

## SCHEDULE 1

### SCOTTISH LOCAL GOVERNMENT ELECTIONS RULES

#### PART VI

#### DEATH OF CANDIDATE

##### **Independent candidate**

**62.**—(1) This rule applies if at a contested election proof is given to the returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named as an independent candidate in the ballot papers for a particular electoral ward has died.

(2) Subject to this rule and rules 63 and 64, these rules apply to the election as if the candidate had not died.

(3) The following provisions of these rules do not apply in relation to the deceased candidate—

- (a) rule 28(1)(c) and (d) (admission to polling station); and
- (b) rule 41(2)(b) to (d) (attendance at count).

(4) If there are an equal number of remaining candidates and vacancies the returning officer must—

- (a) if polling has not begun, countermand the notice of poll;
- (b) if polling has begun, direct that the poll is abandoned;
- (c) subject to rule 66, treat the election as an uncontested election.

(5) For the purposes of this rule a person is named or to be named on the ballot papers as an independent candidate if the description on the candidate's nomination paper is the word "Independent" or the candidate has no description on that nomination paper.