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## SCHEDULES

### SCHEDULE 2

#### RULES APPLICABLE TO ELECTION OF COMMISSIONERS

##### PART 5

##### DISPOSAL OF DOCUMENTS

###### *Sealing up of ballot papers*

- 20 On the completion of the counting at a contested election the returning officer shall seal up in separate packets the counted and rejected ballot papers, including ballot papers rejected in part.

###### *Delivery of documents*

- 21 Immediately following the declaration of election the returning officer shall forward to the secretary of the Commission the following documents:—
- (a) the packets of ballot papers in the returning officer's possession;
  - (b) the ballot paper account and the statement of rejected ballot papers; and
  - (c) the nomination papers,
- endorsing on each packet a description of its contents and the date of the election to which they relate.

###### *Challenge to election*

- 22 (1) If within one calendar month of the declaration of election a person entitled to vote in the election makes representation in writing to the Chairman of the Council alleging improper behaviour in connection with the election or a breach of these rules the Chairman of the Council may appoint an independent person ("the investigator") to investigate such allegation.
- (2) The investigator shall carry out such enquiries as the investigator considers appropriate and shall, if necessary for the purpose of the investigation, be entitled to open the sealed packets of documents relating to the election.
- (3) If, following completion of an investigation, the investigator is of the opinion that there has been a material irregularity in the conduct of the election which may have affected the result, the investigator may declare the election void and order the returning officer to conduct a fresh election.

###### *Retention of documents*

- 23 The secretary of the Commission shall retain all documents relating to the election for a period of two months following the election and then, unless required for

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the purposes of an investigation under paragraph 22 above, shall cause them to be destroyed.