

SCHEDULE 2

ABSENT VOTING

PART 3

ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

Issue of Postal Ballot Papers

Spoilt postal ballot papers

39.—(1) If a postal voter has inadvertently dealt with his postal ballot paper in such manner that it cannot be conveniently used as a ballot paper (referred to as “a spoilt ballot paper”) he may return (either by hand or by post) to the local returning officer the spoilt ballot paper and the declaration of identity.

(2) Where postal ballot papers for more than one election or referendum have been issued together under paragraph 27, the postal voter shall, if he exercises the entitlement conferred by sub-paragraph (1), return all of the ballot papers so issued, whether spoilt or not.

(3) On receipt of the documents referred to in sub-paragraph (1) and, where applicable sub-paragraph (2), the local returning officer shall issue another postal ballot paper or, as the case may be, ballot papers except where those documents are received after 5 pm on the day before the day of the poll.

(4) Paragraphs 34 (except sub-paragraph (3)), 36, 37 and, subject to sub-paragraph (7) below, 38 shall apply to the issue of a replacement postal ballot paper under sub-paragraph (3).

(5) The spoilt postal ballot paper, and any other postal ballot paper issued with it, and the declaration of identity shall be immediately cancelled.

(6) The local returning officer, as soon as practicable after cancelling those documents, shall make up those documents in a separate packet and shall seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall be again made up and sealed.

(7) Where a postal voter applies in person, the local returning officer may hand a replacement postal ballot paper to him instead of delivering it in accordance with paragraph 38.

(8) The local returning officer shall enter in a list kept for the purpose (“the list of spoilt postal ballot papers”)—

- (a) the name and number of the elector as stated in the register;
- (b) the number of the postal ballot paper (or papers) issued under this paragraph; and
- (c) where the postal voter whose ballot paper is spoilt is a proxy, his name and address.