

SCHEDULE 8

ACCESS TO MARKED REGISTERS AND OTHER DOCUMENTS OPEN TO PUBLIC INSPECTION AFTER AN ELECTION

Failure to comply with conditions relating to supply etc. of certain documents

- 7.—(1) A person (“P”) is guilty of an offence—
- (a) if P fails to comply with any of the provisions specified in sub-paragraph (2), or
 - (b) if P is an appropriate supervisor of a person (“Q”) who fails to comply with such a provision and P failed to take appropriate steps.
- (2) Those provisions are paragraphs 2(7), (8) and (11), 3(6) and (8), 4(2) and 5(2).
- (3) Q is not guilty of an offence under sub-paragraph (1) if—
- (a) Q had an appropriate supervisor, and
 - (b) Q has complied with all the requirements imposed on Q by Q’s appropriate supervisor.
- (4) A person (“R”) who is not Q or an appropriate supervisor is not guilty of an offence under sub-paragraph (1) if R takes all reasonable steps to ensure that R complies with the provisions.
- (5) In sub-paragraphs (1)(b), (3) and (4)—
- (a) an appropriate supervisor is a person who is a director of a company or concerned in the management of an organisation in which Q is employed or under whose direction or control Q is;
 - (b) appropriate steps are such steps as it was reasonable for the appropriate supervisor to take to secure the operation of procedures designed to prevent, so far as reasonably practicable, the occurrence of a failure to comply with the provisions.
- (6) A person guilty of an offence as mentioned in paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.