

23. Counting and validity of votes

- (1) As soon as practicable after the poll has closed and not before, in the presence of such of the scrutineers as may attend —
 - (a) each envelope addressed to the Chief Electoral Officer shall be checked against the electoral roll;
 - (b) each counterfoil shall be checked against the electoral roll;
 - (c) each envelope addressed to the Chief Electoral Officer shall be checked to ensure that it contains the full name and signature of the voter;
 - (d) the name of each voter who has forwarded an envelope addressed to the Chief Electoral Officer and ballot paper shall be marked on the electoral roll;
 - (e) if the envelope addressed to the Chief Electoral Officer is in order, the ballot paper envelope enclosed therein shall be placed unopened into a sealed ballot box;
 - (f) if the envelope addressed to the Chief Electoral Officer has been found not to be in order the envelope containing the ballot paper shall be marked “Not in Order”; and
 - (g) the ballot box containing the unopened ballot paper envelopes shall be opened and the ballot papers removed from the envelopes.
- (2) For the purposes of the count each ballot paper shall be sorted according to the candidate receiving the first preference on the ballot paper but where a ballot paper —
 - (a) does not bear the initials of the Chief Electoral Officer or a facsimile thereof;
 - (b) has upon it a mark or any writing by means of which the elector can be identified; or
 - (c) is not marked in accordance with such of the requirements set out in regulation 21 as apply to the election being conducted,the ballot paper shall be rejected as informal.
- (3) A person who is appointed as scrutineer for an election may make submissions on the rejection of a ballot paper from, or the admission of a ballot paper to, the count to the Chief Electoral Officer.
- (4) The Chief Electoral Officer shall consider any submissions made to him under subregulation (3) before rejecting a ballot paper from, or admitting a ballot paper to the count.
- (5) Where the Chief Electoral Officer rejects a ballot paper from the count or admits a ballot paper to the count after submissions have been made to him under subregulation (3) the Chief Electoral Officer shall endorse on the ballot paper the word “REJECTED” or the word “ADMITTED” as the case requires and initial such endorsement.