



# Local Electoral Administration and Registration Services (Scotland) Act 2006

2006 asp 14

## PART 1

### LOCAL GOVERNMENT ELECTIONS

#### *Access to election documents*

#### **5 Access to election documents**

- (1) This section and sections 6 and 7 apply in relation to a local government election.
- (2) The proper officer in relation to the election must—
  - (a) make relevant election documents available for inspection by members of the public, and
  - (b) in relation to such description of documents mentioned in paragraph (a) as the Scottish Ministers may by regulations prescribe, supply, on the request of a member of the public, copies of or extracts from the documents.
- (3) The proper officer must, on the request of any of the following persons, supply the person with a copy of the marked copies of the register, the postal voters list, the list of proxies and the proxy postal voters list relating to the election—
  - (a) a registered party,
  - (b) a person who was a candidate at the election.
- (4) The Scottish Ministers may by regulations impose conditions in relation to—
  - (a) the inspection of any document in pursuance of subsection (2)(a),
  - (b) the supply of any document or part of a document in pursuance of subsection (2)(b),
  - (c) the supply of any document or part of a document in pursuance of subsection (3).
- (5) The Scottish Ministers may by regulations also make provision—
  - (a) as to the form in which any such document or part is supplied,
  - (b) for the payment of a fee in respect of the supply of a document or part.

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**Changes to legislation:** There are currently no known outstanding effects for the Local Electoral Administration and Registration Services (Scotland) Act 2006, Section 5. (See end of Document for details)

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- (6) Conditions which may be imposed for the purposes of subsection (4)(a) or (b) include conditions as to—
- (a) whether a person may take a copy of any document which the person is permitted to inspect,
  - (b) the manner in which any such copy is to be taken,
  - (c) the purposes for which information contained in any document or part of a document which is inspected or supplied in pursuance of subsection (2) may be used.
- (7) Conditions which may be imposed for the purposes of subsection (4)(b) or (c) include conditions as to the extent to which a person to whom a document or part of a document has been supplied may—
- (a) supply that document or part to any other person,
  - (b) disclose to any other person any information contained in the document or part,
  - (c) use any such information for a purpose other than that for which the document or part was supplied to the person.
- (8) The Scottish Ministers may by regulations also impose conditions corresponding to those mentioned in subsection (7) in respect of persons who have obtained a document or part of a document mentioned in subsection (3)—
- (a) which was supplied to another person in pursuance of subsection (3), or
  - (b) otherwise than in accordance with regulations under this section.

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**Commencement Information**

- II** S. 5 wholly in force at 17.2.2007, see s. 63(2) and S.S.I. 2007/26, **art. 3(1)(b)** (with transitional provisions in **art. 3(2)** and subject to **art. 3(3)**)

**Changes to legislation:**

There are currently no known outstanding effects for the Local Electoral Administration and Registration Services (Scotland) Act 2006, Section 5.