

SCHEDULE 1

The Combined Authority Mayoral Elections Rules

PART 4

Contested elections

The first count

50.—(1) Where the containers referred to in rule 48 are delivered to the place where the counting of votes is to be carried out, the returning officer must open in the presence of the counting agents all the packets of ballot papers other than those containing unused, spoiled or tendered ballot papers.

(2) The returning officer must not count the votes given on any ballot papers until—

- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box, and
- (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.

(3) The returning officer shall then—

- (a) where the election is contested by three or more candidates, count the first preference votes given on them,
- (b) where the election is contested by only two candidates, count the votes given on them.

(4) The returning officer must not count any tendered ballot paper.

(5) The returning officer, while counting the votes, must keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.

(6) The returning officer must so far as practicable proceed continuously with counting the votes, allowing only time for refreshment, except that the returning officer may exclude the hours between 7 in the evening and 9 on the following morning.

(7) During the time so excluded the returning officer must—

- (a) place the ballot papers and other documents relating to the election under the returning officer's own seal and the seals of such of the counting agents as desire to affix their seals, and
- (b) otherwise take proper precautions for the security of the papers and documents.