
STATUTORY INSTRUMENTS

2001 No. 497

Representation of the People (Scotland) Regulations 2001

PART IV **S**

ABSENT VOTERS

[^{F1}Processing of information provided in connection with a relevant absent voting application **S**

56D.—(1) If a person provides an original document under regulation 56C, the registration officer must make a copy of that document and return the original document to the person who provided it.

(2) In respect of any relevant absent voting application, the registration officer must retain until the application has been determined—

- (a) the application form, or, in the case of an application made through the digital service, the information contained in the application transmitted to the registration officer by the Secretary of State;
- (b) any other information or documents provided to the registration officer in connection with the application or, in the case of original documents which are returned under paragraph (1), a copy of such documents.

(3) Subject to paragraph (4), the registration officer may retain the application form, information and documents in paragraph (2) after the application has been determined but, if they do so, must delete the applicant's national insurance number from the application form, information and documents in paragraph (2) by no later than the date which is 13 months from the date on which the registration officer determined the relevant absent voting application.

(4) The requirement to delete the national insurance number in paragraph (3) does not apply where the application, information and documents in paragraph (2) are required for the purpose of any civil or criminal proceedings.

(5) Information disclosed under regulation 56B must not be disclosed to any other person, except—

- (a) for the purpose of determining the relevant absent voting application in connection with which the information was disclosed, or
- (b) for the purpose of any civil or criminal proceedings.

(6) A person who discloses information in breach of paragraph (5) is guilty of an offence and liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine (or both);
- (b) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum (or both).

(7) Any information disclosed under regulation 56B must be processed in accordance with any requirements as to the processing of information that may have been imposed by the Secretary of

Status: Point in time view as at 12/12/2023.

Changes to legislation: Representation of the People (Scotland) Regulations 2001, Section 56D is up to date with all changes known to be in force on or before 19 August 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)

State for Levelling Up, Housing and Communities in writing in advance of that processing, including requirements as to the transfer, storage, destruction and security of that information.

(8) In this regulation, “copy” includes an electronic copy.]

Textual Amendments

F1 Regs. 56B-56D inserted (31.10.2023) by The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023 (S.I. 2023/1147), regs. 1(2), **10(8)**

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