



Department for Levelling Up,  
Housing & Communities

**Department for Levelling up, Housing and  
Communities**

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[www.gov.uk/dluhc](http://www.gov.uk/dluhc)

Our Ref: 19515915

Your Ref:

Date: **19 July 2022**

Dear Lara Parizotto,

Thank you for your letter of 12 January, regarding the Elections Bill and its impact on EU, EEA and Swiss nationals. Please accept my sincere apologies for the delay in responding.

Any EU citizen, not just those holding EU Settlement Scheme Status, who was a resident before the end of the Transition Period on 31 December 2020, and who has retained lawful immigration status, will retain their local voting and candidacy rights in England and Northern Ireland – and for Police and Crime Commissioner elections in England and Wales. EU citizens who arrived in the UK after this date will move to a position whereby future local voting and candidacy rights rest on the principle of a mutual grant of rights, through voting and candidacy rights agreements with EU Member States. This approach ensures we also are protecting the rights of British citizens living in EU countries.

EU Citizens were granted the right to vote and stand in local elections in the UK in 1995 in accordance with the Council of the European Communities directive No.94/80/EC, which set out 'arrangements whereby citizens of the Union residing in a member state of which they are not nationals may exercise the right to vote and to stand as a candidate there in municipal elections.' This agreement did not extend to EEA countries, nor to Switzerland. Citizens of these countries have never held the right to vote in England or Northern Ireland.

Following commencement of the relevant provisions in the Elections Bill, registered EU nationals who arrived in the UK after the end of the Transition Period, and who are not covered by a bilateral agreement, will have their registration reviewed. This process will be carried out by Electoral Registration Officers (EROs) who will be required to remove from the register those EU citizens who have ceased to be eligible. Every person affected by this will be notified by the ERO. The Government is committed to ensuring this process meets the needs of both electors and EROs, and further details will be set out in due course.

Turning to the matter of a residency based electoral registration system, citizenship restrictions are the norm for participating in elections in most democracies. The right to reside in the UK does not confer the right to participate in our democratic processes. American nationals, for example, may have the legal right to reside in the UK; they do not, however, have the right to vote. The Government has no plans to review this.

The intention behind the proposed changes to EU citizens' voting and candidacy rights is to update the franchise to appropriately reflect our new relationship with the EU. To this end, the

Bill's provisions are focused on the retention of existing rights, rather than the creation of new ones. The Government's approach is a sensible one – of recognising established rights, whilst moving to new bilateral agreements with individual nation states in the EU, so these can continue a secure footing.

Thank you for taking the time to raise these points with us.

With thanks again for your time,

Elections and Union Correspondence Team