
Changes to legislation: There are currently no known outstanding effects for the Referendums (Scotland) Act 2020, Cross Heading: Supply of marked register of local government electors etc. to designated organisations. (See end of Document for details)

SCHEDULE 1 FURTHER PROVISION ABOUT VOTING IN THE REFERENDUM

PART 5

SUPPLY OF MARKED REGISTER OF LOCAL GOVERNMENT ELECTORS ETC.

Supply of marked register of local government electors etc. to designated organisations

- 53 (1) A designated organisation may request that a counting officer supply the organisation with copies of—
- (a) the marked copy of the register of local government electors,
 - (b) the marked copy of any notice setting out an alteration of the register of local government electors issued under section 13B(3B) or (3D) of the 1983 Act,
 - (c) the marked copy of the postal voters list,
 - (d) the marked copy of the list of proxies, and
 - (e) the marked copy of the proxy postal voters list.
- (2) A request under sub-paragraph (1) must—
- (a) be made in writing,
 - (b) specify the documents requested,
 - (c) state whether a printed copy of the documents is requested or a copy in data form, and
 - (d) state the purposes for which the documents will be used and why the supply of the unmarked copies of the documents would not be sufficient to achieve those purposes.
- (3) Where a request is duly made by a designated organisation under sub-paragraph (1), the counting officer must supply the documents requested if—
- (a) the officer is satisfied that the organisation needs to see the marks on the marked copies of the documents in order to achieve the purpose for which they are requested, and
 - (b) the officer has received payment of a fee calculated in accordance with paragraph 54.
- (4) A designated organisation that obtains a copy of any document referred to in sub-paragraph (1) may use it—
- (a) only for—
 - (i) purposes in connection with the campaign in respect of the outcome identified in the declaration made by the organisation under paragraph 2 of schedule 3, or
 - (ii) the purposes of complying with the controls on donations and regulated transactions in that schedule, and
 - (b) subject to any conditions that would apply to the use of the unmarked copies of the documents by virtue of paragraph 47.
- (5) Where a person (“A”) has been supplied with a copy of a document referred to in sub-paragraph (1), or information contained in such a document, by a person (“B”) to whom paragraph 47(4) applies, the restrictions in that paragraph also apply to A as they apply to B.

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- (6) A designated organisation may—
- (a) supply a copy of a document referred to in sub-paragraph (1) to a processor for the purpose of processing the information contained in it, or
 - (b) procure that a processor processes and supplies to the organisation any copy of the information in such a document that the processor has obtained under this paragraph,
- for use in respect of the purposes for which the designated organisation is entitled to obtain such document or information.
- (7) A duty of a counting officer to supply data under this paragraph is a duty only to supply the data in—
- (a) the form in which the officer holds it, or
 - (b) such form as may be agreed between the counting officer and the recipient of the data.
- (8) Paragraph 52 applies to a person holding a copy of a document supplied under this paragraph as it applies to a person holding a copy of any document supplied under paragraph 45 or 47 (and the reference in paragraph 52(2) to the document is to be construed accordingly).
- (9) In sub-paragraph (6), “processor” means a person who provides a service which consists of putting information into data form and includes an employee of such a person.
- (10) In this Act, “marked copy” means—
- (a) in relation to the register of local government electors, the copy marked as mentioned in rule 21(2)(c) of the conduct rules,
 - (b) in relation to a notice issued under section 13B(3B) or (3D) of the 1983 Act, the copy marked as mentioned in that rule as modified by rule 21(4),
 - (c) in relation to the list of proxies, the copy marked as mentioned in rule 21(2)(d),
 - (d) in relation to the postal voters list or proxy postal voters list, the copy marked as mentioned in paragraph 22(2) of this schedule.

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