

## SCHEDULE 3

### Combined Authority Mayoral Election (Combination of Polls) Rules

## PART 4

### Contested elections

#### Rejected ballot papers

**51.**—(1) Any ballot paper—

- (a) which does not bear the official mark, or
- (b) on which more than one first preference vote is given, or
- (c) on which anything is written or marked by which the voter can be identified except the printed number and other unique identifying mark on the back, or
- (d) which is unmarked or void for uncertainty as to the first preference vote,

shall, subject to paragraph (2), be void and not counted.

(2) A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place, or
- (b) otherwise than by means of a cross, or
- (c) by more than one mark,

shall not for such reason be deemed to be void if—

- (i) at an election at which three or more candidates remain validly nominated, an intention that a vote shall be given, by way of a first preference vote, for not more than one of the candidates clearly appears, or
- (ii) at any other election, an intention that a vote shall be for one only of the candidates clearly appears,

and (in either case) the way the paper is marked does not itself identify the voter and it is not shown that he can be identified by it.

(3) A ballot paper which is not otherwise void and on which not more than one first preference vote is marked (whether or not a second preference vote is marked) shall be valid as respects that vote, and counted accordingly.

(4) The returning officer must endorse the word “rejected” on any ballot paper which under this rule is not to be counted, and shall add to the endorsement the words “rejection objected to” if any objection is made to the returning officer’s decision by a counting agent.

(5) The returning officer must draw up a provisional statement showing the number of ballot papers rejected, under the several heads of—

- (a) want of official mark,
- (b) voting for more than one candidate as to the first preference vote,
- (c) writing or mark by which the voter could be identified, and
- (d) unmarked or void for uncertainty as to the first preference vote.

(6) As soon as practicable after the completion of that statement, the returning officer must inform the combined authority returning officer of its contents.

(7) In the case of an election where only two candidates remain validly nominated, this rule is to apply as if—

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK  
Statutory Instrument: The Combined Authorities (Mayoral Elections) Order 2017 No. 67

- (a) in paragraph (1)(b), for “first preference vote” there were substituted “vote”,
- (b) in paragraphs (1)(d), (5)(b) and (d), the words “as to the first preference vote” were omitted,
- (c) paragraph (3) were omitted.