

2015 No. 368

REPRESENTATION OF THE PEOPLE

**The Scottish Independence Referendum (Chief Counting Officer
and Counting Officer Charges and Expenses) Order 2015**

<i>Made</i>	- - - -	<i>29th October 2015</i>
<i>Laid before the Scottish Parliament</i>		<i>2nd November 2015</i>
<i>Coming into force</i>	- -	<i>30th November 2015</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 9(3) and (4) of the Scottish Independence Referendum Act 2013(a).

Citation and commencement

1. This Order may be cited as the Scottish Independence Referendum (Chief Counting Officer and Counting Officer Charges and Expenses) Order 2015 and comes into force on 30th November 2015.

Interpretation

2. In this Order “the referendum” means the referendum on a question about the independence of Scotland provided for by the Scottish Independence Referendum Act 2013.

Chief Counting Officer: overall maximum recoverable amount

3. The overall maximum amount recoverable by the Chief Counting Officer in respect of the referendum is £509,880.

Chief Counting Officer: maximum recoverable amount for specified services

4.—(1) The total of the charges recoverable by the Chief Counting Officer in respect of the specified services for the referendum cannot exceed £25,000.

(2) The specified services are making arrangements for the referendum and discharging the Chief Counting Officer’s duties at the referendum.

Chief Counting Officer: maximum recoverable amount for specified expenses

5.—(1) The total of the expenses recoverable by the Chief Counting Officer in respect of the specified expenses for the referendum cannot exceed £484,880.

- (2) The specified expenses are costs associated with—
- (a) the making and management of arrangements for the referendum, including the appointment and payment of persons to assist the Chief Counting Officer;
 - (b) printing, producing and disseminating directions, guidance and forms to counting officers;
 - (c) the collation of the result of the referendum for the whole of Scotland; and
 - (d) communications relating to the referendum and its result.

Counting officers: overall maximum recoverable amount

6. The overall maximum amount recoverable by a counting officer in respect of the referendum for each local government area is the amount listed in column 4 of the table in the Schedule to this Order.

Counting officers: maximum recoverable amount for specified services

7.—(1) The total of the charges recoverable by a counting officer in respect of the specified services for the referendum cannot exceed the amount listed for each local government area in column 2 of the table in the Schedule to this Order.

(2) The specified services are making arrangements for and conducting the referendum, and discharging the counting officer's duties at the referendum.

Counting officers: maximum recoverable amount for specified expenses

8.—(1) The total of the expenses recoverable by a counting officer in respect of the specified expenses for the referendum cannot exceed the amount listed for each local government area in column 3 of the table in the Schedule to this Order.

- (2) The specified expenses are—
- (a) the appointment and payment of persons to assist the counting officer;
 - (b) travel and overnight subsistence for the counting officer and any person appointed to assist the counting officer;
 - (c) printing or otherwise producing the ballot paper;
 - (d) printing, producing or purchasing stationery to be used for or in connection with postal voting;
 - (e) printing or otherwise producing and arranging for the delivery of the poll cards required by rule 11 of schedule 3 to the Scottish Independence Referendum Act 2013;
 - (f) printing or otherwise producing and, where appropriate, publishing notices, lists and any other documents required for, or in connection with, the referendum;
 - (g) renting, heating, lighting, cleaning, adapting or restoring any building or room;
 - (h) providing and transporting equipment;
 - (i) providing information and communications technology equipment and software and associated costs;
 - (j) providing security, including any necessary storage of ballot boxes, ballot papers, postal voting statements and documents used to verify personal identifiers on postal voting statements;
 - (k) conducting the verification of personal identifiers on postal voting statements and the count (including counting and recording the number of ballot papers, counting the votes and any recount);
 - (l) providing and receiving training; and
 - (m) providing stationery and meeting postage, telephone, printing, translation and banking costs and the costs of other miscellaneous items.

Revocation

9. The Scottish Independence Referendum (Chief Counting Officer and Counting Officer Charges and Expenses) Order 2014^(a) is revoked.

St Andrew's House,
Edinburgh
29th October 2015

JOHN SWINNEY
A member of the Scottish Government

(a) S.S.I. 2014/101.

SCHEDULE

Articles 6, 7 and 8

Counting officers: maximum recoverable amounts

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Local government area</i>	<i>Maximum recoverable amount for specified services</i>	<i>Maximum recoverable amount for specified expenses</i>	<i>Overall maximum recoverable amount</i>
	£	£	£
Aberdeen City	8,267	486,735	495,002
Aberdeenshire	9,521	563,158	572,679
Angus	4,227	241,554	245,781
Argyll & Bute	3,248	266,975	270,223
Clackmannanshire	2,500	111,199	113,699
Dumfries & Galloway	5,652	370,593	376,245
Dundee City	5,212	245,225	250,437
East Ayrshire	4,639	253,520	258,159
East Dunbartonshire	3,965	157,370	161,335
East Lothian	3,760	174,711	178,471
East Renfrewshire	3,421	177,239	180,660
Edinburgh (City of)	16,777	1,156,029	1,172,806
Eilean Siar	2,500	71,539	74,039
Falkirk	5,536	282,985	288,521
Fife	13,789	591,044	604,833
Glasgow City	22,648	1,050,273	1,072,921
Highland	8,821	498,934	507,755
Inverclyde	2,998	161,488	164,486
Midlothian	3,135	130,697	133,832
Moray	3,421	177,123	180,544
North Ayrshire	5,283	280,668	285,951
North Lanarkshire	11,957	777,186	789,143
Orkney Islands	2,500	50,106	52,606
Perth & Kinross	5,414	288,103	293,517
Renfrewshire	6,369	377,130	383,499
Scottish Borders	4,368	267,710	272,078
Shetland Islands	2,500	50,640	53,140
South Ayrshire	4,364	254,289	258,653
South Lanarkshire	11,776	581,162	592,938
Stirling	3,152	150,224	153,376
West Dunbartonshire	3,261	156,437	159,698
West Lothian	6,297	292,914	299,211

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for payments for charges and expenses of the Chief Counting Officer and counting officers in connection with the referendum on Scottish independence held on 18th September 2014 under the Scottish Independence Referendum Act 2013. Under section 9 of that Act the Chief Counting Officer and counting officers are entitled to recover from the Scottish Ministers the charges and expenses they incurred in exercising their functions, provided the amounts sought do not exceed such maximum amounts as are specified in this Order.

Maximum amounts were specified by the Scottish Independence Referendum (Chief Counting Officer and Counting Officer Charges and Expenses) Order 2014 (“the 2014 Order”), which came into force on 5th May 2014. Article 9 of this Order revokes the 2014 Order, and instead the amounts specified in this Order will be the maximum recoverable amounts.

Articles 3 to 5 make provision in relation to the Chief Counting Officer. The maximum recoverable amount for specified expenses in article 5 has increased from the amount in the 2014 Order, by £159,880, with a consequential increase in the overall maximum recoverable amount specified in article 3. The maximum recoverable amount for specified services, in article 4, is unchanged from that in the 2014 Order.

Articles 6 to 8 and the Schedule make similar provision in relation to counting officers. In most cases there are increases in the maximum recoverable amounts for specified expenses in column 3 of the table in the schedule, though for four local government areas the amounts have reduced. The maximum recoverable amounts for specified services in column 2 of the schedule are unchanged from those in the 2014 Order.

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