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*Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, Paragraph 5. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 1

#### FURTHER PROVISIONS ABOUT THE REFERENDUM

##### *General duties of counting officers etc*

- 5 (1) The Chief Counting Officer, Regional Counting Officers and counting officers must do whatever things are necessary for conducting the referendum in the manner provided by this Part.
- (2) The counting officer for a voting area is responsible, as regards that area, for—
- (a) the conduct of the poll,
  - (b) (subject to sub-paragraph (3)) the printing of the ballot papers,
  - (c) the issue and receipt of postal ballot papers for persons entitled to vote on their own behalf in the referendum and for their proxies,
  - (d) the verification of the statements made under rule 38(6) of the referendum rules (ballot paper accounts), and
  - (e) the counting of the votes cast.
- (3) Responsibility for the printing of the ballot papers for a voting area may be taken—
- (a) by the Chief Counting Officer;
  - (b) in the case of a voting area in a region for which a Regional Counting Officer is appointed, by the Chief Counting Officer or the Regional Counting Officer.

The Chief Counting Officer or Regional Counting Officer may direct the counting officer concerned accordingly.

- (4) In the case of a region for which a Regional Counting Officer is appointed, the officer must certify as regards the votes cast in the region—
- (a) the total number of ballot papers counted, and
  - (b) the total number of votes cast in favour of each answer to the question asked in the referendum.

Where two or more forms of ballot paper are used in the referendum, a separate number must be certified under paragraph (a) in relation to each form of ballot paper used.

- (5) The Chief Counting Officer may give Regional Counting Officers or counting officers—
- (a) directions about the discharge of their functions;
  - (b) directions requiring them to take specified steps in preparation for the referendum;
  - (c) directions requiring them to provide the Chief Counting Officer with information that they have or are entitled to have.

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- (6) A Regional Counting Officer for a region may give counting officers for voting areas within that region—
  - (a) directions about the discharge of their functions;
  - (b) directions requiring them to take specified steps in preparation for the referendum;
  - (c) directions requiring them to provide the Regional Counting Officer with information that they have or are entitled to have.
- (7) A power under this paragraph of a Regional Counting Officer to give a direction to a counting officer is exercisable only in accordance with a specific or general authorisation or direction given by the Chief Counting Officer.
- (8) A person to whom a direction is given under this paragraph must comply with it.
- (9) This paragraph applies in addition to section 128 of the 2000 Act (Chief Counting Officers, and counting officers, for referendums).
- (10) The number of ballot papers or votes purportedly certified under this paragraph or section 128 of the 2000 Act is not liable to be questioned by reason of a defect in the title, or a lack of title, of any person purporting to exercise functions in relation to the referendum, if the person was then in actual possession of, or acting in, the office giving the right to exercise the functions.

**Changes to legislation:**

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