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

SCHEDULES

SCHEDULE 7

COMBINATION OF POLLS: SCOTLAND

PART 1

PROVISION ABOUT COMBINATION

COUNTING OF VOTES

Counting of votes

- 48 (1) The counting officer must count the votes given on the referendum ballot papers, 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 are not taken together by virtue of paragraph 2 of Schedule 4 to the 2010 Order, the constituency returning officer for the Scottish parliamentary election must count the duly returned postal constituency ballot papers and the duly returned postal regional ballot papers and record separately the number relating to each.
- (3) The constituency returning officer must count the votes given on the constituency ballot papers and regional ballot papers, 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 Scottish parliamentary 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 49 apply instead of rule 55 of the Scottish Parliamentary Election Rules.

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