

SCHEDULE 1

SCOTTISH LOCAL GOVERNMENT ELECTIONS RULES

PART III

CONTESTED ELECTIONS

Counting of votes

Rejected ballot papers

44.—(1) Any ballot paper—

- (a) which does not bear a unique identifying mark in a form that is capable of being read by electronic means;
- (b) on which a number standing alone is not placed so as to indicate a first preference for some candidate;
- (c) on which the figure “1” standing alone indicating a first preference is set opposite the name of more than one candidate;
- (d) on which anything is written or marked by which the voter can be identified except the printed number and other unique identifying mark on the back; or
- (e) which is unmarked or void for uncertainty,

shall, subject to paragraph (2), be void and not counted.

(2) A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place;
- (b) otherwise than by means of a figure indicating a first or subsequent preference; or
- (c) by more than one mark,

shall not for such reason be deemed to be void by reason only of indicating a preference by the use of words (or any other mark) instead of figures, if in the opinion of the returning officer the word or mark clearly indicates a preference or preferences, and the way the paper is marked does not itself identify the voter and it is not shown that such voter can be identified by it.

(3) The returning officer shall mark as rejected any ballot paper which under this rule is not to be counted, and shall add to that mark that the rejection is objected to if any counting agent objects to the rejection.

(4) The returning officer shall draw up a statement showing the number of ballot papers rejected under each of sub-paragraphs (a) to (e) of paragraph (1).