

SCHEDULE 3

Combined Authority Mayoral Election (Combination of Polls) Rules

PART 4

Contested elections

Attendance at the count

49.—(1) Where the returning officer at the combined authority mayoral election discharges the functions specified in regulation 5 of the Combination of Polls Regulations, the returning officer must—

- (a) make arrangements for counting the votes at the election as soon as practicable after the close of the poll in the presence of the counting agents appointed for the purposes of that election; and
- (b) give the counting agents notice in writing of the time and place at which the counting of votes will begin.

(2) Where the returning officer at the combined authority mayoral election does not discharge the functions specified in regulation 5 of the Combination of Polls Regulations, the returning officer must—

- (a) make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the delivery of the ballot papers to the returning officer by the person who does discharge those functions, and
- (b) give to the counting agents notice in writing of the time, if by then the returning officer has received the ballot papers, and of the place at which the returning officer will begin to count the votes.

(3) No person other than—

- (a) the returning officer and the returning officer's clerks,
- (b) the candidates and one other person chosen by each of them,
- (c) the election agents,
- (d) the counting agents,
- (e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000,
- (f) the combined authority returning officer and the combined authority returning officer's clerks,

may be present at the counting of the votes under rule 50, unless permitted by the returning officer to attend.

(4) A person not entitled to attend at the counting of the votes shall not be permitted to do so by the returning officer unless the returning officer—

- (a) is satisfied that the efficient separation of the ballot papers or, as the case may be, the efficient counting of the votes will not be impeded, and
- (b) has either consulted the election agents or thought it impracticable to do so.

(5) The returning officer must give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as the returning officer

can give them consistently with the orderly conduct of the proceedings and the discharge of the returning officer's duties in connection with them.

(6) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.