



August, 2022

Dear Councillor,

The Electoral Reform Act 2022 was signed into law by the President on 25 July. The Act provides the legislative underpinning for a range of significant electoral reforms in line with commitments in the Programme for Government – Our Shared Future, and includes provision for –

- the establishment of an independent electoral commission – An Coimisiún Toghcháin;
- the modernisation of our electoral registration process to deliver greater accessibility and improved integrity;
- the regulation of online political advertising to provide for transparency during electoral campaigns and ensure that our elections remain free from hidden influences on how we vote;
- the protection of the integrity of our electoral processes which will see the regulation of electoral process information, and online electoral information in order to guard against manipulative or inauthentic behaviour during electoral campaigns;
- the strengthening of our regulatory regime in respect of political donations and accounts, including the provision of new investigatory and enforcement powers to the Standards in Public Office Commission;
- amendments to electoral law to provide that voting on the islands will take place on the same day as for the rest of the country; and
- amendments to facilitate voting when Covid-19 type restrictions are in place.

The provisions of the Act are all subject to commencement, however, we are taking the opportunity to set out in some detail the changes in respect of electoral registration in particular, as local authorities are already preparing to implement those changes with a view to early commencement. The elements surrounding the modernisation of the electoral register were the subject of extensive consultation and pre-legislative scrutiny.

In your work as Councillors with strong links to your communities and local authorities, you know first-hand both that the system has served us well over many years but also that there are improvements that can be made.



Your support and engagement will be critical in the work to enhance the accuracy and integrity of our electoral register.

Franchise and Registration of Electors (Provided for in Part 3 of the Act)

Part 3 of the Act, on Franchise and Registration of Electors, sets out a new way of managing the register and the registration process. Once commenced these provisions will establish a process by which the register will become more accessible, inclusive and responsive. Rather than a statutorily imposed, paper-based cycle, the new process will be much more responsive and registration authorities will have more flexibility in managing the register in respect of their administrative areas. Electors will be able to apply to the registration authority to be included or update their details at any time, mostly using a single online application, though a paper form will remain available for those who wish to use it. All new applications or updates will be subject to a simple identity check step to support ongoing improvements to the integrity of the register. This identity check step can be completed in one of three ways:

- MyGovID where available (this is currently only in Dublin but it is intended to enable it nationally in due course);
- provision of a PPSN that will enable a cross check of data provided with identity data held by the Department of Social Protection, or
- an in-person identity check similar to the current supplement application.

Provision of a PPSN will be a requirement for an online application.

In addition, a revised third party claims process that will retain the ability of any person to submit a claim for correction or update to the register in respect of entries not their own will be retained, though this process will now go through the registration authority who can then take any required action.

A public communications campaign is in development to support registration authorities in seeking engagement of electors, both new and existing to check and complete their information with PPSN, Eircodes and Date of Birth. Where there is no engagement, local authorities will be able to follow up and consider what further action is needed to ensure they are making progress towards a complete and accurate register.



The new process will bring together:

- The personal responsibility of each of us to ensure we are correctly registered;
- The local knowledge and expertise of registration authorities; and
- National level oversight, through annual reporting by registration authorities to the new electoral commission – An Coimisiún Toghcháin that will be able to identify best practice and make recommendations to ensure high standards are developed and maintained over time. The Commission will also have an education and awareness role.

Some additional detail on the key changes is set out in Appendix 1.

Next Steps

It is planned that the provisions relating to the modernisation of the electoral registration process will be commenced in October, once the relevant IT upgrades have been completed across local authorities and on the Checktheregister.ie website.

Departmental officials will be engaging with the AILG and LAMA with a view to organising an information session for Councillors. If you have any queries please do not hesitate to contact our officials in the electoral register modernisation team at registerreform@housing.gov.ie.

As elected representatives, you will be very aware of the importance of an accurate Electoral register and an informed public in our democracy at all levels. The changes being made are not a quick fix, nor a once off. Instead they put in place the processes to ensure that the system can learn, evolve and improve on a continuous basis. We look forward to your continued support in this long-awaited and exciting work.

Yours sincerely,

**Darragh O'Brien, TD,
Minister for Housing, Local
Government & Heritage.**

**Malcolm Noonan, TD,
Minister of State for Heritage and
Electoral Reform.**



Appendix 1 – Key changes in more detail

A Rolling Register

In terms of the register itself, the process of a draft, final and supplement is being replaced by a single live and continuously updated register. The transition will take place on commencement of the relevant provisions in the Electoral Reform Bill and on that day, the register in force will stay and continue in force to be updated on an ongoing basis by the registration authority. Registration authorities will be able to focus their efforts on the quality of the register and its information in a manner tailored to their own area and their own experience of the register.

We are working to enable the commencement of the provisions in respect of the register in October. What this means is that there will be no draft register published in November and instead, the register in force plus any supplement will become the rolling register. This means that, in so far as is practicable, household forms should no longer be used. New forms will issue in advance of commencement of the legislation but in the intervening period supplement forms will still meet the identity check criteria set out in the new legislation. Once the new provisions are commenced, anyone on the supplement can be added to the new ‘live’ register.

Individual Registration and PPSNs

A move away from household forms to individual registration will result in greater clarity for individuals on how they get on the register and give them greater control of their data. This will contribute to greater accuracy as people take responsibility for updating and maintaining their registration. This process will be easier and faster. This does however mean changes to the practice of registering other people, even at their request. Forms may be provided, assistance may be given but each person must be aware of and responsible for their own registration, particularly given the inclusion of PPSNs and the requirement for a declaration of truthfulness on forms.

The use of PPSNs in the process will contribute to greater accuracy, enabling identity data to be cross-checked and will underpin the online process. The introduction of PPSNs in the process will also allow for improved management of entries on the register relating to deceased people. PPSNs, like date of birth under the current system, will never appear on the published register.



An online option, for application and update which will now be sent directly to the registration authority in all cases, with an appeal to the County Registrar if refused. A paper form will remain available for those who wish to use it but the easiest way for people to register will be online through the upgraded www.checktheregister.ie, which will be launched on commencement of the legislation.

Availability of the register

The www.checktheregister.ie website will still be available for people to check their own details and will have new functionality allowing for updates to be notified to the registration authority. Similar to the current process, the register will be made available to elected representatives but it will be a ‘point in time’ extract of the register as it is at that time. Registration authorities will be required to publish the register in advance of an electoral event but may do so at any time. It will also remain possible to inspect the register at the offices of the registration authority, though given the nature of the rolling register, it will no longer be a requirement for copies to be left in Garda Stations, post offices or libraries, though local authorities may do so if they consider it appropriate. Copies of the register will also be available to any person as now but the Local Authority is required to draw the attention of all persons seeking a copy of the register to the legitimate use of the register and the offences for misuse.

Claims and third party information

The third party claims process is being retained but in a revised form that allows a person to notify the local authority of any issues with the register. These claims are to be made directly to the registration authority, which will determine what, if any, action it should take. It also provides that a person affected by such decision has the right of appeal.

Removing names from the register

A clear process has been put in place to remove people from the register where the local authority considers it necessary for a complete and accurate register. With the exception of deceased individuals, Local Authorities will be required to attempt contact a person at least three times to give them the opportunity to engage before they are removed from the register. If a person is removed, they can reapply through the new streamlined process.



Further Registration options

The legislation provides new options for some specific cohorts of electors, including:

- pre-registration for 16 and 17 year-olds meaning that once they reach the age of 18 they will be automatically added to the electoral register. This allows for ample opportunities to engage with this age group, through education for example to ensure that they are ready to use their vote as soon as they are eligible;
- an anonymous registration process for people whose safety may be at risk if their name and address were to be published. While not a huge cohort in terms of numbers it is very important that everyone who is entitled to be on the register can be without fear;
- specific arrangements for people with no fixed abode who wish to be entered onto the electoral register. This process allows them to provide two addresses to their registration authority, including one where correspondence can be directed to;
- amendments to arrangements for special voters to cater for the provision of alternative voting arrangements, to ensure that residents in nursing homes and similar institutions can exercise their right to vote if those places are not accessible;
- current postal voting provisions relating to illness are amended to include those, who because of mental health difficulties, are not able to attend polling stations to vote. The deadlines for receipt of postal or special voting arrangements in advance of electoral events will remain unchanged but as with other applications, they can otherwise be made at any time throughout the year.

Longer term – a national electoral registration system

In the longer term, the Electoral Reform Act 2022 also provides for the development of a single shared database for use by all local authorities as they continue to manage and update the register in respect of their own areas. Work to develop this system is ongoing.