
STATUTORY INSTRUMENTS

2001 No. 497

Representation of the People (Scotland) Regulations 2001

PART I

GENERAL, INTERPRETATION AND MISCELLANEOUS

Interpretation

3.—(1) For the purposes of these Regulations, unless the context otherwise requires—

1983 Act means the Representation of the People Act 1983⁽¹⁾;

1985 Act means the Representation of the People Act 1985⁽²⁾;

2000 Act means the Representation of the People Act 2000⁽³⁾;

[^{F1}“Article 89 GDPR purposes” means the purposes mentioned in Article 89(1) of [^{F2}the UK GDPR] (archiving in the public interest, scientific or historical research and statistics);]

“available for inspection” means available for inspection during ordinary office hours;

“British Council employee” means a person employed by the British Council in a post outside the United Kingdom;

“candidate” means—

(a) [^{F3}in relation to a parliamentary election has the same meaning as in section 118A(2) of the 1983 Act]

(b) in relation to a local government election, a person having been nominated or having declared himself a candidate for election to the office to be filled at the election;

[^{F4}“certificate of anonymous registration” means a certificate issued in pursuance of regulation 45F;]

“Crown servant” means a person who is employed in a post falling within the class or description set out in regulation 14 below;

[^{F5}“data” means information which is recorded with the intention that it should be processed by means of equipment operating automatically in response to instructions given for that purpose;]

[^{F6}“data form” means information which is in a form which is capable of being processed by means of equipment operating automatically in response to instructions given for that purpose;]

[^{F1}“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);]

[^{F7}“digital service” means the Individual Electoral Registration Digital Service, which is the digital service provided by the [^{F8}Minister for the Cabinet Office] for the purpose of processing online applications under sections 10ZC and 10ZD of the 1983 Act [^{F9}, for the purpose of

(1) 1983 c. 2.

(2) 1985 c. 50.

(3) 2000 c. 2.

Status: Point in time view as at 31/12/2020. This version of this provision has been superseded.

Changes to legislation: Representation of the People (Scotland) Regulations 2001, Section 3 is up to date with all changes known to be in force on or before 27 June 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)

verifying information under regulation 29ZA and for the purpose of data matching under regulation 32ZBB in respect of the annual canvass for a register ^{F10}...];

[^{F6}“edited register” has the meaning given in regulation 92(1) below;]

F11
...

F11
...

[^{F6}“full register” has the meaning given in regulation 93(1) below;]

F12
...

“list of overseas electors” means the list prepared under regulation 45 below;

“overseas elector” means a person who has made an overseas elector’s declaration and is registered or entitled to be registered as a parliamentary elector in pursuance of it;

“register” means the register of electors; and

[^{F13}“registration area” means the area for which a registration officer acts;]

“registration officer” means the electoral registration officer.

[^{F14}“relevant contact details” means—

- (a) an email address;
- (b) a telephone number; or
- (c) an electronic identifier unique to the individual.]

[^{F15}“the UK GDPR” has the meaning given in section 3(10) of the Data Protection Act 2018;]

(2) A reference in these Regulations to a numbered rule in the elections rules shall be construed as a reference—

- (a) to the rule of that number in the parliamentary elections rules in Schedule 1 to the 1983 Act in the case of a parliamentary election, or
- (b) except in the case of Part V of these Regulations, to the corresponding rule in the rules made under section 42 of the 1983 Act in the case of a local government election.

(3) A reference in these Regulations to a form identified by means of a letter shall be construed as a reference to the form so identified in Schedule 3 to these Regulations.

[^{F16}(3A) For the purposes of regulations 26, 26A, 26B, ^{F17}... ^{F18}... 32ZE, 32ZF, 32ZG and 32ZH a document may be given to a person—

- (a) by delivering it to the person;
- (b) by leaving it at the person’s address; or
- (c) by sending it to the person by post.]

(4) In the application of these Regulations to the registers which are required to be published not later than 15th February 2001 by section 13(1) of the 1983 Act, as enacted, references to the publication of the revised version are to be read as references to the publication of the register.

Textual Amendments

- F1** Words in [reg. 3\(1\)](#) inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 266](#) (with ss. 117, 209, 210); S.I. 2018/625, [reg. 2\(1\)\(g\)](#)
- F2** Words in [reg. 3\(1\)](#) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), [reg. 1\(2\)](#), [Sch. 3 para. 35\(2\)](#) (with [Sch. 3 para. 112](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

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Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F3** Words in reg. 3(1) substituted (1.8.2002) by Representation of the People (Scotland) (Amendment) Regulations 2002 (S.I. 2002/1872), regs. 2(1), **5(2)**
- F4** Words in reg. 3(1) inserted (1.4.2007) by The Representation of the People (Scotland) (Amendment) Regulations 2007 (S.I. 2007/925), regs. 1(1), **2**
- F5** Words in reg. 3(1) substituted (4.5.2001) by The Representation of the People (Scotland) (Amendment) Regulations 2001 (S.I. 2001/1749), regs. 1(1), **3**
- F6** Words in reg. 3(1) 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), **5(3)(4)**
- F7** Words in reg. 3 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)(b), **3(a)**
- F8** Words in reg. 3(1) substituted (9.11.2016) by The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016 (S.I. 2016/997), art. 1(2), **Sch. 2 para. 34(2)(a)** (with art. 12)
- F9** Words in reg. 3(1) substituted (31.12.2019) by The Representation of the People (Annual Canvass) (Amendment) Regulations 2019 (S.I. 2019/1451), regs. 1(3), **14(a)**
- F10** Words in reg. 3(1) 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), **3**
- F11** Words in reg. 3(1) revoked (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 2** (as amended by S.I. 2019/1389, regs. 1, **2(2)**)
- F12** Words in reg. 3(1) omitted (31.12.2020) by virtue of The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 35(3)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in reg. 3(1) inserted (1.8.2002) by Representation of the People (Scotland) (Amendment) Regulations 2002 (S.I. 2002/1872), regs. 2(1), **5(5)**
- F14** Words in reg. 3(1) inserted (31.12.2019) by The Representation of the People (Annual Canvass) (Amendment) Regulations 2019 (S.I. 2019/1451), regs. 1(3), **14(b)**
- F15** Words in reg. 3(1) inserted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 35(4)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Reg. 3(3A) 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)(b), **3(b)**
- F17** Word in reg. 3(3A) omitted (2.12.2015) by virtue of The Representation of the People (Scotland) (Amendment) (No. 2) Regulations 2015 (S.I. 2015/1966), regs. 1, **3**
- F18** Words in reg. 3(3A) omitted (27.4.2017) by virtue of The Representation of the People (Scotland) (Amendment) Regulations 2017 (S.I. 2017/604), regs. 1, **3**

Modifications etc. (not altering text)

- C1** Reg. 3(1)(3) applied (26.2.2016) by The European Union Referendum (Conduct) Regulations 2016 (S.I. 2016/219), reg. 1, **Sch. 3 para. 2(a)**

Commencement Information

- I1** Reg. 3 in force at 16.2.2001, see **reg. 1(1)**

Status:

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Changes to legislation:

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