
STATUTORY INSTRUMENTS

2001 No. 497

Representation of the People (Scotland) Regulations 2001

[^{F1}PART 7

**ACCESS TO MARKED REGISTERS AND OTHER DOCUMENTS
OPEN TO PUBLIC INSPECTION AFTER AN ELECTION**

[^{F1}Inspection of documents open to public inspection

118.—(1) Any person is entitled to request that the [^{F2}returning officer] make available for inspection a copy of any of the following documents (referred to in this regulation and in regulation 119 as “the documents open to public inspection”)—

- (a) the marked register or lists;
- (b) such other documents relating to an election as the [^{F2}returning officer] is required by or under any enactment to retain for any period except—
 - (i) ballot papers;
 - (ii) completed corresponding number lists;
 - (iii) certificates as to employment on the day of the election.
- (2) A request under paragraph (1) shall be made in writing and shall specify—
 - (a) which documents are requested;
 - (b) the purposes for which the information in any document will be used;
 - (c) where the request is to inspect the marked register or lists, any reason why inspecting the full register or unmarked lists would not be sufficient to achieve those purposes;
 - (d) who will inspect the documents;
 - (e) the date on which they wish to inspect the documents; and
 - (f) whether they would prefer to inspect the documents in a printed or data form.

(3) Subject to paragraph (4), the [^{F3}returning officer] shall make the documents open to public inspection available for inspection under supervision not later than 10 days after the date of receipt of a request that has been duly made.

(4) Where a request has been made to inspect copies of the marked register or lists under paragraph (2) and the [^{F3}returning officer] is not satisfied that the purposes of the requestor cannot be met by inspection of the full register, he shall inform the requestor—

- (a) of his decision under this paragraph; and
- (b) provide the requestor with information concerning the availability of the published full register for inspection in accordance with regulation 43.

(5) A person who obtains a copy of or information in any document open to public inspection under this regulation may use it only for the permitted purposes specified in regulation 119, and any conditions—

Status: Point in time view as at 26/03/2010. This version of this provision has been superseded.

Changes to legislation: Representation of the People (Scotland) Regulations 2001, Section 118 is up to date with all changes known to be in force on or before 02 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)

- (a) specified in that regulation;
- (b) specified in paragraph (7); or
- (c) which would apply to the use of the full register under regulation 108 where such a person has obtained a copy of that document under paragraph (8),

shall apply to such use.

(6) Where inspection takes place by providing the records or lists on a computer screen or otherwise in data form, the [^{F4}returning officer] shall ensure that the manner in, and equipment on which that copy is provided do not permit any person consulting that copy to—

- (a) search it by electronic means by reference to the name of any person; or
- (b) copy or transmit any part of that copy by electronic, or any other means.

(7) Subject to paragraph (8) a person who inspects a copy of a document open to public inspection, whether a printed copy or in data form, may not—

- (a) make copies of any part of it; or
- (b) record any particulars in it,

except that a person who inspects a copy of the marked register or lists may make hand written notes.

[^{F5}(8) The [^{F6}returning officer] shall, on request, supply free of charge copies of any documents open to public inspection—

- (a) to each of the departments mentioned in regulation 107A;
- (b) to a person who has inspected those documents and who is entitled to be supplied with a copy of the marked register or lists by virtue of being a person to whom regulation 108 applies.]]

Textual Amendments

- F1** Pt. 7 inserted (with effect in accordance with reg. 1(2)(3)(b) of the amending S.I.) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2007 \(S.I. 2007/925\)](#), regs. 1(1), **47**
- F2** Words in [reg. 118\(1\)](#) substituted (26.3.2010) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2010 \(S.I. 2010/980\)](#), regs. 1(1), **5** (with reg. 1(2))
- F3** Words in [reg. 118\(3\)\(4\)](#) substituted (26.3.2010) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2010 \(S.I. 2010/980\)](#), regs. 1(1), **5** (with reg. 1(2))
- F4** Words in [reg. 118\(6\)](#) substituted (26.3.2010) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2010 \(S.I. 2010/980\)](#), regs. 1(1), **5** (with reg. 1(2))
- F5** [Reg. 118\(8\)](#) substituted (24.12.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), s. 100(5), **Sch. 1 para. 3(8)** (with s. 101(5)); [S.I. 2008/3296](#), art. 2
- F6** Words in [reg. 118\(8\)](#) substituted (26.3.2010) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2010 \(S.I. 2010/980\)](#), regs. 1(1), **6** (with reg. 1(2))

Status:

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Changes to legislation:

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