

SCHEDULE 2

SCOTTISH LOCAL GOVERNMENT ELECTIONS RULES RULES FOR CONDUCT OF A SCOTTISH LOCAL GOVERNMENT ELECTION WHERE THE POLL IS NOT TAKEN TOGETHER WITH THE POLL AT ANOTHER ELECTION

PART III

CONTESTED ELECTIONS

Counting of votes

Attendance at counting of votes

37.—(1) The returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll, and shall give to the counting agents notice in writing of the time and place at which the returning officer will begin to count the votes.

(2) No person other than—

- (a) the returning officer and the returning officer's staff;
- (b) the candidates and one guest each;
- (c) the election agents; and
- (d) the counting agents,

may be present at the counting of the votes, unless permitted by the returning officer to attend.

(3) A person may only be permitted by the returning officer to attend at the counting of the votes if the returning officer—

- (a) is satisfied that the efficient counting of the votes will not be impeded; and
- (b) has either consulted the election agents or thought it impracticable to do so.

(4) The returning officer shall give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as the returning officer can give them consistently with the orderly conduct of the proceedings and the discharge of the returning officer's duties in connection with them.

(5) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.