



Cabinet Office

# **A democracy that works for everyone: British citizens overseas**

Policy Statement

October 2016

## A democracy that works for everyone: British citizens overseas

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## **Foreword**

I am delighted to publish the detail of our plans to implement our manifesto commitment to introduce votes for life, scrapping the rule that bars British citizens who have lived abroad for more than 15 years from voting.

British citizens living abroad retain strong links with the United Kingdom: they may have family here, and indeed they may plan to return here in the future. Equally, there are many British citizens abroad who have fought for our country, dedicating their lives to our armed services. Their stake in our country must be respected.

This Government will not deny them the opportunity to have their say in the way their country is governed. That is why I am proud to be setting out in this document the detail of the Government's approach to implementing votes for life.

I look forward to working with the electoral and expatriate communities as we take forward these proposals.

**Chris Skidmore MP**  
Minister for the Constitution

## Policy summary

### Introduction

1. The Government's manifesto sets out a commitment to "introduce votes for life, scrapping the rule that bars British citizens who have lived abroad for more than 15 years from voting". This document sets out the Government's intended policy approach to delivering this commitment.
2. While we have sought to make this document as clear and comprehensive as possible, a degree of complexity is unavoidable in a policy which needs to work for an estimated 5 million diverse British citizens overseas, as well as all those who might move overseas in the future.

### Current system

3. British citizens who have previously lived in the UK and who have moved abroad and wish to vote in parliamentary elections<sup>1</sup> can apply to register as an overseas elector in the constituency in which they were last entered in a register of parliamentary electors (before leaving the UK) provided that that entry was in force within 15 years of making an application to register as an overseas elector.
4. Currently, anyone not previously registered is not entitled to register as an overseas elector. An exception to this is for those who were too young to register to vote when they left the UK, who are entitled to register using their parents' former registration address if they were also resident at that address.
5. The identities of overseas electors are verified in the same way as that of domestic electors (using their name, date of birth and National Insurance number, with a separate process for those unable to provide a National Insurance number). Registrations must be renewed annually.
6. There is separate provision for those serving in the armed forces, Crown servants (such as those in the diplomatic service and the overseas civil service), and employees of the British Council, together with their spouses or civil partners. The 15 year time limit does not apply to these categories of electors and they can vote in the full range of UK elections for as long as they remain qualified under the separate provisions (such as by remaining in the armed forces, for example).

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<sup>1</sup> An overseas elector who is entitled to vote in a parliamentary election in pursuance of an overseas elector's declaration is also entitled to vote as an overseas elector in a European Parliamentary election.

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### Proposed system

7. The Government intends to enfranchise any British citizen<sup>2</sup> overseas who was previously resident or registered to vote in the UK.
8. These changes will not affect the type of election which an overseas elector can vote in. Overseas electors will remain unable to vote in local government elections, elections to the devolved legislatures and elections for police and crime commissioners. The franchise for referendums will continue to be set by Parliament on a case-by-case basis.

### Application process

9. As now, an overseas applicant will make an application which includes an overseas elector's declaration (though in practice both the application and declaration are done on a single form). The declaration will contain information about the applicant's entitlement to be an overseas elector, while the application will contain more practical information needed for verification of the applicant's registration.
10. Applicants will continue to be able to make applications using the register to vote service<sup>3</sup> on GOV.UK, as well as by using paper forms or (in some cases) by telephone.

### Identity verification

11. Before they can be registered, in common with all domestic applicants, the overseas applicant will need to have their identity verified. They will also need to satisfy the electoral registration officer (ERO) that they are eligible to be an overseas elector, either in relation to being previously registered or being previously resident. This will be verified by the ERO. Annex A lists the requirements for applications and declarations.
12. Applicants who cannot provide a National Insurance number, or who cannot be verified against existing Government records, will be asked to provide a copy (or the original, at the ERO's discretion) of their current British passport as documentary evidence. This is an additional step not included in the current system, which allows only an attestation (see below) if the applicant cannot be verified using their National Insurance number.
13. An applicant who cannot provide a verifiable National Insurance number or a UK passport can have their identity verified by another registered overseas elector using an attestation, which is a signed, written statement from another British citizen overseas who is registered to vote in the UK, swearing that – to the best of the attestor's knowledge – the applicant is who they say they are.
14. We intend to maintain the existing requirements for overseas electors' attestations, with the addition of the attestor's registration address and a requirement for the

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<sup>2</sup> As now, only British citizens – as defined by the British Nationality Act 1981 – resident abroad and not subject to any incapacity will be entitled to register to vote as overseas electors; no other types of British nationality (for example British National (Overseas), or British subject) will be eligible.

<sup>3</sup> <http://gov.uk/register-to-vote>

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attestor to confirm they are aware of the criminal penalty associated with knowingly providing false information to an ERO.

15. There is an existing limit on the number of attestations an elector can make in support of a domestic applicant (two per elector in a certain time period<sup>4</sup>), which is designed to put a limit on any potentially fraudulent applications. However, there is currently no limit on the number of attestations which a person can make in support of an overseas application. This is inconsistent, and so under these new proposals, there will be a limit of *any* two attestations which an elector can make in support of an application for registration within a given period. See annex C for more details on attestation requirements.
16. Applicants who cannot provide a verifiable National Insurance number, or current UK passport, or an identity attestation, will not be able to register as an overseas elector.

### Address verification

17. As now, overseas electors will be entitled to register in respect of just one UK address, and the ERO will need to be satisfied of the applicant's connection with that address. This connection can be one of previous registration or residence.
18. For most applicants, their eligible address will be the address at which they were last registered to vote (likely also to be the address at which they were last resident). For most (and an increasing proportion of electors over time) this will be verified by the ERO checking previous electoral registers. If the ERO is not able to verify the applicant's connection to the address that way, the applicant will be asked to provide evidence that they were resident at that address. This can be either documentary evidence (annex B lists the acceptable forms), or an attestation, in which a qualifying elector signs to say the applicant was registered at the relevant address.
19. A very small number of applicants who are registering at their previous registration address will never have lived there. Applicants in this situation may include some service electors who registered somewhere they were never resident, and someone without a fixed address while living in the UK. If these applicants cannot be verified through a previous register check, they will instead need to provide an attestation in which an eligible elector signs to confirm that they would have been eligible to register at the relevant address.
20. Some applicants will be entitled to register at the address at which they were last resident and not registered to vote. This will include anyone who was never registered to vote while living in the UK, or, at the ERO's discretion, anyone who cannot prove their connection to the last address at which they were registered in the manner outlined above. These applicants will need to provide documentary evidence of residence, or an attestation. Applicants who cannot provide acceptable proof of their previous registration/residence will not be able to register as an overseas elector.

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<sup>4</sup> The period of time either since the attestor was added to the register, or since the last annual publication of the register, whichever is the shortest.

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21. See annex C for more detail on attestations and the different types.

### Renewal of registrations

22. An overseas elector will, as now, remain registered for 12 months<sup>5</sup>. In the three months before their registration is due to expire, the ERO will (as now) send them two reminders to renew their registration. The sending of these reminders by EROs will be mandatory and the reminders will be able to be sent electronically.

23. All overseas electors' registrations will automatically end and their entries will be removed from the register 12 months after they have been created unless the elector makes a successful renewal declaration (requirements for which are set out in annex D), in which case the registration will be extended for a further 12 months. Providing an individual always successfully renews their declaration every year their registration can continue indefinitely. If an overseas elector does not seek to renew the registration or is unable to successfully renew they will be removed from the register and must, if they wish to vote as an overseas elector, make a fresh application.

24. When the elector completes their renewal, they will be required to confirm that they have not registered to vote somewhere else in the UK in the last 12 months, and that they remain a British citizen.

25. To increase the numbers of overseas electors who renew annually, rather than let their registration lapse until there is another election in which they can participate, we intend to simplify renewal requirements – see annex D for more information.

### Costs

26. The majority of the ongoing costs brought by the Government's proposed policy will be incurred by local authorities' Electoral Registration Officers in the first instance, as it is their time and resources which are needed to process applications to register as an overseas elector and renewals of overseas registrations.

27. The level of these costs will depend entirely on the number of newly eligible electors who choose to apply to register and as such cannot be predicted in advance. The Government intends to provide funding for electoral registration officers' costs which are incurred as a result of the new policy in accordance with the new burdens doctrine. Further details will be announced in due course.

28. The policy is also likely to result in some one-off costs associated with IT system changes. Initial estimates of these cost are: ~£0.1m to change the online electoral registration service on GOV.UK to allow electors made eligible to use the service and overseas electors to renew online; and ~£0.7m to make changes to electoral management software used by Electoral Registration Officers to allow them to process applications from, and to record registrations of, electors newly made eligible, and to process renewals of registration made through the online service on GOV.UK.

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<sup>5</sup> More specifically, they will remain registered until the end of the 12 month period beginning with the date when their entry in the register first takes effect.



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29. Any increase in the size of the registered electorate will slightly increase the costs of conducting polls, and so increase the cost to the consolidated fund of polls which use the parliamentary electorate. Furthermore, we expect there to be some costs associated with communications and awareness raising campaigns targeting newly eligible electors.

### **Feedback**

30. The Government welcomes feedback from any interested party on these proposals. Comments on the proposed policy described in this document can be sent to [overseas-electors@cabinetoffice.gov.uk](mailto:overseas-electors@cabinetoffice.gov.uk).

**Cabinet Office**  
October 2016

## Annex A: Application and declaration requirements

The following table sets out the information that an applicant will need to provide, including whether the information will be requested in the application or the declaration.

Registration requirement under Government's proposals	Reason for this being a requirement	Is this a policy change?	Application (A) or declaration (D)? <sup>6</sup>
<p>i. Applicant's full name</p> <p><i>For Northern Ireland (NI) the applicant's signature is also required.</i></p>	Needed for register entry	No	D  A
<p>ii. Applicant's date of birth or, the reason why they are not able to provide this information, and a statement as to whether the applicant is under 18 years old</p> <p><i>For NI the applicant must provide their date of birth</i></p>	Needed to determine eligibility and verify identity	Yes - no longer asking whether they are over 76 in England and Wales	A
<p>iii. Applicant's NI number or the reason why they are unable to provide this information</p> <p><i>For NI the applicant must provide their NI number or a statement that they do not have one</i></p>	Needed for identity verification	No	A
<p>iv. (Optional) Space for applicant to provide most recent previous name</p> <p><i>This does not apply to NI</i></p>	Useful to increase chances of matching with central Government data	No	A
<p>v. Applicant previous name if changed since last registered or resident, and reason for change if so</p> <p><i>This does not apply to NI</i></p>	Needed to associate applicant with their previous register entry or their documentary evidence or previous residence or registration	Yes - but limited to the need to insert reference to residence	A
<p>vi. Open register preference</p>	Needed to remove applicant from	No	A

<sup>6</sup> While this column sets out the formal requirement, in practice, an application and declaration are made together on one form.

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	open register or not		
<b>vii.</b> Declaration of truth and awareness of financial penalty for provision of false information	Needed for trust of application	No	D
<b>viii.</b> Date of the application/declaration	Needed to determine relevant date	No	D
<b>ix.</b> That the applicant is a British citizen	Needed to determine eligibility	No	D
<b>x.</b> That the applicant is not resident in the UK	Needed to determine eligibility	No	D
<b>xi.</b> Which of the following addresses the applicant is registering in respect of, and the details of this address: A. The UK address at which they were last registered or, B. The UK address at which they were last resident, or, C. The last UK address at which they would be eligible to register by means of a declaration of local connection, were they to be in the same situation in relation to that address now.	Needed to determine eligibility and assign constituency	Yes - a change (by adding B and C, as A was previously the only option)	D
<b>xii.</b> An indication of when they were last resident or registered (as applicable) at the address in xi	Needed to be able to check veracity of assertion that this is the last address and link to the correct previous registration etc	Yes - a change to what it's referring to	D
<b>xiii.</b> An address at which the applicant may be contacted	Needed for ERO to contact the applicant	No	A
<b>xiv.</b> If the applicant was previously registered, a statement if they were or were not last registered as service elector, or using a declaration of local connection, or by virtue of being a merchant seaman	Needed for ERO to know which part of the previous register to check, and for the requirement below	Yes - edited	A
<b>xv.</b> If the applicant was last registered as a service elector or a merchant seaman, whether they were also ever resident at their last registration address	Needed in cases where the previous register is not available to determine whether ERO requires evidence of	Yes - new requirement	A

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	address connection or an attestation		
<p><b>xvi. (Optional) If last registered as a service elector or a merchant seaman and not resident at their last registration address, then:</b></p> <ul style="list-style-type: none"> <li>• <i>If they were last registered as a member/spouse of a member of the armed forces, the service in which that member served, the rank or rating of that member, and the service number of that member</i></li> <li>• <i>If they were last registered as a Crown servant/spouse of a Crown servant, the name of the Government department, a description of the post of that servant, and any staff number, payroll number or other similar identifying number of that employee</i></li> <li>• <i>If they were last registered as a British council employee or spouse/civil partner of a British Council employee, a description of the post of that employee.</i></li> <li>• <i>If they were last registered as a merchant seaman, a description of their employment (note that spouses/civil partners of merchant seamen are not eligible)</i></li> </ul>	<p>Needed in cases where the previous register is not available - if provided will allow the ERO to not require an attestation of previous service from the applicant</p>	<p>Yes - new requirement</p>	<p>A</p>
<p><b>xvii.</b> Passport details (number and date of issue) or further nationality details if do not have current British passport</p>	<p>Useful to allow for the possibility of security and nationality checking</p>	<p>Yes - but only to remove place of issue (not useful)</p>	<p>A</p>
<p><b>xviii.</b> If the applicant's last registration was as an overseas elector, then they must indicate when they were last registered as an overseas elector</p>	<p>Useful if the ERO does not hold registers in which an applicant's 'original' ordinary registration appears, but does hold more recent register in which their previous overseas registration appears.</p>	<p>No</p>	<p>A</p>
<p><b>xix. (Optional) The applicant's email address and telephone number</b></p>	<p>Useful to contact the applicant</p>	<p>No</p>	<p>A</p>

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<i>This does not apply to NI.</i>			
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## Annex B: Documentary evidence requirements

An electoral registration officer may require an overseas applicant to supply documentary evidence in order to establish their connection with their registration address. This can be either **one** item from list A, or **two** items from list B.

### List A

- Household utility bill (such as gas, electric, water or telephone).
- Full UK photocard driving licence with signature or 'old style' driving licence (including provisional or expired licences).
- Bank, building society or credit card statement, or bank or building society passbook.
- Local authority tax bill (eg council tax bill).
- Local authority rent book.
- Solicitor's letter confirming house purchase or land registry confirmation, or an official copy of the land register or other proof of title.
- HM Revenue & Customs (Inland Revenue) tax document such as a tax assessment, statement of account or notice of coding.
- Original notification letter from the relevant benefits agency confirming entitlement to benefits or the state pension.
- Pension or benefit correspondence from the Department for Work and Pensions.
- Instrument of a court appointment, eg probate or court-registered power of attorney.

### List B

- Payslip.
- Employment document, such offer of employment or reference.
- School, college or university (or UCAS) document, such as offer of a place, or confirmation of attendance.
- Insurance documents, such as full insurance schedule, or letter confirming insurance cover.
- Student loans company letter.
- Mobile telephone bill.
- Other evidence prescribed in guidance given by the Minister.

The evidence must be dated but that date can be earlier than the date the applicant left the address concerned.

## Annex C: Attestation requirements for overseas applicants

### Identity attestation

An overseas identity attestation must:

- a. confirm that the applicant is the person named in the application;
- b. be in writing and signed by a registered overseas elector who is a British citizen living overseas and who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant;
- c. state the full name, overseas address, UK registration address and occupation of the person signing the attestation;
- d. state the attestor's British passport number together with its date of issue;
- e. state the date on which it is made; and
- f. confirm that the person signing the attestation is aware of the criminal penalty for providing false information to a registration officer.

### Address connection attestations

There are three types of attestation that can be used to establish an applicant's connection to the address at which they are applying to register, if this cannot be established through a previous register check or using documentary evidence. Which attestation(s) is or are appropriate will depend on the applicant's situation.

#### **Attestations for those previously resident at their overseas registration address**

##### *Attestation of previous residence*

A substantial majority of applicants will have lived at the address at which they are applying as an overseas elector. If such an applicant is unable to provide documentary evidence of their previous residence at that address, they should provide an attestation of previous residence, even if they have been previously registered to vote at that address..

An overseas address attestation for an applicant previously resident in the UK must:

- a. confirm that the applicant was resident at the address at which they are applying to register;
- b. be in writing and signed by a registered elector and who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant;

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- c. state the full name, address, registration address (if different) and occupation of the person signing the attestation;
- d. confirm that the person signing the attestation is aware of the criminal penalty for providing false information to a registration officer; and
- e. state the date on which it is made.

### Attestations for those never resident at their overseas registration address

A minority of overseas applicants may never have been resident at their overseas registration address.

This might apply to someone who did not have a fixed address when they left the UK. If they were registered to vote (using a declaration of local connection, which allows someone without a fixed address to register at a nearby address), their ERO may be able to find the applicant using previous registers. If this is not possible, including for those who were not registered to vote when they left the UK, they will need to use an attestation to establish that they were of no fixed address and their connection to their overseas registration address.

Another group of applicants who may never have been resident at their eligible overseas address includes anyone previously registered to vote at a UK address as a service elector (someone in the armed forces, or a Crown servant serving abroad, or the spouse of one of these), or as a merchant seaman - both of these categories are able to register as domestic electors at an address at which they are not actually resident. This type of previous registration entitles these groups to subsequently register as an overseas elector. If the ERO cannot verify their registration using previous registers, this group will need to establish both the fact that they were formerly in service or a merchant seaman, and their connection with their registration address.

#### *Attestation of previous status*

A former service elector or merchant seaman elector will optionally be able to establish their (or, as applicable, their spouse's) previous professional status themselves as part of their overseas application. They will be able to provide their armed forces staff number, or other details of their employment, to allow the ERO to verify their professional status. Someone previously in service who cannot provide these details will need to provide an attestation of previous status if their registration cannot be verified by a check of the previous registers.

An attestation of previous status must fulfill the following:

- a. If the applicant has stated in their application that they were a **service elector**, the attestor should confirm that the applicant or their spouse / civil partner / parent / guardian (which of these is applicable will be determined by what the applicant in their application stated in their application) was either in the armed forces, a crown servant or an employee of the British Council.
- b. If the applicant has stated in their application that they were a **merchant seaman**, the attestor should confirm that the applicant was employed as a merchant seaman,



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- c. It should state that the attestor is aware of the penalty for providing false information to a registration officer;
- d. It should state the full name, date of birth, address at which the attestor is registered to vote, and their correspondence address if different to their registration address, electoral number and occupation of the person attesting the application,
- e. It should state the date on which it is made, and
- f. It should be in writing (electronic submission possible as long as the signature requirement is fulfilled) and signed by a person (the attestor):
  - i. who is registered as an elector in the United Kingdom (of any kind);
  - ii. whom the registration officer is satisfied is of good standing<sup>7</sup> in the community;
  - iii. who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant;
  - iv. who has not already signed attestations for two applicants since their last entry in the register or since the last revised version of the register was published under section 13(1) of the 1983 Act, whichever is most recent.

### *Address connection attestation*

An address connection attestation for an applicant not resident at their overseas registration address establishes that they have a relevant connection with an address. It must include the following:

- a. If the applicant has stated in their application that they were a **service elector**, the attestor should confirm that the qualifying address the applicant has given in their application was one at which they would have been living were they not living elsewhere due to their service, and that as far as the attestor is aware, the applicant was registered there;
- b. If the applicant has stated in their application that they were a **merchant seaman**, the attestor should confirm that the address the applicant has given is either a place at which they would have been resident but for the nature of their employment, or a hostel/club which provided accommodation for merchant seamen and at which the applicant commonly stayed in the course of their occupation. Additionally the attestor also needs to declare that as far as they are aware, the applicant was registered there;
- c. If the applicant has stated in their application that they had **no fixed address** in the UK, the attestor should confirm:

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<sup>7</sup> [Ministerial guidance](#) (pp. 68–9) defines this as follows: *There is no a precise definition of good standing; however, for purposes of evaluating this point for an attestation, the ERO should consider it to mean someone who has credentials that can be checked and would suffer professional or reputational damage if they were to provide a false attestation.* A non-exhaustive list of potential professions is included in the guidance.

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- i. that the applicant was of no fixed address<sup>8</sup>,
- ii. that the address they have given was the address of, or which was nearest to, a place in the United Kingdom where for a period of at least three months, they commonly spent a substantial part of their time (whether during the day or at night).
- iii. It should state that the attester is aware of the penalty for providing false information to a registration officer;

e. It should state the full name, date of birth, address at which the attester is registered to vote, their correspondence address if different to their registration address, electoral number and occupation of the person attesting the application

f. It should state the date on which it is made, and

g. It should be in writing (electronic submission possible as long as the signature requirement is fulfilled) and signed by a person (the attester):

- i. who is registered as an elector in the United Kingdom (of any kind);
- ii. whom the registration officer is satisfied is of good standing in the community;
- iii. who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant;

These attestations will allow the ERO to be satisfied that an applicant was registered as a service elector, or was resident or registered in the UK at no fixed address, as applicable.

In practice, an applicant not resident at their overseas registration address could be required to provide an attestation of identity, an attestation of previous status and an attestation of address connection. All of these may be made by the same person (if they fulfill all of the requirements) and combined into one document. For example, a single person could attest someone's identity, previous service status, and connection to the address at which they are registering. This will make the process simpler for the applicant and ERO.

There is however to be a limit that no elector may attest more than two applications per year (beginning from the annual electoral register was published, or, if more recent, when they were first added to the electoral register). This will affect all the above types of attestations.

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<sup>8</sup> Or was temporarily resident (even if for an extended period) at a mental health institution or was on remand.

## **Annex D: Renewal requirements**

An overseas renewal declaration must contain the following information:

- a. Full name and date of birth of the elector (or a reason why they are not able to provide their date of birth).
- b. The date of the declaration.
- c. That the elector is a British citizen.
- d. That the elector is not resident in the UK on the date of the declaration.
- e. The UK address at which they are registered as an overseas elector.
- f. That they have not been registered to vote in the UK since their registration for this current overseas elector status.
- g. That the elector believes the matters stated in the declaration to be true.

If the elector is renewing using a paper form or an email declaration, the information already held by the ERO (except date of birth, for security reasons) may be pre-populated by the ERO.

If the elector is renewing on gov.uk, they will be able to declare that the information pre-populated in the reminder sent to them by the ERO remains true, rather than re-entering their address (for example). This will further reduce the information required for a renewal.