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**Changes to legislation:** There are currently no known outstanding effects for the Referendums (Scotland) Act 2020, Cross Heading: Retrieval of cancelled postal ballot papers. (See end of Document for details)

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SCHEDULE 1  
FURTHER PROVISION ABOUT VOTING IN THE REFERENDUM

**PART 3**

POSTAL VOTING: ISSUE AND RECEIPT OF BALLOT PAPERS

*Retrieval of cancelled postal ballot papers*

- 38 (1) Where it appears to the counting officer that a cancelled postal ballot paper has been placed—
- (a) in a postal voters box,
  - (b) in the receptacle for ballot paper envelopes, or
  - (c) in a postal ballot box,
- the counting officer must proceed as set out in sub-paragraphs (2) and (3).
- (2) The counting officer must on the next occasion on which a postal voters box is opened in accordance with paragraph 33, also open any postal ballot box and the receptacle for ballot paper envelopes and—
- (a) retrieve the cancelled postal ballot paper,
  - (b) show the ballot paper number on the cancelled postal ballot paper to the postal ballot agents,
  - (c) retrieve the postal voting statement that relates to a cancelled paper from the receptacle for postal voting statements (verification procedure),
  - (d) attach any cancelled postal ballot paper to the postal voting statement to which it relates,
  - (e) place the cancelled documents in a separate packet and deal with that packet in the manner provided for in paragraph 27(7), and
  - (f) unless the postal ballot box has been opened for the purposes of the counting of votes under rule 30 of the conduct rules, seal the postal ballot box in the presence of the agents.
- (3) Whilst retrieving a cancelled postal ballot paper in accordance with sub-paragraph (2), the counting officer and the counting officer's staff—
- (a) must keep the ballot papers face downwards and take proper precautions for preventing any person from seeing the votes made on the ballot papers, and
  - (b) must not look at the corresponding number list used at the issue of postal ballot papers.

**Changes to legislation:**

There are currently no known outstanding effects for the Referendums (Scotland) Act 2020,  
Cross Heading: Retrieval of cancelled postal ballot papers.