

SCHEDULE 3

Combined Authority Mayoral Election (Combination of Polls) Rules

PART 4

Contested elections

Appointment of polling and counting agents

29.—(1) Subject to paragraphs (5), (6) and (7), before the commencement of the poll each candidate may appoint—

- (a) polling agents to attend at polling stations for the purpose of detecting personation, and
- (b) counting agents to attend at the counting of the votes.

(2) The same person may be appointed as a polling agent or counting agent by more than one candidate.

(3) For each count, one (but no more than one) counting agent may be designated as a person authorised to require a re-count under rule 53.

(4) A designation under paragraph (3) must be made at the same time as the person's appointment as a counting agent.

(5) Not more than four polling agents, or such greater number as the returning officer may by notice allow, shall be permitted to attend at any particular polling station.

(6) If the number of such agents appointed to attend at a particular polling station exceeds the allowed number, the returning officer must determine which agents are permitted to attend by lot, and only the agents on whom the lot falls shall be deemed to have been duly appointed.

(7) The returning officer may limit the number of counting agents, but in doing so must ensure that—

- (a) the number is the same in the case of each candidate, and
- (b) the number allowed to a candidate must not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.

(8) For the purposes of the calculations required by paragraph (5), a counting agent appointed for more than one candidate is a separate agent for each of the candidates for whom the agent has been appointed.

(9) Notice in writing of the appointment, stating the names and addresses of the persons appointed, must be given by the candidate to the returning officer and must be so given not later than the fifth day (disregarding any day referred to in rule 4(1)) before the day of the poll.

(10) Notices of the appointment of polling agents and counting agents which are required by paragraphs (9) and (11) to be given to the returning officer must be given to that returning officer who discharges the functions specified in regulation 5 of the Combination of Polls Regulations.

(11) If an agent dies, or becomes incapable of acting, the candidate may appoint another person in his or her place, and must forthwith give to the returning officer notice in writing of the name and address of that other person.

(12) Any appointment for a candidate authorised by this rule may be made and the notice of appointment given to the returning officer by the candidate's election agent, instead of by the candidate.

(13) In the following provisions of these Rules references to polling agents and counting agents shall be taken as references to agents—

- (a) whose appointments have been duly made and notified, and
- (b) where the number of agents is restricted, who are within the permitted numbers.

(14) Any notice required to be given to a counting agent by the returning officer may be delivered at, or sent by post to, the address stated in the notice of appointment.

(15) A candidate may do any act or thing which any polling or counting agent of the candidate's, if appointed, would have been authorised to do, or may assist his or her agent in doing any such act or thing.

(16) A candidate's election agent may do or assist in doing anything which the candidate's polling or counting agent is authorised to do; and anything required or authorised by these Rules to be done in the presence of the polling or counting agent may be done in the presence of a candidate's election agent instead of his polling agent or counting agent.

(17) Where by these Rules any act or thing is required or authorised to be done in the presence of the polling or counting agent, the non-attendance of any agent or agents at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.