

SCHEDULES

SCHEDULE 3

Rules for the conduct of PCC elections where poll not taken together with poll at another election

PART 3

Contested PCC elections

ACTION TO BE TAKEN BEFORE THE POLL

Appointment of polling and counting agents

31.—(1) 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) 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 54.

(3) A designation under paragraph (2) must be made at the same time as the person's appointment as a counting agent.

(4) Not more than—

- (a) four polling agents, or
- (b) such greater number as the local returning officer may by notice allow,

are permitted to attend at any particular polling station.

(5) If the number of polling agents appointed to attend at a particular polling station exceeds the permitted number—

- (a) the local returning officer must determine by lot which agents are permitted to attend, and
- (b) only the agents so determined are to be deemed as duly appointed.

(6) The local returning officer may limit the number of counting agents so long as—

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

(7) A candidate who appoints a polling agent or a counting agent must give the local returning officer notice of the appointment no later than the 5th day before the day of the poll.

(8) If a polling or counting agent dies, or becomes incapable of acting, the candidate may appoint another agent and must forthwith give the local returning officer notice of the appointment.

(9) A notice under paragraph (7) or (8) must—

- (a) be in writing, and
- (b) give the name and address of the agent appointed.

Status: This is the original version (as it was originally made).

(10) Any appointment authorised by this rule may be made and the notice of appointment given by the candidate's election agent, instead of by the candidate.

(11) In the following provisions of these rules references to polling agents and counting agents are to be read 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.

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

(13) A candidate may do anything, or assist a polling agent or counting agent in doing anything, which such an agent is authorised to do on appointment by the candidate.

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

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