

Draft Regulations laid before the Scottish Parliament under section 201(2) of the Representation of the People Act 1983, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

REPRESENTATION OF THE PEOPLE

The Representation of the People (Data Matching) (Scotland) Regulations 2020

Made - - - - 2020
Coming into force - - 3rd March 2020

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 53(1) and (3) and 201(3) and paragraphs 1A and 13(1ZB) of schedule 2 of the Representation of the People Act 1983(1) and all other powers enabling them to do so.

In accordance with section 53(5) of the 1983 Act(2) and section 7(1) and (2)(e) of the Political Parties, Elections and Referendums Act 2000(3), the Scottish Ministers have consulted the Electoral Commission. In accordance with section 53(5), the Scottish Ministers have also consulted the Information Commissioner and such other persons as they considered appropriate.

In accordance with section 201(2) of the 1983 Act(4), a draft of these Regulations has been laid before and approved by resolution of the Scottish Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Representation of the People (Data Matching) (Scotland) Regulations 2020 and come into force on 3 March 2020.

(2) These Regulations extend to Scotland only.

(1) 1983 c.2. Paragraphs 1A and 13(1ZB) were inserted by section 2 and schedule 2 of the Electoral Registration and Administration Act 2013 (c.6). Section 53(3) has been amended by section 24 and paragraph 13 of schedule 4 of the Representation of the People Act 1985 (c.50). The functions of the Secretary of State are, insofar as within devolved competence, transferred to the Scottish Ministers by section 9 of the Scotland Act 2016 (c.11) and section 53 of the Scotland Act 1998 (c.46).

(2) Section 53(5) was inserted by paragraph 5 of schedule 2 of the Electoral Registration and Administration Act 2013 (c.6).

(3) 2000 c.41.

(4) Section 201(2) was substituted by section 24 and paragraph 69 of schedule 4 of the Representation of the People Act 1985 (c.50) and amended by article 5(b) of S.I. 1991/1728, section 158 and paragraph 6(1) and (7)(b) of schedule 21 of the Political Parties, Elections and Referendums Act 2000 (c.41) and section 13(2) of the Northern Ireland (Miscellaneous Provisions) Act 2014 (c.13).

Amendments to the Representation of the People (Annual Canvass) (Amendment) Regulations 2019

2. The Representation of the People (Annual Canvass) (Amendment) Regulations 2019⁽⁵⁾ are amended in accordance with regulation 3.
3. In regulation 20 (data matching confirmation), in paragraph (1), before “England” insert “Scotland.”

St Andrew’s House,
Edinburgh
Date

Name
Authorised to sign by the Scottish Ministers

(5) [S.I. 2019/1451](#). Regulation 20 was amended by S.I. 2020/[] (W.).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Representation of the People (Annual Canvass) (Amendment) Regulations 2019 ([S.I. 2019/1451](#)) (“the 2019 Regulations”).

The 2019 Regulations make provision in relation to the reformed annual canvass in respect of a parliamentary register of electors and local government register of electors in England. Regulations 20 and 21 of the 2019 Regulations make provision for a data match that will allow registration officers to match the names and addresses of those registered in a register of parliamentary electors in Great Britain or a register of local government electors in England, against other data sources.

Regulation 3 of these Regulations amends regulation 20 of the 2019 Regulations to extend the data matching confirmation to a register of local government electors in Scotland.

The Scottish Government has prepared and is publishing on its website a Business and Regulatory Impact Assessment and an Equality Impact Assessment.