

## SCHEDULE 4

### ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

#### **Spoilt ballot paper**

**13.**—(1) If a postal voter has inadvertently dealt with that voter’s postal ballot paper or postal voting statement in such a manner that it cannot be conveniently used as a ballot paper (referred to as “a spoilt ballot paper”) or, as the case may be, a postal voting statement (referred to as “a spoilt postal voting statement”) the postal voter may return (either by hand or by post) to the CRO the spoilt ballot paper or, as the case may be, the spoilt postal voting statement.

(2) Where a postal voter exercises the entitlement conferred by sub-paragraph (1), the postal voter shall also return—

- (a) the postal ballot paper or, as the case may be, the postal voting statement, whether spoilt or not;
- (b) where two or more postal ballot papers have been issued together to the postal voter (whether at a Scottish parliamentary general election or under paragraph 2), all other ballot papers so issued, whether spoilt or not; and
- (c) the envelopes supplied for the return of the documents mentioned in sub-paragraph (1) or paragraph (a) or (b).

(3) Subject to sub-paragraph (4), on receipt of the documents referred to in sub-paragraphs (1) and (2) the CRO shall issue a replacement ballot paper or, as the case may be, papers except where those documents are received after 5 pm on the day of the poll.

(4) Where the CRO receives the documents referred to in sub-paragraphs (1) and (2) after 5 pm on the day before the day of the poll, the CRO shall only issue another postal ballot paper or, as the case may be, ballot papers if the postal voter returns the documents by hand.

(5) Paragraphs 4, 5, 6 and 8 to 12 shall apply to the issue of postal ballot papers under sub-paragraph (3).

(6) Any postal ballot paper and the postal voting statement, whether spoilt or not, returned in accordance with sub-paragraphs (1) and (2) shall be immediately cancelled.

(7) The CRO, as soon as practicable after cancelling those documents, shall make up those documents in a separate packet and shall seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall be again made up and sealed.

(8) Where a postal voter applies in person—

- (a) by 5 pm on the day before the day of the poll, the CRO may hand a replacement postal ballot paper to the postal voter;
- (b) after 5 pm on the day before the day of the poll, the CRO may only hand a replacement postal ballot paper to the postal voter;

instead of delivering it in accordance with paragraph 11.

(9) The CRO shall enter in a list kept for the purpose (“the list of spoilt postal ballot papers”)—

- (a) the name and number of the elector as stated in the polling register (or in the case of an elector who has an anonymous entry, the elector’s electoral number alone);
- (b) the number of the postal ballot paper (or papers) issued under this paragraph; and
- (c) where the postal voter whose ballot paper is spoilt is a proxy, the proxy’s name and address.