
STATUTORY INSTRUMENTS

2007 No. 925

**The Representation of the People
(Scotland) (Amendment) Regulations 2007**

PART 10

Control of Documents Following an Election

Offences in respect of contravention of Parts III, IV and VI

46. For regulation 115(1) substitute—

“Offences in respect of contravention of Parts III, IV and VI

115.—(1) A person is guilty of an offence—

- (a) if he contravenes any of the provisions specified in paragraph (2); or
- (b) if he is an appropriate supervisor of a person (P) who fails to comply with any of those provisions and he failed to take appropriate steps.

(2) Those provisions are regulations 45C(4), 45D(3), 45E(3), 61(3) and (14), 94(3), 95(2), 96(2), (4) and (6), 97(7), 97A(3), 98(3), (5) and (7), 99(3) and (5), 100(5), 102(3), 103(3), 104(4), 105(3), 106(3) and (6), 107(5), 108(3), 108A(6), (8) and (10), 111(4) and (5), 112(5) and (6) and 114(4)(2).

(3) P is not guilty of an offence under paragraph (1) if—

- (a) he has an appropriate supervisor; and
- (b) he has complied with all the requirements imposed on him by his appropriate supervisor.

(4) A person who is not P or an appropriate supervisor is not guilty of an offence under paragraph (1) if he takes all reasonable steps to ensure that he complies with the provisions specified in paragraph (2).

(5) In paragraphs (1)(b) and (3)—

- (a) an appropriate supervisor is a person who is a director of a company or concerned in the management of an organisation in which P is employed or under whose direction or control P 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 in paragraph (2).

(1) Part VI including regulation 115 was inserted by [S.I. 2002/1872](#). Regulation 115 was amended by [S.I. 2006/834](#).
(2) Regulations 45C, 45D and 45E are inserted by regulation 18 of these Regulations. Regulation 61 is substituted by regulation 43 of these Regulations. Part VI of the 2001 regulations, comprising regulations 92 to 115, was inserted by [S.I. 2002/1872](#). Regulations 96(6), 97A, 98(7) and 108A were inserted by [S.I. 2006/834](#), which also amended regulations 96(2) and (4), 98(3) and (5) and 106(3), and substituted regulation 95(2).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(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.”.