Status: *Point in time view as at 18/12/2013.*
Changes to legislation: *There are currently no known outstanding effects for the Scottish Independence Referendum Act 2013, Cross Heading: Attendance at counting of votes. (See end of Document for details)*

SCHEDULE 3
CONDUCT RULES

Attendance at counting of votes

29 (1) The counting officer must make arrangements for counting of the votes as soon as reasonably practicable after the close of the poll.

(2) The counting officer must give notice in writing to the Chief Counting Officer, each of the referendum agents appointed for the area and any counting agents appointed to attend at the count of the time and place at which the counting officer will begin to count the votes.

(3) The counting officer must take proper precautions for the security of the ballot boxes and packets in the period between taking charge of them and the beginning of the count.

(4) No person other than the persons mentioned in paragraph (5) may attend the counting of the votes.

(5) Those persons are—

(a) the Member of Parliament for any constituency which contains all or part of the area in which the votes being counted have been cast,

(b) the member of the Scottish Parliament for any constituency which contains all or part of the area in which the votes being counted have been cast,

(c) members of the Scottish Parliament for any region which contains all or part of the area in which the votes being counted have been cast,

(d) members of the council for any local government area which contains all or part of the area in which the votes being counted have been cast,

(e) members of the European Parliament for the electoral region of Scotland,

(f) the Chief Counting Officer and members of the Chief Counting Officer's staff,

(g) a counting officer and members of a counting officer's staff,

(h) constables on duty,

(i) persons entitled to attend by virtue of section 18,

(j) persons entitled to attend by virtue of section 19 or 20,

(k) referendum agents,

(l) counting agents appointed to attend at the count, and

(m) any other person the counting officer permits to attend.

(6) The counting officer may exclude persons from the counting of the votes if the counting officer considers that the efficient counting of the votes would be impeded.

(7) Paragraph (6) does not permit the counting officer to exclude the persons mentioned in paragraph (5)(f) or (i).

(8) The counting officer may limit the number of counting agents who are permitted to be present at the counting of the votes on behalf of a permitted participant, but the same limit is to apply to each permitted participant.

(9) The counting officer must give any counting agents such reasonable facilities for overseeing the proceedings and such information with respect to the proceedings as

the counting officer can give consistently with the orderly conduct of the proceedings and the carrying out of the counting officer's functions in connection with them.

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

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