SCHEDULE 3

THE MAYORAL ELECTION RULES

PART V

Further Provision: More Than Two Candidates

The count of second preference votes

48.—(1) As soon as the CRO has received such a direction as is mentioned in rule 47(4)(b) he shall count the number of second preference votes for each of the candidates remaining in the contest given by voters who did not give their first preference vote to any of those candidates.

(2) A ballot paper which is not otherwise void and on which not more than one second preference vote is marked shall be valid as respects that vote and shall be counted accordingly if, but only if, a valid first preference vote has also been marked.

(3) Rules 40, 41(5), (6), (8) and (9), 42 (except paragraph (3)), 44(1) (except the words "the votes, or as the case may be,") and 46 shall apply in relation to the count of second preference votes as they apply in relation to the count of first preference votes as if references to first preference votes were references to second preference votes.

(4) The CRO shall not be required to re-examine any decision taken under rule 43.

(5) As soon as practicable after the second preference votes have been counted, the CRO shall inform the GLRO of the number of second preference votes cast for each of the candidates remaining in the contest.

The second calculation and resolution of equality

49.—(1) As soon as the GLRO has received from every CRO the information required by rule 48(5) he shall comply with paragraph 4(5) and (6) of Schedule 2 to the 1999 Act.

(2) As soon as the GLRO has ascertained the result of the second calculation, he shall provide such of the election agents for those candidates who remain in the contest as are then present with a copy of the relevant figures and shall give them a reasonable opportunity to satisfy themselves as to the accuracy of the calculation.

(3) In paragraph (2), "the relevant figures" means the number of second preference votes given in each of the Assembly constituencies for each of the candidates remaining in the contest and the calculation undertaken by the GLRO for the purpose of ascertaining the total number of first and second preference votes given to each of those candidates.

(4) If, after the second calculation, the total number of votes given for two or more candidates is equal, the person to be returned as the Mayor is the person whom the GLRO decides, in accordance with paragraph 4(8) of Schedule 2 to the 1999 Act, is to be returned as the Mayor.