

# Scottish Parliamentary Election Thursday 6 May 2021

## Midlothian North & Musselburgh Constituency



### Notes for Candidates & Agents on Polling Procedures

1 For the purpose of these Notes:

**“Polling Place”** the building used for polling, the grounds of and any buildings ancillary to such building and the walls, railings or fences surrounding such building.

**“Polling Station”** the room or hall in a polling place where polling takes place.

2 In terms of Rule 41 of Part 3 of Schedule 2 to the Scottish Parliament (Elections etc.) Order 2015, the following applies in relation to admission to a polling station:-

***“Admission to polling station***

*41.—(1) The presiding officer shall regulate the total number of voters and persons under the age of 16 years who accompany them to be admitted to the polling station at the same time, and shall exclude all other persons except—*

*(a) the candidates;*

*(b) the election agent of any candidate for return as a constituency member, or of any individual candidate for return as a regional member, or of any registered party standing nominated;*

*(b) the polling agents appointed to attend at the polling station;*

*(d) the clerks appointed to attend at the polling station;*

*(e) the constables on duty;*

*(f) the companions of voters with disabilities;*

*(g)/*

*(g) persons who are entitled to attend by virtue of any of sections 6A to 6D of the 2000 Political Parties Act (representatives of the Electoral Commission and accredited observers); and*

*(h) the CROs and RROs and members of their staff.*

*(2) Not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same candidate or of the same registered party.*

*(3) Not more than one candidate on a registered party's regional list shall be admitted at the same time to a polling station.....”*

**Candidates, Election Agents and Polling Agents, etc are reminded that they must have the appropriate admission card (otherwise admission to polling stations will be delayed until credentials have been verified). Admission cards will be requested on each occasion a candidate, agent, etc enters a polling station – this will be strictly enforced.**

### **NO OTHER PERSON WILL BE ADMITTED**

- 3 The Electoral Commission has developed a set of election objectives with the UK's governments, political parties and electoral administrators, to ensure the elections can be delivered safely and successfully. This has been done with the input of all political parties and governing bodies. The assessment of risk in relation to the coronavirus pandemic is an ongoing process and the position will be kept under review in accordance with the latest national and local guidance in relation to Covid-19 restrictions and public health guidance.

Should the Constituency Returning Officer (or a Depute) become concerned that an activity is not being carried out in a way compliant with public health, that activity will be suspended until the situation is resolved

- 4 The offering of literature or any attempt by whatever means to influence voters as to how they cast their votes **WITHIN A POLLING PLACE IS STRICTLY FORBIDDEN.**
- 5 Poll cards are the property of voters. They are not required to surrender them to agents and must not be pressurised to do so. Any cards surrendered to Presiding Officers will be destroyed forthwith.
- 6 Marked registers or lists of electors who have or have not voted may not be taken out of polling stations before the close of poll.
- 7 Tellers
- (a) Tellers must not give the impression that they are employed by the Constituency Returning Officer. They should concern themselves **ONLY** with checking who has voted. **They must not ask voters who they intend to vote for or how they have voted; and**
- (b) **Voters must not be approached until after they have left the polling station.**

The/...

The usual means of telling is to ask voters for the poll card (but see paragraph 4 above) or electoral number. If a voter does not have a poll card and does not know his or her electoral number, tellers may ask the voter's name and address but must not give the impression that the information must be provided for official purposes.

**If the voter refuses he or she must not be pressed.** Voters must not be asked to re-enter the polling station to ascertain their electoral number.

**Tellers must not in any way impede or obstruct voters on their way into or out of the polling station or the building in which it is situated.**

Tellers are only permitted inside a building in which a polling station is situated **at the No 1 Presiding Officer's discretion**. They are not permitted, as tellers, to enter a polling station (see paragraph 2 above). Tellers must respect the No 1 Presiding Officer's decision as to their location. Since that decision will be based in part on ensuring that access for voters is not obstructed it is likely to vary from polling place to polling place.

8 No person may publish before the poll is closed -

*“(a) any statement relating to the way in which voters have voted in the poll where that statement is (or might reasonably be taken to be) based on information given by voters after they have voted; or*

*(b) any forecast or estimate as to the result of the election which is (or might reasonably be taken to be) based on information so given.”*

(For further clarification see Article 31 of The Scottish Parliament (Elections etc.) Order 2015.)

9 The fixing of bills, banners, etc to any part of a polling place, ie walls, railings, fences, etc is not allowed. Bills on 'A' Boards will normally be allowed on the pavements outside a polling place provided that they are positioned so as not to cause any obstruction to pedestrian or vehicular traffic.

This permission will not prevent the police taking any necessary action to prevent obstruction of public roads and footpaths.

However, the Constituency Returning Officer has agreed that the car park at certain polling places, generally where the car park/premises/etc are being used concurrently by the public for purposes other than for the Election or are remote from the main polling station entrance, will be designated outwith the polling place. These are as follows:

- Car parks at Musselburgh Community Learning Centre, Bonnyrigg Primary School
- The paved areas directly outside the Polling Place entrances at the Lasswade Centre, Edinburgh College, Newbattle Community Campus and Danderhall Leisure Centre,

- 10 Insignia ie - a Badge or Rosette may be worn within the external curtilage of a POLLING PLACE (but **NOT**, displayed within a POLLING STATION).
- 11 Cars displaying election material are not normally allowed within the polling place except where there is suitable discreet parking away from the general ingress of electors.
- However, cars which bring disabled or infirm persons to the poll may, where local conditions permit, be allowed to bring those persons to the door of the polling place. In such circumstances the cars should not wait in a conspicuous place while the persons are voting and should leave the polling place without delay as soon as the persons have voted.
- 12 While there is no specific entitlement to Candidates, Election Agents and Polling Agents to be informed of the number of persons who have voted, it will be permissible for Presiding Officers to give Agents a note of the actual number of persons who have voted from time to time throughout the day. Information as to whether or not a particular person has or has not voted shall not be given. The Presiding Officers shall ensure that meeting these requests does not interfere with their official duties.
- 12 **Smoking in Polling Stations is not allowed.**

Dr Grace Vickers  
Constituency Returning Officer

15 March 2021