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*Status: Point in time view as at 04/05/2001.*

*Changes to legislation: Representation of the People (Scotland) Regulations 2001, Cross Heading: The register is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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## STATUTORY INSTRUMENTS

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# 2001 No. 497

## Representation of the People (Scotland) Regulations 2001

### PART III

### REGISTRATION

#### *The register*

#### **Separate part of register for each parliamentary polling district**

**38.**—(1) The register shall be framed in separate parts for each parliamentary polling district.

(2) Where a parliamentary polling district is contained in more than one electoral area, there shall be a separate part of the register for each part of the polling district contained in each electoral area.

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#### **Commencement Information**

**I1** Reg. 38 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### **Different letter, number or combination of letter and number for each parliamentary polling district**

**39.** There shall be a different letter or letters, number or numbers, or combination of letter and number or letters and numbers in the register for each parliamentary polling district and such letter or letters, number or numbers, or combination shall form part of an elector's number in the register.

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#### **Commencement Information**

**I2** Reg. 39 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### **Qualifying addresses which are not included in the register**

**40.**—(1) Section 9(2)(b) of the 1983 Act<sup>(1)</sup> (which requires each register of parliamentary or local government electors to contain the qualifying addresses of the persons registered in it) does not apply to an address—

- (a) to which paragraph (2) or (3) below applies, or
- (b) which is specified in an overseas elector's declaration in accordance with section 2(4)(b) or (c)(ii) of the 1985 Act<sup>(2)</sup>.

(2) This paragraph applies to an address where it appears to the registration officer that—

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(1) Section 9 was substituted by Schedule 1 to the 2000 Act.

(2) Section 2 was substituted by Schedule 2 to the 2000 Act.

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- (a) a service voter in his service declaration, or
  - (b) a person who has made a declaration of local connection,
- has given that address in such a declaration as an address—
- (i) at which he has resided, but
  - (ii) which is not an address at which he is or would be residing but for the circumstances entitling him to make such a declaration.
- (3) This paragraph applies to an address given in a declaration of local connection in accordance with section 7B(4)(b) of the 1983 Act<sup>(3)</sup>.

#### Commencement Information

**I3** Reg. 40 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Order of names

**41.**—(1) Subject to paragraphs (2) and (3) below, the names and addresses of each separate part of the register shall be arranged in street order.

(2) If the registration officer determines for any part of the register that street order is not reasonably practicable, the names and addresses shall be arranged in alphabetical order or partly in street order and partly in alphabetical order.

(3) The names of each person whose qualifying address is not contained in a register by virtue of regulation 40 above shall be grouped together in alphabetical order—

- (a) at the end of that part of the register to which the address relates;
- (b) beneath the heading “Other electors”, and
- (c) without giving that address.

#### Commencement Information

**I4** Reg. 41 in force at 16.2.2001, see [reg. 1\(1\)](#)

### Marking of names

**42.**—(1) Where no mark appears against a person’s name in the register of electors, this indicates that he is registered in the registers of parliamentary and local government electors.

(2) To indicate that a relevant citizen of the Union is registered only in the register of local government electors, the letter “G” shall be placed against his name.

(3) To indicate that such a citizen is registered in both that register and the register of such citizens registered as European Parliamentary electors, the letter “K” shall be placed against his name.

(4) To indicate that such a citizen is registered only in the register of citizens registered as European Parliamentary electors, the letter “U” should be placed against his name.

(5) To indicate that any other person is registered only in the register of local government electors, the letter “L” shall be placed against his name.

(6) To indicate that an overseas elector is registered only in the register of parliamentary electors, the letter “F” shall be placed against his name.

<sup>(3)</sup> Section 7B was inserted by section 6 of the 2000 Act.

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(7) To indicate that a European Parliamentary overseas elector is registered only in the register of such electors, the letter “E” shall be placed against his name.

**Commencement Information**

**I5** Reg. 42 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Publication of register**

**43.**—(1) The manner in which each revised version of the register is published under section 13(1) or (3) of the 1983 Act<sup>(4)</sup> shall be by the registration officer making—

- (a) a copy of it available at his office, and
- (b) a copy of the part of the register relating to each electoral area available for inspection at a place to which the public have access, in or near that area.

(2) The revised version of the register shall be kept published until the coming into force of the next revised version of it.

**Commencement Information**

**I6** Reg. 43 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Information about register**

**44.**—(1) As soon as practicable after the publication of a revised version of the register under section 13(1) of the 1983 Act, the registration officer shall supply to the Secretary of State, the Scottish Ministers and the Registrar General of Births, Deaths and Marriages for Scotland, a document setting out the information about electors which is required by paragraphs (2) to (4) below.

(2) The document referred to in paragraph (1) above shall state the name of the constituency (and, if only part of the constituency is situated in the area for which the registration officer acts, that part) and shall list the following total numbers of electors in that constituency or part thereof, namely—

- (a) parliamentary electors (including those referred to in sub-paragraph (d) below);
- (b) local government electors (including those referred to in sub-paragraph (d) below);
- (c) those local government electors who are ineligible to vote at parliamentary elections; and
- (d) those registered in pursuance of section 4(5) of the 1983 Act<sup>(5)</sup>.

(3) The document referred to in paragraph (1) above shall set out separately as respects those electors referred to in sub-paragraphs (a) and (d) of paragraph (2) above the following totals, namely—

- (a) those registered by virtue of residence at a qualifying address;
- (b) those registered in pursuance of a service declaration;
- (c) those registered in pursuance of an overseas elector’s declaration; and
- (d) those registered in pursuance of a declaration of local connection.

(4) The document referred to in paragraph (1) above shall in respect of each relevant area in the constituency state—

- (a) its name or number;

<sup>(4)</sup> Section 13 was substituted by Schedule 1 to the 2000 Act.

<sup>(5)</sup> Section 4 was substituted by section 1(2) of the 2000 Act.

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- (b) the letters, numbers or combinations, referred to in regulation 39 above for each parliamentary polling district in each relevant area (or part thereof); and
- (c) if only part of the relevant area is situated in the constituency, that fact;
- and shall list the following total numbers of electors in that area (or part thereof) namely—
- (i) parliamentary electors (including those referred to in sub-paragraph (ii)) below;
- (ii) those registered by virtue of section 4(5) of the 1983 Act; and
- (iii) those local government electors who are ineligible to vote at parliamentary elections.
- (5) In paragraph (4) above “relevant area” means an electoral ward in terms of section 5(5) of the Local Government etc. (Scotland) Act 1994(6).

#### Commencement Information

**I7** Reg. 44 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Preparation and publication of list of overseas electors

**45.—(1)** The registration officer shall prepare a list of the names of each person who appears to him to be entitled to be registered in pursuance of an overseas elector’s declaration (“the list of overseas electors”); and shall include in that list the address specified in that declaration in accordance with section 2(4) of the 1985 Act and regulation 18(1) above.

(2) In respect of each constituency which is wholly or partly comprised in the area for which the registration officer acts there shall be a separate part of the list of overseas electors; and the names of the persons included in each part shall be listed in alphabetical order.

(3) At the time when the registration officer publishes a revised version of the register under section 13(1) of the 1983 Act, he shall publish the list of overseas electors by making a copy of it available for inspection at his office; and the list shall be kept so published until the next revised version of the register is published under section 13(1) of the 1983 Act.

(4) The name of a person appearing to the registration officer to be entitled to be registered in pursuance of a European Parliamentary overseas elector’s declaration (and included in the list of overseas electors by virtue of regulation 13(6) above) shall be marked with the letter “E”.

#### Commencement Information

**I8** Reg. 45 in force at 16.2.2001, see [reg. 1\(1\)](#)

#### Supply of free copies of register and list of overseas electors otherwise than on request

**46.—(1)** The registration officer shall supply, free of charge and on publication, one copy of—

(a) the revised version of the register under section 13(1) and (3) of the 1983 Act(7);

(b) any notice under sections 13A(2) and 13B(3) of that Act; and

(c) the list of overseas electors under regulation 45 above,

to the Secretary of State, the Scottish Ministers, the Electoral Commission, the National Library of Scotland and the British Library.

(2) The registration officer shall supply, free of charge and on publication, one copy of—

(6) 1994 c. 39.

(7) Sections 13 to 13B were substituted by Schedule 1 to the 2000 Act.

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(a) every revised version of the register under section 13(1) and (3) of the 1983 Act; and  
(b) every notice under sections 13A(2) and 13B(3) of that Act,  
to the council or councils constituted under section 2 of the Local Government etc. (Scotland) Act 1994 for his registration area and to the returning officer for that council or, as the case may be, each such council.

(3) As soon practicable after the relevant event, the registration officer shall supply free of charge to a returning officer for any constituency wholly or partly in his registration area as many printed copies of—

- (a) the latest revised version of the register under section 13(1) or section 13(3) of the 1983 Act, as the case may be;
- (b) any notice under sections 13A(2) and 13B(3) of that Act relating to that version of the register, and
- (c) the most recently published list of overseas electors under regulation 45 above,

as the returning officer may reasonably require for the purposes of the forthcoming parliamentary election in his constituency.

(4) In paragraph (3) above—

- (a) “relevant event” means—
  - (i) the announcement of Her Majesty’s intention to dissolve Parliament, or
  - (ii) the occurrence of a vacancy in the relevant constituency; and
- (b) the duty to supply as many printed copies of the register and the list of overseas electors as the returning officer may reasonably require includes a duty to supply one copy of each in data form.

(5) In paragraphs (1) and (2) above the duty to supply one copy of the register and, where relevant, of the list of overseas electors, means—

- (a) in the case of the National Library of Scotland and the British Library, a duty to supply a printed copy of each; and
- (b) in any other case, a duty to supply a copy of each in data form unless, prior to publication, the recipient has requested in writing a copy in printed form.

**Commencement Information**

**I9** Reg. 46 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Supply of free copies of register and list of overseas electors on request**

**47.—**(1) Any supply of a register or a list of overseas electors under this regulation shall be—

- (a) free of charge, and
- (b) on request.

[<sup>F1</sup>(1A) For the purposes of this regulation “register” includes any revised version of the register under section 13(1) and (3) of the Representation of the People Act 1983 and any notice under sections 13A(2) and 13B(3) of that Act.]

(2) Unless the request is for the supply of a printed version of the register or list of overseas electors, the copy shall be supplied in data form.

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(3) The registration officer shall supply to the Member of Parliament for a constituency one copy of so much of the register as relates to that constituency and one copy of so much of the list of overseas electors as so relates.

(4) The registration officer shall supply to each Member of the European Parliament for an electoral region in which that officer's registration area is situated one copy of the register and one copy of the list of overseas electors.

(5) The registration officer shall supply one copy of so much of the register as relates to an electoral ward to—

- (a) the councillor for that ward, and
- (b) each candidate at a local government election for that ward or his election agent.

(6) The registration officer shall supply to a community council one copy of so much of the register as relates to the area of that community council.

(7) The registration officer shall supply to a registered political party one copy of the register.

(8) The registration officer shall supply one copy of so much of the register as relates to a particular constituency and one copy of so much of the list of overseas electors as so relates to—

- (a) any person who satisfies the registration officer that he requires them for use in connection with his own or some other person's prospective candidature at a parliamentary election for that constituency; and
- (b) each candidate at a parliamentary election for that constituency or his election agent.

(9) Not more than one person for the same candidature may be supplied under paragraph (8) (a) above.

#### Textual Amendments

**F1** [Reg. 47\(1A\)](#) inserted (4.5.2001) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2001 \(S.I. 2001/1749\)](#), regs. 1(1), 4

#### Commencement Information

**I10** [Reg. 47](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

### Sale of register and list of overseas electors

**48.—**(1) Subject to paragraph (4) below, the registration officer shall supply a copy or copies of the register or of the list of overseas electors to any person on payment of a fee calculated in accordance with paragraph (2) or (3) below.

(2) In the case of the register—

- (a) in data form, the fee shall be at the rate of £20 plus £1.50 for each 1,000 entries (or remaining part of 1,000 entries) in it; and
- (b) in printed form, the fee shall be at the rate of £10 plus £5 for each 1,000 entries (or remaining part of 1,000 entries) in it.

(3) In the case of the list of overseas electors—

- (a) in data form, the fee shall be £20 plus £1.50 for each 100 entries (or remaining part of 100 entries) in it; and
- (b) in printed form, the fee shall be £10 plus £5 for each 100 entries (or remaining part of 100 entries) in it.

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(4) The registration officer shall not supply a printed copy of the register under this regulation if to do so would result in him having insufficient copies of it for the purposes of any requirement made by or under any enactment.

**Commencement Information**

**I11** Reg. 48 in force at 16.2.2001, see [reg. 1\(1\)](#)

**Supply of register and list of overseas electors in data form**

**49.**—(1) Subject to any direction of the Secretary of State under section 52(1) of the 1983 Act<sup>(8)</sup>, any duty on the registration officer to supply data under regulations 46 to 48 above imposes only a duty to supply such data recorded in the form in which he holds it.

(2) The registration officer shall not supply data which includes information not included in the printed version of the register otherwise than under regulation 46(4).

**Commencement Information**

**I12** Reg. 49 in force at 16.2.2001, see [reg. 1\(1\)](#)

<sup>(8)</sup> The exercise of the powers in section 52(1) is made subject to section 7(1) of the Political Parties, Elections and Referendums Act 2000 (c. 41) and section 52(1A), as inserted by Schedule 21 to that Act, is relevant to those powers.

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