
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 202

**The Business Improvement Districts
(Scotland) Regulations 2007**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Business Improvement Districts (Scotland) Regulations 2007 and shall come into force on 1st April 2007.

(2) In these Regulations—

“the 2006 Act” means the Planning etc. (Scotland) Act 2006;

“alteration ballot” has the meaning given in regulation 18;

“alteration proposals” means proposals in relation to the alteration of BID arrangements pursuant to regulation 18;

“ballot holder” has the meaning given in regulation 7;

“barcode” means marks—

- (a) appearing on the ballot paper and containing in an encoded form information relating to a voter and a ballot;
- (b) capable of being scanned electronically in a manner that permits the encoded information contained in the marks to be decoded; and
- (c) in which the information encoded in the marks cannot be decoded when read only by the human eye;

“BID ballot” means a ballot under section 38(1) of the 2006 Act;

“BID body” means the body (whether corporate or not corporate) responsible for the implementation of the works or services to be provided within the BID arrangements, where a BID body is included in the BID proposals in terms of paragraph (1)(a) of Schedule 1 to these Regulations;

“BID levy” means a levy that is imposed on those persons who are, in respect of particular BID proposals, entitled to vote in accordance with section 39(3) of the 2006 Act;

“BID proposer” means a person who draws up BID proposals;

“billing body” means the person that is appointed by the local authority in respect of the geographical area of the business improvement district for the purposes of the administration, collection and recovery of BID levy (and which may be a local authority or some other person);

“commencement date”, subject to regulation 11(12), means the day, pursuant to section 44(3) of the 2006 Act, the BID arrangements are to come into force;

“data form” means information which is in a form which is capable of being processed by means of equipment operating automatically in response to instructions given for that purpose;

“the day of the ballot” means the day determined by the ballot holder, in accordance with Schedule 2, as the day by which ballot papers must be returned to the ballot holder;

“electronic communication” means a communication transmitted (whether from one person to another, from one device to another or from a person to a device or vice versa)—

(a) by means of a telecommunication system (within the meaning of the Telecommunications Act 1984⁽¹⁾); or

(b) by other means but while in electronic form;

“eligible person” means a person as described in section 39(5) of the 2006 Act;

“eligible ratepayer” means a person as described in section 39(4) of the 2006 Act;

“local authority” means the council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽²⁾ for the geographical area of the business improvement district;

“non domestic rate” has the same meaning as provided for in section 39(12) of the 2006 Act for the purposes of that section;

“re ballot” means a BID ballot, renewal ballot, or alteration ballot, as the case may be, which is required to be arranged pursuant to regulation 11(10);

“relevant property” has the same meaning as provided for in section 39(12) of the 2006 Act for the purposes of that section;

“renewal ballot” means a ballot under section 45(2) of the 2006 Act;

“renewal proposals” means proposals in relation to the renewal of the BID arrangements under section 45(2) of the 2006 Act;

“veto” means a veto by the local authority pursuant to section 42 of the 2006 Act;

“veto notice” means a notice given by a local authority pursuant to section 42(2) of the 2006 Act; and

“working day” means any day other than a Saturday, Sunday, Christmas Day, Good Friday or any day which is a bank holiday in Scotland under the Banking and Financial Dealings Act 1971⁽³⁾.

(3) Words and expressions used in these regulations have the same meaning as they have in the 2006 Act.

(1) 1984, c. 12.
(2) 1994, c. 39.
(3) 1971 c. 80.