

SCHEDULE 3

Rules for Conduct of an Election of Councillors of a Parish or Community where the Poll is taken together with the Poll at a relevant Election or Referendum

PART 3

Contested Elections

CHAPTER 1

General Provisions

Poll to be taken by ballot

15. The votes at the poll must be given by ballot, the result must be ascertained by counting the votes given to each candidate and the candidate or candidates to whom more votes have been given than to the other candidates, up to the number of councillors to be elected, must be declared to have been elected.

The ballot papers

16.—(1) The ballot of every voter must consist of a ballot paper, and the persons remaining validly nominated for the electoral area after any withdrawals under these Rules, and no others, shall be entitled to have their names inserted in the ballot paper.

(2) Every ballot paper must be in the form in the Appendix, and must be printed in accordance with the directions in that Appendix, and—

- (a) must contain the names and other particulars of the candidates as shown in the statement of persons nominated;
- (b) must be capable of being folded up;
- (c) must have a number and other unique identifying mark printed on the back; and
- (d) must be of a different colour from that of any ballot papers used at any relevant election or referendum.

(3) If a candidate who is the subject of a party's authorisation under rule 5(1) so requests, the ballot paper must contain, against the candidate's particulars, the party's registered emblem (or, as the case may be, one of the party's registered emblems).

(4) The candidate's request under paragraph (3) must—

- (a) be made in writing to the returning officer, and
- (b) be received by him before the last time for the delivery of nomination papers set out in the Table in rule 1.

(5) The order of the names in the ballot paper must be the same as in the statement of persons nominated.

The corresponding number list

17.—(1) The returning officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be issued by him in pursuance of rule 22(1) or provided by him in pursuance of rule 26(1).

(2) The list must be in the appropriate form in the Appendix or a form to like effect.

Status: This is the original version (as it was originally made).

The official mark

18.—(1) Every ballot paper must contain an appropriate security marking (the official mark).

(2) The official mark must be kept secret, and an interval of not less than five years shall intervene between the use of the same official mark at elections for the same parish or community.

(3) The returning officer may use a different official mark for different purposes at the same election.

Prohibition of disclosure of vote

19. No person who has voted at the election shall, in any legal proceeding to question the election, be required to state for whom he has voted.

Use of schools and public rooms

20.—(1) The returning officer may use, free of charge, for the purpose of taking the poll or counting the votes—

(a) a room in a school maintained or assisted by a local education authority or a school in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school;

(b) a room the expense of maintaining which is payable out of any rate.

(2) The returning officer must make good any damage done to, and defray any expense incurred by the persons having control over, any such room as mentioned above by reason of its being used for the purpose of taking the poll or counting the votes.