

Requests under the Freedom of Information Act about Electors and Elections

Freedom of Information requests regarding information from or about the Register of Electors, or about Elections, may not be granted. This is because the information is held by the Electoral Registration Officer or the Returning Officer respectively, and not the District Council, and the Officers themselves are not subject to the Freedom of Information Act.

An example of this is where the Electoral Registration Officer is appointed by the Council to hold the Register of Electors:

"The registration of electors is governed by the Representation of the People Act 1983 (as amended). Under Section 8 of the Act, the council must appoint an officer of the council to be the registration officer for any constituency or part of a constituency coterminous with or situated in the council's area. The appointment as Electoral Registration Officer is a separate appointment and, although appointed by the council, the Electoral Registration Officer's responsibilities and duties are personal. An example of this is that the register of electors is deemed to be the property of the Electoral Registration Officer, not the local authority. The Electoral Registration Officer does not carry out the duties on behalf of the local authority but in his own personal capacity."

This personal appointment and responsibility for information means that the Electoral Registration Officer is exempt from a request for information that is made to the Council.

Please note that a request for information regarding electoral information may not always be refused if the information requested is already publicly available anyway (this applies to statistics and factual information).