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STATUTORY INSTRUMENTS

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**2001 No. 497**

**Representation of the People (Scotland) Regulations 2001**

**[<sup>F1</sup>PART 6**

**SUPPLY OF REGISTER ETC**

*[<sup>F1</sup>Interpretation and edited register*

**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

**Interpretation of Part VI etc**

**92.**—(1) In this Part “register” includes—

- (a) any part of it, and
- (b) except in [<sup>F2</sup>regulations 93 and 93A] and in the context of the supply by the registration officer of the register and notices altering the register, any notice altering the register which is published under section 13A(2) [<sup>F3</sup>13AB(2),] or 13B(3) [<sup>F4</sup>, (3B) or (3D)] of the 1983 Act<sup>(1)</sup>.

(2) In this Part—

- (a) “enactment” has the same meaning as in section 17(2) of the 2000 Act; <sup>F5</sup>...
- (b) “processor” has the meaning set out in regulation 114 below.

[ “relevant requirement” means the requirement under Article 89 of the GDPR, read with <sup>F6</sup>(ba) section 19 of the Data Protection Act 2018, that personal data processed for Article 89 GDPR purposes must be subject to appropriate safeguards.]

<sup>F7</sup>(c) .....

<sup>F7</sup>(d) .....

(3) In this Part, 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.

(4) Any restriction on the use of a copy of the full register or information contained in it which is imposed by any regulation in this Part shall apply to a person to whom a copy of the full register has been supplied or information in it has been disclosed under the equivalent regulation in the

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(1) Section 4 was substituted by section 1(2) of the 2000 Act.

**Status:** Point in time view as at 27/04/2020.

**Changes to legislation:** Representation of the People (Scotland) Regulations 2001, Cross Heading: Interpretation and edited register is up to date with all changes known to be in force on or before 01 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)

Representation of the People (England and Wales) Regulations 2001(2), or the Representation of the People (Northern Ireland) Regulations 2001(3).

(5) Subject to any direction of the Secretary of State under section 52(1) of the 1983 Act(4), any duty on a registration officer to supply data under this Part imposes only a duty to supply data in the form in which he holds it.

(6) The registration officer shall not supply data which includes information not included in the printed version of the full register otherwise than under a provision in an enactment.

#### Textual Amendments

- F2** Words in reg. 92(1)(b) substituted (10.6.2014) by The Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013 (S.I. 2013/3206), regs. 1(5)(d), **39**
- F3** Word in reg. 92(1)(b) inserted (6.4.2014) by The Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013 (S.I. 2013/3206), regs. 1(4), **44**
- F4** Words in reg. 92(1)(b) inserted (with effect in accordance with reg. 1(2)(3)(a) of the amending S.I.) by The Representation of the People (Scotland) (Amendment) Regulations 2007 (S.I. 2007/925), regs. 1(1), **27**
- F5** Word in reg. 92(2)(a) omitted (23.3.2006) by virtue of The Representation of the People (Scotland) (Amendment) Regulations 2006 (S.I. 2006/834), regs. 1(1), **12(2)(a)**
- F6** Reg. 92(2)(ba) inserted (25.5.2018) by Data Protection Act 2018 (c. 12), s. 212(1), **Sch. 19 para. 272(2)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F7** Reg. 92(2)(c)(d) omitted (25.5.2018) by virtue of Data Protection Act 2018 (c. 12), s. 212(1), **Sch. 19 para. 272(3)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)

#### Edited version of register

**93.—(1)** At the time when the registration officer publishes a version of the register under section 13(1) or (3) of the 1983 Act(5), (“the full register”), he shall publish a version of the register under this regulation (“the edited register”).

(2) The edited register shall omit the names and addresses of any elector whose details are included in the full register if a request has been duly made [<sup>F8</sup>to the registration officer in accordance with regulation 26 or regulation 93A by that elector] for his name and address to be excluded from the edited register.

[  
<sup>F9</sup>(2A) The edited register shall omit all anonymous entries in the register, and any information relating to them.]

[<sup>F10</sup>(3) In other respects the edited register shall be identical to the full register (and, accordingly, shall include any mark or date which is required to be recorded against the name of any elector), except that it shall take account of alterations in respect of which the registration officer has issued a notice under section 13A of the 1983 Act.

(3A) The registration officer must publish a revised version of the edited register incorporating any alterations which are required to be made by virtue of a request under either regulation 26 or regulation 93A and any alterations to the edited register in respect of which the registration officer is required to issue a notice under section 13A of the 1983 Act.

(2) Sections 10A and 13A were substituted by Schedule 1 to the 2000 Act.

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

(4) Section 56(1)(a) was amended by Schedule 1 to the 2000 Act.

(5) Section 10A was substituted by Schedule 1 to the 2000 Act.

(3B) The registration officer must publish the revised version of the edited register in accordance with paragraph (3A)—

- (a) on the first day of the month which follows the date the request was received or, if the first day of the month is less than 14 days after the date the request was received, on the first day of the month immediately following that month; or
- (b) on the day the registration officer is required to publish the notice of alteration in accordance with section 13A;

whichever is appropriate.

(3C) Where no alterations are required to be made the duty in regulation 93(3A) does not apply.]

(4) Notwithstanding the omission of names and addresses in accordance with paragraph (2) above, regulation 41 above shall apply to the edited register as it applies to the full register.

(5) Unless the contrary intention appears, any reference in these Regulations to the register is to the full register.

(6) The manner in which each revised version of the edited register is to be published under this regulation is—

- (a) by the registration officer making a copy of it available for inspection at his office, and
- (b) by such other means (if any) as he thinks appropriate.

(7) Each revised version of the edited register shall be kept published until the coming into force of the next revised version of it.

#### Textual Amendments

- F8** Words in [reg. 93\(2\)](#) substituted (10.6.2014) by [The Representation of the People \(Scotland\) \(Description of Electoral Registers and Amendment\) Regulations 2013 \(S.I. 2013/3206\)](#), regs. 1(5)(d), [40](#)
- F9** [Reg. 93\(2A\)](#) inserted (1.4.2007) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2007 \(S.I. 2007/925\)](#), regs. 1(1), [23](#)
- F10** [Reg. 93\(3\)-\(3C\)](#) substituted for [reg. 93\(3\)](#) (10.6.2014) by [The Representation of the People \(Scotland\) \(Description of Electoral Registers and Amendment\) Regulations 2013 \(S.I. 2013/3206\)](#), regs. 1(5)(d), [41](#)

#### [<sup>F11</sup>Notifying registration officer of change to edited register preference

**93A.**—(1) A person must make a request to the registration officer for the area in which the person resides if that person wishes to be included in or omitted from the edited register otherwise than in accordance with an application under regulation 26.

(2) A person making a request under paragraph (1) must provide the registration officer with the person’s full name, address and an indication of whether the person wishes to be included in or omitted from the edited register.

<sup>F12</sup>(3) .....

(4) Where a person has made a request in accordance with paragraph (1), the registration officer [<sup>F13</sup>may] notify the person in writing of the following—

- (a) confirmation that the person has requested that they are included in or omitted from the edited register;
- (b) when a revised version of the edited register reflecting the request will be published under regulation 93(3A);

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- (c) the manner in which the person may contact the registration officer if this information is not correct.]]

#### Textual Amendments

- F11** Reg. 93A inserted (10.6.2014) by The Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013 (S.I. 2013/3206), regs. 1(5)(d), **42**
- F12** Reg. 93A(3) omitted (27.4.2020) by virtue of The Representation of the People (Annual Canvass) (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/113), regs. 1(2), **14**
- F13** Word in reg. 93A(4) substituted (1.7.2018) by The Representation of the People (Scotland) Amendment Regulations 2018 (S.S.I. 2018/89), regs. 1(3), **10** (with reg. 1(4)); S.I. 2018/427, regs. 1(3), **11** (with reg. 1(4))

**Status:**

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**Changes to legislation:**

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