

LOCAL ELECTORAL ADMINISTRATION AND REGISTRATION SERVICES (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT

Part 2: Registration Services

Other provisions about information held by Registrar General

Section 57 Keeping of central register for health and local authority purposes

139. *Section 57* empowers the Registrar General to keep a central register of information about people, to help the efficient running of the NHS and local authorities in Scotland.
140. The Registrar General already runs the National Health Service Central Register (NHSCR) on behalf of the NHS in Scotland. The NHSCR, which dates from the early 1950s, contains basic details of everyone born in Scotland, plus anyone else who is (or has been) on the list of a GP in Scotland. The details are name, sex, date of birth, Health Board of current and past residence, and NHS number. The Register exists mainly to allow the smooth transfer of patients who move between Health Board areas (or across borders within the UK). The Act puts the Register on a clear statutory footing (prior to this Act it had operated partly under sections 1(3) and 51 of the 1965 Act as far as the Registrar General is concerned, but is not explicitly mentioned there) and allows its information to be used to assist in the operation of local authority schemes, i.e. the Citizen's Account.
141. The Citizen's Account is a voluntary scheme, under which each citizen will be able to apply to have an account recording all entitlements and transactions with local authorities. A national infrastructure for the Citizen's Account, holding basic details of every account holder (name, sex, date of birth, address and unique identifier) is accessible to all authorities where a particular citizen has opted to allow that by giving their informed consent. The database does not contain information about the transactions relating to account holders which is kept only by the individual authority. So the national infrastructure is in effect an index.
142. The Registrar General's powers did not allow the NHSCR data to be used for that purpose. Section 57 extends his powers in the necessary way, as well as giving a clearer statutory basis for the NHSCR itself. The Registrar General may need to agree certain aspects of the information sharing with the recipient to ensure he is satisfied that it is appropriate to share the information.
143. Subsection (1) empowers the Registrar General to create and maintain a register of people to which Health Boards, the Common Services Agency and local authorities have provided or are providing statutory services. The subsection makes clear that the register is kept to help Health Boards and local authorities perform their functions.

These notes relate to the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14) which received Royal Assent on 1 August 2006

144. Subsection (2) sets out the sources of the information on the register which can include other persons described in regulations (covering for instance medical researchers – see paragraph 147 below). It includes:
- information about births and deaths in Scotland;
 - information about children who have been adopted;
 - information provided by a Health Board or local authority;
 - equivalent information from the rest of the UK – which is necessary when someone moves across the border to Scotland.
145. Subsection (3) specifies the information which may be held on the register. This is restricted to basic personal data and details of which health authority the patient has been registered with, but may be extended to include other information prescribed by the Registrar General, by subordinate legislation requiring negative resolution procedure.
146. Subsection (4) gives access to the register for Health Boards, the Common Services Agency and local authorities – and other persons, or persons of a certain description, prescribed by the Registrar General (which would cover cases such as medical researchers).
147. Subsection (5) makes clear that the purposes for which information may be provided are not limited to those referred to in subsection (1).
148. Subsection (6) requires that the information which may be, or must not be, provided to those given access under subsection (4) must be prescribed in regulations.
149. Subsection (7) is consequential to subsection (6).
150. Subsection (8) makes clear that this section does not reduce the Registrar General's other powers to provide information.
151. [Section 57](#) came into force on 1st October 2006. The National Health Service Central Register (Scotland) Regulations 2006 ([S.S.I. 2006/484](#)) prescribed the information contained in a register entry, and with whom it may be shared, with effect from 11th November 2006.