

General Election Midlothian County Constituency Thursday 12 December 2019



Statutory Provisions re Schools and Rooms for Parliamentary Elections

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REPRESENTATION OF THE PEOPLE ACT 1983, AS AMENDED

- Section 95 (1) Subject to the provisions of this section, a candidate at a parliamentary election is entitled for the purpose of holding public meetings in furtherance of his candidature to the use free of charge at reasonable times between the receipt of the writ * and the day preceding the date of the poll of –
- (a) a suitable room in the premises of a school to which this section applies
 - (b) any meeting room to which this section applies.
- (2) This section applies –
- (a)
 - (b) in Scotland, to any school of which the premises are so situated, not being an independent school within the meaning of the Education (Scotland) Act 1980,
- but a candidate is not entitled under this section to the use of a room in school premises outside the constituency if there is a suitable room in other premises in the constituency which are reasonably accessible from the same parts of the constituency as those outside are premises of a school to which this section applies.
- (3) This section applies to meeting rooms situated in the constituency, the expense of maintaining which is payable wholly or mainly out of public funds or out of any rate, or by a body whose expenses are so payable.
- (4) Where a room is used for a meeting in pursuance of the rights conferred by this section, the person by whom or on whose behalf the meeting is convened –
- (a) shall defray any expenses incurred in preparing, warming, lighting and cleaning the room and providing attendance for the meeting and restoring the room to its usual condition after the meeting; and

- (b) shall defray any damage done to the room or the premises in which it is situated, or to the furniture, fittings, or apparatus in the room or premises.
- (5) A candidate is not entitled to exercise the rights conferred by this section except on reasonable notice; and this section does not authorise any interference with the hours during which a room in school premises is used for educational purposes, or any interference with the use of a meeting room either for the purpose of the person maintaining it or under a prior agreement for its letting for any purpose.
- (6) The provisions of Schedule 5 to this Act have effect with respect to the rights conferred by this section and the arrangements to be made for their exercise.
- (7) For the purpose of this section (except those of paragraph (b) of subsection (4) above), the premises of a school shall not be taken to include any private dwelling, and in this section –
 - (a) the expression “meeting room” means any room which it is the practice to let for public meetings; and
 - (b) the expression “room” includes a hall, gallery or gymnasium.

* *The writ is normally received by the Returning Officer the day after the Proclamation.*