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SCOTTISH STATUTORY INSTRUMENTS

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**2002 No. 561**

**The Scottish Local Government Elections Regulations 2002**

**Opening of covering envelopes**

**21.**—(1) When a postal voters' ballot box is opened, the returning officer shall count and record the number of covering envelopes (including any envelope to which regulation 19(2) applies), and shall then open each covering envelope separately.

(2) The procedure in regulation 22 applies where a covering envelope (including an envelope to which regulation 19(2) applies) contains both—

- (a) a declaration of identity; and
- (b) a ballot paper envelope, or if there is no ballot paper envelope, a ballot paper (or ballot papers).

(3) Where the covering envelope does not contain the declaration of identity separately, the returning officer shall open the ballot paper envelope to ascertain whether the declaration of identity is inside.

(4) Where a covering envelope does not contain both—

- (a) a declaration of identity (whether separately or not); and
- (b) a ballot paper envelope or, if there is no ballot paper envelope, a ballot paper (or ballot papers),

the returning officer shall mark the covering envelope “provisionally rejected”, attach its contents (if any) and place it in the receptacle for rejected votes.