
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 264

The Representation of the People (Post-Local Government Elections Supply and Inspection of Documents) (Scotland) Regulations 2007

Interpretation

2.—(1) In these Regulations—

“the 2001 Regulations” means the Representation of the People (Scotland) Regulations 2001⁽¹⁾;

“the 2006 Act” means the Local Electoral Administration and Registrations (Scotland) Act 2006;

“the Absent Voting Regulations” means the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007⁽²⁾.

(2) Any reference in these Regulations to a rule is to a rule contained in Schedule 1 to the Scottish Local Government Elections Order 2007⁽³⁾ and any reference to “the Rules” is to be construed as a reference to that Schedule.

(3) In these Regulations references to the “marked register or lists” means any part of the marked copies of—

- (a) the full register;
- (b) the postal voters list;
- (c) the list of proxies; and
- (d) the proxy postal voters list,

forwarded to the proper officer of the Council under regulation 31 (Forwarding of documents) of the Representation of the People (Postal Voting for Local Government Elections (Scotland) Regulations 2007⁽⁴⁾) or rule 57(b) and (c) (Delivery of documents) of the Rules.

(4) For the purposes of these Regulations any period of days shall be calculated in accordance with regulation 11 (Closing date for applications) of the Absent Voting Regulations.

(5) Sub paragraphs (a) to (c) shall be taken to apply to the supply and processing of information supplied under these Regulations as they apply to the supply and processing of the full register under Part VI of the 2001 Regulations—

- (a) “processor” has the meaning set out in Regulation 114 of the 2001 Regulations;
- (b) any reference to an employee of any person who has access to a copy of the full register shall be deemed to include any person working or providing services for the purposes of that person or employed by or on behalf of, or working for, any person who is so working or who is supplying such a service; and

(1) S.I.2001/497.
(2) S.S.I. 2007/170.
(3) S.S.I. 2007/42.
(4) S.S.I. 2007263.

- (c) a processor may not disclose the full register or the information contained in it except to the person who supplied it to the processor or any other person, or an employee of such a person, who is entitled to obtain a copy of the full register under the 2001 Regulations.
- (6) Subject to any direction by the Scottish Ministers under section 52(1) of the Representation of the People Act 1983⁽⁵⁾, any duty on a proper officer of the Council to supply the marked register or lists or make them available for inspection under these Regulations does not impose a duty to supply that information or make it available otherwise than in the form in which it is held.

(5) 1983 c. 2.