are expected to come into force in January 2024:

- The removal of the 15-year limit on expatriates' right to vote in UK Parliamentary elections. All British citizens overseas who were previously registered or resident in the UK will be enfranchised

- The registration period will be extended to a maximum of three years and renewals will be set to a fixed point of 1 November, in line with the updated absent voting provisions for overseas electors
- Overseas electors will have the option to re-apply for a postal or refresh their proxy vote, which will then be 'tied' to the new three-year period of registration (unless a shorter period for the absent vote is specified by the elector and it therefore expires before)

Postal vote handling and secrecy

These provisions will be in effect for polls taking place from May 2024:

- There will be new restrictions on the handling of postal votes, including:
 - a ban on political campaigners handling postal votes, except where the postal vote is their own, that of a close family member or someone that they provide regular care for
 - limits on the number of postal votes that a person can hand in at polling stations and council offices
 - any person who hands in postal votes at polling stations or council offices will be required to complete a form
- Secrecy requirements will be extended to postal and proxy votes

EU citizens' voting and candidacy rights (EUVCR)

These provisions come into force in November 2023 but will only take effect after the scheduled elections in May 2024.

In England the general right of European Union citizens to register, vote, and stand in UK elections which use the local election franchise will be removed. In Wales, this will be the case for Police and Crime Commissioner elections but not for local government elections.

Two groups of EU citizens will retain their voting and candidacy rights:

- 'Qualifying EU citizens' – i.e. citizens of EU countries which have a reciprocal agreement with the UK Government, currently Luxembourg, Poland, Portugal and Spain – these countries are sometimes referred to as the EU4
- 'EU citizens with retained rights' – i.e. EU citizens from any other EU country who were already legally resident in the UK before 31/12/2020 – these countries are sometimes referred to as the EU20

This change will not affect the rights of citizens from Ireland, Malta or Cyprus.

- You will need to identify EU citizens who should have their eligibility reviewed as part of an Eligibility Confirmation and Review (ECR) process
- You will need to write to electors that you identify as being 'Qualifying EU citizens' and 'EU citizens with retained rights', to inform them that they are eligible to remain registered and that they do not need to take any action
- There will also be a change to the application process in order to determine applications under the new eligibility criteria

The secondary legislation that provides for the ECR process has now been laid and can be found [here](#).

Changes to candidacy rights

- The changes to candidacy rights for EU citizens are due to come into force from 7 May 2024. Transitional arrangements will enable EU citizens elected to office before this date to remain in office for their full term.
- After this date EU citizens standing as candidates will need to have been legally resident in the UK prior to 31 December 2020 (i.e., have leave to enter or remain in the UK, or do not require such leave) or be a citizen from an EU4 country (Luxembourg, Poland, Portugal and Spain) in order to be eligible to stand as a candidate.
- You will need to consider how you will factor these changes into your training and briefing for team members to ensure they understand the new rules when supporting candidates and agents and managing the nomination process.

Undue influence and intimidation

These provisions are due to come into force in November 2023 and will apply to elections taking place from May 2024. The measures apply to all election types in England and Wales and UK Parliamentary elections in Scotland.

The offence of undue influence will be simplified and the types of illegal behaviour used to unfairly influence someone's vote will be defined. A new disqualification order will be introduced, providing that anyone who has been convicted of an existing criminal offence of an intimidatory nature will be disqualified from standing for election, being elected to, or holding a relevant elected office for a period of five years.

The secondary legislation that provides for the change to undue influence has now been laid and can be found [here](#).

Commonly Used Names and Candidate addresses

Commonly used names

This provision will apply to all election types in England, Police and Crime Commissioner and UK Parliamentary elections in Wales, and UK Parliamentary elections in Scotland from May 2024:

- This will provide greater flexibility in the names a candidate can put on their nomination paper. This will allow, for example, someone who is commonly known by their middle name, to use only this name on their nominations paper rather than having to use both their first name and middle name as is currently the case.

Candidate addresses

This provision will apply for UK Parliamentary elections from May 2024:

- This measure will allow candidates for UK Parliamentary elections who wish to withhold their home address from the ballot paper to use their local authority area as their address as an additional alternative to the constituency area.

Digital imprints

Campaigners will be required to include imprints on their digital political campaign material. The final draft of the statutory guidance on the digital imprints provisions is available to view [here](#).