



Scotland

ELECTORAL MANAGEMENT BOARD FOR SCOTLAND

Mary Pitcaithly
Convener of the Board

Angela Scott
Chief Executive and Returning Officer
Aberdeen City Council
Marischal College
Broad Street
Aberdeen
AB10 1AB

Our Ref: JA0714/MP/IP

Your Ref:

Date: 19 June 2014

Dear Angela

**APPOINTMENT AS COUNTING OFFICER FOR THE ABERDEEN CITY COUNCIL
AREA AT THE SCOTTISH INDEPENDENCE REFERENDUM ON THURSDAY 18
SEPTEMBER 2014**

One of my duties as Chief Counting Officer, in terms of Section 5(1) of the Scottish Independence Referendum Act 2013, is to appoint a Counting Officer to conduct the poll and the counting of votes for each local government area.

Valerie Watts was appointed as the Counting Officer for the Aberdeen City council area. In light of Valerie's imminent departure and your recent appointment as local Returning Officer, I now appoint you as the Counting Officer for the Aberdeen City council area with effect from 1 July 2014.

The functions of a Counting Officer are detailed in Sections 5 and 6 of the Act (extract attached). The complete text of the Act can be found at http://www.scottish.parliament.uk/S4_Bills/Scottish%20Independence%20Referendum%20Bill/b25bs4-aspassed.pdf

The legislation requires that the appointment be made and accepted in writing and I would be grateful if you would confirm your acceptance of the role at your earliest convenience. If, for any reason, you are unable to accept the appointment, please advise me of this as soon as possible.

2014 will be an interesting and challenging year for the electoral community. I look forward to working with you to deliver a referendum in which the people of Scotland will have confidence.

I look forward to hearing from you.

Yours sincerely

Mary Pitcaithly
Chief Counting Officer

Scottish Independence Referendum Act 2013 (Sections 5 and 6)

5 Other counting officers

- (1) The Chief Counting Officer must, in writing, appoint a counting officer for each local government area.
- (2) The Chief Counting Officer must notify the Scottish Ministers of each appointment made under subsection (1).
- (3) A counting officer may resign by giving notice in writing to the Chief Counting Officer.
- (4) The Chief Counting Officer may, by notice in writing, remove a counting officer from office if—
 - (a) the Chief Counting Officer is satisfied that the counting officer is for any reason unable to perform the counting officer's functions, or
 - (b) the counting officer fails to comply with a direction given or requirement imposed by the Chief Counting Officer.
- (5) If the counting officer for an area dies, resigns or is removed from office, the Chief Counting Officer must appoint another person to be the counting officer for the area.
- (6) A counting officer may, in writing, appoint deputies to carry out some or all of the officer's functions and, so far as necessary for the purposes of carrying out those functions, any reference in this Act to a counting officer is to be read as including a deputy.

6 Functions of the Chief Counting Officer and other counting officers

- (1) The Chief Counting Officer is responsible for ensuring the proper and effective conduct of the referendum, including the conduct of the poll and the counting of votes, in accordance with this Act.
- (2) Each counting officer must—
 - (a) conduct the poll and the counting of votes cast in the local government area for which the officer is appointed in accordance with this Act, and
 - (b) certify—
 - (i) the number of ballot papers counted by the officer,
 - (ii) the number of votes cast in the area in favour of each answer to the referendum question, and
 - (iii) the number of rejected ballot papers.

- (3) A counting officer—
 - (a) must consult the Chief Counting Officer before making a certification under subsection (2)(b), and
 - (b) must not make the certification or any public announcement of the result of the count until authorised to do so by the Chief Counting Officer.
- (4) The Chief Counting Officer must, for the whole of Scotland, certify—
 - (a) the total number of ballot papers counted,
 - (b) the total number of votes cast in favour of each answer to the referendum question, and
 - (c) the total number of rejected ballot papers.
- (5) A counting officer must give the Chief Counting Officer any information which the Chief Counting Officer requires for the carrying out of the Chief Counting Officer's functions.
- (6) A counting officer must carry out the counting officer's functions under this Act in accordance with any directions given by the Chief Counting Officer.
- (7) The Chief Counting Officer must not impose a requirement or give a direction that is inconsistent with this Act.
- (8) The Chief Counting Officer may—
 - (a) appoint such staff,
 - (b) require a council to provide, or ensure the provision of, such property, staff and services, as may be required by the Chief Counting Officer for the carrying out of the Chief Counting Officer's functions.
- (9) The council for the local government area for which a counting officer is appointed must provide, or ensure the provision of, such property, staff and services as may be required by the counting officer for the carrying out of the counting officer's functions.