SCHEDULE 2

MODIFICATIONS TO THE LOCAL GOVERNMENT ELECTIONS RULES IN
SCHEDULE 1 TO APPLY WHERE THE POLL AT A LOCAL GOVERNMENT ELECTION
IS TAKEN TOGETHER WITH THE POLL AT ANOTHER ELECTION UNDER
SECTION 15(1) OR (2) OF THE REPRESENTATION OF THE PEOPLE ACT 1985(**1**)

14. For paragraph (1) of rule 40 (attendance at counting of votes) there shall be substituted the following paragraphs:–

"(1) Where the returning officer at the local government election discharges the functions specified in regulation 96 of the Representation of the People (Scotland) Regulations 1986, such returning officer shall make arrangements for discharging the functions under rule 42(1) (as substituted by Schedule 2 to the Scottish Local Government Elections Order 2006) in the presence of the counting agents appointed for the purposes of the local government election as soon as practicable after the close of the poll and for thereafter counting the votes at that election in the presence of those agents; and shall give to those counting agents notice in writing of the time and place at which such returning officer will begin to discharge the functions under rule 42(1) (as so substituted).

(1A) Where the returning officer at the local government election does not discharge the functions specified in regulation 96 of the Representation of the People (Scotland) Regulations 1986, such returning officer 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 such returning officer by the returning officer who does discharge those functions, and shall give to the counting agents notice in writing of the time after which such returning officer will begin to count the votes if by then such returning officer has received the ballot papers, and of the place at which that count will take place.".

(**1**)   1985 c. 50.