
Status: Point in time view as at 18/12/2013.

Changes to legislation: *Representation of the People (Scotland) Regulations 2001, Cross Heading: General restrictions is up to date with all changes known to be in force on or before 19 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)*

STATUTORY INSTRUMENTS

2001 No. 497

Representation of the People (Scotland) Regulations 2001

[^{F1}PART 6

SUPPLY OF REGISTER ETC

[^{F1}General restrictions

Textual Amendments

- F1** Pt. 6 inserted (with effect in accordance with reg. 2(3) of the amending S.I.) by [Representation of the People \(Scotland\) \(Amendment\) Regulations 2002 \(S.I. 2002/1872\)](#), regs. 2(2), 14

Restrictions on supply of full register and disclosure of information from it by the registration officer and his staff

94.—(1) This regulation applies to—

- (a) the registration officer, and
- (b) any person appointed to assist any such officer or who in the course of his employment is assigned to assist any such officer in his registration duties.

(2) Where the registration officer is also [^{F2}the returning officer at any election or] the counting officer at a referendum held by or under an Act of Parliament (and thereby has access to the full register without being supplied with a copy of it) this regulation also applies to—

- (a) the registration officer acting in that other capacity,
- (b) any person appointed to assist that officer or who in the course of his employment is assigned to assist that officer in his duties in respect of the election or referendum in question.

(3) No person to whom this regulation applies may—

- (a) supply to any person a copy of the full register, or
- (b) disclose information contained in the full register (and not contained in the edited register),

otherwise than in accordance with an enactment, including these Regulations.

(4) Nothing in paragraph (3) above applies to the supply or disclosure by a person to whom this regulation applies to another such person in connection with his registration duties or for the purposes of an election or referendum.

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Textual Amendments

- F2** Words in [reg. 94\(2\)](#) inserted (with effect in accordance with reg. 1(2)(3)(c) of the amending S.I.) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2007 \(S.I. 2007/925\)](#), regs. 1(1), [53](#)

Restriction on use of the full register, or of information contained in it, supplied in accordance with enactments or obtained otherwise

95.—(1) This regulation applies to—

- (a) any person to whom a copy of the full register has been supplied in pursuance of a relevant provision;
- (b) any person to whom information contained in the full register has been disclosed in pursuance of a relevant provision;
- (c) any person to whom a person referred to in sub-paragraph (a) or (b) has supplied a copy of the full register or information contained in it for the purposes (express or implied) of a relevant provision, and
- (d) any person who has obtained access to a copy of the full register or information contained in it by any other means.

[
^{F3}(2) No person to whom this regulation applies may—

- (a) supply a copy of the full register,
- (b) disclose any information contained in it (that is not contained in the edited register), or
- (c) make use of any such information,

other than for a permitted purpose construed in accordance with paragraph (3).

(3) The “permitted purpose”—

- (a) where the copy was supplied or the information obtained in pursuance of a relevant provision, means the particular purpose for which the copy was supplied or the information disclosed to the person in question pursuant to the relevant provision;
- (b) where the copy was not supplied or the information was not disclosed in pursuance of a relevant provision—
 - (i) in the case of a person to whom the copy of the full register was made available for inspection under supervision in accordance with regulations 43(1)(a), 96(2)(a) and (3), 98(4)(a) and 108A(6)(a) and (b), does not include direct marketing within the meaning of section 11(3) of the Data Protection Act 1998; and
 - (ii) in any other case, means any purpose for which the person to whom this regulation applies could have obtained a copy of the register or the information contained in it pursuant to any enactment, including these Regulations.]

(4) In this regulation “relevant provision” means any enactment (except these Regulations) under which a copy of the full register is to be supplied or information from that register is to be disclosed for a particular purpose.]

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Textual Amendments

- F3** Reg. 95(2)(3) (omitted by virtue of S.I. 2006/834, **reg. 13(2)**) inserted (23.3.2006) by The Representation of the People (Scotland) (Amendment) Regulations 2006 (S.I. 2006/834), regs. 1(1), **13(3)**

Modifications etc. (not altering text)

- C1** Reg. 95(2) modified (10.6.2011) by The Representation of the People (Electoral Registration Data Schemes) Regulations 2011 (S.I. 2011/1467), regs. 2, 5

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