



Electoral Administration Act 2006

2006 CHAPTER 22

PART 6

CONDUCT OF ELECTIONS ETC.

Access to election documents

42 Access to other election documents

- (1) The relevant officer must—
 - (a) make relevant election documents available for inspection by members of the public;
 - (b) supply, on request, copies of or extracts from such description of relevant election documents as is prescribed by regulations.
- (2) In the case of an election other than a parliamentary election, a local government election in Scotland or a local election in Northern Ireland, each of the following must, on request, be supplied with a copy of the marked copies of the register, the postal voters list, the list of proxies and the proxy postal voters list—
 - (a) a registered party;
 - (b) a person who was a candidate at the election in relation to the electoral area for which he was a candidate;
 - (c) in the case of an election at which a registered party submits a list of candidates, a person who was appointed as an agent for the candidates on the party's list.
- (3) The Secretary of State may by regulations impose conditions in relation to—
 - (a) the inspection of any document in pursuance of subsection (1)(a);
 - (b) the supply of any document or part of a document in pursuance of subsection (1)(b);
 - (c) the supply of any document or part of a document in pursuance of subsection (2).

Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Section 42. (See end of Document for details)

- (4) Regulations may 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.
- (5) Conditions which may be imposed for the purposes of subsection (3)(a) or (b) include conditions as to—
- (a) whether a person may take any copy of a document he 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 (1) may be used.
- (6) Conditions which may be imposed for the purposes of subsection (3)(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 him.
- (7) Regulations may also impose conditions corresponding to those mentioned in subsection (6) in respect of persons who have obtained a document or part of a document mentioned in subsection (2)—
- (a) which was supplied to another person in pursuance of subsection (2), or
 - (b) otherwise than in accordance with regulations under this section.
- (8) The power to make regulations under this section—
- (a) is exercisable by the Secretary of State by statutory instrument;
 - (b) includes power to make different provision for different purposes.
- (9) The Secretary of State must not make regulations under this section unless he first consults the Electoral Commission.
- (10) No regulations may be made under this section unless a draft of the statutory instrument containing the regulations has been laid before, and approved by resolution of, each House of Parliament.

Modifications etc. (not altering text)

- C1** S. 42 applied (E.) (28.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), **regs. 8, 11, 13**, {Sch. 4 Table 5}
- C2** S. 42 applied (with modifications) (24.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), **regs. 1(2)(3), 8**, {Sch. 4 para. 1 Table 4}
- C3** S. 42 applied (with modifications) (E.W.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), **reg. 1, Sch. 4 para. 1** Table 5
- C4** S. 42 applied (with modifications) (E.W.S.) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), **reg. 1, Sch. 4 para. 1** Table 5 (with **reg. 27**)
- C5** S. 42 applied (with modifications) (E.W.) (3.8.2012) by [The Neighbourhood Planning \(Referendums\) Regulations 2012 \(S.I. 2012/2031\)](#), **regs. 1, 8, 12, 13, Sch. 4 Pts. 1** Table 5

Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Section 42. (See end of Document for details)

C6 S. 42 applied (with modifications) by SI 2012/2031 reg. 17 Sch. 8 Table 4 (as inserted (E.W.) (6.4.2013) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013 \(S.I. 2013/798\)](#), regs. 1, 7, **Sch. 3**)

Commencement Information

I1 S. 42 partly in force; s. 42 not in force at Royal Assent see s. 77; s. 42 in force for certain purposes for E.W. at 1.1.2007 by [S.I. 2006/3412](#), **art. 3**, **Sch. 1 para. 15(a)** (subject to transitional provisions in [Sch. 2](#)); s. 42 in force for certain purposes for E.W. at 1.1.2008 by [S.I. 2007/3376](#), **art. 3**; s. 42 in force for N.I. for certain purposes at 14.5.2008 by [S.I. 2008/1316](#), **arts. 2(1), 3(f)(g)**

Changes to legislation:

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