



Constitutional Reform and Governance Act 2010

2010 CHAPTER 25

PART 7

MISCELLANEOUS AND FINAL PROVISIONS

48 Parliamentary elections: counting of votes

- (1) Schedule 1 to the Representation of the People Act 1983 (parliamentary elections rules) is amended as follows.
- (2) In rule 44 (attendance at counting of votes) after paragraph (5) insert—
 - “(6) In making arrangements under this rule, the returning officer shall have regard to the duty imposed on him by rule 45(3A) below.”
- (3) In rule 45 (the count)—
 - (a) after paragraph (3) insert—
 - “(3A) The returning officer shall take reasonable steps to begin counting the votes given on the ballot papers as soon as practicable within the period of four hours starting with the close of the poll.”;
 - (b) after paragraph (7) insert—
 - “(8) The Electoral Commission shall issue guidance to returning officers on the duty imposed by paragraph (3A) above.”
- (4) After rule 53 insert—

53ZA “Counting of votes: statement by returning officer

- (1) In a contested election, if the counting of the votes given on the ballot papers did not begin within the period specified in rule 45(3A) above, the returning

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officer shall before the expiry of the period of 30 days starting with the day on which the poll closed—

- (a) prepare and publish a statement giving the information specified in paragraph (2) below, and
- (b) deliver it to the Electoral Commission.

(2) The statement must—

- (a) specify the time at which the counting of the votes given on the ballot papers began,
- (b) describe the steps taken under rule 45(3A) above, and
- (c) explain why the counting of the votes given on the ballot papers did not start within the period specified in rule 45(3A) above.

(3) Where a statement is delivered to the Electoral Commission under paragraph (1)(b) above, the Commission shall specify in any election report they produce that a statement has been delivered to them under that paragraph in respect of the constituency to which the statement relates.

(4) In paragraph (3) above “election report” means a report under section 5(1) or (2A) of the Political Parties, Elections and Referendums Act 2000 in relation to the parliamentary election in question.”

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