Doubtful ballot papers – allowed votes

Suggested examples of allowed votes are provided here. All of these examples are based on previous case law at elections or taken from the specific rules for the referendum. Ultimately the decision on any particular ballot paper rests with the Counting Officer and it is for them to determine their own view of the application of case law.
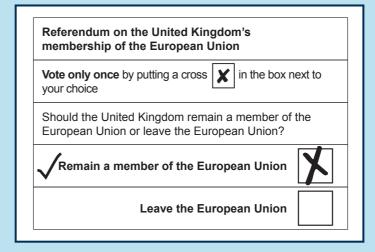
For the principles to be applied when adjudicating, see *Dealing with doubtful ballot papers at the EU Referendum*. Case references can be found in that document and other references are to The European Union Referendum (Conduct) Regulations 2016.
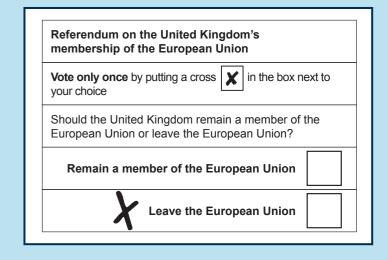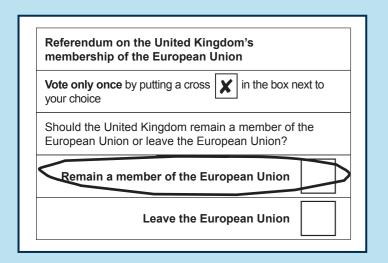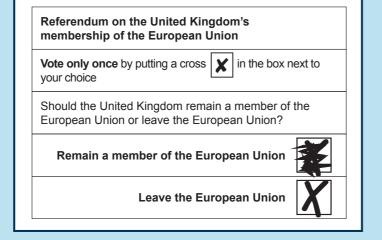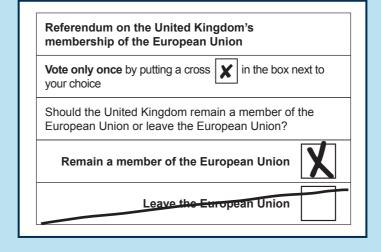
Allow for 'Remain' - vote marked otherwise than by means of a cross. Regulation 48(2)(b).

Allow for 'Leave' - vote marked elsewhere than in the proper place. Berwick-upon-Tweed case and Regulation 48(2)(a).

Allow for 'Remain' - vote marked by more than one mark. Regulation 48(2)(c).

Allow for 'Leave' - vote marked elsewhere than in the proper place. Regulation 48(2)(a).

Allow for 'Remain' - vote marked otherwise than by means of a cross and marked elsewhere than in the proper place. Regulation 48(2)(a) and (b).

Allow for 'Leave' – vote marked by more than one mark. Cirencester case, *Eley v. Durant* and Regulation 48(2)(c).

Allow for 'Remain' - vote marked by more than one mark. *Woodward v. Sarsons* and Regulation 48(2)(c).

Allow for 'Leave' – vote marked otherwise than by means of a cross. Regulation 48(2)(b).
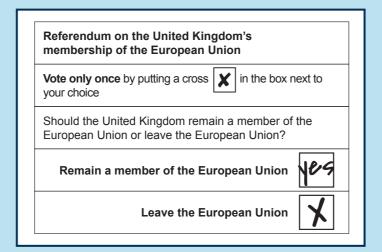
Doubtful ballot papers – rejected votes

Suggested examples of rejected votes are provided here. All of these examples are based on previous case law at elections or taken from the specific rules for the referendum. Ultimately the decision on any particular ballot paper rests with the Counting Officer and it is for them to determine their own view of the application of case law.
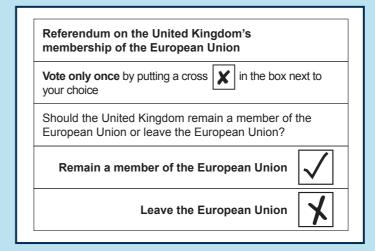
For the principles to be applied when adjudicating, see *Dealing with doubtful ballot papers at the EU Referendum*. Case references can be found in that document and other references are to The European Union Referendum (Conduct) Regulations 2016.
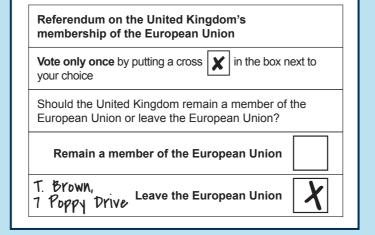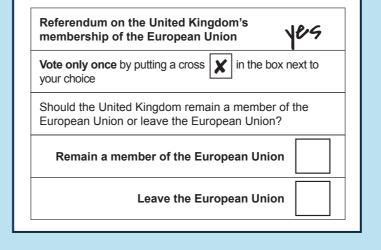
EUROPEAN UNION
REFERENDUM 2016

The Electoral Commission

Reject – voted for both answers. Regulation 48(1)(b).

Reject – voted for both answers. Regulation 48(1)(b).

Reject – voted for both answers. Regulation 48(1)(b).

Reject – voted for both answers. Regulation 48(1)(b).

Reject – void for uncertainty. *Rowe v. Cox* and Regulation 48(1)(d).

Reject – voter can be identified. *Woodward v. Sarsons* and Regulation 48(1)(c).

Reject – void for uncertainty. Regulation 48(1)(d).

Reject – ballot paper is unmarked. Regulation 48(1)(d).