

SCHEDULE 1

THE CONSTITUENCY MEMBERS ELECTION RULES

PART V

Final Proceedings In Contested And Uncontested Elections

Declaration of result

45.—(1) In a contested election, when the result of the poll has been ascertained, the CRO shall forthwith—

- (a) declare to be elected the candidate to whom the majority of votes has been given;
- (b) return his name and, if he was the candidate of a party, the name of that party, to the GLRO; and
- (c) give public notice of the name of the successful candidate and of the total number of votes given for each candidate together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.

(2) In an uncontested election, the CRO shall as soon as practicable after the latest time for the delivery of notices of withdrawals of candidature—

- (a) declare to be elected the person remaining validly nominated;
- (b) give notice to the GLRO—
 - (i) of the name of that person; and
 - (ii) if he was a candidate of a party, of the name of the party;
- (c) give public notice of the name of the person declared to be elected.

(3) The CRO shall inform the proper officer of the Authority of the result of the election.

(4) In this rule, “candidate of a party” means a person—

- (a) who was the subject of an authorisation under rule 6(4); and
- (b) whose particulars on the ballot paper included the party’s registered emblem (if any).

Return or forfeiture of candidate’s deposit

46.—(1) Unless forfeited in accordance with paragraph (5), the deposit made under rule 8 shall be returned to the person making it or his personal representative.

(2) Subject to paragraph (4), the deposit shall be returned not later than the next day after that on which the result of the election is declared.

(3) For the purposes of paragraph (2)—

- (a) a day shall be disregarded if it would be disregarded under rule 3 in computing any period of time for the purposes of the timetable for an election of the kind in question; and
- (b) the deposit shall be treated as being returned on a day if a cheque for the amount of the deposit is posted on that day.

(4) If the candidate is not shown as standing nominated in the statement of persons nominated, or if the poll is countermanded or abandoned by reason of his death, the deposit shall be returned as soon as practicable after the publication of the statement or after his death, as the case may be.

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(5) Where a poll is taken, if, after the counting of the votes by the CRO (including any re-count) is completed, the candidate is found not to have polled more than one-twentieth of the total number of votes polled by all the candidates, the deposit shall be forfeited to the Greater London Authority.