
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 170

The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007

Records and lists kept under Schedule 4

16.—(1) The person or organisation entitled to the supply, in accordance with regulation 102, 104, 105 or 107 of the 2001 Regulations, of copies of the full register is also a person or organisation entitled, subject to this regulation and to regulation 17, to request that the registration officer supply free of charge the relevant part (within the meaning of those Regulations) of a copy of any of the following information which the officer keeps:

- (a) the information which would, in the event of a particular local government election, be included in the postal voters lists, the list of proxies or the proxy postal voters lists, which the officer is required to keep under paragraph 5 (absent voters list) or 7(8) (voting as proxy) of Schedule 4;
- (b) the current or final version of the postal voters list, the list of proxies or the proxy postal voters lists kept under paragraph 5 or 7(8) of Schedule 4.

(2) Any person is entitled to request that the registration officer make available for inspection a copy of any of the information specified in paragraph (1).

(3) A request under paragraph (1) or (2) must be made in writing and shall—

- (a) specify which records or lists (or relevant parts of such records or lists) are requested;
- (b) state whether the request is made only in respect of the current lists or whether it includes a request for the supply of any final list; and
- (c) state whether a printed copy of the records or lists is requested or a copy in data form.

(4) A request for inspection made in accordance with paragraph (2) must also specify—

- (a) who will be inspecting the information,
- (b) the date on which they wish to inspect the information, and
- (c) whether they would prefer to inspect the information in a printed or data form.

(5) A person who obtains a copy of a list under this regulation may use it only for the permitted purposes specified in regulation 18, and any restrictions—

- (a) specified in that regulation, or
- (b) which would apply to the use of the full register under whichever of regulations 102, 104, 105 and 107 of the 2001 Regulations entitled that person to obtain that document,

shall apply to such use.

(6) The registration officer must supply a current copy of relevant information requested under paragraph (1) as soon as practicable after receipt of a request that is duly made.

(7) The registration officer must supply a final copy of the postal voters list kept under paragraph 5(2) (absent voters list) of Schedule 4, as soon as practicable after 5 p.m. on the eleventh day before the day of the poll, in response to a request that has been duly made by a person entitled under paragraph (1).

(8) As soon as practicable after 5 p.m. on the sixth day before the day of the poll the registration officer must—

- (a) make a copy of the lists kept under paragraphs 5 and 7(8) of Schedule 4 available for inspection at the office of the registration officer in accordance with this regulation; and
- (b) supply a final copy of the postal voters lists or the list of proxies in response to every request that has been duly made.

(9) The registration officer must supply a final copy of the proxy voters list kept under paragraph 5(3) (absent voters list) of Schedule 4, updated to include any additions to those lists made in consequence of emergency proxy applications granted in accordance with regulation 11(4) (emergency proxy applications), as soon as practicable after 5 p.m. on the day of the poll, to every person who received that list in accordance with paragraph (8)(b).

(10) The registration officer must make a copy of the information available for inspection under supervision as soon as practicable after the date of receipt of a request that has been duly made.

(11) Where inspection takes place by providing a copy of the information on a computer screen or otherwise in data form, the registration officer must 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, subject to paragraph (12).

(12) A person who inspects a copy of the information, 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,

otherwise than by means of hand-written notes.

(13) Subject to any direction given under section 52(1) (discharge of registration duties) of the 1983 Act, any duty on a registration officer to supply a copy or make information available for inspection under this regulation, imposes only a duty to provide that information in the form in which the officer holds it.

(14) For the purposes of this regulation—

- (a) a “current copy” of records or lists is a copy of the records or lists as kept by the registration officer at 9 a.m. on the date it is supplied; and
- (b) any period of days shall be calculated in accordance with regulation 11(7).