SUPPLIED FOR THE PUBLIC SERVICE

CHAPTER 58.

An Act to regulate the Expenses and to control the Charges of Returning Officers at Parliamentary Elections in Scotland. [25th June 1886.] A.D. 1886.

WHEREAS it is expedient to amend the law relating to the expenses and charges of returning officers at parliamentary elections in Scotland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act shall be construed as one with the Ballot Act, 1872, the Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878, the Parliamentary Elections (Returning Officers) Act, 1885, and the Corrupt and Illegal Practices Prevention Act, 1883, and may be cited as the Returning Officers (Scotland) Act, 1886.

Application of Act.

2. This Act shall extend to Scotland only, and only to parliamentary elections, but shall not apply to an election for any university or combination of universities.

The accounts of a returning officer may be taxed.

3. The returning officer at an election shall, as soon as may be after an election has taken place, and within twenty-one days after the declaration of the poll (notwithstanding anything to the contrary contained in the Corrupt and Illegal Practices Prevention Act, 1883, or any other Act), transmit to the election agent of each candidate a detailed account showing the amounts of all the charges claimed by him in respect of the election, and the share thereof which he claims from the person to whom the account is transmitted, and he shall annex to the account a notice of the place where the vouchers relating to the account may be seen, and he shall at all reasonable times, and without charge, allow the election agent of any candidate to inspect and take copies of the vouchers.

A.D. 1886.

The returning officer shall not be entitled to any charges which are not duly included in his account.

If the person from whom payment is claimed, objects to any part of the claim, he may, at any time within fourteen days from the time when the account is transmitted to him, make written application to the auditor of the court of session for a taxation of the account, and the auditor shall thereupon forthwith proceed to tax the account, and to issue a deliverance thereon, power being hereby given to him, if he shall so desire, to refer any point or points to the judges appointed for the trial of election petitions of Scotland, under and in terms of the Parliamentary Elections Act, 1868, and the Parliamentary Elections and Corrupt Practices Act, 1879, and either party shall have power to appeal against the deliverance of the auditor by lodging a note of objections to the said deliverance within ten days after it has been so pronounced with the said judges appointed for the trial of election petitions, who shall forthwith hear parties and decide upon the deliverance and note of objections, and their judgment shall be final.

The said judges shall have power to enforce judgment for the amount of charges found due to a returning officer as if such judgment were a judgment in an action in said court, and with or without expenses, at the discretion of the court.

46 & 47 Vict. c. 51.

Where an application is made for the taxation of an account, the provisions of sub-section five of the twenty-ninth section of the Corrupt and Illegal Practices Prevention Act, 1883, shall not apply, and it shall not be necessary that the expenses of the said returning officer shall be paid within twenty-eight days from the day on which the election is declared.

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