

## 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

COUNTING OF VOTES

*Verification of ballot paper accounts*

#### **Procedure at verification of ballot paper accounts**

- 49.**—(1) The local returning officer must, in the presence of the counting agents—
- (a) open the ballot boxes from each polling station and count and record the number of ballot papers in each box;
  - (b) verify each ballot paper account;
  - (c) count such of the postal ballot papers as have been duly returned and record the number counted.
- (2) A postal ballot paper is not to be taken to be duly returned unless—
- (a) it is returned in the manner specified in paragraph 43(1) or (2) of Schedule 2 and, before the close of the poll, it reached the local returning officer or a polling station in the voting area for which the officer acts,
  - (b) the postal voting statement, duly signed, is also returned in the manner specified in paragraph 43(1) or (2) of Schedule 2 and, before the close of the poll, it reached the local returning officer or a polling station in the voting area for which the officer acts,
  - (c) the postal voting statement also states the date of birth of the elector or proxy (as the case may be), and
  - (d) <sup>F1</sup>... the local returning officer verifies the date of birth and signature of the elector or proxy (as the case may be).

[<sup>F2</sup>(2A) A postal ballot paper or postal voting statement that reaches the local returning officer or a polling station on or after the close of the poll is treated for the purposes of paragraph (2) as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it.]

(3) The local returning officer, while counting and recording the number of ballot papers, must keep the ballot papers with their faces upwards and take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.

**Status:** Point in time view as at 06/04/2014.

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(4) Unless otherwise directed by the police area returning officer, the local returning officer must determine the hours during which the procedure under this rule is to be carried out and must take proper precautions for the security of the ballot papers and documents.

(5) The local returning officer must—

(a) verify each ballot paper account by comparing it with the number of ballot papers recorded by the local returning officer, and the unused and spoilt ballot papers in the local returning officer's possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list);

(b) draw up a statement as to the result of the verification.

(6) Once the statement is drawn up the local returning officer must inform the police area returning officer of the contents of the statement.

(7) Any counting agent present at the verification may copy the statement.

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#### **Textual Amendments**

**F1** Words in Sch. 3 rule 49(2)(d) omitted (6.4.2014) by virtue of [The Police and Crime Commissioner Elections \(Amendment\) Order 2014 \(S.I. 2014/921\)](#), arts. 1(5), **37(1)** (with art. 1(5))

**F2** Sch. 3 rule 49(2A) inserted (6.4.2014) by [The Police and Crime Commissioner Elections \(Amendment\) Order 2014 \(S.I. 2014/921\)](#), arts. 1(5), **37(2)** (with art. 1(5))

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