SCHEDULE 1 Article 3

SUPPLY OF ELECTORAL REGISTERS

Supply of free copy of full register for electoral purposes

1.—(1) As soon as practicable after the relevant date, an ERO shall supply free of charge to the returning officer for the local authority or, as the case may be, each local authority for the registration area as many printed copies of—

(a) the latest revised version of the register of electors published under section 13(1) or (3) of the 1983 Act(**1**), as the case may be;

(b) any notice setting out an alteration to the version of the register of electors published under sections 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of that Act(**2**); and

(c) any record of anonymous entries,

as the returning officer may reasonably require for the purposes of a Scottish Parliamentary election.

(2) In sub-paragraph (1)—

(a) "relevant date" means—

(i) in the case of a general election of members of the Scottish Parliament, the date of the dissolution of the Parliament as provided for at section 2(3)(a) of the 1998 Act;

(ii) where the Presiding Officer has proposed a day for the holding of the poll under section 2(5) or 3(2) of the 1998 Act, the announcement of Her Majesty's intention to dissolve the Parliament; or

(iii) the date on which a vacancy occurs in a constituency seat;

(b) the duty to supply as many printed copies of the register and notices as the returning officer may reasonably require includes a duty to supply one copy of each in data form.

(3) The duty under sub-paragraph (1) may be discharged by supplying copies of a consolidated document showing the entries in the version of the register referred to in sub-paragraph (1)(a) as altered by any notice referred to in sub-paragraph (1)(b) and the entries in the record referred to in sub-paragraph (1)(c) together with a copy of that document in data form.

(4) No person to whom a copy of the register of electors, a notice or a record has been supplied under this paragraph may—

(a) supply a copy of that register, that notice or that record to any person;

(b) disclose any information contained in any of them (that is not contained in the edited register); or

(c) make use of any such information,

except for the purposes of an election(**3**).

Supply of full register etc. under paragraphs 3 and 4: general provisions

2.—(1) The persons or organisations falling within paragraph 3 or 4 may request the ERO to supply free of charge the relevant part (within the meaning of those paragraphs) of any of the following—

(**1**) Section 13 was substituted by the 2000 Act, Schedule 1, paragraph 6.

(**2**) Sections 13A and 13B were added by the 2000 Act, Schedule 1, paragraph 6. Section 13AB was added by the Electoral Registration and Administration Act 2013 (c.6), section 16(3). Section 13B was amended by the 2006 Act, section 11(2) to (4).

(**3**) This is the "permitted purpose" for the purposes of regulation 95(2) of the Representation of the People (Scotland) Regulations 2001 ("the 2001 Regulations"), S.I. 2001/497. Regulation 115 of the 2001 Regulations makes provision for offences in respect of contraventions of provisions including regulation 95(2).

(a) a revised version of the register of electors published under section 13(1) or (3) of the 1983 Act;

(b) any notice setting out an alteration to the register of electors published under sections 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of that Act.

(2) Such a request shall be made in writing and shall—

(a) specify the documents requested;

(b) subject to sub-paragraph (6), state whether the request is made only in respect of the current documents or whether it includes a request for the supply of any subsequent document on publication for as long as the person making the request falls within the category of person entitled to receive such copies; and

(c) state whether a printed copy of any of the documents is requested instead of the version in data form.

(3) Unless a request has been made in advance of supply under sub-paragraph (2)(c), the copy of a document supplied under this paragraph shall be in data form.

(4) The ERO shall supply the relevant part of the documents referred to in sub-paragraph (1) in accordance with a request that has been duly made.

(5) The duty under sub-paragraph (4) may be discharged by supplying a copy (or a copy in data form as appropriate) of a consolidated document showing the entries in the relevant part of the version of the register referred to in sub-paragraph (1)(a) as altered by any notice referred to in sub-paragraph (1)(b).

(6) A candidate falling within paragraph 4(1) or (2) may not make the request set out in sub-paragraph (2)(b), but an election agent may make that request on behalf of a registered party.

(7) A person who obtains a copy of any document under sub-paragraph (4) may use it for any purpose for which that person would be entitled to obtain that document under this Schedule and any restrictions which apply under whichever of paragraph 3 or 4 entitles that person to obtain that document for that purpose shall apply to such use.

Supply of full register etc. to elected representatives for electoral purposes and restrictions on use

3.—(1) This paragraph applies to—

(a) a constituency member of the Scottish Parliament for a constituency which is situated wholly or partly within the registration area; and

(b) each regional member of the Scottish Parliament for an electoral region in which the registration area is situated.

(2) For the purposes of paragraph 2(1), the relevant part of the documents listed in that provision—

(a) in the case of a constituency member of the Scottish Parliament, is so much of them as relates to the whole or any part of the constituency which the member represents as falls within the registration area;

(b) in the case of a regional member of the Scottish Parliament, is so much of them as relates to the whole or any part of the region which the member represents as falls within the registration area.

(3) No person to whom this paragraph applies and who has been supplied with a copy of the register of electors or notices under paragraph 2 may—

(a) supply a copy of that register or those notices to any person;

(b) disclose any information contained in them (that is not contained in the edited register); or

(c) make use of any such information,

except for purposes in connection with the office by virtue of which the person is entitled to the register of electors or for electoral purposes(**4**).

Supply of full register etc. to certain candidates and restrictions on use

4.—(1) This paragraph applies to a candidate at a Scottish parliamentary election where any part of the area in respect of which the candidate stands for election includes the whole or part of the registration area.

(2) In this paragraph "candidate" includes an individual regional candidate at a Scottish parliamentary election.

(3) In the case of a registered party which submits a list of candidates as regional members at a Scottish Parliamentary election, the entitlement otherwise conferred by this paragraph on a candidate is conferred on the election agent of that party.

(4) For the purposes of paragraph 2(1), the relevant part of the documents listed in that provision is so much of them as relates to the area for which the candidate is standing.

(5) No candidate or election agent to whom a copy of the register of electors or notices has been supplied under paragraph 2 by virtue of this paragraph may—

(a) supply a copy of that register or those notices to any person;

(b) disclose any information contained in them (that is not contained in the edited register); or

(c) make use of any such information,

except for electoral purposes(**5**).

Meaning of "edited register" and "registration area"

5. In this Schedule a reference to the edited register is a reference to the version of the register of electors published under regulation 93 of the 2001 Regulations(**6**) and a reference to the registration area is a reference to the area for which the ERO acts.

Information about persons aged under 16

6. No register or notice supplied by virtue of this Schedule is to contain information about any person aged under 16 years, except where—

(a) the supply is undertaken for the purposes of an election,

(b) the information is needed for the purposes of or in connection with that election, and

(c) the person whose information it contains will have attained the age of 16 on or before the date of the poll for that election.

(**4**) This is the "permitted purpose" for the purposes of regulation 95(2) of the 2001 Regulations. Regulation 115 of the 2001 Regulations makes provision for offences in respect of contraventions of provisions including regulation 95(2).

(**5**) This is the "permitted purpose" for the purposes of regulation 95(2) of the 2001 Regulations. Regulation 115 of the 2001 Regulations makes provision for offences in respect of contraventions of provisions including regulation 95(2).

(**6**) Regulation 93 was inserted by S.I. 2002/1872, regulation 14.