

SCHEDULE 1

The Mayoral Elections Rules

PART 4

Contested elections

Procedure at conclusion of first count

51.—(1) As soon as practicable after the conclusion of the first count (including any re-count), the returning officer must draw up a statement showing—

- (a) the total number of ballot papers used;
 - (b) the total number of rejected ballot papers;
 - (c) at an election contested by more than two candidates—
 - (i) the number of first preference votes given for each candidate; and
 - (ii) the total number of first preference votes given; and
 - (d) at an election contested by only two candidates, the number of votes given for each candidate.
- (2) As soon as practicable after completion of the statement, the returning officer must—
- (a) inform such of the candidates and their election agents as are then present of the contents of the statements prepared in accordance with rule 48(5) and paragraph (1) of this rule; and
 - (b) give public notice of the contents of those statements.
- (3) Where an election is contested by more than two candidates, the returning officer must—
- (a) if paragraph 2 of Schedule 2 to the 2000 Act applies (candidate with overall majority of first preference votes), make the declaration required by rule 54(1); or
 - (b) if paragraph 3 of that Schedule applies, count the second preference votes at the time and place notified in writing to the counting agents.
- (4) Where—
- (a) an election is contested by only two candidates; and
 - (b) the total number of votes for each of them is unequal,

the person to be returned as the elected mayor is the candidate to whom the majority of the votes is given.

- (5) Where—
- (a) an election is contested by only two candidates; and
 - (b) the total number of votes given for each of them is equal,

the returning officer shall decide by lot which of them is to be returned as the elected mayor.

(6) In a case to which paragraph (4) or (5) applies, the declaration of the person to be returned as the elected mayor shall be made in accordance with rule 54.