

# electoral administration bulletin

The  
Electoral  
Commission



Issue 219 (Scotland) – 25 January 2019

## Contents

### Guidance for EROs in Scotland on assisted registration applications

Information on and links to updated guidance on assisted registration applications and supporting applicants to register to vote.

### Electoral Commission response to the Information Commissioner's Office's Call for Views

Information about and a link to our response to the ICO on a Code of Practice for the use of personal information for political campaigns.

EA Bulletins are issued on a regular basis. They are one of our key channels for communicating with Returning Officers, Electoral Registration Officers and their staff. Past issues of Bulletins for England, Scotland and Wales are available [here](#). You can also [subscribe to the EA Bulletins](#).

Please [keep us informed](#) of any staff changes within your team. This will help us to keep our mailing lists up-to-date.

We are sending you this newsletter as it contains important information about the Electoral Commission's work which is relevant to you. The newsletter forms part of the Electoral Commission's public task which has its basis in the Political Parties, Elections and

### Guidance for EROs in Scotland on assisted registration applications

In response to feedback on our guidance on electoral registration applications and powers of attorney in Scotland, we have undertaken further detailed work to explore the law in this area. As a result, we have identified some changes to our guidance on this point.

In summary, our guidance now sets out that a person with an appropriate power of attorney may be able to complete a registration application and make the declaration of truth on behalf of the incapacitated person. The ERO will need to be satisfied that a person making a declaration on behalf of an elector does have a power of attorney for that elector and that the power of attorney is wide enough to cover making an application for registration.

This updated position is now reflected in the following:

- [Guidance on assisted applications in Scotland](#)
- [Supporting care home residents to register to vote in Scotland](#)

We understand that EROs may have rejected applications under the previous guidance and where this is the case and the ERO has a record of any such applications, they should contact these individuals and invite them to make a new application to register.

### Response to the Information Commissioner's Office's Call for Views

In November 2018 the Information Commissioner's Office (ICO) issued a [Call for Views](#) on a Code of Practice for the use of personal information for political campaigns.

We [issued a response](#) to the Call for Views ahead of the deadline of

21 December 2018. Our response welcomes the ICO's focus on the use of personal data for political campaigning, and highlights some key points for their consideration as they develop the Code. For example:

- The Code should uphold both the rights of voters to have their data protected and know how their data is used, and the rights of campaigners to use certain data for campaigning purposes.
- The ICO should be clear about the harms that the new Code is addressing, and how the Code will deal with them.
- The Code should clearly set out the definition of political campaign activities. The ICO should also consider broadening the definition beyond political campaigning relating to an election or referendum.
- The content of the Code should seek to complement electoral law, our proposed spending Codes for political parties and candidates, and our Code of Conduct for campaigners.
- The Call for Views paper proposed that a future Code could cover the use of personal data from the electoral registers. We see this as an important step that will increase transparency for voters, and believe that campaigners and EROs will benefit from further clarity on the manner in which they should make the electorate aware of how their data is being used. We want to feed in to that aspect of the Code as it is being developed.

The ICO is planning to consult on a proposed Code at a later stage, which we will be responding to and would encourage others to do the same. Once the consultation has been published we will make you aware of it - and of how to respond – in a future Bulletin.

.....  
The Electoral Commission  
City Chambers, High Street  
Edinburgh, EH1 1YJ  
Tel: 0333 103 1928  
Textphone: 18001 0131 225 0200  
[infoscotland@electoralcommission.org.uk](mailto:infoscotland@electoralcommission.org.uk)  
[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

© The Electoral Commission 2019

Referendums Act 2000. We will manage your personal information and contact details in line with the General Data Protection Regulation and UK data protection legislation as outlined in our privacy notice (<https://www.electoralcommission.org.uk/privacy-notice>)

If you no longer wish to receive this newsletter, you may [unsubscribe](#) at any time.