

## SCHEDULE 5

### COMBINATION OF POLLS

#### PART 2

#### MODIFICATIONS OF THE SCOTTISH PARLIAMENTARY ELECTION RULES

##### **Rule 54 (attendance at counting of votes)**

17.—(1) For paragraphs (1) and (2) of rule 54 there shall be substituted the following paragraphs—

“(1) Where the CRO at the Scottish parliamentary election discharges the functions specified in paragraph 2 of Schedule 5, the CRO shall make arrangements for discharging the functions under rule 55 (as amended by paragraph 18 of Schedule 5) in the presence of the counting agents appointed for the purposes of the Scottish parliamentary election as soon as practicable after the close of the poll and for thereafter counting the votes at the Scottish parliamentary election in the presence of those agents, but in making such arrangements the CRO shall not knowingly appoint or employ any person who has been employed by or on behalf of a candidate or a registered party in or about the election.

(1A) Where paragraph (1) applies, the CRO shall give to those counting agents notice in writing of the time and place at which the CRO will begin to discharge the functions under rule 55 (as so amended).

(2) Where the CRO at the Scottish parliamentary election does not discharge the functions specified in paragraph 2 of Schedule 5, the CRO shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the delivery of the ballot papers to the CRO by the returning officer who does discharge those functions, but in making such arrangements the CRO shall not knowingly appoint or employ any person who has been employed by or on behalf of a candidate or a registered party in or about the election.

(2A) Where paragraph (2) applies, the CRO shall give to those counting agents notice in writing of the time after which the CRO will begin to count the votes if by then the CRO has received the ballot papers and of the place at which that count will take place.”.

(2) In rule 54(3), before “at the counting of the votes” there shall be inserted—  
“at the proceedings described in rule 55(1) (as substituted by paragraph 18 of Schedule 5) or”.

(3) In rule 54(4), before “at the counting of the votes” there shall be inserted—  
“at the proceedings described in rule 55(1) (as so substituted) or”.

(4) In rule 54(4)(a) before “the efficient” there shall be inserted—  
“the efficient separating of the ballot papers or, as the case may be,”.