

## SCHEDULE 1

### SCOTTISH LOCAL GOVERNMENT ELECTIONS RULES RULES FOR CONDUCT OF A SCOTTISH LOCAL GOVERNMENT ELECTION WHERE THE POLL IS NOT TAKEN TOGETHER WITH THE POLL AT ANOTHER ELECTION

## PART III CONTESTED ELECTIONS

### *Counting of votes*

#### *Exclusion of candidates – supplementary provisions*

**51.**—(1) If, when a candidate has to be excluded under rule 50—

- (a) two or more candidates each have the same number of votes; and
- (b) no other candidate has fewer votes,

paragraph (2) applies.

(2) Where this paragraph applies—

- (a) regard shall be had to the total number of votes credited to those candidates at the end of the most recently preceding stage of the count at which they had an unequal number of votes and the candidate with the lowest number of votes at that stage shall be excluded; and
- (b) where the number of votes credited to those candidates was equal at all stages, the returning officer shall decide, by lot, which of those candidates is to be excluded.