



Political Parties and Elections Act 2009

2009 CHAPTER 12

PART 4

ELECTORAL REGISTRATION

Data schemes

35 Schemes for provision of data to registration officers

- (1) The Secretary of State may by order made by statutory instrument make provision (referred to below as a “scheme”) authorising or requiring specified persons to provide to a specified registration officer, for the purpose mentioned in subsection (2), information contained in records kept by those persons.
- (2) The purpose is assisting the registration officer to meet the registration objectives and, in particular, assisting the officer—
 - (a) to ascertain to what extent those objectives are being met, and
 - (b) to determine what steps should be taken for meeting them.
- (3) A scheme may authorise or require information to be provided at specified times or in specified circumstances.
- (4) A scheme may not authorise or require information to be provided by a person other than—
 - (a) a local or public authority, or
 - (b) a person providing services to, or authorised to exercise any function of, a local or public authority.
- (5) An order under this section may include more than one scheme.
- (6) An order under this section has effect despite any statutory or other restriction on the disclosure of information (but may not permit disclosure in breach of subsection (7)).

Status: This is the original version (as it was originally enacted).

- (7) Information provided to a registration officer under an order under this section may not be disclosed to a person other than one to whom the officer may delegate his or her functions, except—
- (a) for the purpose mentioned in subsection (2), or
 - (b) for the purposes of any criminal or civil proceedings.
- (8) A person who discloses information in breach of subsection (7) is guilty of an offence and liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or to both;
 - (b) on summary conviction in England and Wales and Scotland, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both;
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both.
- (9) An order under this section may contain incidental, supplemental, transitional or saving provision.
- (10) An order under this section must not be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, each House of Parliament.
- (11) In this section “specified” means specified in an order under this section.