

SCHEDULE 3

THE MAYORAL ELECTION RULES

PART IV

Contested Elections

The first calculation and resolution of equality

47.—(1) As soon as the GLRO has received from every CRO the information required by rule 45 he shall—

- (a) in relation to an election contested by more than two candidates, ascertain the total of the first preference votes given in the Assembly constituencies to each candidate; and
- (b) in relation to an election contested by only two candidates, ascertain the total number of votes given in the Assembly constituencies to each candidate.

(2) As soon as the GLRO has ascertained the result of the calculation, he shall inform such of the election agents as are then present of the relevant figures and shall give them a reasonable opportunity to satisfy themselves as to the accuracy of the calculation.

(3) In paragraph (2), “the relevant figures” means—

- (a) in the case of an election contested by more than two candidates, the number of first preference votes given in each of the Assembly constituencies for each candidate and the calculation undertaken by the GLRO for the purposes of ascertaining whether a candidate is to be returned in accordance with paragraph 3 of Schedule 2 to the 1999 Act (candidate with overall majority of first preference votes);
- (b) in the case of an election contested by only two candidates, the number of votes given in each Assembly constituency for each candidate and the total number of votes given for each candidate.

(4) Where an election is contested by more than two candidates—

- (a) if paragraph 3 of Schedule 2 to the 1999 Act applies (candidate with overall majority of first preference votes) the declaration of the person to be returned as the Mayor shall be made in accordance with rule 50(1);
- (b) if paragraph 4(1) of that Schedule applies (no candidate with overall majority of first preference votes), the GLRO shall direct every CRO at the election to count the second preference votes given as mentioned in paragraph 4(5) of that Schedule.

(5) Where an election is contested by only two candidates and the total number of votes given for each of them is unequal the person to be returned as the Mayor is the candidate to whom the majority of the votes is given.

(6) Where an election is contested by only two candidates and the total number of votes given for each of them is equal, the person to be returned as the Mayor is the person whom the GLRO decides, in accordance with paragraph 4(8) of Schedule 2 to the 1999 Act, is to be returned as the Mayor.

(7) In a case to which paragraph (5) or (6) applies, the declaration of the person to be returned as the Mayor shall be made in accordance with rule 50.