

## SCHEDULE 3

### MODIFICATION OF EUROPEAN PARLIAMENTARY ELECTIONS RULES FOR COMBINED POLLS

#### PART I

##### ENGLAND AND WALES

**18.** For paragraph (1) of rule 44 (attendance at counting of votes) substitute the following paragraph:

“(1) The local returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after—

- (a) at a by-election, the delivery of the ballot papers to him by the returning officer who discharges the functions specified in regulation 98 of the 1986 Regulations, or
- (b) at a general election of MEPs, that delivery or the material time, whichever is the later,

and shall give the returning officer and the counting agents notice in writing of the time after which he will begin to count the votes if by then he has received the ballot papers and of the place at which the count will take place.

The “material time” means the time when the counting of votes becomes permissible under article 9(2) of the Act referred to in section 8(2)(a) of the 1978 Act (counting not to begin until close of polling in the member State whose electors are the last to vote within the period referred to in article 9(1)).”.