

SCHEDULE 2

SCOTTISH PARLIAMENTARY ELECTION RULES

PART 3

CONTESTED ELECTIONS

General Provisions

Counting of votes

Attendance at counting of votes

54.—(1) The CRO shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll, 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.

(2) The CRO shall give to the counting agents and the RRO notice in writing of the time and place at which the CRO will begin to count the votes.

(3) No person other than—

- (a) the CRO and members of the CRO's staff;
- (b) the candidates and one other person chosen by each of them;
- (c) the election agents;
- (d) the counting agents;
- (e) a person who is entitled to attend by virtue of any of sections 6A to 6D of the 2000 Political Parties Act⁽¹⁾ (representatives of the Electoral Commission and accredited observers);
- (f) (except in the case of an election to fill a vacancy in the seat of a constituency member), the RRO,

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

(4) A person not entitled to attend at the counting of the votes shall not be permitted to do so by the CRO unless the CRO—

- (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.

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

(6) In particular, where the votes are counted by sorting the ballot papers according to—

- (a) a candidate for whom a vote is given in the case of a constituency ballot paper; or
- (b) an individual candidate or a registered party for whom or which a vote is given in the case of a regional ballot paper,

and then counting the number of ballot papers for each such candidate or party, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.

(1) Sections 6A to 6D were inserted by the 2006 Act, section 29.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*