

## CHAPTER 7

### APPOINTMENT AND ROLES OF ELECTION AGENT, ELECTION EXPENSE AGENTS, POLLING AGENTS AND COUNTING AGENTS

#### PART I : GENERAL

7.1 This chapter deals with the appointment of agents at an election and their roles.

7.2 A candidate should think carefully before selecting any of his agents. He should choose persons suitable for the task. They will be viewed as his representatives and their conduct may affect the public's perception of him and his election.

#### PART II : TYPES AND NUMBERS OF AGENTS

7.3 To assist him in the CE election, a candidate may appoint **1** election agent, **any number** of election expense agents, not more than **3** polling agents for the main polling station, **1** polling agent for each dedicated polling station not situated in a maximum security prison and not more than **2** counting agents [ss 12, 13, 25 and 44 of EP (CEE) Reg].

(For arrangements regarding admission of election agents or polling agents to dedicated polling stations situated in prisons, please refer to paras. 7.12 to 7.14 and paras. 7.21 to 7.24 below.)

*[Amended in January 2010]*

### **PART III : QUALIFICATIONS OF AGENTS**

7.4 The election, polling and counting agents should be holders of Hong Kong identity card and have attained the age of 18 years [ss 12(2), 25(3) and 44(2) of the EP (CEE) Reg] while an election expense agent needs to be of the age of 18 years [s 13(1) of the EP (CEE) Reg].

### **PART IV : CIVIL SERVANTS ACTING AS AGENTS**

7.5 Civil servants, other than Directorate Officers, Administrative Officers, Police Officers and Information Officers and those officers acting in the above grades and ranks with a view to substantive appointment thereto, may act as agents or assist in electioneering activities provided that they are not already appointed by the CEO as polling or counting staff, that there is no conflict of interest with their official duties, that no use of public resources is involved, and that no government uniform is worn. However, to avoid any unfairness, semblance of unfairness or conflict of interest, civil servants who have extensive contacts with the public are well advised not to accept appointment by a candidate to be his agent. Civil servants who are allowed to participate in electioneering activities, including the seeking of election donations, for any candidate should not use or be seen to use any public resources in such activities.

## **PART V : ELECTION AGENT**

### **Appointment**

7.6 A candidate shall give notice of the appointment of his election agent to the RO. The notice must be in the specified form and signed by both the candidate and the agent [s 14(3) of the EP (CEE) Reg]. The appointment will not be effective until the notice of appointment is received by the RO [s 14(7) of the EP (CEE) Reg].

7.7 However, before the notice of appointment is received, the acts of the election agent purported to be appointed by the candidate and the expenses incurred by any purported agent for promoting the election of the candidate or for prejudicing the election of another candidate may be treated as the candidate's own acts and election expenses. It is **important** to note that it is an **illegal conduct** for any person other than a candidate or a candidate's election expense agent to **incur such expenses** [s 23 of the ECICO].

### **Revocation**

7.8 The appointment of an election agent may be revoked by the candidate at any time. The candidate must also give notice of the revocation in writing to the RO. A revocation of an appointment of an election agent will not be effective until such notice is received by the RO [s 14(4), (5) and (7) of the EP (CEE) Reg].

7.9 If an election agent dies or has his appointment revoked, the candidate may appoint another election agent. In such a case, the candidate must give notice of the replacement appointment in the specified form to the RO in accordance with para. 7.6 above. If the new election agent wishes to observe the

poll at a dedicated polling station situated in a prison (other than a maximum security prison), he is required to follow the arrangements set out in paras. 7.12 to 7.13 below. [S 14(6) of the EP (CEE) Reg] *[Amended in January 2010]*

### **Notification**

7.10 As soon as practicable after the receipt of a notice of appointment of an election agent by a candidate, the RO will send a notice containing the particulars of the election agent to every other candidate (including a person who is being or has been nominated to stand for the election) [ss 2(2)(a) and 15 of the EP (CEE) Reg]. The RO will also display outside his office a notice of the particulars of the election agent [s 14(8) of the EP (CEE) Reg].

### **Role of an Election Agent**

7.11 A duly appointed election agent ranks in the **most important position** amongst all kinds of agents of a candidate. He has the **authority to do everything a candidate is authorised to do** for the purposes of the election **except:**

- (a) anything a candidate is required to do in relation to his nomination, including the making of declaration accompanying the nomination, and the signing of the nomination form as the candidate being nominated;
- (b) to withdraw the candidate's candidature;
- (c) to appoint an election agent;
- (d) to appoint an election expense agent;

- (e) to incur election expenses save where he has been appointed as an election expense agent by the candidate;
- (f) to revoke the appointment of an election agent or election expense agent; and
- (g) to be present in a dedicated polling station situated in a maximum security prison.

[S 12(3) of the EP (CEE) Reg] *[Amended in January 2007 and January 2010]*

**IMPORTANT :**

An election agent is, along with the candidate, responsible for the management of the campaign. A candidate is responsible for all the acts of his election agent. If the election agent fails in his duties, he may contravene the law, and in particular, the ECICO, and commit criminal offences for which the candidate may also be liable, with serious consequences. An election agent will need to be appointed as an election expense agent by a candidate to incur election expenses [see Part VI of this Chapter].

7.12 The candidate(s) and his/their election agent(s) may be present inside the polling station and at the counting of the votes. They should observe the same rules as applied to the polling agents and counting agents [see Parts VII and VIII of this Chapter]. Due to security reasons, only candidates may enter dedicated polling stations situated in maximum security prisons to observe the poll. An election agent, who wishes to observe the poll at a dedicated polling station situated in a prison other than a maximum security prison, must lodge an application in the specified form with the CEO at least one week before the polling day. The election agent may not be present at that dedicated polling

station unless the CCS has given consent to his presence. If the CCS refuses to give consent to the application lodged, he will notify the candidate or his election agent as soon as practicable. [S 12(3) and (3C) of the EP (CEE) Reg] *[Amended in January 2007 and January 2010]*

7.13 The CCS may, on an application lodged during the week before the polling day, give consent if he is satisfied that a person imprisoned or held in custody by the CSD, who is entitled to vote at a dedicated polling station concerned, is admitted and transferred to the prison concerned during that week and the application is lodged without undue delay after the admission or transfer. The REO will post and update on its website the number of registered electors who are imprisoned or held in custody in individual prisons every working day starting from three weeks before the polling day and on the Saturday immediately before the polling day for candidates' reference. [S 12 (3B) of the EP (CEE) Reg] *[Added in January 2010]*

7.14 No election agent may be present at a dedicated polling station situated in a prison if a polling agent has already been appointed by the same candidate for that polling station [s12 (3A) of the EP (CEE) Reg]. *[Added in January 2010]*

## **PART VI : ELECTION EXPENSE AGENT**

### **Appointment**

7.15 The appointment shall be in writing on a specified form and state the name and address of the election expense agent, and must specify the maximum amount of election expenses the agent may incur. It should be signed by both the candidate and the agent [ss 14(3) and 16 of the EP (CEE) Reg]. A

notice of appointment must be lodged with the RO, or the CEO if the RO has not been appointed, by the candidate [s 14(1) and (2) of the EP (CEE) Reg].

7.16 The appointment is not effective until it has been received by the RO or the CEO, as the case may be. However, before the notice of appointment is received, the election expenses incurred by an election expense agent purported to be appointed in the notice of appointment may be counted as the candidate's election expenses. It is also important to note that it is an **illegal conduct** for any person other than a candidate or a candidate's election expense agent to **incur such expenses** [s 23 of the ECICO].

### **Revocation**

7.17 The appointment of an election expense agent may be revoked by a candidate at any time. The candidate must give notice of the revocation as soon as possible in writing to the RO, or the CEO if the RO has not been appointed. The RO or the CEO, as the case may be, will only regard a revocation as effective when he receives the notice [s 14(1) and (7) of the EP (CEE) Reg]. The election expenses already incurred will still be counted as election expenses of the candidate.

### **Role of Election Expense Agents**

7.18 An election expense agent is authorised to incur election expenses on behalf of a candidate. He must not incur election expenses in excess of the amount specified in the notice of appointment; otherwise he commits a criminal offence [s 23(4) of the ECICO].

### **Candidate's Duty to know the Details of Election Expenses incurred by his Election Expense Agents**

7.19 Every candidate is under a **duty**, subject to criminal penalty for breach, to submit to the CEO a return and declaration of his election expenses and donations with supporting vouchers not later than 30 days after the publication in the Gazette of the result of the election, or not later than 30 days after the declaration of the termination of the election proceedings under the relevant electoral law, or not later than 30 days after the declaration of the failure of the election under the relevant electoral law [s 37 of the ECICO]. For the efficient and effective discharge of his duty, the candidate should **make sure** that his election expense agents will keep account of all election expenses incurred on his behalf and will provide to him, as soon as practicable but not later than the same 30-day period, a detailed statement of expenditure supported by receipted vouchers for each item of expenditure of \$100 or more. If any item of expenditure incurred by the election expense agents is paid or defrayed or contributed to by a donation, the candidate should **make sure** that they will provide him with a statement stating the expenses. If an item is not explicit in monetary terms, it should be assessed at a reasonable value; and if any item is more than \$1,000, it should be supported by a receipt of donation (in specified form) signed by the donor. Without such statements and vouchers provided by the election expense agents, the candidate will no doubt have difficulty in discharging his duty to file the return and declaration of election expenses and donations, which **may render him liable for a criminal offence**.

### **Public Inspection of Notices of Appointment**

7.20 The RO will make available for public inspection all notices of appointment submitted by candidates until the expiration of the period for which copies of the election return lodged by the candidates are available for inspection, ie up to the first anniversary of the date on which the result of the

election is published. This offers the public and other candidates an opportunity to scrutinise the amount of election expenses [s 14(9) of the EP (CEE) Reg].

## **PART VII : POLLING AGENT**

### **Appointment**

7.21 A candidate may appoint **not more than 3 polling agents** for the main polling station and **1** polling agent for a dedicated polling station situated in a prison subject to the consent of the CCS. No polling agent may be appointed if the CCS has given consent to the presence of the election agent of that candidate in that polling station. No polling agent may be appointed for a dedicated polling station situated at a maximum security prison. [S 25(1) and (1A) of the EP (CEE) Reg] *[Added in January 2010]*

7.22 The appointment of a polling agent for the main polling station or a dedicated polling station not situated in a prison shall be made on a specified form. The candidate must give notice of such appointment in writing signed by him and the polling agent to the CEO or the PRO at least **7 days** before the date of election [s 25(4) and (10) of the EP (CEE) Reg]. Where a candidate appoints a polling agent after the above deadline, he is required to give notice of the appointment to the PRO. Such a notice must be given by the candidate or the election agent **personally** by delivering the notice of appointment to the PRO (or the Deputy PRO or an Assistant PRO) at the polling station on polling day and before the agent concerned enters the polling station [s 25(10) of the EP (CEE) Reg]. The appointment will not be effective until the notice of appointment is received by the CEO or the PRO, as the case may require [s 25(9) of the EP (CEE) Reg]. *[Amended in January 2010]*

7.23 For the appointment of a polling agent for a dedicated polling station situated in a prison other than a maximum security prison, the candidate must lodge an application in a specified form with the CEO at least one week before the polling day. The appointment will not be effective unless the CCS consents to the appointment. If the CCS refuses to give consent to the application lodged, he will notify the candidate or his election agent as soon as practicable. [S 25(4A) and (4C) of the EP (CEE) Reg] *[Added in January 2010]*

7.24 The CCS may, on an application lodged during the week before the polling day, give consent if he is satisfied that a person imprisoned or held in custody by the CSD, who is entitled to vote at a polling station concerned, is admitted and transferred to the prison concerned during that week and that the application is lodged without undue delay after the admission or transfer. The REO will post and update on its website the number of registered electors who are imprisoned or held in custody in individual prisons every working day starting from three weeks before the polling day and on the Saturday immediately before the polling day for candidates' reference. [S 25 (4B) of the EP (CEE) Reg] *[Added in January 2010]*

### **Revocation**

7.25 The appointment of a polling agent may be revoked by the candidate at any time. The candidate must give notice of revocation in writing and in the specified form to the CEO or the PRO other than a PRO of a dedicated polling station in a prison [s 25(6) of the EP (CEE) Reg]. A revocation of an appointment of a polling agent will not be effective until notice thereof is received by the CEO or PRO other than a PRO of a dedicated polling station situated in a prison, as the case may require [s 25(9) of the EP (CEE) Reg]. For the revocation of a polling agent appointed for a dedicated polling station situated in a prison, the candidate must give a notice in the specified form to the CEO. If a replacement polling agent is appointed and he wishes to observe the

poll at a dedicated polling station in a prison (other than a maximum security prison), he is required to follow the arrangements set out in paras. 7.21 to 7.24 above. *[Amended in January 2010]*

### **Role of Polling Agents**

7.26 Polling agents are appointed **to assist a candidate in observing the conduct of the poll** to detect impersonation or irregularity at the polling station.

### **Provisions which the Polling Agents should be aware of**

7.27 The polling agent(s) appointed for a polling station may be admitted at any time during the poll to the polling station, but they are required to stay and keep their movements within the area designated for observation of the poll and not outside. The polling agents appointed for the main polling station may remain inside the polling station even when the candidate they represent or his election agent is present. Where a candidate is present in a dedicated polling station (other than that situated in a maximum security prison), the election agent or the polling agent of that candidate appointed for that dedicated polling station will not be allowed to be present at the same time within the polling station [s 26(1A) and (1B) of the EP (CEE) Reg]. [See also Part IV of Chapter 5 regarding the admission of candidates, election agents and polling agents to the polling station.] *[Amended in January 2010]*

7.28 Before entering a polling station, every person, other than an elector or a police officer, an officer of the CSD, an officer of a law enforcement agency or a member of the Civil Aid Service on duty, must make a Declaration of Secrecy on a specified form and observe the provisions governing the secrecy of voting [s 69(1) of the EP (CEE) Reg]. This is to make sure that, subject to penalty of making a false declaration, all persons inside a polling station will

observe the secrecy of the vote of the electors and, in particular, not to divulge which elector has voted for which candidate at a contested election or whether or not an elector has voted in support of the candidate at an uncontested election.

*[Amended in January 2007 and January 2010]*

7.29 On attending the polling station for which he has been appointed, a polling agent shall report to the PRO and produce his identity card and the Declaration of Secrecy completed by him for inspection. *[Amended in January 2010]*

7.30 The following will occur before, during and after the poll on the polling day:

(a) Before

- (i) About 15 minutes before the commencement of the poll, the PRO will inform the candidate(s) or his/their agents (either election agent or polling agent) if they are present, the number of ballot papers in his (the PRO's) possession, showing them the books of ballot papers not yet issued to any elector (“**UNISSUED** ballot papers”).
- (ii) The PRO will show the empty ballot boxes to such persons before proceeding to lock and seal them.

(b) During

- (i) In the course of polling, the PRO will show to each/the candidate or his election or polling agent, who is present at the relevant time, any abandoned ballot papers that have been issued or any torn pieces of such ballot papers found

lying anywhere in the polling station (“**UNUSED** ballot papers”). Such ballot papers will not be put into a ballot box and will not be counted at the counting of vote [ss 39 and 50 of the EP (CEE) Reg].

- (ii) Where a person, representing himself to be a particular elector entered on the register, applies for any ballot paper after a person has been issued with any ballot paper as such an elector, he may be issued with a ballot paper with the word “**TENDERED**” endorsed on the front. Such ballot paper will not be counted at the counting of the votes [ss 38 and 50 of the EP (CEE) Reg].
- (iii) Any elector who has inadvertently torn or damaged any ballot paper or has made an error in marking any ballot paper issued to him (“spoilt ballot papers”) may ask the PRO to exchange it for another ballot paper. Such spoilt ballot papers will be endorsed on the front with the word “**SPOILT**” and will be kept by the PRO. The spoilt ballot papers will not be counted at the counting of the votes [ss 40 and 50 of the EP (CEE) Reg].

(c) After

- (i) The PRO will, in the presence of persons present, lock the flap on the lid of the ballot boxes and seal it. He will also inform each/the candidate or his agent who is present of the number of the following types of ballot papers in his possession: unissued ballot papers, unused ballot papers, and spoilt ballot papers.

- (ii) The candidate(s) or his/their respective agents, if they so wish, may accompany the PRO in the delivery of the ballot boxes from the polling station to the counting station.
- (iii) The candidate(s) and his/their agents who do not accompany the PRO in the delivery must then leave the polling station.

*[Amended in January 2007]*

7.31 Generally speaking, a polling agent may observe all proceedings in the polling station for which he has been appointed and record his observations but shall not do anything that may interfere with the conduct of the poll. The following shows what a polling agent can do and cannot do inside a polling station. A polling agent **MAY**:

- (a) Leave the polling station at any time during the poll.
- (b) Observe the locking and sealing of ballot boxes both before the poll commences and at the close of the poll.

**NOTE :**

A polling agent who signs the sealing certificate of a ballot box as witness is required to write his name in block letters beneath his signature for easy identification. The candidate(s) is/are advised to keep a list of his/their own polling agents to facilitate checking when the sealing certificate is broken at the counting station.

- (c) Observe the issue of ballot papers to electors and the recording of the issue against the relevant entries on the EC FR by the polling

staff, subject to the condition that they cannot interfere with the work of the polling staff.

- (d) Where there is reasonable ground for questioning the bona fides of an elector, ask the PRO to put the following prescribed questions (subject to necessary modifications) to that person at the time of his application for a ballot paper (but not afterwards):
- (i) Are you the person registered in the EC FR as follows (reads the whole of the relevant entry in the register)?
  - (ii) Have you already cast a vote in this round of voting? (for a contested election)  
or  
Have you already cast a vote? (for an uncontested election)

The person will not be issued with any ballot paper unless he has answered the questions to the satisfaction of the PRO [s 32 of the EP (CEE) Reg]. *[Amended in January 2007]*

- (e) Where there is reasonable cause to believe that a person who has applied for a ballot paper has engaged in corrupt conduct by impersonation, declare it to the PRO for appropriate action before that person leaves the polling station. This may possibly lead to the arrest of the person. The polling agent must however undertake in writing to substantiate the charge in a court of law [s 33 of the EP (CEE) Reg].

*[Amended in January 2010]*

7. 32            A polling agent **MUST NOT**:
- (a)    Interfere with or attempt to influence any elector.
  - (b)    Speak to or communicate with any elector if the RO, the ARO, the PRO, the Deputy PRO or any Assistant PRO has given direction to him not to do so, or interfere with or attempt to interfere with any ballot boxes, ballot papers, the register of electors or other relevant election materials. In this regard, a polling agent should station within the designated area demarcated by red adhesive tapes, and must not enter, or move close to, the restricted zone delineated with yellow tapes about 1 metre, or 2 metres if the configuration allows, around the voting compartments. Moreover, it is most improper for a polling agent to ask an elector about his identity card number, let alone check an elector's identity card.
  - (c)    Attempt to obtain information, or disclose any knowledge acquired, concerning the vote of any elector. A polling agent should read and observe carefully the provisions governing the secrecy of voting issued with the form of Declaration of Secrecy.
  - (d)    Exhibit or leave or distribute any campaign material.
  - (e)    Without reasonable excuse, display any propaganda material relating to any candidate or the election.
  - (f)    Use a mobile telephone or any telephone or paging machine or any other form of electronic communication device if the RO, the ARO, the PRO, the Deputy PRO or any Assistant PRO has given direction to him not to do so.

### **Other Useful Information for Polling Agents**

7.33 Persons who may be admitted to a polling station are listed in para. 5.16 of Chapter 5. Most of the persons admitted to a polling station will be wearing identifications (eg badges). The candidate(s), his/their election agent(s) and polling agents will be required to wear an identification device issued by the RO or PRO for identification. If in doubt, a polling agent may enquire with the PRO as to the identities of the persons inside the polling station. No attempt, however, should be made to obtain information as to the identity of any elector who is about to vote or has voted. *[Amended in January 2007]*

7.34 Only the PRO, the Deputy PRO or an Assistant PRO may, in the presence of one of the Polling Officers as a witness, help an elector to mark a ballot paper if he claims he is unable to read or incapacitated from casting his vote due to impaired eyesight or other physical cause [s 37(1) of the EP (CEE) Reg]. The responsible officer should inform the candidate(s) or his/their agents who are present when such a request for assistance is received. A candidate or his polling agent in the polling station may request the PRO, the Deputy PRO or an Assistant PRO to choose a particular Polling Officer who is not working at the issuing counter as the witness, but the final decision as to which Polling Officer should be the witness remains with the PRO, the Deputy PRO or an Assistant PRO. An incapacitated elector's relative, friend or any other person is in no circumstances allowed to accompany the elector in the course of voting.

7.35 In the polling station, a number of **templates** are made available for the use of the visually impaired elector, if he chooses, to facilitate him to mark his vote on the ballot paper [s 37(2) and (3) of the EP (CEE) Reg].

7.36 Persons who may speak to or communicate with electors within the polling station are listed in para. 5.36 of Chapter 5. No person may canvass or display any propaganda material relating to any candidate or the election

within a polling station. The candidate(s) and his/their agents should not bring electioneering literature into the polling station or leave them there and should remove any promotional badges and emblems before entering. A person must not use a sound amplifying system or device for any purpose within the NCZ; nor should he use such system or device or conduct any activities (eg lion dance), for canvassing, so that the sound emitted by it can be heard in the NCZ. Also, a person must not stay or loiter in the NSZ without the express permission of the PRO. Any person who undertakes photographing, filming and video or audio recording within the polling station without the express permission of the PRO, the RO, or a member of the EAC, commits an offence [ss 27(4) and 82 of the EP (CEE) Reg]. Normally such permission is only granted to members of the media or government photographers for publicity purposes. Polling agents should also read para. 5.35 of Chapter 5 for other activities that are prohibited, and the consequences of conducting such activities in a polling station. *[Amended in January 2007]*

7.37           **The ballot is secret.** No one can force a person to vote or not to vote for any particular candidate at a contested election [s 13 of the ECICO] or to vote or not to vote in support of the candidate in the case of an uncontested election. Also, no one is required to tell which candidate he has voted for or is about to vote for at a contested election or whether or not he has voted or is about to vote in support of the candidate at an uncontested election. A person who, without lawful authority, requires or purports to require an elector to disclose the name of, or any particulars relating to, the candidate for whom the elector voted at a contested election or disclose whether or not he has voted in support of the candidate at an uncontested election commits an offence [s 78 and 82 of the EP (CEE) Reg]. *[Amended in January 2007]*

7.38           If a candidate or his election or polling agent has any complaint about whatever happens inside a polling station, he should follow the procedures laid down in Chapter 20 on Complaints Procedure of these Guidelines.

## **PART VIII : COUNTING AGENT**

### **Appointment**

7.39 The appointment should be made on a specified form. The candidate must give notice of such appointment in writing signed by him and the counting agent to the RO at least **7 days** before the polling day [s 44(4) and (9) of the EP (CEE) Reg]. Where a candidate appoints a counting agent after the above deadline, the candidate or the election agent must deliver the notice of the appointment to the RO (or ARO) on the polling day, but before the agent concerned enters the counting station [s 44(9) of the EP (CEE) Reg]. The appointment will not be effective until the notice of appointment is received by the RO [s 44(8) of the EP (CEE) Reg]. *[Amended in January 2007]*

### **Revocation**

7.40 The appointment of a counting agent may be revoked by the candidate at any time. The candidate must also give notice of revocation in writing and in the specified form to the RO [s 44 (6) of the EP (CEE) Reg]. A revocation of an appointment of a counting agent will not be effective until notice thereof is received by the RO [s 44(8) of the EP (CEE) Reg].

### **Role of Counting Agents**

7.41 Counting agents are appointed to attend at the counting station **to observe the breaking of the seals on the ballot boxes, the counting of ballot papers and the counting of votes recorded on the valid ballot papers.** This arrangement ensures the transparency of the counting process and is conducive to openness and fairness [see Part VI of Chapter 5 : Polling and Counting Arrangements].

**Provisions which the Counting Agents should be aware of**

7.42 Before the counting commences, every person authorised to be present at a counting station, other than an elector, the police officers or members of the Civil Aid Service on duty or a member of the public observing the counting of the votes, must make a Declaration of Secrecy on a specified form and observe the provisions governing the secrecy of voting [s 69 of the EP (CEE) Reg]. This is to make sure that, subject to penalty of making a false declaration, all persons inside a counting station will observe the secrecy of the vote of the elector.

7.43 On attending the counting station, a counting agent shall report to the RO and produce his identity card and the Declaration of Secrecy completed by him for inspection.

7.44 Generally speaking, counting agents are entitled to be present throughout the count to observe the counting proceedings. They will be allowed by the Counting Supervisor or RO to stay close to, and around the counting table to monitor the count. A counting agent **MAY**:

- (a) Observe the breaking of the seals on the ballot boxes and the opening of the ballot boxes by the RO or AROs.
- (b) Inspect any papers other than ballot papers taken from the ballot boxes before they are disposed of.
- (c) Observe the conduct of the count by Counting Officers.
- (d) Observe, where he wishes, the packing of ballot papers by the Counting Officers and the RO at the conclusion of the count.

7.45 A counting agent **MUST NOT** handle, separate or arrange ballot papers.

7.46 Persons who may enter or stay in the counting station are listed in para. 5.40 of Chapter 5. Counting agents should read para. 5.46 of Chapter 5 for activities that are prohibited, and the consequences of conducting such activities in the counting station. Matters and rules relating to the count can be found in Parts VI and VII of Chapter 5. *[Amended in January 2007]*

