

SCHEDULE 2

SCOTTISH PARLIAMENTARY ELECTION RULES

PART III

CONTESTED ELECTIONS

Action to be taken before the poll

Equipment of polling stations

38.—(1) The constituency returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as in the constituency returning officer's opinion may be necessary. At a Scottish parliamentary general election, if the constituency ballot paper and the regional ballot paper are not printed on the same sheet, separate ballot boxes will be provided for the constituency ballot papers and for the regional ballot papers.

(2) Every ballot box shall be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being opened.

(3) The constituency returning officer shall provide each polling station with—

- (a) materials to enable voters to mark the ballot papers;
- (b) copies of the register of electors or such part of it as contains the entries relating to electors allotted to the station, including copies of any notices issued under section 13B(3B) or (3D) of the 1983 Act⁽¹⁾ in respect of alterations to the register;
- (c) the parts of any special lists prepared for the election corresponding to the register of electors or the part of it provided under sub-paragraph (b);
- (d) a list containing that part of the list prepared under rule 29 which contains the numbers (but not the other unique identifying marks) corresponding to those on the ballot papers provided to the presiding officer of the polling station;
- (e) copies of forms and declarations and other documents required for the purpose of the poll; and
- (f) at least one list showing the names of the candidates who appear on the regional list of each party shown on any regional ballot paper, followed by the names of the individual candidates, as given in the statement prepared under rule 20 and arranged in the order in which their names appear on that list.

(4) The constituency returning officer shall also provide each polling station with—

- (a) at least one enlarged sample copy of a constituency ballot paper and any regional ballot paper for display at the station and at least one enlarged hand-held sample copy of that or those ballot papers for the assistance of voters who are partially sighted (in each case printed and marked as required by article 89); and
- (b) a device of the description set out in paragraphs (5) to (10), for enabling voters who are blind or partially-sighted to vote without any need for assistance from the presiding officer or any companion (within the meaning of rule 48(1)).

(5) The device referred to in paragraph (4)(b) shall be such that—

- (a) it satisfies the conditions in paragraphs (6) to (10);

(1) Section 13B(3B) and (3D) were inserted by the 2006 Act, section 11.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) a ballot paper can—
 - (i) be inserted into, and removed from, it; or
 - (ii) be attached to, and detached from, it; and
- (c) the ballot paper will remain firmly in place once inserted into, or attached to, the device.
- (6) There shall be sufficient space to allow the particulars of each candidate and, where appropriate, registered party named on the ballot paper to be clearly shown.
- (7) There shall be a separate hole in the device for each candidate and, where appropriate, registered party, named on the ballot paper.
- (8) Each hole in the device shall be of equal size.
- (9) Each hole shall be positioned to frame the space to the right of the particulars of the candidate or registered party (as the case may be) on which the vote may be marked (“the relevant space”).
- (10) Each hole shall be sufficiently large to allow a voter to mark a cross in the relevant space on the ballot paper.
- (11) A notice in the form O set out in the Appendix, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.
- (12) At a Scottish parliamentary general election, a notice in the form P set out in the Appendix, giving information to voters shall be printed and exhibited either inside or outside every polling station and may be exhibited both inside and outside any polling station.
- (13) Subject to paragraphs (14) and (15), in every compartment of every polling station there shall be exhibited the notice—

“Vote once only on each ballot paper by marking a X. Put no other mark on each ballot paper issued or your vote may not count.”.
- (14) In the case of a poll to fill a vacancy in the seat of a constituency member, the references in paragraph (13) and in form O to “each ballot paper” shall be construed as references to “the ballot paper”.
- (15) At a Scottish parliamentary general election where the constituency ballot paper and the regional ballot paper are printed on the same sheet, the notice referred to in paragraph (13) shall read—

“There are two columns on the ballot sheet, in different colours. Vote once in each column, by marking a X in each column. Put no other mark on the sheet or your two votes may not count.”.
- (16) The statements required by rules 19 and (except in the case of a poll to fill a vacancy in the seat of a constituency member) 20 shall be printed in conspicuous characters and exhibited inside or outside every polling station and may be exhibited both inside and outside any polling station.