
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 352

**NATIONAL HEALTH SERVICE
REPRESENTATION OF THE PEOPLE**

The Health Board Elections (Scotland) Regulations 2009

Made - - - - 9th October 2009

Coming into force 12th October 2009

**THE HEALTH BOARD ELECTIONS
(SCOTLAND) REGULATIONS 2009**

1. Citation and commencement
 2. Interpretation
 3. Date of first elections in pilot areas
 4. Health Board election rules
 5. Identification of unelected candidate to fill vacancy
 6. Application of Part 3 of the 1983 Act
- Signature

| | SCHEDULE | HEALTH BOARD ELECTION RULES |
|-----|---|-----------------------------|
| | | PART 1 TIMETABLE |
| 1. | <i>Timetable</i> | |
| | | PART 2 RETURNING OFFICERS |
| 2. | <i>Returning officers</i> | |
| 3. | <i>Payments to returning officers</i> | |
| | | PART 3 ELECTION NOTICE |
| 4. | <i>Notice of election</i> | |
| | | PART 4 VOTERS |
| 5. | <i>Voters – eligibility</i> | |
| 6. | <i>Registration officers</i> | |
| 7. | <i>Absent voters</i> | |
| 8. | <i>Absent voters list</i> | |
| 9. | <i>Duty to supply free copy of registers to returning officer</i> | |
| | | PART 5 CANDIDATES |
| 10. | <i>Candidates</i> | |
| 11. | <i>List of restricted posts</i> | |

Status: This is the original version (as it was originally made).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

12. *Nomination papers*
 13. *Nomination*
 14. *Candidate statements*
 15. *Withdrawal of nomination*
 16. *Prohibition of nomination in more than one Health Board election*
 17. *Validity of nomination*
 18. *Correction of minor errors in nomination paper*
 19. *Inspection of nomination papers*
 20. *Counting agents*
- PART 6 VOTING PACKS AND BALLOT PAPERS
21. *Voting packs*
 22. *Ballot papers*
 23. *Marking of lists when voting packs sent*
 24. *Notice of sending of voting packs*
 25. *Voter without ballot paper*
- PART 7 CASTING OF VOTES
26. *Casting of votes*
 27. *Ballot papers received late*
 28. *Prohibition of disclosure of vote*
 29. *Notification of requirement of secrecy*
 30. *Spoilt ballot papers and covering envelopes*
- PART 8 THE COUNT
31. *Ballot boxes*
 32. *The count*
 33. *Electronic counting*
 34. *Attendance at the count*
 35. *Opening of ballot boxes and covering envelopes*
 36. *Counting of ballot papers*
 37. *Rejected ballot papers*
 38. *First stage*
 39. *The quota*
 40. *Return of elected members*
 41. *Transfer of ballot papers*
 42. *Transfer of ballot papers – supplementary provisions*
 43. *Exclusion of candidates*
 44. *Exclusion of candidates – supplementary provisions*
 45. *Filling of last vacancies*
 46. *Recount*
 47. *Decisions during the count*
 48. *Counting of votes by means other than electronic counting*
- PART 9 DECLARATION OF THE RESULT
49. *Declaration of result of poll*
 50. *Declaration of result where no poll held*
- PART 10 DOCUMENTS RELATING TO A HEALTH BOARD ELECTION
51. *Sealing up of ballot papers*
 52. *Delivery of documents*
 53. *Orders for production of documents*
 54. *Retention of documents*
- PART 11 ELECTION EXPENSES
55. *Candidates' election expenses*
 56. *Election expenses statements*

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PART 12 SPECIAL RULES RELATING TO
INELIGIBLE CANDIDATES

57. *Special rules where candidate becomes ineligible after end of nomination period*
Explanatory Note