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**Changes to legislation:** There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, Paragraph 49. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 6

#### COMBINATION OF POLLS: WALES

#### PART 1

#### PROVISION ABOUT COMBINATION

#### COUNTING OF VOTES

##### *Counting of votes*

- 49 (1) The counting officer must count the votes given on the ballot papers for the referendum, but must not do so until—
- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box;
  - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.
- (2) Where proceedings on the issue and receipt of postal ballot papers for the Assembly elections are not taken together with those for the referendum, the constituency returning officer must count the postal ballot papers that have been duly returned for the Assembly constituency election and the Assembly regional election and record separately the number relating to each.
- (3) The constituency returning officer must count the votes given on the ballot papers for each Assembly election, but must not do so until—
- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box;
  - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.
- (4) The counting or constituency returning officer, while counting the votes, must—
- (a) keep the ballot papers with their faces upwards, and
  - (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (5) The counting or constituency returning officer must so far as practicable proceed continuously with the counting of votes, allowing only time for refreshment, except that—
- (a) the officer may exclude the whole or any part of the period between 7 pm and 9 am on the next day;
  - (b) the officer may exclude a day mentioned in rule 2(1) of the referendum rules.
- (6) During the time so excluded the counting or constituency returning officer must—

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- (a) place the ballot papers and other documents relating to the referendum or Assembly election under the officer's own seal and the seals of any of the counting agents who want to affix their seals, and
  - (b) otherwise take proper precautions for the security of the papers and documents.
- (7) This paragraph and paragraph 50 apply instead of rule 55 of the Assembly Elections Rules.

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