

ELECTORAL ADMINISTRATION ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6: Conduct of elections etc.

Access to election documents

Section 41 Control of documents after parliamentary election

253. This section amends Schedule 1 to the 1983 Act. It transfers the responsibility for storing electoral documents after an election from the Clerk of the Crown to local EROs. *Subsection (5)* inserts new paragraphs (3) to (9) of rule 57 detailing the extent of the right of access to documents. Parties and candidates may be supplied with marked copies of the register, the postal voters list, the list of proxies and the postal proxy voters list (rule 57(4)). Conditions may be imposed by regulations limiting the purposes for which the documents may be used and limiting onward supply to others (rule 57(7) and (8)). *Subsection (6)* makes provision for the handling of such documents in Scotland. *Subsection (7)* makes provision for the handling of such documents in Northern Ireland.
254. *Subsection (9)* creates a new offence of failure to comply with conditions relating to the supply of election documents. This is inserted as section 66B of the 1983 Act. It enforces compliance with the provisions of rule 57 as amended by subsection (5). The maximum penalty for those found guilty on summary conviction is a fine of £5,000.