

SCHEDULE 1

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

Action to be taken before the poll

Appointment of polling and counting agents

25.—(1) Each candidate may, before the commencement of the poll, appoint—

- (a) polling agents to attend at polling stations for the purpose of detecting personation; and
- (b) counting agents to attend at the counting of the votes.

(2) The returning officer may limit the number of counting agents, but the number shall be the same in the case of each candidate.

(3) Notice in writing of the appointment, stating the names and addresses of the persons appointed, shall be given by the candidate to the returning officer and shall be so given not later than the Thursday before the day of election.

(4) If an agent dies, or becomes incapable of acting, the candidate may appoint another agent in such agent's place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.

(5) The foregoing provisions of this rule shall be without prejudice to the requirements of section 72(1) of the 1983 Act as to the appointment of paid polling agents, and any appointment authorised by this rule may be made and the notice of appointment given to the returning officer by the candidate's election agent, instead of by the candidate.

(6) In the following provisions of these rules, references to polling agents and counting agents shall be taken as references to agents—

- (a) whose appointments have been duly made and notified; and
- (b) where the number of agents is restricted, who are within the permitted number.

(7) Any notice required to be given to a counting agent by the returning officer may be delivered at or sent by post to the address stated in the notice of appointment and, where a candidate has no counting agent, any such notice shall be given to the candidate.

(8) A candidate may do any act or thing which any polling or counting agent of such candidate, if appointed, would have been authorised to do, or may assist such agent in doing any such act or thing.

(9) A candidate's election agent may do or assist in doing anything which a polling or counting agent of such candidate is authorised to do; and anything required or authorised by these rules to be done in the presence of the polling or counting agents may be done in the presence of a candidate's election agent instead of such candidate's polling agent or counting agents.

(10) Where by these rules any act or thing is required or authorised to be done in the presence of the polling or counting agents, the non attendance of any agent or agents at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.