

SCHEDULE 3

Combined Authority Mayoral Election (Combination of Polls) Rules

PART 4

Contested elections

Tendered ballot papers—circumstances where available

40.—(1) If a person, representing themselves to be—

- (a) a particular elector named on the register and not named in the absent voters list, or
- (b) a particular person named in the list of proxies as proxy for an elector and not entitled to vote by post as proxy,

applies for a ballot paper after another person has voted in person either as the elector or his proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the provisions of rule 41, to mark a ballot paper (in these Rules referred to as “a tendered ballot paper”) in the same manner as any other voter.

(2) Paragraph (4) applies if—

- (a) a person (P) applies for a ballot paper representing themselves to be a particular elector named on the register,
- (b) P is also named in the postal voters list, and
- (c) P claims that P did not make an application to vote by post at the election.

(3) Paragraph (4) also applies if—

- (a) a person (P) applies for a ballot paper representing themselves to be a particular person named as a proxy in the list of proxies,
- (b) P is also named in the proxy postal voters list, and
- (c) P claims that they did not make an application to vote by post as proxy.

(4) P shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the provisions of rule 41, to mark a ballot paper (in these Rules referred to as a “tendered ballot paper”) in the same manner as any other voter.

(5) Paragraph (6) applies if, before the close of the poll but after the last time at which a person may apply for a replacement postal ballot paper, a person represents themselves to be—

- (a) a particular elector named on the register who is also named in the postal voters list, or
- (b) a particular person named as a proxy in the list of proxies and who is also named in the proxy postal voters list,

and claims to have lost or not received the postal ballot paper.

(6) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the provisions of rule 41, to mark a ballot paper (in these Rules referred to as a “tendered ballot paper”) in the same manner as any other voter.