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SCHEDULES

SCHEDULE 7

COMBINATION OF POLLS: SCOTLAND

PART 1

PROVISION ABOUT COMBINATION

GENERAL PROVISIONS

Interpretation

- 1 The polls to be taken together under section 4(3) are referred to in this Schedule as “combined polls”.
- 2 In this Schedule—
 - “the 2010 Order” means the Scottish Parliament (Elections etc.) Order 2010 (S.I. 2010/2999);
 - “constituency ballot paper” means a ballot paper for the poll for electing a constituency member in a Scottish parliamentary election;
 - “constituency returning officer” is to be construed in accordance with Article 14 of the 2010 Order;
 - “counting agent” means a counting agent for the referendum or a counting agent for a Scottish parliamentary election (except where one or other is specified);
 - “regional ballot paper” means a ballot paper for the poll for electing a regional member in a Scottish parliamentary election;
 - “referendum ballot paper” means a ballot paper for the referendum;
 - “regional returning officer” has the meaning given by section 12(6) of the Scotland Act 1998;
 - “returning officer” means a person who is a constituency returning officer or a regional returning officer (unless one or other is specified);
 - “Scottish parliamentary election” means an election in a constituency held under section 2 of the Scotland Act 1998 (comprising the poll for electing a constituency member and the poll for electing regional members);
 - “Scottish Parliamentary Election Rules” means the rules set out in Schedule 2 to the 2010 Order.

Cost of combined polls

- 3 The cost of taking the combined polls (excluding any cost solely attributable to the referendum or the Scottish parliamentary election), and any cost attributable to their combination, is to be apportioned equally between—

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- (a) the referendum, and
 - (b) the Scottish parliamentary election.
- 4 (1) In section 29 of the 1983 Act (payments by and to returning officer) as it has effect for the purposes of a Scottish parliamentary election by virtue of Article 18 of the 2010 Order, subsections (3) to (9) apply—
- (a) as if a reference to a returning officer included a reference to a counting officer carrying out functions that, but for this Schedule, would be exercisable by a returning officer (“transferred functions”), and
 - (b) as if, in relation to that counting officer, a reference to services or expenses were to services rendered or expenses incurred in respect of transferred functions.
- (2) An order under subsection (3)(b) of that section (as it has effect as mentioned above) may include special provision for services rendered or expenses incurred by a counting officer in respect of transferred functions.
- (3) Article 19 of the 2010 Order (taxation of returning officer’s accounts) applies as if a reference to a returning officer included a reference to a counting officer carrying out transferred functions.

Forms

- 5 Forms 2, 3, 4, 6, 7 and 9 in Part 3 of this Schedule are “relevant forms” for the purposes of rule 10 of the referendum rules.