
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 202

**The Business Improvement Districts
(Scotland) Regulations 2007**

Obtaining information for the purpose of canvassing

13.—(1) As soon as practicable after the local authority instructs the ballot holder to hold a ballot (under regulation 6(1)), the local authority or the billing body (as the case may be) shall—

- (a) prepare a document showing—
 - (i) (as far as the local authority or the billing body is able to ascertain from its non domestic rates billing records at that time) the name of each non domestic ratepayer and the address and rateable value of each relevant property which is occupied, or (if unoccupied) owned, by them in the geographical area to which any BID proposals, alteration proposals or renewal proposals, as the case may be, relate; and
 - (ii) (as far as the local authority or billing body is able to ascertain from its records at that time and from the information provided by the BID proposers), the names and addresses of the eligible persons eligible to vote to approve the BID proposals;
- (b) provide a copy of the document referred to in paragraph (1)(a) to the ballot holder as soon after instructing as practicable; and
- (c) make available for inspection by any person a copy of the information in the document referred to in paragraph (1)(a) at its principal office during normal working hours.

(2) On receiving a request (made in accordance with paragraph (3)) from—

- (a) the BID proposer or BID body;
- (b) any person who, or any group of persons which, represents 5 per cent or more of the persons who are to be liable for any proposed BID levy,

the local authority or the billing body shall supply a copy of the information in the document it is required to prepare under paragraph (1) to the person or group of persons concerned in data form.

(3) A request for information under paragraph (2) shall—

- (a) be made in writing to the billing body or the local authority;
- (b) identify the BID ballot, alteration ballot, renewal ballot or re ballot in relation to which the request is made;
- (c) confirm that the person or group of persons making the request intends to make use of the information requested only for the purpose of canvassing persons entitled to vote in the BID ballot, alteration ballot, renewal ballot or re ballot identified in the request; and
- (d) be accompanied by the fee (if any) imposed by the billing body or the local authority under paragraph (5).

(4) No person may—

- (a) disclose to any person any information supplied to it under paragraph (2);
- (b) make use of any such information,

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otherwise than for the purpose of canvassing persons entitled to vote in the BID ballot, alteration ballot, renewal ballot or re ballot identified in the request.

(5) The billing body or the local authority may charge a fee in respect of dealing with a request and supplying the information under this regulation on the person to whom the information is to be supplied.

(6) The fee charged under paragraph (5) is reasonable having regard to the costs incurred or likely to be incurred by the billing body or the local authority (as the case may be) in dealing with requests and supplying information under this regulation.