

FAO Nicola Thomson

19 October 2016

Dear Nicola,

Freedom of Information Request – Elections

I refer to your request under the Freedom of Information Act regarding elections. I have been appointed as Returning Officer for Malvern Hills District Council under Section 35 of the Representation of the People Act 1983. My appointment as Returning Officer is separate to my appointment as Chief Executive and, although appointed by the council, the Returning Officer's responsibilities and duties are personal. As such a Returning Officer does not carry out the duties on behalf of the local authority but in his own personal capacity.

A list of public bodies and local authorities that are subject to the provisions of the Freedom of Information Act is included in Schedule 1 to the Freedom of Information Act 2000 which can be viewed here:

<http://www.legislation.gov.uk/ukpga/2000/36/schedule/1>

As you will see, the Freedom of Information Act does not list any person appointed under the Representation of the People Act 1983. It follows that the Returning Officer, Electoral Registration Officer or any other person appointed under the Act are not subject to the provisions of the Freedom of Information Act.

Yours sincerely



C J HEGARTY
Returning Officer