

**REPRESENTATION OF THE PEOPLE ACT 1983 AS AMENDED
APPOINTMENT OF RETURNING OFFICER**

1.0 EXECUTIVE SUMMARY

- 1.1 This report invites the Council to appoint a Returning Officer. Section 41 of the Representation of the People Act 1983 requires every local authority in Scotland to appoint an officer of the authority to be the Returning Officer for each election of Councillors for the authority.
- 1.2 Since 2010 I have undertaken the role of Returning Officer. I leave my post as Chief Executive of the Council on 6 May 2016 and the role of Returning Officer will fall vacant at this point.
- 1.3 This report invites the Council to appoint, in terms of Section 41 of the Representation of the People Act 1983, with effect from 7 May 2016 Charles Reppke to be the Returning Officer and by that appointment to be the Counting Officer for the EU Referendum on 23 June 2016.
- 1.4 The Council will require to give further consideration to the role of Returning Officer at a future meeting following the EU Referendum.

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2.0 INTRODUCTION

- 2.1 This report invites the Council to appoint a Returning Officer. Section 41 of the Representation of the People Act 1983 requires every local authority in Scotland to appoint an officer of the authority to be the Returning Officer for each election of Councillors for the authority.
- 2.2 Since 2010 I have undertaken the role of Returning Officer. I leave my post as Chief Executive of the Council on 6 May 2016 and the role of Returning Officer will fall vacant at this point.

3.0 RECOMMENDATIONS

- 3.1 To invite the Council to appoint, in terms of Section 41 of the Representation of the People Act 1983, with effect from 7 May 2016 Charles Reppke to be the Returning Officer and by that appointment to be the Counting Officer for the EU Referendum on 23 June 2016.
- 3.2 The Council will require to give further consideration to the role of Returning Officer at a future meeting following the EU Referendum.

4.0 DETAIL

- 4.1 Section 41 of the Representation of the People Act 1983 requires every local authority in Scotland to appoint an officer of the authority to be the Returning Officer for each election of Councillors for the authority.
- 4.2 Other legislation provides that the Returning Officer appointed as above becomes the relevant Returning Officer at UK Parliament, Scottish Parliament and European Parliament elections; and at any referendum held under relevant legislation.
- 4.3 While the Council must appoint an officer of theirs to be the Returning Officer, the Returning Officer's appointment is separate to any other post held. The Returning Officer does not carry out the duties on behalf of the local authority but in their own personal capacity because the

responsibilities and duties become personal to that person.

- 4.4 The Council has been undertaking a recruitment process for the appointment of my successor , however there is a need to provide experienced direction on the administration of the Oban North and Lorn By-election and the EU Referendum and it is appropriate therefore to cover these events.
- 4.5 It is recommended that Charles Reppke, Head of Governance and Law be appointed as the Returning Officer and as consequence of that appointment to be the Counting Officer for the EU Referendum for Argyll and Bute.

6.0 IMPLICATIONS

- 6.1 Policy – Council requires to appoint a Returning Officer
- 6.2 Financial - None
- 6.3 Legal - None
- 6.4 HR - None
- 6.5 Equalities - None
- 6.6 Risk - None
- 6.7 Customer Service - None

Sally Loudon
Chief Executive and Returning Officer
30 March 2016

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