

## SCHEDULE 1

### SCOTTISH LOCAL GOVERNMENT ELECTIONS RULES RULES FOR CONDUCT OF A SCOTTISH LOCAL GOVERNMENT ELECTION WHERE THE POLL IS NOT TAKEN TOGETHER WITH THE POLL AT ANOTHER ELECTION

#### PART III

#### CONTESTED ELECTIONS

##### *Counting of votes*

##### *Exclusion of candidates*

**50.**—(1) If, one or more vacancies remain to be filled and—

- (a) the returning officer has transferred all ballot papers which are required by rule 48 or this rule to be transferred; or
- (b) there are no ballot papers to be transferred under rule 48 or this rule,

the returning officer shall exclude from the election at that stage the candidate with the then lowest number of votes.

(2) The returning officer shall sort the ballot papers for the candidate excluded under paragraph (1) into parcels so that they are grouped—

- (a) according to the next available preference given on those papers; and
- (b) where no such preference is given, as a parcel of non transferable papers.

(3) The returning officer shall, in accordance with this article, transfer each parcel of ballot papers referred to in paragraph (2)(a) to the continuing candidate for whom the next available preference is given on those papers and shall credit such continuing candidates with an additional number of votes calculated in accordance with paragraph (4).

(4) The vote on each ballot paper transferred under paragraph (3) shall have a transfer value of one unless the vote was transferred to the excluded candidate in which case it shall have the same transfer value as when transferred to the candidate excluded under paragraph (1).

(5) This rule is subject to rule 52.