

SCHEDULE 2

SCOTTISH PARLIAMENTARY ELECTION RULES

PART IV

FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

Equality of votes at poll for return of regional members

65. Section 8(7) of the 1998 Act shall be modified by substituting, for the words after “candidates”, the following words:–

- “(a) the subsection in question shall apply to each of them; or
 - (b) if paragraph (a) would result in more than the correct number of seats for the region being allocated, the subsection in question shall apply as if the regional figure for each of those parties or candidates had been adjusted in accordance with subsection (8).
- (8) The regional figure for a party or candidate is adjusted in accordance with this subsection by–
- (a) adding one vote to the total number of regional votes given for the party or candidate in all the constituencies included in the region; and
 - (b) (in the case of a party) recalculating the regional figure accordingly.
- (9) If, on the application of the subsection in question in accordance with subsection (7) (b), seats would be allocated to two or more parties or individual candidates and that would result in more than the correct number of seats for the region being allocated, the regional returning officer shall decide between them by lot.”.