

### SCHEDULE 3 CONDUCT RULES

#### *Rejected ballot papers*

- 31 (1) Any ballot paper to which paragraph (2) applies is void and is not to be counted, subject to paragraph (3).
- (2) This paragraph applies to a ballot paper—
- (a) which does not bear the official mark,
  - (b) which indicates a vote in favour of both answers to the referendum question,
  - (c) on which anything is written or marked by which the voter can be identified (other than by the unique identifying number), or
  - (d) which is unmarked or void for uncertainty.
- (3) A ballot paper on which the vote is marked—
- (a) elsewhere than in the proper place,
  - (b) otherwise than by means of a cross, or
  - (c) by more than one mark,
- is not for such reason to be considered to be void by reason only of indicating a vote by means of figures or words (or any other mark) instead of a cross if, in the counting officer's opinion, the mark clearly indicates the voter's intention.
- (4) Paragraph (3) does not apply if—
- (a) the way in which the ballot paper is marked identifies the voter, or
  - (b) it can be shown that the voter can be identified from it.
- (5) The counting officer must—
- (a) endorse the word “rejected” on any ballot paper which falls not to be counted under this rule, and
  - (b) if any counting agent objects to the counting officer's decision, add to the endorsement the words “rejection objected to”.
- (6) The counting officer must prepare a statement showing the number of ballot papers rejected under each of sub-paragraphs (a) to (d) of paragraph (2).

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Independence Referendum Act 2013, Cross Heading: Rejected ballot papers.