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SCHEDULES

SCHEDULE 7

COMBINATION OF POLLS: SCOTLAND

PART 1

PROVISION ABOUT COMBINATION

DISPOSAL OF DOCUMENTS ETC

Packets of documents

- 51 (1) The counting officer may not open the sealed packets of—
- (a) the completed corresponding number lists for the Scottish parliamentary election, or
 - (b) marked copies of the polling register (within the meaning given in Article 2(1) of the 2010 Order), and lists of proxies, for the Scottish parliamentary election.
- (2) Rule 68(2) of the Scottish Parliamentary Election Rules has effect as if subparagraphs (b) and (d) were omitted.

Delivery and retention of documents

- 52 (1) Rules 50(1)(b) and 52 of the referendum rules apply to the specified documents.
- (2) The specified documents are those specified in rule 69(1)(c), (d) and (f) of the Scottish Parliamentary Election Rules.
- (3) Rule 70 of the Scottish Parliamentary Election Rules applies to the specified documents as if references to the CRO were to the counting officer.
- (4) Except for the purposes of this paragraph, rule 69 of the Scottish Parliamentary Election Rules has effect as if it did not include a reference to the specified documents.
- (5) Rule 70(8) of the Scottish Parliamentary Election Rules has effect as if for “by this paragraph provided” there were substituted “provided by this paragraph (or a court order)”.
- 53 Schedule 8 to the 2010 Order has effect—
- (a) as if the reference in paragraph 1 to documents retained under rule 71 of the Scottish Parliamentary Election Rules were to documents retained under rule 50(1)(b) of the referendum rules as applied by paragraph 52 above;
 - (b) as if the reference to that Schedule in paragraph 4(2) were to any enactment;
 - (c) as if references to the CRO included references to the counting officer.

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Countermand or abandonment of poll on death of candidate

- 54 (1) Where under rule 72(4), 75(2) or 77(1) of the Scottish Parliamentary Election Rules—
- (a) notice of the constituency poll or the regional poll for the Scottish parliamentary election is countermanded, or
 - (b) it is directed that the poll be abandoned,
- the countermand or direction does not affect the other poll at the Scottish parliamentary election or the poll for the referendum.
- (2) Rule 78 of the Scottish Parliamentary Election Rules has effect as if it were amended in accordance with sub-paragraphs (3) and (4).
- (3) In paragraph (2), after “CRO” insert “or counting officer”.
- (4) For paragraph (3) substitute—
- “(3) After the close of any polls that are being taken together with the poll that has been abandoned, the counting officer must—
- (a) separate the ballot papers for the abandoned poll, and
 - (b) deliver or cause to be delivered to the CRO the ballot papers and other documents relating to the abandoned poll.
- (3A) Paragraphs (4) to (9) apply in relation to the poll that has been abandoned.”
- (5) This paragraph applies instead of rule 78(10) of the Scottish Parliamentary Election Rules.