DEPARTMENT OF THE ENVIRONMENT

AND

LOCAL GOVERNMENT

ELECTRONIC VOTING AND COUNTING

SYSTEM : REQUEST FOR TENDERS

COUNT REQUIREMENTS AND COMMENTARY

ON COUNT RULES

In cases of doubt about any material contained in this document, consult "Rules for the counting of the votes" set out in Appendix E.1.

23 June, 2000.

COUNT REQUIREMENTS AND COMMENTARY ON COUNT RULES

CONTENTS

COUNT

A. Commentary on count rules

B. Count Menu and screens/prints

POST-COUNT

ELECTRONIC COUNTING

SECTION 1 : OVERVIEW OF COUNT SOFTWARE SET-UP

1.   General

The count software should be presented to users in three menus as follows :-

1.   Pre-Count Menu (see Section 2);

2.   Count Menu (see Sections 15 & 17 for overview and sections 16 and 18 – 28 for the contents of this menu). A commentary on the application of all the count rules is set out in Sections 3 to 14; and

3.   Post-Count Menu (see Section 29 for overview and sections 29 – 38 for the contents of this menu).

2.   Ad-hoc reports

In addition to the requirements set out in this document, it should be possible for users to generate ad-hoc reports from the system. The detailed arrangements for this will be discussed with the successful tenderer.

ELECTRONIC COUNTING

SECTION 2 : PRE-COUNT MENU

1. Introduction

The Pre-Count Menu should cover pre-count processes, including the set-up of the election, candidates and ballot papers.

This Menu should allow for the insertion, from floppy disk, of up-dated standard data at each election, which would be selected by users from pop-up menus as follows :-

Election type – Dáil general election, European election, etc.;

Constituency name; and

Political party.

Other standard data that should be included in the election set-up is the date of the poll, number of seats and the electorate. Where the election type is a Dáil bye-election, there should be provision for entering the number of seats on which the "quota for return of deposit" should be calculated. See section 14 entitled **"THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS"**.

The set-up of candidates should include, in addition to the information required on the vote, the gender of the candidate and whether he/she is an outgoing member/holder of the body/office concerned. This information is necessary to generate post-count statistical data. See section 37 entitled **"PRINT: ELECTION STATISTICS"**.

2. **Postal and Special Voting**

The pre-count menu should include the following table for the entry of postal and special voting details:-

Pre-count report on postal and special voting

[Type of election] held on [Date of Poll]

[Name of Constituency]

A	Number of votes issued to **postal** voters :	
B	Number of votes issued to **special** voters :	
C	Number of covering envelopes received from **postal** voters before close of poll :	
D	Number of covering envelopes received from **special** voters before close of poll :	
E	Total [D + E] :	
F	Number of **postal and special** votes rejected at opening of ballot box (including receipts not accompanied by a vote) :	
G	Number of **postal and special** votes placed in ballot box for subsequent verification of vote accounts :	

3. **Reconciliation of vote accounts**

For the purpose of clarity, "vote" means the full set of preferences recorded by the voter at an election.

The facility for loading votes recorded on individual voting machines should be located in the Pre-Count Menu. See also section 39 entitled "**PRINT VOTES AS BALLOT PAPERS**".

This menu should also include the following table for the reconciliation of vote accounts that should be accessed from a button entitled "Reconciliation of vote accounts" :-

Reconciliation of vote accounts

[Type of election] held on [Date of Poll]

[Name of Constituency]

Polling Station No.	Polling Station	Voting Machine No.	Number of votes recorded;		
			By voting machine	By presiding officer	Discrepancy
1	Postal and special voters	A4	7	7	0
2	St. Kieran's NS	A1	60	62	+2
3	St. Colman's NS	A2 A3	25 32		
		Total	57	56	-1
Total	3 No.	4 No.	124*	125**	+1

*TOTAL figure for number of votes recorded by voting machine refers to 4 out of 4 stations.

**TOTAL figure for number of votes recorded by presiding officers refers to 3 out of 3 stations."

Notes on "Reconciliation of vote accounts" Table

❑ The first column should be labelled "Polling Station No." and the entries should display, in ascending order, the numbers of all polling stations set up for the poll. The last entry in the column should be "TOTAL" (i.e. a description of the entries in the row).

- ❑ The second column should be labelled "Polling Station" and the entries should display the name of each polling station opposite its number. The entry in the "TOTAL" row should read [Total no. of polling stations at the election) No.].

- ❑ The third column should be labelled "Voting machine no." and the entries should display the unique number assigned to the voting machine for the polling station concerned. The table shows the treatment of cases where there is more than one voting machine assigned to a polling station. . The entry in the "TOTAL" row should read [Total no. of voting machines at the election) No.].

- ❑ There should be a label over the remaining three columns entitled "Number of votes recorded - "

- ❑ The fourth column should be labelled "by voting machine". This column should be populated according as data exported from each voting machine is loaded into the count PC. The entry in the "TOTAL" row should also be updated automatically and should include a footnote "TOTAL figure for number of votes recorded by voting machines refers to [No. of polling stations for which entries have been made in the fourth column] out of [Total number of polling stations at the poll] stations."

- ❑ The fifth column should be labelled "by presiding officer". The user should be able to enter data into this column from the individual "votes recorded" account prepared by each presiding officer. The entry in the "TOTAL" row should also be updated automatically and should include a separate footnote "TOTAL figure for number of votes recorded by presiding officers refers to [No. of polling stations for which entries have been made in the fourth column] out of [Total number of polling stations at the poll] stations."
It should be possible for the user to amend the data entered in the "by presiding officer" column and related entries in the table should be amended accordingly. Where an existing entry in this column is deleted and not replaced, the figure in the "TOTAL" row for [No. of polling stations for which entries have been made in the fifth column] should be reduced by one.

❑ According as the user enters data in the fifth column, the sixth column entitled "Discrepancy" should be populated automatically by the system. Where the number of votes as recorded by the presiding officer equals the number of votes as recorded by the voting machine, "0" (zero) should be entered in the "Discrepancy" column. Where the number of votes as recorded by the presiding officer exceeds the number of votes as recorded by the voting machine, "+[No.]" should be entered. Where the number of votes as recorded by the presiding officer is less than the number of votes as recorded by the voting machine, "-[No.]" should be entered.
The entry in the "TOTAL" row of the "Discrepancy" column should also be updated automatically.

Below the table there should be a button entitled "Table completed". When clicked, a dialog box should be presented as follows - "Are you sure you have finished making entries in this table? Yes. No." If user clicks "Yes", the button is de-activated and the user cannot subsequently amend the Table – this should be pointed out to users who access the screen subsequently. If the user clicks "No", the dialog box should disappear, the Pre-Count Menu of buttons should be presented, and the user should be able to amend entries in the "Reconciliation of vote accounts" table.

The "Reconciliation of vote accounts" table should be printable at any stage of the count proceedings.

It should not be possible for randomisation of votes or count to proceed until data has been loaded into the system (and carried forward into the "Reconciliation of vote accounts" table) for all voting machines set up for the election.

 It should be possible, separate from the general export of election data, to export the "Reconciliation of vote accounts" data on floppy disk. It should also be possible after an election, to save the "Polling Station No. and Name" data for

loading and updating at future elections – this will avoid users having to re-enter these data afresh at every election.

Below the "Table completed" button, there should be a button entitled "Summary reconciliation of vote accounts" which, when clicked, prints the following table:-

2.   Summary reconciliation of vote accounts

- ❑ Number of **postal and special** votes recorded by voting machine :
- ❑ Number of votes recorded by **polling station** voting machines :
- ❑ Total number of votes recorded by voting machines [1. + 2.]:
- ❑ Total number of votes recorded by presiding officers :
- ❑ Difference between total numbers of votes recorded by voting machines and by voting machines [3. – 4.]:

_____   _____

Returning Officer   **Date**

Notes on "Summary reconciliation of vote accounts" table

- ❑ The data at row 1 should be carried forward from the "by voting machine" column in the "postal and special voters" row in the "Reconciliation of vote accounts" table.
- ❑ The data at row 2 should be the figure in the "by voting machine" column for the "Total" row in the "Reconciliation of vote accounts" table <u>minus</u> the figure in row 1 above.
- ❑ The data at row 3 should be the figure in the "by voting machine" column for the "Total" row in the "Reconciliation of vote accounts" table.

❑ The data at row 4 should be the figure in the "by voting machine" column for the "Total" row in the "Reconciliation of vote accounts" table.

❑ The data at row 5 should be the figure in the "discrepancy" column for the "Total" row in the "Reconciliation of vote accounts" table.

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 3 : FIRST COUNT CALCULATIONS

1.   Relevant count rules

Sections 48 and 118 - 120 of the Electoral Act, 1992.

2.   Introduction

It should not be possible for randomisation of votes or counting of votes to proceed until data has been loaded into the system (and carried forward into "Reconciliation of "vote accounts" table) for <u>all</u> voting machines set up for the election.

There should be a button entitled "Counting of votes" which, when clicked, should proceed with the counting of the votes through to its conclusion, stopping only where drawing of lots by the returning officer is necessary in the case of equalities which cannot be distinguished mathematically in accordance with the count rules.

3.   Calculations

❑ Calculate the number of first preference votes recorded for each candidate and the total number of first preference votes recorded for all candidates. <u>The latter figure must remain the same after each count.</u>

❑ The quota is the number of votes a candidate normally needs to be elected. Calculate it by the following formula-

$$\frac{\text{Votes cast}}{\text{No. of seats being filled} + 1} + 1, \text{ignoring any remainder}$$

❑ Compare the number of first preference votes recorded for each candidate with the quota and deem elected any candidate with a quota or more than a quota of votes.

❑ Calculate the surplus of any candidate with more than a quota of votes by subtracting the quota from his/her total number of first preference votes.

❑ Calculate the minimum number of votes required by a candidate to secure the return of his/her deposit as follows-

Divide the quota by four, disregard any remainder in the result and add one to it – this figure is the threshold for saving the deposit.

In the case of **Dáil bye-elections**, the quota is calculated as above but the threshold for return of the candidate's deposit is based on the <u>total</u> number of seats in the constituency at the previous general election. This threshold is based on a <u>quota for return of deposit</u> calculated as follows:-

$$\frac{\text{Votes cast}}{\text{Total no. of seats in constituency} + 1} + 1, \text{ignoring any remainder}$$

See section 14 entitled "THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS".

❑ Compare the number of first preference votes recorded for each candidate who has <u>not</u> reached/exceeded the quota with the minimum number of votes required by a candidate to save the deposit and note the result (i.e. he/she has or has not saved the deposit). Bear in mind that any elected candidate

automatically saves his/her deposit, even if he/she has not secured the minimum number of votes required to save the deposit.

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 4 : OVERVIEW OF DECISION-MAKING AFTER EACH COUNT

See section 3 entitled "FIRST COUNT CALCULATIONS".

1. Has any candidate(s) reached/exceeded the quota during this count?

    If Y, deem him/her/them to be elected. Go to 2.

    If N, go to 3.

2. Calculate how many continuing candidates there are and how many seats remain unfilled.

    If -

    ❑ the number of continuing candidates is equal to the number of seats remaining unfilled, or

    ❑ the number of continuing candidates exceeds by one the number of unfilled seats, or

    ❑ there is one unfilled seat,

    - go to section 11 entitled **"FILLING OF LAST SEAT(S)"**.

    If a filling of last seat(s) shortcut applies, finish the counting of votes without any further distribution of votes, except where further distribution of (a) surplus(es) may be required to give continuing candidates every chance of saving their deposits – see paragraph 6 of section 11.

    If none of these situations apply or a filling of last seat(s) shortcut does not apply, go to 3.

3. Are there any surpluses?

    If Y, calculate the sum of the surpluses. Go to section 5 entitled **"Surplus**

DISTRIBUTION – MANDATORY OR PROHIBITED?". If the distribution of a surplus is mandatory, go to section 6 entitled **"DISTRIBUTE WHICH SURPLUS?"** and then to section 7 entitled **"SURPLUS DISTRIBUTION PROCEDURE**".

Note that <u>one surplus only</u> is distributed in any one count.

If the distribution of a surplus is prohibited or if there is/are no available surplus(es), go to 4.

3. Where there are seats remaining to be filled and there are either no surpluses or the distribution of a surplus is prohibited, the lowest continuing candidate (LCC), at a minimum, must be excluded. If two or more of the lowest continuing candidates have equal votes, go to section 8 entitled **"TWO OR MORE LOWEST CANDIDATES WITH EQUAL VOTES**".

If the exclusion of the LCC would equate the number of continuing candidates to the number of unfilled seats, exclude the LCC and finish the count without distributing the LCC's votes.

If not, before proceeding with the exclusion of the LCC, the system must determine whether, instead, the highest set of the two or more lowest continuing candidates must be excluded together. The rule is that the largest number of the two or more lowest candidates must be excluded together in one operation where the following conditions are met, that is to say, the total of their votes, together with any surplus(es) not transferred, is less than the votes of the next highest candidate and <u>either</u> the second lowest candidate has already saved his/her deposit <u>or</u> the exclusion of the candidates separately could not possibly save any of their deposits. A detailed logic for these calculations is set out in section 9 entitled **"LOGIC FOR EXCLUDING TWO OR MORE LOWEST CANDIDATES TOGETHER IN ONE OPERATION**".

If a mandatory multiple exclusion applies and would equate the number of continuing candidates to the number of unfilled seats, exclude such lowest continuing candidates and finish the election without distributing their votes. If a mandatory multiple exclusion applies but would not equate the number of continuing candidates to the number of unfilled seats, exclude the mandatory number of lowest candidates and distribute their votes in the next count. If a mandatory multiple exclusion does not

apply, exclude the LCC and distribute his/her votes.

To distribute the votes of an excluded candidate(s), go to section 10 entitled **"PROCEDURE FOR DISTRIBUTING VOTES OF EXCLUDED CANDIDATE(S)"**. Note that, where the LCC or any number of the lowest candidates has/have zero votes, he/she/they should <u>never</u> be excluded on his/her/their own.

5. If lots must be drawn in the case of equalities that cannot be distinguished mathematically in accordance with the rules, go to section 12 entitled **"DRAWING LOTS"**.

This can arise in the following four situations :-

- ❑ Equal surpluses arising on the same count,
- ❑ Equal remainders in a surplus calculation,
- ❑ Lowest candidates with equal votes, and
- ❑ Determining order of election of local election candidates who were elected with equal/no surpluses which arose on the same count or who were elected without reaching the quota but with equal votes.

6. There is a statutory order of election at local elections. See section 13 entitled **"ORDER OF ELECTION AT LOCAL ELECTIONS"**.

1. In the case of Dáil bye-elections, the threshold for return of the candidate's deposit is based on the <u>total</u> number of seats in the constituency at the previous general election. See section 14 entitled **"THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS"**.

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 5 : SURPLUS DISTRIBUTION – MANDATORY OR PROHIBITED?

1. **Relevant count rule(s)**

    Sections 48, 118 and 121 of the Electoral Act, 1992.

2. **Surplus distribution mandatory**

    The distribution of the only or the largest available surplus is mandatory if, following a "filling of last seat(s)" shortcut, such distribution could possibly save the deposit of a any continuing candidate after all seats are filled (see section 11).

    In cases where a "filling of last seat(s)" shortcut does <u>not</u> apply, the distribution of the only or the largest available surplus is mandatory if it - or, where there is more than one surplus, the sum of the surpluses - could possibly do <u>any</u> of the following:-

    ❑ Elect a continuing candidate. This condition is satisfied if the (sum of the) surplus(es) and the votes of the highest continuing candidate equals or exceeds the quota;

    ❑ Save the lowest candidate from exclusion. This condition is satisfied if the (sum of the) surplus(es), together with the sum of the votes of the lowest continuing candidate, is equal to or greater than the number of votes credited to the second lowest continuing candidate;

❑ Save the deposit of the lowest candidate, if it is not already saved. This condition is satisfied if the number of votes credited to the lowest candidate is equal to or less than one quarter of the quota and the number of such votes, together with the (sum of the) surplus(es), exceeds one quarter of the quota.[1]

Where there is more than one surplus not transferred, the system should first check whether the largest available surplus meets each of the three criteria. If the largest surplus meets one or more of the criteria, it must be distributed. If it meets none of them, the system should then check whether the sum of the available surpluses meets each of the three criteria. If such sum meets one or more of the criteria, the largest surplus must be distributed.

See section 23 entitled "STATEMENT SCREEN/PRINT : NEXT STEP: DISTRIBUTE THE ONLY/LARGEST SURPLUS" which deals with the presentation of these cases in the Statement screen.

3. Surplus distribution prohibited

The distribution of the only or the largest available surplus is prohibited if, following a "filling of last seat(s)" shortcut, such distribution could not possibly save the deposit of a any continuing candidate after all seats are filled (see section 11).

In cases where a "filling of last seat(s)" shortcut does not apply, the distribution of the only or the largest available surplus is prohibited if it - or, where there is more than one surplus, the sum of the surpluses - cannot possibly do any of the

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[1] In the case of a Dáil bye-election, see Section 14 entitled **"THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS".**

following (this is a situation where distribution of the surplus(es) could not "materially affect the progress of the count") :-

❑ Elect a continuing candidate;

❑ Save the lowest candidate from exclusion;

❑ Save the deposit of the lowest candidate, if it is not already saved.[2]

Note: The procedures in paragraph 3 should be repeated in relevant cases after each count, i.e. if there are three surpluses after a count and the distribution of a surplus is prohibited in the next count, then, after the next count, the procedure for determining whether a surplus should be distributed must be gone through afresh.

See section 24 entitled "STATEMENT SCREEN/PRINT : NEXT STEP: EXCLUDE THE LOWEST CANDIDATE(S)"which deals with the presentation of these cases in the Statement screen.

4.   **Where to now?**

If a surplus distribution is mandatory, go to section 6 entitled **"DISTRIBUTE WHICH SURPLUS?"**

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[2] In the case of a Dáil bye-election, see Section 14 entitled **"THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS".**

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 6 : DISTRIBUTE WHICH SURPLUS?

See section 5 entitled "SURPLUS DISTRIBUTION – MANDATORY OR PROHIBITED?"

See section 23 entitled "STATEMENT SCREEN/PRINT – NEXT STEP: DISTRIBUTE THE ONLY/LARGEST SURPLUS".

1. Relevant count rule(s)

Sections 118 and 121of the Electoral Act, 1992.

2. Largest surplus to be distributed first

Only one surplus can be distributed in a count. Where there is more than one surplus and the returning officer is required to distribute a surplus, he/she must distribute the largest.

3. Equal surpluses at same count

Where two or more candidates have equal surpluses arising from the same count, the surplus of the candidate with the largest number of votes at the earliest count at which two or more of such candidates had unequal votes is distributed first. Where all such candidates had equal votes at all counts, the returning officer must draw lots to determine which surplus to distribute first. See section 12 entitled **"DRAWING LOTS"**. In the case of equal surpluses, the surpluses are distributed – as necessary - in the order in which the names of the candidates are drawn.

4. Equal surpluses at different counts

Where two or more candidates have equal surpluses arising from different counts, the surplus that arose at the earliest count is distributed first.

Note: The procedures for determining whether to distribute a surplus should be repeated after each count, i.e. if there are three surpluses after a count and the largest is distributed in the next count, the procedure for determining whether a further surplus should then be distributed must be gone through afresh.

See section 23 entitled STATEMENT SCREEN/PRINT – NEXT STEP: DISTRIBUTE THE ONLY/LARGEST SURPLUS".

5. Where to now?

When it has been determined which surplus is the largest and should be distributed in the next count, go to section 7 entitled **"SURPLUS DISTRIBUTION PROCEDURE"**.

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 7 : SURPLUS DISTRIBUTION PROCEDURE

See section 6 entitled "DISTRIBUTE WHICH SURPLUS?" and section 23 entitled "STATEMENT SCREEN/PRINT – NEXT STEP: DISTRIBUTE THE ONLY/LARGEST SURPLUS".

1.   **Relevant count rule(s)**

Sections 118, 121 and 123 of the Electoral Act, 1992.

2.   **General Principles**

A candidate's surplus is the number of votes he/she has received in excess of the quota. Only the set of votes received by the elected candidate at the count at which he/she was elected (*"last set of votes"*) is used to distribute the surplus votes among the continuing candidates. **Thus, all the votes of a candidate are taken into account in a surplus distribution only when a candidate is elected on the first count.** Once his/her surplus is distributed, the elected candidate is left with a quota of votes (and no more) which he/she retains until the end of the count.

What actually happens in a surplus distribution is that the surplus votes are distributed proportionately to the continuing candidates who are given next preferences in the elected candidate's *"last set of votes"*.   "Continuing

candidates" are those candidates who are neither deemed to be elected or excluded.

The first step in a surplus distribution is to sort the *"last set of votes"* received by the elected candidate into sub-sets of next available preferences for each continuing candidate (i.e. transferable votes) and into a sub-set of non-transferable votes. **A next preference for a candidate already elected or excluded is ignored and account is taken of the next available preference for a continuing candidate.**
The number of votes in each sub-set of transferable votes is calculated and summed to determine the total number of transferable votes in the *"last set of votes"*.

In calculating a surplus, there are three basic situations:-

❑ The number of transferable votes is greater than the surplus;

❑ The number of transferable votes is equal to the surplus; and

❑ The number of transferable votes is less than the surplus.

3.   Number of transferable votes > surplus

3.1   *Introduction*

When the total number of transferable votes in the *"last set of votes"* is greater than the surplus (i.e. there are too many transferable votes for the surplus distribution), only a proportion of the transferable votes can be transferred. The objective of the following calculations is to determine what proportion of all transferable votes should be included in the surplus and to ensure that each continuing candidate receives in the surplus distribution that same proportion of his/her total number of next preferences in the elected candidate's *"last set of votes"*.

3.2   *How many votes from each sub-set?*

As a first step, a "transfer factor" is calculated, viz. the number of votes in the surplus is divided by the total number of transferable votes in the *"last set of votes"*. This transfer factor is multiplied in turn by the total number of votes in each sub-set of next available preferences for continuing candidates (note that the transfer factor is not applied to the sub-set of non-transferable votes in the *"last set of votes"*). The number of units (disregarding remainders) in the resulting quotient for each sub-set is the number of votes from that sub-set which should be included in the surplus distribution.

If the total number of units in all the quotients is less than the surplus, the remainders in the quotients must be examined. In this situation, the number of votes for inclusion in the surplus distribution from particular sub-sets is increased by one each based on "the highest remainders" in the quotients, until the difference between the total number of units and the surplus is made up. By way of example, if the total number of units in all the quotients is five less than the surplus, the sub-sets with the five highest remainders in their quotients each contribute an additional vote to the surplus distribution.

In cases where two or more quotient remainders are equal and not all of them can attract an additional vote in the surplus distribution, the remainder in the largest sub-set of transferable votes (i.e. next available preferences) is deemed to be the largest and an additional vote is included in the surplus distribution from that sub-set. Where the sub-sets of transferable votes of two or more continuing candidates are equal, the remainder of the candidate with the largest number of votes at the earliest count at which two or more of the candidates had unequal votes is deemed to be the largest. Where all such candidates had equal votes at all counts, the returning officer must draw lots to determine which remainder is the largest. See section 12 entitled "**DRAWING LOTS**". In the case of equal remainders, the remainder of the candidate first drawn in the lots is deemed to be

the largest and an additional vote is included in the surplus distribution from his/her sub-set of next available preferences.

3.3   *Transfer which votes in each sub-set?*

<u>The votes last filed in each sub-set</u> should be included in the surplus distribution. The elected candidate retains the rest of the votes in each sub-set for his/her own quota of votes.

3.4   *What about the non-transferable votes in the "last set of votes"?*

Where the total number of transferable votes in the *"last set of votes"* is <u>greater than</u> the surplus, the sub-set of non-transferable votes is not taken into account in the surplus calculations and the elected candidate retains all the non-transferable votes for his/her quota.

4.   <u>Number of transferable votes = surplus</u>

When the total number of transferable votes in the *"last set of votes"* is <u>equal to</u> the surplus (i.e. there are just enough transferable votes for the surplus distribution), all the transferable votes are transferred to the next available preferences marked on them. The elected candidate retains all the non-transferable votes for his/her quota.

5.   <u>Number of transferable votes < surplus</u>

When the total number of transferable votes in the *"last set of votes"* is <u>less than</u> the surplus (i.e. there are too few transferable votes for the surplus distribution), all the transferable votes are transferred, plus that number of non-transferable votes which makes up the difference between the number of transferable votes and the surplus.

What actually happens is that the number of non-transferable votes making up the difference between the number of transferable votes and the surplus is taken from the sub-set of non-transferable votes in the *"last set of votes"* and placed in a set of votes entitled "non-transferable votes not effective".

The set of "non-transferable votes not effective" comprises all non-transferable votes accumulated during a count that are no longer of benefit to any individual candidate. The set comprises non-transferable votes used to make up the difference between the number of transferable votes and the surplus in a surplus distribution (as described immediately above) <u>and</u> votes which are non-transferable following the exclusion of (a) candidate(s). The set of "non-transferable votes not effective" is kept separate from all other sets of votes and, where they arise, the number of such votes is included in the sum of recorded votes calculated at the second and subsequent counts.

The non-transferable votes in the *"last set of votes"* which are <u>not</u> included in the surplus distribution are "effective" because they are retained by the elected candidate for his/her quota.

6. <u>**Selection and order of transfer of individual votes**</u>

The method of selecting individual votes for inclusion in a surplus distribution, and the order in which they are transferred, are set out in section 16 entitled **"MIXING, NUMBERING AND TRANSFER OF INDIVIDUAL VOTES"**.

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 8 : TWO OR MORE LOWEST CANDIDATES WITH EQUAL VOTES

1.   **Relevant count rule(s)**

Sections 118 and 122 of the Electoral Act, 1992.

2.   **Which candidate is the lowest?**

The issue of distinguishing between lowest candidates with equal votes arises only in cases where the lowest continuing candidate (LCC) alone must be excluded. Mathematically, this issue cannot arise in a mandatory multiple exclusion.

Where the two or more lowest candidates have equal votes, the candidate with the smallest number of votes at the earliest count at which two or more of such candidates had unequal votes is deemed to be the lowest candidate and is excluded. Where all such candidates had equal votes at all counts, the returning officer must draw lots to determine which candidate is the lowest and should be excluded. See section 12 entitled **"DRAWING LOTS"**. In the case of lowest candidates with equal votes, the candidates are excluded in the order in which their names are drawn. However, the procedure for determining whether to exclude the LCC should be repeated after <u>each</u> count, i.e. if there are three LCCs with equal votes after a count and one is excluded in the next count after the drawing of lots, the procedure for determining whether to exclude the LCC after that count must be gone through afresh. If exclusion of the LCC is required, or is decided upon, and the other candidates who had equal lowest votes previously

have each the same number of votes and are still the lowest candidates, then the candidate whose name was drawn second in the drawing of lots is excluded next.

See section 24 that deals with the presentation of these cases in the Statement screen.

3. <u>Where to now?</u>

When it has been determined which candidate is the lowest and should be excluded, go to section 10 entitled **"PROCEDURE FOR DISTRIBUTING VOTES OF EXCLUDED CANDIDATE(S)"**.

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 9 : LOGIC FOR EXCLUDING TWO OR MORE LOWEST CANDIDATES TOGETHER

1. Introduction

In any case where an exclusion arises (either because there is no surplus for distribution or the distribution of the available surplus(es) could not materially affect the progress of the count), the lowest candidate, at a minimum, must be excluded. To take account of candidates with zero votes, the rule should be that, at a minimum, all candidates with zero votes and the lowest candidate with any votes must be excluded together in one operation. In what follows, the "lowest candidate" means all candidates with zero votes and the lowest candidate with any votes.

The logic for checking whether more than the lowest candidate must be excluded together in one operation is set out below.

Note that a candidate normally saves his/her deposit if his/her number of votes is greater than one-quarter of the quota. However, in the case of a Dáil bye-election, the threshold for saving the deposit is based on the total number of seats in the constituency at the previous general election (see section 14).

2.   CHANNEL 1 **(Start)**

NOTE: Wherever two or more candidates are excluded together in this channel, the reasons for their exclusion together are as follows - their votes are less than those of the next lowest candidate and their exclusion separately could not save any deposit of theirs which is not already saved.

Lowest Candidate Only

1.1   Check whether, if lowest candidate only is excluded, the number of continuing candidates equals the number of remaining seats. If yes, exclude the lowest candidate only, deem the continuing candidates elected and conclude the count. If no, go to 1. 2

1.2   Check whether second lowest candidate has saved his/her deposit. If yes, <u>note this</u> and go to CHANNEL 2. If no, go to 1.3.

1.3   Check whether the votes of the lowest candidate plus any available surplus(es) could save the deposit of the second lowest candidate. If yes, exclude the lowest candidate only and distribute his/her votes. If no, go to 2.1.

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At this stage we know that the second lowest candidate has not saved his/her deposit and that the votes of the lowest candidate plus any available surplus(es) could not save the deposit of the second lowest candidate.

Two Lowest Candidates

2.1   Check whether, if the two lowest candidates are excluded together, the number of seats remaining equals the number of continuing candidates. If yes, go to 2.2. If no, go to 2.5.

2.2   Check whether the votes of the two lowest candidates plus any available surplus(es) are less than votes of third lowest candidate. If yes, go to 2.3. If no, go to 2.4.

2.3   Exclude the two lowest candidates together, deem the continuing candidates elected to fill the remaining seats and conclude the count.

2.4   Exclude the lowest candidate and distribute his/her votes. Note on statement that his/her votes plus any available surplus(es) could bring the second lowest candidate level with or above third lowest candidate.

2.5   Check whether the votes of the two lowest candidates plus any available surplus(es) are less than votes of third lowest candidate. If yes, note that this is a case where the "excluding candidates together" rule applies and go to 2.6. If no, go to 2.6. (Yes, 2.6!).

2.6   Check whether the third lowest candidate has saved his/her deposit. If yes, go to CHANNEL 3. If no, go to 2.7.

2.7   Check whether the votes of the two lowest candidates plus any available surplus(es) could save the deposit of the third lowest candidate. If yes, go to 2.8. If no, go to 3.1

2.8   Exclude the two lowest candidates together if this possibility has been noted and distribute their votes. If this possibility has not been noted, exclude the lowest candidate and distribute his/her votes.

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At this stage we know that the third lowest candidate has not saved his/her deposit and that the votes of the two lowest candidates plus any available surplus(es) could not save

his/her deposit and we have noted whether the excluding candidates together rule

applies to the two lowest candidates.

Three Lowest Candidates

3.1   Check whether, if the three lowest candidates are excluded together, the number of seats remaining equals the number of continuing candidates. If yes, go to 3.2. If no, go to 3.5.

3.2   Check whether the votes of the three lowest candidates plus any available surplus(es) are less than votes of next lowest candidate. If yes, go to 3.3. If no, go to 3.4.

3.3   Exclude the three lowest candidates together, deem the continuing candidates elected to fill the remaining seats and conclude the count.

3.4   Exclude the two lowest candidates together if such a case has been noted and distribute their votes. If no such case has been noted, exclude the lowest candidate and distribute his/her votes.

3.5   Check whether the votes of the three lowest candidates plus any available surplus(es) are less than votes of next lowest candidate. If yes, note that this is a case where the "excluding candidates together" rule applies and go to 3.6. If no, go to 3.6 (Yes 3.6!).

3.6   Check whether the fourth lowest candidate has saved his/her deposit. If yes, go to CHANNEL 3. If no, go to 3.7.

3.7   Check whether the votes of the three lowest candidates plus any available surplus(es) could save the deposit of the next lowest candidate. If yes, go to 3.8. If no, go to n.1.

3.8   Exclude the highest or sole number of lowest candidates together if such a case/cases has/have been noted and distribute their votes. If no such case has been noted, exclude the lowest candidate and distribute his/her votes.

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The process outlined above for the three lowest candidates should be repeated for n number of candidates as follows:-

At this stage we know that the nth lowest candidate has not saved his/her deposit and that the votes of the n-1 lowest candidates plus any available surplus(es) could not save his/her deposit and we have noted any cases where the excluding candidates together rule applies to the two or more lowest candidates.

N Lowest Candidates

n.1   Check whether, if the n lowest candidates are excluded together, the number of seats remaining equals the number of continuing candidates. If yes, go to n.2. If no, go to n.5.

n.2   Check whether the votes of the n lowest candidates plus any available surplus(es) are less than votes of next lowest candidate. If yes, go to n.3. If no, go to n.4.

n.3   Exclude the n lowest candidates together, deem the continuing candidates elected to fill the remaining seats and conclude the count.

n.4   Exclude the highest or sole number of lowest candidates together if such a case/cases has/have been noted and distribute their votes. If no such case has been noted, exclude the lowest candidate noting that his/her votes plus any available surplus(es) could bring the second lowest candidate level with or above the third lowest candidate, and distribute his/her votes.

n.5   Check whether the votes of the n lowest candidates plus any available surplus(es) are less than votes of next lowest candidate. If yes, <u>note</u> that this is a case where the "excluding candidates together" rule applies and go to n.6. If no, go to n.6. (Yes, n.6!).

n.6   Check whether the (n+1)th lowest candidate has saved his/her deposit. If yes, go to CHANNEL 3. If no, go to n.7.

n.7   Check whether the votes of the n lowest candidates plus any available surplus(es) could save the deposit of the next lowest candidate. If yes, go to n.8. If no, the process outlined for n candidates should be repeated, as necessary, for n+1 etc. candidates.

n.8   Exclude the highest or sole number of lowest candidates together if such a case/cases has/have been noted and distribute their votes. If no such case has been noted, exclude the lowest candidate and exclude his/her votes.

END CHANNEL 1

3.   CHANNEL 2 (process from stage where second lowest candidate has saved his/her deposit)

NOTE: Wherever two or more candidates are excluded together in this channel, the reasons for their exclusion together are as follows - their votes are less than those of the next lowest candidate and the second lowest candidate has already saved his/her deposit.

Two Lowest Candidates

1.1   Check whether, if the two lowest candidates are excluded together, the number of seats remaining equals the number of continuing candidates. If yes, go to 1.2. If no, go to 1.5

1.2   Check whether the votes of the two lowest candidates plus any available surplus(es) are less than votes of third lowest candidate. If yes, go to 1.3. If no, go to 1.4.

1.3   Exclude the two lowest candidates together, deem the continuing candidates elected to fill the remaining seats and conclude the count.

1.4   Exclude the lowest candidate and distribute his/her votes.

1.5   Check whether the votes of the two lowest candidates plus any available surplus(es) are less than votes of third lowest candidate. If yes, note that this is a case where the "excluding candidates together" rule applies and go to n.1 If no, go to n.1. (Yes n.1!).

****

N Lowest Candidates

n.1   Check whether, if the n lowest candidates are excluded together, the number of seats remaining equals the number of continuing candidates. If yes, go to n.2. If no, go to n.5

n.2   Check whether the votes of the n lowest candidates plus any available surplus(es) are less than votes of next lowest candidate. If yes, go to n.3. If no, go to n.4.

n.3   Exclude the n lowest candidates together, deem the continuing candidates elected to fill the remaining seats and conclude the count.

n.4   Exclude the highest or sole number of lowest candidates together if such a case/cases has/have been noted and distribute their votes. If no such case has been noted, exclude the lowest candidate and distribute his/her votes.

n.5   Check whether the votes of the n lowest candidates plus any available surplus(es) are less than votes of next lowest candidate. If yes, <u>note</u> that this is a case where the "excluding candidates together" rule applies. Whether yes or no, the process outlined for n candidates should be repeated, as necessary, for n+1 etc. candidates.

END CHANNEL 2

4.   CHANNEL 3 **(process from stage where third or higher lowest candidate has saved his/her deposit)**

NOTE: Wherever two or more candidates are excluded together in this channel, the reasons for their exclusion together are as follows - their votes are less than those of the next lowest candidate and their exclusion separately could not save any deposits of theirs which is not already saved.

At this stage we know that the nth lowest candidate has already saved his/her deposit and we have noted any cases where the excluding candidates together rule applies to the two or more lowest candidates.

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N Lowest Candidates

n.1   Check whether, if the n lowest candidates are excluded together, the number of seats remaining equals the number of continuing candidates. If yes, go to n.2. If no, go to n.5.

n.2   Check whether the votes of the n lowest candidates plus any available surplus(es) are less than votes of next lowest candidate. If yes, go to n.3. If no, go to n.4.

n.3   Exclude the n lowest candidates together, deem the continuing candidates elected to fill the remaining seats and conclude the count.

n.4   Exclude the highest or sole number of lowest candidates together if such a case/cases has/have been noted and distribute their votes. If no such case has been noted, exclude the lowest candidate and distribute his/her votes.

n.5   Check whether the votes of the n lowest candidates plus any available surplus(es) are less than votes of next lowest candidate. If yes, <u>note</u> that this is a case where

the "excluding candidates together rule" applies. Whether yes or no, the process outlined for n candidates should be repeated, as necessary, for n+1 etc. candidates.

END CHANNEL 3

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 10 : PROCEDURE FOR DISTRIBUTING VOTES OF EXCLUDED CANDIDATE(S)

See section 8 entitled "TWO OR MORE LOWEST CANDIDATES WITH EQUAL VOTES" and section 20 entitled "SCREEN /PRINT: TRANSFER OF VOTES OF EXCLUDED CANDIDATE(S)".

1.   **Relevant count rule(s)**

Sections 118, 122 and 123 of the Electoral Act, 1992.

2.   **Procedure**

Note that the votes of (an) excluded candidate(s) __cannot__ be distributed in any case where a "filling of last seat(s)" shortcut applies.

When the lowest continuing candidate(s) is/are excluded and his/her/their votes distributed in the next count, all his/her/their votes (including votes received by the candidate(s) at the second and/or subsequent counts) are examined and the transferable votes are distributed to continuing candidates according to the next available preferences marked on them. Each continuing candidate is credited with an additional number of votes equal to the total number of votes transferred to him/her.

Any votes of the excluded candidate(s) which have no next preferences marked on them for continuing candidates are non-transferable and are placed in a set of votes entitled "non-transferable votes not effective". This set comprises all non-transferable votes accumulated during a count, which are no longer of benefit to

any individual candidate. It comprises votes that are non-transferable following the exclusion of (a) candidate(s) <u>and</u> also non-transferable votes used to make up the difference between the number of transferable votes and the surplus in a surplus distribution. The set of "non-transferable votes not effective" is kept separate from all other sets of votes and, where they arise, the number of such votes is included in the calculation of the sum of recorded votes after the second and subsequent counts.

### 3.	Selection and order of transfer of individual votes

The method of selecting individual votes for inclusion in a surplus distribution, and the order in which they are transferred, are set out in section 16 entitled **"MIXING, NUMBERING AND TRANSFER OF INDIVIDUAL VOTES"**.

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 11 : FILLING OF LAST SEAT(S) SHORTCUTS

See section 25 entitled STATEMENT SCREEN/PRINT : NEXT STEP: FILLING OF LAST SEAT(S) SHORTCUTS".

1.   **Relevant count rules**

Sections 48, 118 and 124 of the Electoral Act, 1992.

1.   **Introduction**

A "filling of last seat(s)" shortcut can arise in one of the following three situations:-

❑ the number of continuing candidates is equal to the number of seats remaining unfilled,

❑ the number of continuing candidates is one greater than the number of unfilled seats,

❑ there is one unfilled seat.

Each of these shortcut situations is dealt with below.

2.   **Continuing candidates = unfilled seats**

When the number of continuing candidates equals the number of seats remaining unfilled, there is no need to carry out any more vote distributions as this cannot possibly result in a change in the candidates who will be elected to fill the

remaining seats. The continuing candidates should be deemed to be elected to fill the remaining seats.

This shortcut can apply when the distribution of votes in the previous count results in one or more candidates reaching/exceeding the quota, leaving the number of continuing candidates equal to the number of seats remaining unfilled. Alternatively, the shortcut can apply <u>following</u> the decision to exclude the lowest candidate(s) but <u>before</u> his/her/their votes are distributed in the next count.

Where the shortcut applies, the continuing candidate(s) <u>must</u> be deemed to be elected and there must be no further distribution of votes.

3. **<u>Continuing candidates exceed unfilled seats by one</u>**

When the number of continuing candidates is one greater than the number of seats remaining unfilled <u>and</u> the total of the votes credited to the lowest continuing candidate together with any surplus(es) not transferred is less than the number of votes credited to the next highest continuing candidate, the continuing candidates, with the exception of the lowest candidate, should be deemed to be elected. This is because the lowest candidate cannot possibly catch up with any other continuing candidate.

This shortcut applies following a <u>distribution of votes</u>. The shortcut does <u>not</u> apply immediately following the <u>decision</u> to exclude the lowest candidate(s) but before the vote <u>distribution</u> in the next count. This is because such distribution could potentially change the relative position of the continuing candidates, including, notably, the lowest such candidates.

Where this shortcut applies at the end of a count, the continuing candidate(s) <u>must</u> be deemed to be elected and there must be no further distribution of votes, except in a situation outlined in paragraph 6.

4.   One unfilled seat

When only one seat remains unfilled <u>and</u> the votes of the highest continuing candidate exceed the total of the votes of all other continuing candidates together with any surplus(es) not transferred, the highest continuing candidate should be deemed to be elected.

This shortcut applies following a <u>distribution of votes</u>. The shortcut does <u>not</u> apply immediately following the <u>decision</u> to exclude the lowest candidate(s) but before the vote <u>distribution</u> in the next count. This is because such distribution could potentially change the relative position of the continuing candidates, including, notably, the highest continuing candidate.

Where this shortcut applies at the end of a count, the highest continuing candidate <u>must</u> be deemed to be elected and there must be no further distribution of votes, except in a situation outlined in paragraph 6.

5.   Distributing surplus(es) to save deposit(s)

In the case of certain "filling of last seat(s) shortcuts, any available surplus(es) which could possibly save the deposit of a continuing candidate (i.e. a candidate neither elected nor excluded at the end of the count proper) must be distributed after all seats are deemed to be filled. A continuing candidate saves his/her deposit if the largest number of votes credited to him/her at any stage of the count is <u>greater than</u> one-quarter of the quota.[1]

The shortcuts which may give rise to surplus distributions after all seats are deemed to be filled are those which apply when (a) the number of continuing

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[1] In the case of a Dáil bye-election, see section 14 entitled "**THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS"**.

candidates is one greater than the number of unfilled seats and (b) when there is one unfilled seat. Surplus distributions <u>do not arise</u> after the remaining seats are deemed to be filled by the shortcut where the number of continuing candidates is equal to the number of seats remaining unfilled.

If, following the distribution of the largest of the undistributed surpluses, it is clear that the distribution of the remaining surpluses could not save the deposit of any continuing candidate, the remaining surpluses should not be distributed.

The distribution of surpluses to save deposits applies <u>only</u> when the last seat(s) has/have been filled by way of certain shortcuts. It does not apply when the last seat(s) is/are filled in the normal way, that is to say, when a distribution of votes results in one or more candidates reaching/exceeding the quota, thus filling the remaining seat(s).

See section 26 entitled STATEMENT SCREEN/PRINT : <u>NEXT STEP</u>: DISTRIBUTING SURPLUS(ES) TO SAVE DEPOSIT(S)".

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 12 : DRAWING LOTS

See section 6 entitled "DISTRIBUTE WHICH SURPLUS?"; section 7 entitled "SURPLUS DISTRIBUTION PROCEDURE"; section 8 entitled "TWO OR MORE LOWEST CANDIDATES WITH EQUAL VOTES" and section 13 entitled "ORDER OF ELECTION AT LOCAL ELECTIONS".

1.   <u>Relevant count rule(s)</u>

Section 118 of the Electoral Act, 1992 and Article 80 of the Local Elections Regulations, 1995, made under section 22 of the Local Government Act, 1994.

2.   <u>General</u>

Drawing lots is required in the following four situations to distinguish between equalities that cannot be distinguished by the mathematical rules built into the count rules :-

- ❑ Equal surpluses arising on the same count,
- ❑ Equal remainders in a surplus distribution calculation,
- ❑ Lowest candidates with equal votes, and
- ❑ Order of election of candidates with equal/no surpluses arising on the same count or of candidates elected without reaching the quota but with equal votes.

The procedure for drawing lots is as follows:- the names of the candidates concerned are written on similar slips of vote, the slips are folded so as to prevent

identification, placed in a hat or similar receptacle, mixed in the hat and then drawn at random.

3. Equal surpluses arising on the same count

Only one surplus can be distributed in a count and the rule is that the largest surplus is distributed first. Where two or more candidates have equal surpluses arising from the same count, the surplus of the candidate with the largest number of votes at the earliest count at which two or more of such candidates had unequal votes should be distributed first. Where all such candidates had equal votes at all counts, the returning officer must draw lots to determine which surplus to distribute first.

The names of all such candidates are included in the lots procedure and the surpluses are distributed in the order in which the names of the candidates are drawn. However, the procedure for determining whether to distribute a surplus should be repeated after each count, i.e. if there are three surpluses after a count and the largest is distributed in the next count, the procedure for determining whether a further surplus should then be distributed must be gone through afresh. If a further surplus distribution is required subsequently, and the other surpluses in the lots procedure remain the largest, the surplus of the candidate whose name was drawn second is distributed next.

See section 23 entitled "STATEMENT SCREEN/PRINT : NEXT STEP: DISTRIBUTE THE ONLY/LARGEST SURPLUS".

4. Equal remainders in a surplus calculation

Drawing lots may be necessary in a surplus calculation where the number of transferable votes in the elected candidate's "last set of votes" is greater than the

surplus. A calculated transfer factor is multiplied in turn by the total number of votes in <u>each</u> sub-set of next available preferences for continuing candidates and the number of units in the resulting quotient for each sub-set represents the number of votes from that sub-set which should be included in the surplus distribution. Where the total number of units in all the quotients is <u>less</u> than the surplus, the number of votes for inclusion in the surplus distribution from particular sub-sets is increased by one each based on "the highest remainders" in the quotients, until the difference between the total number of units and the surplus is made up.

In cases where two or more quotient remainders are equal and <u>not all of them can attract an additional vote</u> in the surplus distribution, the remainder in the largest sub-set of transferable votes is deemed to be the largest and an additional vote is included in the surplus distribution from that sub-set. Where the sub-sets of next available preferences for two or more continuing candidates are equal, the remainder of the candidate with the largest number of votes at the earliest count at which two or more of the candidates had unequal votes is deemed to be the largest. Where all such candidates had equal votes at all counts, the returning officer must draw lots to determine which remainder is the largest.

The names of all such candidates are included in the lots procedure and the remainders are deemed to be the largest in the order in which candidates" names are drawn. Names are drawn only up to the number which equates the number of votes to be transferred based on "the highest remainders" to the difference between the sum of the units in the quotients and the surplus.

See section 19 entitled SCREEN/PRINT: SURPLUS DISTRIBUTION".

5.   Lowest candidates with equal votes

Drawing lots may be necessary where the lowest continuing candidate is to be excluded and the two or more lowest candidates have equal votes. The rule is that the candidate with the smallest number of votes at the earliest count at which two or more of such candidates had unequal votes is deemed to be the lowest candidate and is excluded. Where all such candidates had equal votes at all counts, the returning officer must draw lots to determine which candidate is the lowest and should be excluded.

The names of all such candidates are included in the lots procedure and the candidates are excluded in the order in which their names are drawn. However, the procedure for determining whether to exclude the LCC should be repeated after each count, i.e. if there are three LCCs with equal votes after a count and one is excluded in the next counting after the drawing of lots, the procedure for determining whether to exclude the LCC after that counting must be gone through afresh. If exclusion of the LCC is required, and the other candidates in the lots procedure have each equal votes and are still the lowest candidates, then the candidate whose name was drawn second is excluded next.- This is the case even where two or more of the candidates in the lots procedure receive equal votes (>0) in each subsequent count and are still (among) the lowest candidates when the exclusion of the lowest candidate only is again required.

See section 24 entitled STATEMENT SCREEN/PRINT : NEXT STEP: EXCLUDE THE LOWEST CANDIDATE(S)".

Paragraphs 6 and 7 following apply to local elections only.

6. <u>Order of election of candidates with equal/no surpluses at same count</u>

Drawing lots is necessary to determine the order of election of candidates who are deemed to be elected at the same count with either equal surpluses or with no surpluses <u>and</u> who had equal votes at all counts. The names of all candidates in each equality group are included in a separate lots procedure for each group and, in each case, the candidates are deemed to be elected in the order in which their names are drawn.

7. <u>Order of election of candidates with equal votes</u>

Drawing of lots is necessary where more than one candidate with equal votes at all counts is deemed to be elected without reaching the quota. [candidates elected without reaching the quota are, by definition, elected on the same count]. The names of all such candidates are included in the lots procedure and the candidates are determined to be elected in the order in which their names are drawn.

See section 30 entitled "SCREEN/PRINT: ORDER OF ELECTION (LOCAL ELECTIONS ONLY)".

See also section 35 entitled "LOTS DRAWN REPORT".

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 13 : ORDER OF ELECTION AT LOCAL ELECTIONS

1.   **Relevant count rule(s)**

Articles 80 and 88 of the Local Elections Regulations, 1995, made under section 22 of the Local Government Act, 1994

2.   **Introduction**

A statutory procedure for the order of election of candidates applies at local elections only and is used to determine which councillors in boroughs and county boroughs are called aldermen. The number of aldermen in each electoral area does not exceed two in any case.

The basic rule is that candidates are elected in the order of the count at which they are elected.

3.   **Procedure**

The order of election of candidates who reach/exceed the quota is the order of the count at which they were deemed to be elected, beginning with the candidate deemed elected at the earliest count.

Where more than one candidate is deemed to be elected at the <u>same</u> count, such candidates are deemed to be elected in the order of magnitude of their surpluses. Where such a candidate is credited with a number of votes equal to the quota he

or she is regarded for order of election purposes as having had the smallest surplus at that count.

Where two or more candidates are deemed to be elected at the same count with either equal surpluses or with no surpluses, such candidates are deemed to be elected in the order of magnitude of their votes at the earliest count at which two or more of such candidates had unequal votes. Where all such candidates had equal votes at all counts, the returning officer must draw lots to determine the order of their election. See section 12 entitled "**DRAWING LOTS**". In the case of order of election, the candidates are determined to be elected in the order in which their names are drawn.

Where a single candidate is deemed to be elected under a "filling of last seat" shortcut, that candidate is deemed to have been elected last of the candidates elected at that election.

Where more than one candidate is deemed to be elected under a "filling of last seat(s)" shortcut, they are deemed to be elected in the order of magnitude of the numbers of votes credited to them at the end of the count, beginning with the largest. Where any such numbers are equal, the candidates concerned are deemed to be elected in the order of magnitude of their votes at the earliest count at which they had unequal votes. Where all such candidates had equal votes at all counts, the returning officer must draw lots to determine the order of their election. See section 12 entitled "**DRAWING LOTS**".   In the case of order of election, the candidates are determined to be elected in the order in which their names are drawn.

See section 30 entitled "SCREEN /PRINT: ORDER OF ELECTION (LOCAL ELECTIONS) ONLY".

ELECTRONIC COUNTING

GUIDANCE NOTES ON COUNT RULES

SECTION 14 : THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS

1.   **Relevant count rules**

Sections 48, 121(8), 122 and 124 of the Electoral Act, 1992.

2.   **Commentary**

The general rule for return of the deposit is that a candidate's votes must <u>exceed</u> one-quarter of the quota. The quota is based on the number of seats to be filled at the election and is calculated as follows:-

$$\frac{\text{Votes cast}}{\text{No. of seats being filled} + 1} + 1, \text{ ignoring any remainder}$$

The number of seats being filled, therefore, affects the threshold for return of the deposit.

In the case of Dáil bye-elections, the threshold for return of the candidate's deposit is based on the <u>total</u> number of seats in the constituency at the previous general election. Generally, one seat only is filled at a Dáil bye-election but, in theory, the number of seats to be filled could be greater than one and could equal the total number of seats in the constituency. The <u>quota for election </u>is calculated in the normal way, i.e. based on the number of seats being filled at the bye-election. However, the threshold for return of the deposit is based on a <u>quota for return of deposit</u> calculated as follows:-

$$\frac{\text{Votes cast}}{\text{Total no. of seats in constituency} + 1} + 1, \text{ ignoring any remainder}$$

To deal with this case, when an election designated as a Dáil bye-election is being set up, the system should prompt the user to enter the number of seats on which the "quota for return of deposit" should be calculated. Appropriate references to the different method of calculating the return of deposit threshold should also be made in the relevant Count and Post-count screens/prints.

The lower bye-election threshold for recovery of the deposit should be used to determine whether :

❑ the distribution of a surplus is mandatory or prohibited (the issue of distributing a surplus at a bye-election only arises following a "filling of last seat(s)" shortcut and in cases where there is more than one seat to be filled);

❑ more than one candidate should be excluded together in one operation; and

❑ in cases where a "filling of last seat(s)" shortcut applies, the distribution of the available surplus(es) could possibly save the deposit of any continuing candidate.

ELECTRONIC COUNTING

SECTION 15 : COUNT MENU

The Count Menu should cover all the count processes. It should contain the following buttons :-

- ❑ "Mixing and numbering of votes" and "Votes as mixed and numbered" (see **section 16**);
- ❑ "Loading of test data" (see **section 18**);
- ❑ "Counting of votes". When this button is clicked, the count will be carried out to its conclusion, save for any "drawing of lots" situations.
  When the count is finished (including any surplus distributions after all seats are filled), the system should automatically display the (if appropriate - post-shortcut) state of the poll for the last count (section 21) and present a dialog box "Count is Finished. OK."
  The user can access the various count screens/prints outlined below when either the count is finished or the counting operation is suspended pending drawing of lots by the returning officer.
- ❑ "Individual count screens/prints". This button would become active when the count is finished or suspended and, when clicked, would open up a sub-menu of buttons, one for each count (e.g. count 1, count 2, etc.). When the button for a particular count is clicked, it should present buttons for the set of screens/prints outlined in section 17 entitled **"SCREENS/PRINTS REQUIRED FOR EACH COUNT";**
- ❑ "Print all count screens". This button would become active when the count is finished or suspended and, when clicked, would automatically print all count "printables" <u>except</u> those relating to lists of vote numbers (i.e. <u>except</u> the lists outlined in section 28 entitled "**PRINTS: LISTS OF INDIVIDUAL BALLOT PAPERS**", the "Individual votes in "last set of votes"" report outlined in section

19 and the "Individual votes of excluded candidate(s)" report outlined in section 20. If this button is clicked when the count is suspended, it automatically prints all relevant "printables" up to the point of suspension.

ELECTRONIC COUNTING

COUNT MENU

SECTION 16 : MIXING, NUMBERING AND TRANSFER OF INDIVIDUAL VOTES

For the purpose of clarity, "vote" means the full set of candidate preferences recorded by a voter at an election.

It should not be possible for mixing or counting of votes to proceed at the count centre until data has been loaded into the system (and carried forward into "Reconciliation of vote accounts" table) for __all__ voting machines set up for the constituency.

1.   **Introduction**

All the votes recorded at an election in a constituency must be thoroughly mixed together before counting to ensure that vote transfers on the distribution of a surplus are representative. This section provides that, before the votes at an election in a constituency are counted by first preferences in the first count, they must be mixed ("randomised") and then numbered "as they stand". The relative order of individual votes after mixing is the order in which votes are grouped and transferred in the course of the count.

2.   **Mixing and numbering of votes**

When clicked, the "Mixing and numbering of votes" button should mix and number all the votes recorded at an election in a constituency but without proceeding with the count.

The votes should be numbered from "1" to "n" as they stand after being mixed, viz. the vote at the start of the "post-mixed" set of votes is numbered "1" and the vote at the end of the set is numbered "n", where n is the total number of votes recorded at the election. The numbered votes should be retained in the system for reference during the count.

The "Votes as mixed and numbered" button in the count menu would be de-activated until the "Mixing and numbering of votes" button has been clicked. When the "Votes as mixed and numbered "button is active and is clicked, the following table should be printed:-

Votes as mixed and numbered

[Type of election] held on [Date of Poll]

[Name of Constituency]

Mixed Vote No.	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">
1	2	1			3
2		2		1	
3		1			2
4			1	2	
5	2			1	
6		1	2		
7	3			2	1

Mixed Vote No.	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">	<Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">
8	2	1	5	4	3
9				1	
10		1	2		3
11	2				1
12	1			2	

Notes on Table

❑ The candidates should be listed in ballot paper order from left to right in the Heading row. The candidate's name should be followed by the designated abbreviation(s) for the registered political party (or by Non-P or blank).

❑ The preference(s) in each vote should be presented in the row for that vote, e.g. vote 1 comprises a first preference for the second candidate on the ballot paper, a second preference for the first candidate on the ballot paper and a third preference for the fifth candidate on the ballot paper.

The "Votes as mixed and numbered" button should remain accessible throughout the count and afterwards.

3. **Where are individual vote numbers displayed by the system?**

Individual vote numbers are displayed in the following reports in the count menu:-

❑ **"Individual votes transferred in count [N]"** report in section 28 which is available at the end of each count and displays the votes concerned twice – under the candidate losing the votes and under the candidate (and "non-transferable votes not effective") receiving them,

❑ **"Location of <u>all</u> votes after count [N]"** report in section 28 which is
available at the end of each count and displays votes according to the count at
which they were received by the candidate concerned,

❑ **"Individual votes in last set"** report in the "Surplus distribution" screen,
(section 19) and

❑ **"Individual votes of excluded candidate(s)"** report in the "Transfer of votes
of excluded candidate(s)" screen (section 20).

<u>In all cases</u>, the votes concerned should be displayed in the same fixed relative
order as they appear in the "Votes as mixed and numbered" table which was
generated before the count began. Thus, votes will always be displayed in
ascending order of vote number.

4.   <u>Sorting of votes in first count</u>

See section 3 entitled "FIRST COUNT CALCULATIONS".

In the first count all the votes are sorted according to first preferences. This is
done as follows :-

> <u>Beginning at the start</u> of the numbered set of votes and finishing at the end
> of the set, each vote is examined for its first preference and placed in the
> set of first preferences for the candidate concerned. The votes within the
> set of first preferences for the candidate concerned are displayed in
> ascending order of vote number. Thus, the lowest numerical vote in the
> "Votes as mixed and numbered" table which shows a first preference for
> candidate A is placed first in the set of first preferences for Candidate A,
> and so on. Similarly, the highest number vote in the "Votes as mixed and
> numbered" table with a first preference for candidate A is placed last in
> the set of first preference votes for Candidate A.

["Non-transferable votes not effective" do not arise on the first count.]

5.   Transfer of votes in the distribution of a surplus

See section 7 entitled "SURPLUS DISTRIBUTION PROCEDURE" and section 19 entitled "SCREEN/PRINT: SURPLUS DISTRIBUTION".

5.1   The votes to be included in a surplus distribution are taken from the sub-sets of next preference votes for continuing candidates (and, in appropriate cases, from the set of non-transferable votes – see below) made up from the <u>last</u> set of votes received by the elected candidate whose surplus is being distributed.

5.2   <u>Sorting the votes in the distribution of a first count surplus</u>

In the case of a first count surplus, the "last set of votes received by the elected candidate" is his/her full set of first preference votes.

If, say, candidate D is elected with a surplus on the first count and that surplus is subsequently distributed, the process of sorting his/her votes is as follows:-
<u>Beginning at the start</u> of candidate D's set of first preference votes and finishing at the end of that set of votes, each vote is examined for its next available preference and placed in the sub-set of next available preferences for the candidate concerned made up from candidate D's set of first preference votes. The votes within each sub-set of next available preferences for a particular candidate are sorted in the same relative order as the votes concerned appear in the "Votes as mixed and numbered" table generated before the count began. That is to say, the votes are sorted in ascending order of vote number. Thus, the lowest numerical vote in the "Votes as mixed and numbered" table with a first preference for candidate D and a next available preference for candidate B is placed first in the sub-set of votes with next available preferences for Candidate B. Similarly, the highest number vote in the "Votes as mixed and numbered" table with a first preference for candidate D and a next available preference for candidate B is

placed last in the sub-set of votes with next available preferences for Candidate B. The votes in candidate D's set of first preference votes which do not transfer to any continuing candidate should be listed in a sub-set of votes marked "non-transferable votes" in the same order as that outlined above.

5.3   Sorting the votes in the distribution of a surplus arising on the second or subsequent counts

In the case of the distribution of a surplus arising on any count other than the first count, the "last set of votes received by the elected candidate" is the set of votes received by the elected candidate that brought him/her over the surplus.

If, say, candidate E is elected with a surplus on the fourth count and that surplus is subsequently distributed, the process of vote transfer is as follows:-

Only the set of votes which candidate E received at the count in which he/she was elected (i.e. his/her last set of votes) is examined. Beginning at the start of the last set of votes and finishing at the end of that set, each vote is examined for its next available preference and placed in the sub-set of next available preferences for the candidate concerned made up from candidate E's last set of votes. The votes within each sub-set of votes with next available preferences for a particular candidate are sorted in the same relative order as the votes concerned appear in the "Votes as mixed and numbered" table generated before the count began. That is to say, the votes are sorted in ascending order of vote number. Thus, looking at candidate E's "last set of votes" only, the lowest numerical vote in the "Votes as mixed and numbered" table with a next available preference for candidate C is placed first in the sub-set of votes with next available preferences for Candidate C. Similarly, looking at candidate E's "last set of votes" only, the highest number vote in the "Votes as mixed and numbered" table with a next available preference for candidate C is placed last in the sub-set of votes with next available preferences for Candidate C. The votes in candidate E's "last set of votes" which do not transfer to any continuing candidate should be listed in a sub-set of votes marked "non-transferable votes" in the same order as that outlined above.

5.4   Which votes are actually transferred in a surplus distribution?

In the case of <u>all</u> surplus distributions, when the appropriate number of votes to be transferred from each sub-set of votes with next available preferences for a continuing candidate has been determined, the particular votes to be transferred from each sub-set are those <u>last filed</u> in the sub-set (i.e. the votes with the highest numerical vote numbers - these are listed at the end of the sub-set), as follows :-

The number of votes to be transferred from a particular sub-set of next available preferences is taken from the <u>end</u> of that sub-set. In other words, if four votes numbered 221, 349, 650 and 872 comprise a sub-set of next available preferences for continuing candidate B and two of them are to be transferred in the surplus distribution, the two votes transferred are numbers 650 and 872. These votes are listed in <u>the same order</u> in respect of the candidate receiving them (i.e. in the order vote number 650 and vote number 872).

Similarly, if three votes are transferred from the sub-set of "non-transferable votes" to the set of "non-transferable votes not effective" to make up the surplus, the last three votes listed in the sub-set of "non-transferable votes" (i.e. the three non-transferable votes with the highest numerical numbers) would be transferred.

6.   Transfer of individual votes following exclusion of candidate(s)

See section 10 entitled "PROCEDURE FOR DISTRIBUTING VOTES OF EXCLUDED CANDIDATE(S)" and section 20 entitled "SCREEN/PRINT: TRANSFER OF VOTES OF EXCLUDED CANDIDATE(S)".

6.1   Where a candidate (or candidates) is/are excluded, <u>all</u> his/her/their votes that have next available preferences for continuing candidates are distributed to the continuing candidates concerned. <u>All</u> his/her/their votes that are non-transferable are transferred to the set of "non-transferable votes not effective".

6.2 **In cases where a <u>single</u> candidate is excluded**, all his/her votes are sorted according to the candidate for whom the next available preference is marked, <u>beginning at the start </u>of the set of the excluded candidate's votes and finishing at the end of the set. The votes within each sub-set of votes with next available preferences for a continuing candidate are sorted in the same relative order as the votes concerned appear in the "Votes as mixed and numbered" table generated before the count began. . That is to say, the votes are sorted in ascending order of vote number. Thus, looking at the excluded candidate's entire set of votes, the lowest numerical vote in the "Votes as mixed and numbered" table with a next available preference for candidate F is placed first in the sub-set of votes with next available preferences for Candidate F. Similarly, looking at the excluded candidates entire set of votes, the highest number vote in the "Votes as mixed and numbered" table with a next available preference for candidate F is placed at the end of the sub-set of votes with next available preferences for Candidate F.   Non-transferable votes are listed separately in the same order.

<u>All</u> the votes of the excluded candidate are transferred to continuing candidates and, as necessary, to "non-transferable votes not effective". These votes are listed in respect of the continuing candidate receiving them in <u>the same order</u> as they are transferred from the excluded candidate

6.3 **In cases where <u>more than one</u> candidate is excluded together**, the entire set of votes of <u>each excluded candidate</u> is sorted <u>separately</u> according to each candidate for whom a next available preference is marked, beginning at the start of the set of the excluded candidate's votes and finishing at the end of the set. The votes within each sub-set of votes with next available preferences for a continuing candidate are sorted in the same relative order as the votes concerned appear in the "Votes as mixed and numbered" table generated before the count began. That is to say, the votes are sorted in ascending order of vote number. Thus, looking in turn at each excluded candidate's entire set of votes, the lowest numerical vote in the "Votes as mixed and numbered" table with a next available preference for candidate G is placed first in the sub-set of votes with next available preferences

for Candidate G. Similarly, looking in turn at each excluded candidate's entire set of votes, the highest number vote in the "Votes as mixed and numbered" table with a next available preference for candidate G is placed at the end of the sub-set of votes with next available preferences for Candidate G. Non-transferable votes are listed separately in the same order.

All the votes of the excluded candidates are transferred to continuing candidates and, as necessary, to "non-transferable votes not effective". The order in which the votes are transferred is as follows :-

> The votes being transferred to the first continuing candidate (i.e. the first candidate in ballot paper order on the list of continuing candidates) from all the excluded candidates are transferred in the relative order in which they appear in the "Votes as mixed and numbered" table generated before the count began. . That is to say, the votes are sorted in ascending order of vote number. The same procedure should be gone through for the votes being transferred to other continuing candidates and for non-transferable votes being transferred to "non-transferable votes not effective".

Note that the numbering of votes in the system may be modified in the light of experience with testing of the successful tenderer's count software.

ELECTRONIC COUNTING

COUNT MENU

SECTION 17 : SCREENS/PRINTS REQUIRED FOR EACH COUNT

See section 15 entitled "COUNT MENU".

1. **List of screens**

   The system's presentation of each count involves generating screens/prints in the following order, each accessed by a button with the title shown in inverted commas below (the screen buttons for a particular count should be nested under a button with that count number, e.g. "Count 4", which should be nested in turn under a button entitled "Individual count screens/prints"):-

   ❑ First screen   This is either a "Surplus distribution" screen (see **section 19**) or a "Transfer of votes of excluded candidate(s)" screen (see **section 20**). These screens do not operate in the first count;

   ❑ "Count result" and "State of the poll" screens (see **section 21**);

   ❑ "Statement" screens (with a sub-print entitled "Current Count/Next Step") see **sections 22 to 26**);

   ❑ (in cases where the remaining seat(s) is/are filled by way of shortcut) "Post-Statement Count result" and "Post-Statement State of the poll" screens/prints (see **section 22**);

❑ A "Result sheet" screen/print summarising progress to date on the count (see **section 27**); and

❑ Lists of individual votes, comprising two screens entitled "Individual votes transferred in count [N]" and "Location of all votes after count [N]" (the latter is the Last screen in a count). See **section 28**.

None of these screens would be accessible until the "counting of votes" button is clicked and either the count is finished or the counting operation is suspended pending drawing of lots by the returning officer.

2. **Moving between screens**

There should be navigation buttons on each count screen enabling the user to move to the Previous, Next, First or Last screens for that count or to revert to the button for that count. There should also be buttons labelled Previous count and Next count which, if clicked would open up the menu of count screens nested within the count concerned. In cases where interaction between the system and the user is required in the course of a count (i.e. where drawing of lots is required in the case of equalities of surpluses, of votes, of remainders and in the case of order of election at local elections), the user should not be able to move to screens "beyond" the point where interaction is required until such interaction has taken place.

ELECTRONIC COUNTING

SECTION 18 : SCREEN: TESTING

The "Loading of test data" button in the count menu – which should be provided for the duration of testing, at least – should, when clicked, present a screen which enables the user to load randomised vote data in the form of the "Votes as mixed and numbered" table described in section 16 entitled **"MIXING, NUMBERING AND TRANSFER OF INDIVIDUAL VOTES"**. These data can then be processed (without mixing) when the "Counting of votes" button is clicked.

The technical arrangements for loading test data will be finalised with the successful tenderer.

ELECTRONIC COUNTING

COUNT MENU

SECTION 19 : SCREEN/PRINT : SURPLUS DISTRIBUTION

See section 7 entitled "SURPLUS DISTRIBUTION PROCEDURE".

1.   Introduction

This screen sets out the data involved in the distribution of the surplus of an elected candidate. This screen does not operate in the first count and it does not operate if the count involves the transfer of votes of (an) excluded candidate(s).

2.   Label and top section

The label at the top of the screen should specify the election type, constituency name, the poll date, the type of screen (viz. "Surplus Distribution") and the count number.

The first section of the screen should specify the name of the candidate whose surplus is being transferred (in the form <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank">), the number of votes in the surplus, and the count in which the surplus arose. Nested in a box labelled "Last set of votes" should be four entries, as follows –

1.   Total ▢   This figure is the total number of votes in the last set of votes received by the candidate whose surplus is being distributed, viz. the *"last set of votes"*. These votes are detailed in the **"Individual votes transferred in count [N]"** and the **"Location of all votes after count [N]"** prints for the count at which the elected candidate exceeded the quota. For the table in section 3 below, the figure is 1347.

2.	Non-Transferable ⬜	This figure is the number of votes in the *"last set of votes"* which do <u>not</u> have a next available preference for a continuing candidate. For the table in section 3 below, the figure is 103.

3.	Transferable ⬜	This figure is the total number of votes in the *"last set of votes"* which <u>have</u> a next available preference for a continuing candidate. For the table in section 3 below, the figure is 1244.

4.	Transfer factor ⬜	This remainder, expressed in decimal form [correct to 9 decimal places], is the result of dividing the number of votes in the surplus by the total number of transferable votes in the *"last set of votes"*. Where the number of transferable votes is <u>greater than</u> the surplus, the transfer factor is expressed as 0.NNNNNNNNN. Where the number of transferable votes is <u>equal to</u> the surplus, the transfer factor is expressed as 1.00. In either of these cases, non-transferable votes are not included in the surplus distribution calculations. Where the number of transferable votes is <u>less than</u> the surplus, no entry is made in the Transfer factor field and non-transferable votes are included in the surplus distribution calculations to equate the number of votes transferred to the surplus. For the table in section 3 below, the transfer factor is 0.297427653.

**3.	Table**

The next section of the screen is a table setting out relevant data for <u>each continuing candidate coming into the current count</u>. The format of the table is as follows:-

SURPLUS DISTRIBUTION CALCULATIONS

Candidate	Transferables in last set	Transfers by units	Remainder	Ranking of remainders	Transfer by remainder	Total transfers
Bonham, John (F.G.)	29	8	0.62540193	2	1	9
Fennelly, John Joe (F.F.)	260	77	0.33118971		0	77
Kavanagh, Larry (Lab.)	55	16	0.3582509		0	16
King, John (Non-P)	330	98	0.1511254		0	98
Lalor, Michael (F.G.)	20	5	0.94855305	1	1	6
O'Loughlin, Gina (F.G.)	192	57	0.10610932		0	57
Phelan, Marty (F.G.)	89	26	0.47106109	3	1	27
Rohan, Martin (F.F.)	269	80	0.00803859		0	80
Totals	1244	367			3	370

Notes on "Surplus distribution calculations" table

❑ Candidate   The candidates should be presented in ballot paper order, with a "Totals" row at the bottom. The entry in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>, followed by the abbreviation for the political party or by "Non-P" or by blank.

❑ Transferables in last set The entry in this column should be, for each candidate, the total number of votes in the sub-set of next available preferences for that candidate. Where there are no next available preferences for a continuing candidate in the *"last set of votes"*, "0" should be entered.

The system should check that the entry in the "Totals" row for this column is equal to the figure in the "Transferables" box above.

See paragraph 5 of this Note entitled "Individual votes in last set".

❑ <u>Transfers by units</u> The entry in this column should be, for each candidate, the number of units (disregarding remainders) in the quotient resulting from multiplying the number in the previous column for that candidate (i.e. the total number of votes in the sub-set of next available preferences for that candidate) by the Transfer factor. Where the "Transfer factor" field is blank, the figures entered in the previous column (i.e. the total number of votes in the sub-set of next available preferences for each candidate) should be repeated in this column.   "0" should be entered in appropriate cases. The entry in the "Totals" row should be the sum of the units recorded for all candidates in the table.

❑ <u>Remainder</u> Where <u>either</u> the "Transfer factor" field is blank <u>or</u> the figure in the "Totals" row of the previous column (i.e. the total number of units in the quotients for all candidates in the table) equals the surplus, this column should be left blank. Where the figure in the "Totals" row in the previous column (i.e. the total number of units in the quotients for all continuing candidates) is <u>less than</u> the surplus, the entry in this column should be, for each candidate, the remainder (expressed in decimal form, correct to 9 places) in the quotient resulting from multiplying the total number of votes in the sub-set of next available preferences for that candidate by the Transfer factor. "0.00" should be entered in appropriate cases. There should be no entry in the "Totals" row.

❑ <u>Ranking of Remainders</u>   Where <u>either</u> the "Transfer factor" field is blank <u>or</u> the figure in the "Totals" row of the "Transfer by units" column (i.e. the total number of units in the quotients for all candidates in the table) equals the surplus, this column should be left blank. Where the total number of units in

the quotients for all candidates in the table is <u>less than</u> the surplus, this column should rank each remainder according to its size, ranking the highest remainder "1", the second highest "2", and so on, up to the difference between the total number of units in the quotients for all candidates and the surplus (see table above). There should be no entry where "0.00" is entered in the previous column for that row. Where two or more remainders are equal, this column should show the range of the ranking for such remainders, e.g. if three remainders are equal and their amount is the third largest of the remainders, they would each be ranked "3 – 5" and the next largest remainder would be ranked "6". There should be no entry in the "Totals" row.

❑ <u>Transfer by remainder</u>   Where <u>either</u> the "Transfer factor" field is blank <u>or</u> the figure in the "Totals" row of the "Transfer by units" column (i.e. the total number of units in the quotients for all candidates in the table) equals the surplus, this column should be left blank. Where the total number of units in the quotients for all candidates in the table is <u>less than</u> the surplus, an extra vote is taken from certain sub-sets - determined according to "highest remainders" in the quotients - up to the number of votes which makes up the difference between the total number of units and the surplus. By way of example, if the total number of units in the quotients is three less than the surplus, the remainders ranked "1", "2" and "3" in the previous column would each have "1" entered in this column and the candidates concerned would each receive an extra vote in the surplus distribution. "0" should be entered for candidates not receiving an extra vote based on "highest remainders". The entry in the "Totals" row should be the sum of the figures recorded in this column for all candidates.

In cases where two or more quotient remainders are equal and <u>not all of them can attract an additional vote for inclusion in the surplus distribution</u> -

⇨ the remainder(s) arising from the largest sub-set(s) of transferable votes (the number of votes in each sub-set is listed in the "Transferables in last set" column) is/are deemed to be the largest and an additional vote(s) is included,

as necessary, in the surplus distribution from that/those sub-set(s). Each such sub-set would have "1" entered in the "Transfer by remainder" column.

⇨   where the sub-sets of transferable votes of some or all such candidates are equal and <u>not all of them can receive an additional vote in the surplus distribution</u>, the remainder(s) of the candidate(s) with the largest number(s) of votes at the earliest count(s) at which two or more of the candidates had unequal votes is/are deemed to be the largest. Each such candidate would have "1" entered, as necessary, in the "Transfer by remainder" column. In addition, there would be a note at the bottom of the screen, as described in paragraph 3, entitled "Explanatory notes on equalities of remainders".

⇨   where the sub-sets of transferable votes of some or all such candidates are equal <u>and</u> they had equal votes at all counts and <u>not all of them can receive an additional vote in the surplus distribution</u>, the returning officer must draw lots to determine which remainder is the largest. See section 12 entitled "**DRAWING LOTS**". The remainder(s) of the candidate(s) first drawn in the lots is/are deemed to be the largest and each such candidate would have "1" entered, as necessary, in the "Transfer by remainder" column. In addition, there would be a note at the bottom of the screen, as described in paragraph 3, entitled "Explanatory notes on equalities of remainders".

❑ <u>Total transfers</u>   The entry in this column should be, for each candidate, the sum of the figures in the "Transfers by units" and the "Transfer by remainder" columns. There should be an entry in this column in all cases (i.e. including cases where <u>either</u> the "Transfer factor" field is blank <u>or</u> the figure in the "Totals" row of the "Transfer by units" column (i.e. the total number of units in the quotients for all candidates in the table) equals the surplus. Where the sum is zero, "0" should be entered. The entry in the "Totals" row should be the sum of the figures recorded in this column for all candidates.

The system should compare the "totals" figure to the number of votes in the surplus. If the "totals" figure is less than the surplus, this is a case where the total number of transferable votes in the *"last set of votes"* is <u>less than</u> the surplus. In this case, a number of non-transferable votes equal to the difference between the "totals" figure and the surplus is "included" in the surplus distribution.

This case is dealt with in the table by adding two rows beneath the "Totals" row, the first entitled "Non-transferable votes not effective" and showing in the "Total Transfers " column a figure equal to the difference between the total figure for "Total Transfers" and the surplus. The second row is entitled "Overall Totals" and the sum of the "Total Transfers" figure and the "Non-transferable votes not effective" figure is shown in the "Total Transfers" column (this sum must be equal to the surplus).

4.   Explanatory note on equalities of remainders

See material on "Transfer by remainder" in paragraph 2 above. See also section 12 entitled "Drawing lots".

An explanatory note is included only where there are continuing candidates who have equalities of both remainders and sub-sets of next available preferences and <u>not all of them can receive an additional vote in the surplus distribution.</u>

"This surplus distribution involves the transfer of votes by remainders in the quotients. [No.] candidates remain to be designated to receive an extra vote in the surplus distribution. The following [No.] candidates have equal remainders and equal sub-sets of next available preferences in the last set of votes received by the candidate whose surplus is being distributed:-"

This statement is followed by a table in the following format –

VOTES, COUNT BY COUNT

Candidate	Votes at end of :-		
	First count	**Second count**	Third count
Bree, Declan (Lab.)	672	**872**	912
Brennan, Matt (F.F.)	672	742	912

Notes on "Votes, count by count" table

1. Candidate   The candidates should be presented in ballot paper order, with no "Totals" row at the bottom. The entry in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>, followed by the abbreviation for the political party or by "Non-P" or by blank.

2. There should be a label over the other columns entitled "Votes at end of :-"

3. First Count   The entry in this column should read, for each candidate, the number of votes credited to him/her at the end of the first count.

4. Second [etc.] Count   The entry in this column should read, for each candidate, the number of votes credited to him/her at the end of the count in question. Data should be entered for each count up to and including the count before the current count. The system should search the data and highlight for each candidate, up to a maximum number of candidates equal to the number of votes remaining to be transferred, the "votes" figure at the earliest count(s) at which that candidate had more votes than all the other candidates not already highlighted.

The system should rank candidates, on the "more votes at the earliest count" basis outlined above, up to a maximum number of candidates equal to the number of votes remaining to be transferred. Each such candidate should have "1" entered,

as necessary, in the "Transfer by remainder" column in the main "Surplus distribution" screen.

The selected candidates should be listed in the following statement–
"The following candidate(s) qualifies/qualify for an additional vote in the surplus distribution because he/she/they had a greater number of votes at the earliest count(s) than the other candidate(s) concerned –
<First Name(s)> or <Initial(s)>, <Surname> <Party Abbrev. or "Non-P" or "blank">, [Candidates should be listed in ballot paper order]
[etc.]"

The system should compare the number of candidates listed to the number of votes remaining to be transferred. If the two are equal, this statement follows:-
"This concludes the determination of which candidates qualify for an additional vote in the surplus distribution."

If the number of candidates remaining to be designated to receive an extra vote exceeds the number of candidates listed in the table, **the system should stop conducting the count** as drawing of lots is required to distinguish candidates with equalities in the calculation of a surplus distribution. A dialog box should be presented to the user saying "Drawing of lots is required in the calculation of a surplus distribution in Count [No.]". The dialog box should present two options:-

❑ Close   This stops the count. The user would be able to view/print all count screens up and including the current surplus distribution screen. It would not be possible to view/print any screens after the current surplus distribution screen as the progress of the count will be affected by the drawing of lots. To-restart the count, the user would click the "Counting of votes" button - the surplus distribution screen would then be displayed again with the dialog box outlined above. The user would click the "Draw lots" button in the dialog box and proceed.

❑ Draw lots   This opens up the surplus distribution screen for the user to draw
   lots and ☑ the candidate(s) concerned. When the user confirms the results of the
   drawing of lots as entered in the screen, the system proceeds automatically with
   the count.

When the user clicks "Draw lots" in the dialog box, the surplus distribution screen
should be re-presented with the following additional material in the explanatory note
:-

"[No.] candidates remain to be designated to receive an extra vote in the surplus
distribution. Drawing of lots is required to determine which of the following
[No.] candidates - who have equal remainders, equal sub-sets of next available
preferences in the last set of votes received by the candidate whose surplus is
being distributed and equal votes at all counts – qualify for an additional vote in
the surplus distribution :- "

This statement is followed by a table in the following format –

<h3 style="text-align:center">EQUALITIES OF REMAINDERS</h3>

Candidate	Drawn in Lots
Doyle, Frank (F.F.)	2
Grace, Tom (F.G.)	3
Mapother, Ita (Lab.)	1
Searle, Tina	4

Notes on "Equalities of remainders" table

1. Candidate   The candidates should be presented in ballot paper order, with no
   "Totals" row at the bottom. The entry in this column should read, for each
   candidate, <Surname>, <First Name(s)> or <Initial(s)>, followed by the
   abbreviation for the political party or by "Non-P" or by blank.

2. <u>Drawn in lots</u> When the user places the cursor anywhere in this column, a dialog box should be presented, saying "Please draw lots for the candidates listed in this table and click candidate boxes in this column, in the order in which they are drawn, up to the number of votes remaining to be transferred". By clicking a candidate's box, the user inserts a ☑ in this column opposite the candidate(s) who is/are drawn in the lots. The system should not permit the user to ☑ more candidates than the number of votes remaining to be transferred. If the user tries to ☑ more candidates than this, a dialog box should be presented, saying, "All candidates qualifying for an additional vote in the surplus distribution have now been designated. You may amend the designation of candidates in this table until you click the "Confirm ranking" button. OK". The user should be able to amend designations – if he/she clicks a second time in a box, the ☑ should be deleted. If the user tries to close the screen or move to another screen without filling in the required number of boxes, a dialog box should be presented, saying "Please enter the results of the drawing by lots in the "Drawn in lots" column." Immediately below the table, there should be a button entitled "Confirm ranking" which should not become active until the required number of candidates have been designated in the table and which should be de-activated if any user deletes any designations. Once the button is active and clicked, it should re re-titled "Ranking confirmed" and should be de-activated unless the entire count is run again. It should not be possible to amend the designation of candidates as entered in the table.

    When the "Confirm ranking" button is clicked, each candidate with a ☑ entered in this column should have "1" entered in the "Transfer by remainder" column in the main "Surplus distribution" table. Also, this statement should be presented below the "ranking confirmed" button –

    "The following candidate(s) qualifies/qualify for an additional vote in the surplus distribution following the drawing of lots –
    <First Name(s)> or <Initial(s)>, <Surname> >Party Abbrev. or "Non-P" or "blank">

[etc.]"

[The system should check that the number of candidates listed equals the number of candidates remaining to be designated to receive an extra vote.]

This statement follows:-"This concludes the designation of candidates for receipt of an additional vote in the surplus distribution."

See section 16 entitled "Mixing, numbering and transfer of individual votes" for information about the selection of individual votes for inclusion in the surplus distribution.

5. <u>Individual votes in last set of votes received by elected candidate</u>

Below the table described in section 3 above there should be a button entitled "Individual votes in last set". When clicked, this should print a list in the following format:-

INDIVIDUAL VOTES IN "LAST SET OF VOTES"

[Election Type]   [Constituency Name]

Date of poll: [dd month year]   Count number [N]

The surplus of John Charles, Non-Party, comprising [N] votes, is being distributed. There are [N] votes in his/her "last set of votes".

Doyle, Frank F.F.   [N] next available preferences in John Charles" last set of votes Vote numbers 25, 34, 78, 99, 126, etc.

 Non-transferable votes   [N] non-transferable votes in John Charles" last set of votes

Vote numbers 6, 22, 48, etc.

Notes on "Individual votes in "last set of votes"" table

The label at the top of the list should specify the election type, constituency name, the poll date, the type of list (viz. "Individual votes in last set") and the count number. The first section of the list should name the candidate whose surplus is being transferred (in the form <First Name(s)> or <Initial(s)>, <Surname>, followed by the abbreviation for the political party or by "Non-P" or by blank). Below this, there should be a heading "[Total no.] votes in the last set of votes - ". The next section of the list is a listing, for each continuing candidate coming into the current count listed in ballot paper order and for "non-transferable votes", of the numbers of the votes in ascending order of vote number in the elected candidate's last set of votes which have next available preferences for that continuing candidate or which are non-transferable.

The listing for each continuing candidate (and for "non-transferable votes") is set out as follows:-

❑ The continuing candidate's name should be shown in bold at the top in the form <Surname>, <First Name(s)> or <Initial(s)>, followed by the abbreviation for the political party or by "Non-P" or by blank and then by the total number of votes in the last set of votes received by the candidate whose surplus is being distributed which have next available preferences for that continuing candidate.

❑ The vote numbers should be listed under the continuing candidate's name from left to right in ascending order of vote number.

❑ The "non-transferable votes" are listed below those of continuing candidates and in the same format. The top of the entry should show "Non-transferable votes" and the total number of votes in the last set of votes received by the

elected candidate that have no next available preferences for any continuing candidate.

ELECTRONIC COUNTING

COUNT MENU

SECTION 20 : SCREEN/PRINT : TRANSFER OF VOTES OF EXCLUDED CANDIDATE(S)

1.   Introduction

This screen sets out the data involved in the transfer of votes of excluded candidate(s). This screen does not operate in the first count and it does not operate if the count involves the distribution of the surplus of an elected candidate.

See section10 entitled "**PROCEDURE FOR DISTRIBUTING VOTES OF EXCLUDED CANDIDATE(S)".**

2.   Label and top section

The label at the top of the screen should specify the election type, constituency name, the poll date, the type of screen (viz. "Transfer of votes of excluded candidate(s)") and the count number.

The first section of the screen should specify the name(s) of the excluded candidate(s) whose votes are being transferred (the lowest candidate should be listed on top and so on, and the names should be in the form <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank">), the number of votes being transferred from each candidate and the total number of votes to be transferred in the count.

3.   Table

The next section of the screen is a table setting out relevant data for <u>each continuing candidate coming into the current count</u>, as follows :-

<u>DISTRIBUTION OF VOTES OF EXCLUDED CANDIDATE(S)</u>

Continuing candidate	Votes of excluded candidate(s):			**Total votes received**
	Stephen Price (Non-P)	Mary Humphries (F.F.)	Brendan McFadden (P.D)	
Abbott, Henry (F.F.)	16	35	12	**63**
Cooney, Benny (Non-P)	52	36	10	**98**
Dunne, John	0	8	90	**98**
Non-transferable votes	0	7	3	**10**
Total	**68**	**86**	**115**	**269**

Notes on "Distribution of votes of excluded candidate(s)" table

The table should contain a row for each continuing candidate, for "Non-transferable votes" (N-TV) and for Totals.

The table has the following column headings –

1. <u>Continuing Candidate</u>   The continuing candidates should be presented in ballot paper order. The entry in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or

"Non-P" or "blank">.

2. The label above the remaining columns (except for the last column) should read Votes of Excluded Candidate(s). Under the label, each excluded candidate's name (in the form <Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">) should be listed. The excluded candidate with the smallest number of votes should be listed in the second column and so on. Where two or more excluded candidates have equal votes, they should be listed in ballot paper order (i.e. the candidate placed highest on the ballot paper should be printed to the left of the other(s)).
Under the name of each excluded candidate, the number of his/her votes transferred to each continuing candidate and the number of his/her votes that are N-TV should be listed. "0" should be entered opposite any continuing candidate who receives no votes from the excluded candidate concerned. The sum of the votes transferred from each excluded candidate should be entered in the "Totals" row in the column for that candidate.

3. Total votes received   This column should list, for each continuing candidate and for N-TVNE, the total number of votes received in the current count from all the excluded candidates. "0" should be entered opposite any continuing candidate who received no votes. The sum of the votes received by all candidates and by N-TVNE should be entered in the "Totals" row under this column and the system should check that this figure equals the total number of votes to be transferred in the count (listed in the first section of the screen).

See section 16 entitled "MIXING, NUMBERING AND TRANSFER OF INDIVIDUAL VOTES" for information about the transfer of individual votes in the distribution of the votes of an excluded candidate(s).

4. __Individual votes of excluded candidate(s)__

Below the table described in paragraph 3 above there should be a button entitled "Individual votes of excluded candidate(s)". When clicked, this should print the following list:-

INDIVIDUAL VOTES OF EXCLUDED CANDIDATE(S)

[Election Type]   [Constituency Name]   [Date of poll] [Count number {N}]

The votes of the following excluded candidate(s) are being distributed:-

1. Stephen Price (Non-P) who has 68 votes,

2. Mary Humphries (F.F.) who has 86 votes,

3. Brendan McFadden (P.D) who has 115 votes.

There are a total of 269 votes to be distributed.

__Stephen Price (Non-P)__ has 68 votes for distribution :-

❑ 16 of Price's votes have next available preferences for __Henry Abbott (F.F.)__ as follows:-
   Vote numbers 17, 32, 45, etc.

❑ 52 of Price's votes have next available preferences for __Benny Cooney (Non-P)__ as follows:-
   Vote numbers 3, 17, etc.

❑ None of Price's votes have next available preferences for __John Dunne__.

❑ None of Price's votes are __non-transferable__.

Notes on "Individual votes of excluded candidate(s)" table
The label at the top of the list should specify the election type, constituency name, the poll date, the type of list (viz. "Individual votes of excluded candidate(s)") and the count number. The first section of the list should name the candidate(s)

whose votes are being distributed (in the form <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank">) and the number of his/her votes. Where there is more than one candidate involved, the candidates should be listed in ascending order of votes, viz. the candidate with the lowest number of votes should be listed first, etc. Where two or more candidates have equal votes, they should be listed in ballot paper order.

Below the name(s) of the excluded candidate(s), there should be a heading "there is a total of Total no. of votes of all excluded candidates] votes to be distributed ". The next section of the list is a listing, for each excluded candidate, of the numbers of his/her votes that have next available preferences for each continuing candidate. The numbers of the votes that are non-transferable are also listed.

The listing for each continuing candidate (and for "non-transferable votes") is set out as follows:-

❑   The excluded candidate's name should be shown in bold at the top in the form <Surname>, <First Name(s)> or <Initial(s)> <Party Abbrev. or "Non-P" or "blank">, along with the total number of votes which have next available preferences for continuing candidates and the total number of votes which are non-transferable.

❑   Below this, there should be a list, for each continuing candidate, of the numbers of the votes which have next available preferences marked for him/her. The vote numbers should be listed under the continuing candidate's name from left to right in ascending order of vote number.

❑   The "non-transferable votes" are listed below those of continuing candidates and in the same format. The top of the entry should show "Non-transferable votes" and the total number of votes in the excluded candidate's full set of votes that have no next available preferences for any continuing candidate.

ELECTRONIC COUNTING

COUNT MENU

SECTION 21 : SCREENS/PRINTS : COUNT RESULT AND STATE OF THE POLL

Count result screen

1.   Introduction

This sheet outlines the state of play following each count in the order in which candidates" names appear on the ballot paper (this should be the alphabetical order of candidates" surnames). In the first count, it is the first screen generated by the system.

The following is a sample of the table:-

COUNT RESULT

Candidate	Party	Votes this count	Total votes	Status	Surplus	Extra votes required:	
						To reach quota	To save deposit
Abbott, Henry	F.F.	+209	3687			3728	
Cooney, Benny	Non-P	-2214	7415	Elected			
Dunne, John		+337	1140			6275	1260
Humphries, Mary	F.F.	+1118	5519			1896	

Candidate	Party	Votes this count	Total votes	Status	Surplus	Extra votes required:	
						To reach quota	To save deposit
McFadden, Brendan	P.D	+454	6664			751	
Price, Stephen	Non-P	+96	5232			2183	
Non-transferable votes not effective		0	0				
Total			**29657**				

A commentary on the table follows.

2. Label and top section

The label at the top of the screen should specify the election type, constituency name, the poll date, the type of screen (i.e. "Count result"), the count number and the total number of seats to be filled.

The top section of the screen should display the following standard information for the election:-

❑ Number of candidates

❑ Electorate

❑ Votes recorded

❑ Quota, and

❑ (Minimum number of votes) Required to save deposit. [In the case of a Dáil bye-election, see section 14 entitled **"THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS".** In such cases**,** the figure entered here should have the following footnote on screen/print "The threshold for recovery of deposit at Dáil bye-elections is based on the total number of seats in the constituency

at the previous general election, viz. [total number of seats in the constituency at the previous general election] seats."   See also material on "Extra votes required to save deposit" column in the table which follows.]

3.   Table

The table should contain a row for each candidate, for "Non-transferable votes not effective" (N-TVNE) and for Totals.

The table should contain the following column headings:-

❑   Candidate The entries in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>. There should be no entry in the "Totals" row for this column.

❑   Party The entries in this column should be the designated abbreviation(s) for each registered political party, including candidates designated as "Non-Party". There should be no entry for "No Entry" candidates or for N-TVNE.

❑   Votes this count (second and subsequent counts only). The entries in this column should be the number of votes/gained or lost by each candidate or N-TVNE in the current count as follows:-

"0" where a candidate/N-TVNE secured no votes;

"+N" where a candidate/N-TVNE secured extra votes and "N" is the number of votes received in the current count; and

"-N" where votes were transferred from a candidate (either because the candidate's surplus was being distributed or because the candidate was excluded in the last count and his/her votes were transferred).

The sum of the figures in this column should be checked to ensure that it is zero. There should be no entry in the "Totals" row for this column.

❑ <u>Total Votes</u> The entry for this column should be the current number of votes held by each candidate/N-TVNE as follows:-

"0" where a candidate/N-TVNE has no votes after the current count;

"the number of votes in the quota" where the surplus of an elected candidate has been distributed; and

"N" in all other cases.

The entry for this column in the Totals row should be the number of votes recorded (this should be checked by the system).

❑ <u>Status</u> The entry in this column should be "Elected", "Excluded" or left blank for continuing candidates.

❑ <u>Surplus</u> The entry in this column should be either "N" for elected candidates with a surplus which has not been distributed or "0" for all other candidates. There should be no entry in this column for the N-TVNE row. The entry for the Totals row under this column should be the sum of the available surpluses.

❑ <u>Extra votes required to reach quota</u> There should be entries in this column for continuing candidates only (i.e. candidates neither elected nor excluded) and in each case the entry should be the difference between the quota and the number of votes currently held by the candidate. There should be no entry in this column for the N-TVNE or Totals rows.

<u>Extra votes required to save deposit</u> There should be entries in this column for continuing candidates only (i.e. candidates neither elected nor excluded) and in each case the entry should be the difference between the minimum number of votes required to save the deposit and the number of votes currently held by the candidate. There should be no entry in this column for the N-TVNE or Totals rows.

In the case of **Dáil bye-elections**, the threshold for return of the candidate's deposit is based on the <u>total</u> number of seats in the

constituency at the previous general election, not the number of seats being filled. See section 14 entitled "**THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS**". The entry in this column should be the difference between the minimum number of votes required to save the deposit (calculated on the basis of the total number of seats in the constituency) and the number of votes currently held by the candidate. In addition there should be a note as follows somewhere on the screen/print:-

"The threshold for return of a candidate's deposit at a Dáil bye-election is based on the total number of seats in the constituency, in this case [system should display total number of seats entered for purposes of "quota for return of deposit", as set out in section 14] seats."

4.   Bottom of screen

The bottom of the screen should contain the following :-

Number of unfilled seats   ☐

Number of continuing candidates   ☐

This screen should be printable. It should be possible to view and print this screen at any stage after the system has generated it.

State of the poll screen

5.   Description

This sheet outlines the state of play at the end of each count <u>in the running order of candidates</u>. The information in the screen is identical to that in the Count result

screen except for the order in which candidate data is presented (i.e. the order of the rows). The N-TVNE row remains between the candidates' rows and the "Total" row.

The following is a sample of the table:-

STATE OF THE POLL

Candidate	Party	Votes this count	Total votes	Status	Surplus	Extra votes required:	
						To reach quota	To save deposit
Cooney, Benny	Non-P	-2214	7415	Elected			
McFadden, Brendan	P.D	+454	6664			751	
Humphries, Mary	F.F.	+1118	5519			1896	
Price, Stephen	Non-P	+96	5232			2183	
Abbott, Henry	F.F.	+209	3687			3728	
Dunne, John		+337	1140			6275	1260
Non-transferable votes not effective		0	0				
Total			**29657**				

Running order means that the candidates doing "best" in the election should be at the top of the screen and the candidates doing "worst" should be at the bottom. Thus, a candidate elected at the first count should remain at the top of the screen

throughout the counting even though, when his/her surplus is distributed, another candidate may have more votes than him/her at a subsequent count. Elected candidates should be displayed in the order of the count at which they were elected. Candidates elected at the same count should be displayed in the order of the size of their surpluses (or votes where candidates are elected by a "filling of last seat(s) shortcut). Candidates elected on the same count with equal or no surpluses (or with equal votes) should be displayed in ballot paper order. [In the case of local elections, the statutory rules for order of election are applied only when the "Order of election (local elections only)" button is clicked in the Post-Count Menu (see section 30).] Similarly, the candidate first excluded should remain at the bottom of the screen throughout the counting. Candidates excluded at the same count should be displayed in the order of their votes – the candidate with the lowest number of votes should be displayed at the bottom. Candidates excluded on the same count with equal votes should be displayed in ballot paper order.

As the counting proceeds, <u>the continuing candidates should be clustered in the middle of the screen</u> with the elected candidates above and the excluded candidates below.

This screen should be printable. It should be possible to view and print this screen at any stage after the system has generated it.

When the system finishes the count, it automatically displays the State of the poll screen for the last count. In cases where the last seat(s) was/were filled by (a0 candidate(s) without reaching the quota, the "Post-Shortcut State of the poll" should be displayed (see paragraph 6).

Post-Shortcut Count result and State of the poll screens/prints

6.   General

In cases where the last seat(s) is/are filled by way of shortcut (see section 11), revised versions of the Count result and State of the poll screens are required

following the Statement screen without a further count taking place (see section 25).

These screens/prints should be clearly labelled "Post-Shortcut Count result" and "Post-Shortcut State of the poll", respectively. Candidates deemed elected without reaching the quota should be labelled "Elected" in the "Status" column and any entries for them in the "Extra votes required to reach quota" and "Extra votes required to save deposit" columns should be deleted. Candidates excluded without distribution of their votes should be labelled "Excluded" in the "Status" column, without any change in the votes credited to them.

Where these screens/prints are generated, it should be possible subsequently to generate both the pre- and post- Shortcut screens and print them.

ELECTRONIC COUNTING

COUNT MENU

SECTION 22 : SCREENS/PRINTS : STATEMENT

1. <u>Introduction</u>

This screen indicates which candidates were elected in the current count, what is left to play for, what action is being taken next and why. It should include a button at the bottom of the screen entitled " Current Count/Next Step" which generates a print summarising the action taken in the current count and outlining the next step to be taken (see below).

Statement screen/print

2. <u>Screen label</u>

The label at the top of the screen should specify the election type, constituency name, the poll date, the type of screen (i.e. "Statement"), the count number and the number of seats to be filled.

3. <u>Action in current count</u>

The first section of the screen should summarise the action taken in the current count, as follows :-

Count [N] consisted of the distribution of

EITHER

<First Name(s)> or <Initial(s)> <Surname>'s surplus of [N] votes

OR

The [N] votes of

EITHER

<First Name(s)> or <Initial(s)> <Surname>, <Party Abbrev. or "Non-P"
or "blank">

OR

The following [N] candidates:-

[List excluded candidates in ascending order of votes, i.e. the candidate
with the lowest number of votes is listed first, and so on]

<First Name(s)> or <Initial(s)> <Surname>, <Party Abbrev. or "Non-P"
or "blank"> who had [N] votes

Etc.

4.   <u>Elected on current count</u>

The next section of the screen should indicate which candidates, if any, were
elected in the current count, as follows:-

" The following candidate(s) has/have reached/exceeded the quota in this count
and is/are deemed to be elected:-

<First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or
"blank"> with a surplus of □ votes,

etc.,." [Candidates should be listed in the order of the size of their surpluses,
beginning with the largest. Candidates with equal or no surpluses should be listed
in ballot paper order].

OR

"No candidate(s) reached/exceeded the quota on this count"

5.   <u>Left to play for</u>

If, following the election at the current count of one or more candidates with
surpluses or with a sum of votes equalling the quota, all seats are filled, the
following statement should succeed the "Elected on current count" statement
above:-

" As all seats are now deemed to be filled, the formal declaration of the result may now be made."

In such cases there is no need to include paragraphs 5 or 6 following.

If, on the other hand, there is one or more seat remaining unfilled (whether or not one or more candidates were elected on the current count), the second section of the screen should say – " There is/are ☐ continuing candidate(s) and ☐ unfilled seat(s)."

6. <u>Surpluses available?</u>

The entry in this section is either the statement "There is/are no surplus(es) available for distribution." or a list of available surpluses.

The heading on the list of surpluses is "The following surplus(es) is/are available for distribution:-" This is followed by a table with three columns as follows:-

❑ <u>Candidate</u>   These should be listed in the order of the size of their surpluses, beginning with the largest, in the form <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank">. Candidates who obtained a surplus of zero votes should not be included. Where two or more candidates have equal surpluses arising from <u>different</u> counts, the candidate(s) whose surpluses arose at the earliest count(s) should be listed first. Where two or more candidates have equal surpluses arising from the <u>same</u> count, they should be listed in ballot paper order.

❑ <u>Size of Surplus</u>   This column should show, for each candidate, the number of votes in his/her surplus.

❑ Surplus arose on Count   This column should show, for each candidate, the number of the count at which his/her surplus arose.

7.   Next step

This section should specify the next step to be taken and the reasons for it. The next step is either -

❑ a "filling of last seat(s)" shortcut (see section 25). In these cases, a further count(s) may be necessary to distribute any available surplus(es) which could save the deposit of a continuing candidate (see section 26); or

❑ the distribution of the highest surplus in a further count (see section 23); or

❑ the exclusion of the lowest candidate(s) and the distribution of his/her/their votes in a further count. Vote distribution takes place in cases where the exclusion of the lowest candidate(s) does not equate the number of seats remaining unfilled to the number of continuing candidates (see section 24).

Where the remaining seat(s) is/are filled by way of shortcut or by way of a candidate exclusion which does not involve the distribution of votes in a further count, revised versions of the Count Result and State of the Poll screens must be generated by the system – see section 21 entitled "**SCREENS/PRINTS : COUNT RESULT AND STATE OF THE POLL**".

This screen should be printable. It should be possible to view and print this screen at any stage after the system has generated it.

Print : Current count/Next Step

8.   Description

When the button on the statement screen entitled "Current count/Next Step" is clicked, it should generate a print summarising the action taken in the current count and outlining the next step to be taken.

The label at the top of the print should specify the election type, constituency name, the poll date, the type of screen (i.e. "Current count/Next Step"), the count number and the number of seats to be filled.

The top section of the print should display the following standard information for the election:-

❑ Number of candidates

❑ Electorate

❑ Votes recorded

❑ Quota, and

❑ (Minimum number of votes) Required to save deposit.

> In the case of **Dáil bye-elections**, the entry should be the minimum number of votes required to save the deposit based on the total number of seats in the constituency. See section 14 entitled "**THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS**". In addition, there should be a note as follows somewhere on the screen/print:-
> "The threshold for return of a candidate's deposit at a Dáil bye-election is based on the total number of seats in the constituency, in this case [System should display total number of seats entered for purposes of "quota for return of deposit", as set out in section 14] seats."

The next section of the print should state one of the following –
"The following is the result of the first count"

OR

" Count ☐ comprised the distribution of [either] the surplus of ☐ votes of <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank">

[or] the ☐ votes of the following excluded candidate(s):-

<First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank"> etc.,

[The candidates should be listed in ascending order of their votes, viz. the lowest candidate should be on the top of the list and the highest candidate on the bottom. Where candidates have equal votes, they should be listed in ballot paper order, with the candidate listed first on the vote listed above the other candidate(s) with equal votes.]

The following is the result of the count:-"

The next section of the print should comprise a table. The rows in the table should present data in relation to all continuing candidates coming into the current count and N-TVNE (the latter where applicable and in the second and subsequent counts only). There should be no Totals row.

The table should contain the following column headings:-

❑ Candidate The entry in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>.

❑ Party The entry in this column should be the full name for each registered political party or "Non-Party". There should be no entry for "No Entry" candidates or for N-TVNE.

❑ Votes this count (second and subsequent counts only). The entries in this column should be the number of votes/gained or lost by each candidate or N-TVNE in the current count as follows:-

"0" where a candidate/N-TVNE secured no votes; and

"+N" where a candidate/N-TVNE secured extra votes.

❑   Total Votes The entry for this column should be the current number of votes
held by each candidate/N-TVNE.

The next section of the print should indicate which candidates, if any, were
elected in the current count, as follows:-
" The following candidate(s) has/have reached/exceeded the quota in this count
and is/are deemed to be elected:-
<First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or
"blank">, with a surplus of ☐ votes,
etc.,." [Candidates should be listed in the order of the size of their surpluses,
beginning with the largest. Candidates listed with equal or no surpluses should be
listed in ballot paper order].
OR
"No candidate(s) reached/exceeded the quota on this count"

The next section of the print should say – " There is/are ☐ continuing candidate(s)
and ☐ unfilled seat(s)."
The last section of the summary should detail the next step to be taken in the
count, as set out in sections 23 to 26.

It should be possible to print the "Current count/Next Step" report again at any
stage after the system has first generated it.

ELECTRONIC COUNTING

COUNT MENU

SECTION 23 : STATEMENT SCREEN/PRINT : NEXT STEP SECTION : DISTRIBUTE THE ONLY/LARGEST SURPLUS

See section 22 entitled "SCREENS/PRINTS : STATEMENT"

See section 5 entitled "SURPLUS DISTRIBUTION – MANDATORY OR PROHIBITED".

1.   Introduction

Only one surplus can be distributed in a count. Where there is more than one surplus and the returning officer must distribute a surplus, he/she must distribute the largest.

In cases where a "filling of a last seat(s)" shortcut does not apply, the distribution of the only or the largest available surplus is mandatory if it - or, where there is more than one surplus, the sum of the surpluses - could possibly do any of the following:-

❑ Elect a continuing candidate;

❑ Save the lowest candidate from exclusion;

❑ Save the deposit of the lowest candidate, if it is not already saved.

2.   One surplus available

Where there is only one surplus available for distribution and a "filling of last seat(s) shortcut" does not apply, the system should check whether the surplus

meets <u>each</u> of the three criteria. If it meets one or more of them, the following should be stated at the beginning of the Next Step section of the Statement screen:-

"<First Name(s)> or <Initial(s)>, <Surname>'s surplus of [No.] votes, will be distributed in the next count because it can :-

❑   elect a continuing candidate

❑   save the lowest candidate from exclusion

❑   save the deposit of the lowest candidate"

      [List only the criterion or criteria which is/are fulfilled.]

3.   <u>**More than one surplus available**</u>

The text that follows is subject to the provisions of paragraph 4 in cases where two or more surpluses are the largest and are equal.

Where there is more than one surplus available for distribution and a "filling of last seat(s) shortcut" does not apply, the system should <u>first</u> check whether the largest available surplus meets <u>each</u> of the three criteria. If it meets one or more of them, the following should be stated at the beginning of the Next Step section of the Statement screen:-

"<First Name(s)> or <Initial(s)>, <Surname>'s surplus of [No.] votes, will be distributed in the next count because it is the largest ["*" in certain cases where there is an equality of surpluses – see section 4 below] available surplus and can :-

❑   elect a continuing candidate

❑   save the lowest candidate from exclusion

❑   save the deposit of the lowest candidate"

      [List only the criterion or criteria which is/are fulfilled.]

If the largest available surplus meets none of the three criteria requiring distribution in the next count, the system should <u>then</u> check whether the sum of the available surpluses meets <u>each</u> of the three criteria. If they meet one or more of them, the following should be stated [in relation to the candidate with the

largest available surplus] at the beginning of the Next Step section of the Statement screen:-

"<First Name(s)> or <Initial(s)>, <Surname>'s surplus of [No.] votes, will be distributed in the next count because it is the largest ["*" where there is an equality of surpluses – see section 4 below] available surplus and can, in combination with the other surplus(es):-

❑   elect a continuing candidate

❑   save the lowest candidate from exclusion

❑   save the deposit of the lowest candidate"

   [List only the criterion or criteria which is/are fulfilled.]

If <u>neither</u> the only available surplus <u>nor</u> the largest available surplus <u>nor</u> the sum of the available surpluses meet any of the criteria for mandatory distribution of a surplus, such surplus distribution is prohibited and none of the texts set out in sections 2 and 3 above are included in the Next Step section of the screen. Instead material as set out in sections 24 (exclude the lowest candidate(s)) or 25 (Filling of last seat(s) shortcut) is included.

4.   Two or more largest surpluses are equal?

See section 6 entitled "DISTRIBUTE WHICH SURPLUS".

4.1   Equal surpluses <u>arising from different counts</u>

Where two or more candidates have equal largest surpluses <u>arising from different counts</u>, the surplus that arose at the earliest count is distributed first and such candidate is included in one of the alternative statements in paragraph 3 above. In such cases, an asterisk is inserted after "largest" as indicated in the alternative statements and the following footnote is included at the bottom of the statement:-

" * His/her surplus is deemed to be the largest because it arose at an earlier count than the other equal surplus(es)."

[Note that the count at which each surplus arose is set out at the beginning of the "Next step" section.]

4.2   *Equal surpluses <u>arising from the same count</u>,*

Where two or more candidates have equal largest surpluses <u>arising from the same count</u>, the surplus of the candidate with the largest number of votes at the earliest count at which two or more of such candidates had unequal votes is distributed first. Where all such candidates had equal votes at all counts, the returning officer must draw lots to determine which surplus to distribute first. See section 12 entitled "**DRAWING LOTS**". In the case of equal surpluses, the surpluses are distributed in the order in which the names of the candidates are drawn.

This scenario is dealt with in the "Next step" section of the screen by presenting the following material below the alternative statement outlined in paragraph 3 above :-

"The following [No.] candidates have each the largest surplus of [No.] votes :-"

This is followed by a table, as follows :-

<u>VOTES, COUNT BY COUNT</u>

Candidate	Votes at end of :		
	First count	**Second count**	Third count
Bree, Declan (Lab.)	672	**872**	912
Brennan, Matt (F.F.)	672	742	912

Notes on columns in "Votes, count by count" table

1. <u>Candidate</u>   The candidates should be presented in ballot paper order, with no "Totals" row at the bottom. The entry in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev.

or "Non-P" or "blank">.

2. There should be a label over the other columns entitled "Votes at end of:"

3. <u>First Count</u>   The entry in this column should read, for each candidate, the number of votes credited to him/her at the end of the first count.

4. <u>Second [etc.] Count</u>   The entry in this column should read, for each candidate, the number of votes credited to him/her at the end of the count in question. Data should be entered for <u>each</u> count up to and including the count <u>before</u> the current count. The system should search the data for the candidate who had more votes than all the other candidates at the earliest count and highlight his/her name in the "Candidate" column, together with the "votes" figure and the column heading.

The candidate highlighted in the table should be listed in the following statement –

"<First Name(s)> or <Initial(s)>, <Surname> 's surplus of [No.] votes will be distributed in the next count because he/she had a greater number of votes at an earlier count than the other candidate(s) with (an) equal surplus(es)."

The system should then proceed automatically with the distribution of the surplus in question in the next count.

In cases where no candidate is highlighted in the table (i.e. where two or more candidates have equal largest surpluses arising from the same count, and had equal votes at all counts), the space for the candidate's name in the appropriate alternative statement in paragraph 3 (which should not include an asterisk) should be left blank and **<u>the system should stop conducting the count</u>** because drawing of lots is required to determine the order of distribution of the surpluses. A dialog box should be presented to the user saying "Drawing of lots is required after

Count [No.] to determine the subsequent order of distribution of surpluses". The dialog box should present two options:-

❑ Close   This stops the count. The user would be able to view/print all count screens up and including the current statement screen. It would not be possible to view/print any screens after the current statement screen, as the progress of the count will be affected by the drawing of lots. To-restart the count, the user would click the "Counting of votes" button - the statement screen would then be displayed again with the dialog box outlined above. The user would click the "Draw lots" button in the dialog box and proceed.

❑ Draw lots When clicked, the incomplete statement screen is presented again for the user to draw lots and rank the surpluses concerned in the system. When the user confirms the ranking of the surpluses as entered in the system following the drawing of lots, the system proceeds automatically with the count.

When the user clicks "Draw lots" in the dialog box, the incomplete statement screen should be presented again with the following additional material below the table of votes count-by-count :-

 "Drawing of lots is required between the following [No.] candidates - who have the largest surplus ([No.] votes) of equal size and equal votes at all counts – to determine the order in which they should be distributed :-"

This statement is followed by a table as follows :-

EQUALITIES OF SURPLUSES

Candidate	Drawn in Lots
Doyle, Frank (F.F.)	3
Grace, Tom (F.G.)	4
Mapother, Ita (Lab.)	1
Searle, Tina	2

Notes on columns in "Equalities of surpluses" table

1. <u>Candidate</u> The candidates should be presented in ballot paper order, with no "Totals" row at the bottom. The entry in this column should read, for each candidate, \<Surname\>, \<First Name(s)\> or \<Initial(s)\>, \<Party Abbrev. or "Non-P" or "blank"\>.

2. <u>Drawn in lots</u>   When the user places the cursor anywhere in this column, a dialog box should be presented, saying "Please draw lots for the candidates listed in this table and click candidate boxes in this column, in the order in which they are drawn, up to one less than the number of candidates in the table". The first clicking of a candidate's box inserts a "1" in the box. A second clicking in that box deletes the "1". The next clicking in another candidate's box inserts a "2" in that box and a repeated click in that box deletes the "2", thus enabling a "2 to be inserted in another box by clicking. And so on. The system should require the user to rank candidates up to a maximum of one less than the number of candidates in the table. If the user tries to close the screen or move to another screen without clicking the required number of boxes, a dialog box should be presented, saying, "Please complete the ranking of the candidates in the "Drawn in lots" column." When the required number of boxes have been clicked, the system should automatically insert the lowest ranking in the sole candidate box that has not got a ranking. e.g. if five out of six candidates have been ranked by clicking, the system automatically inserts "6" in the box with no ranking. When this is

done, the system should present a dialog box saying "You can amend the ranking until you click the "Confirm ranking" button. OK". The user should be able to amend the ranking by clicking again in either the box marked with the lowest ranking or in the box with the second lowest ranking. He/she should be able to delete all rankings by clicking in turn through them backwards to "1". If all rankings are deleted from the table, the same dialog box should be presented again, viz. "Please draw lots for the surpluses of the candidates listed in this table and click candidate boxes in this column, in the order in which they are drawn, up to one less than the number of candidates in the table". Immediately below the table, there should be a button entitled "Confirm ranking" which should not become active until all surpluses have been ranked in the table and which should be de-activated if any user deletes any rankings. Once the button is active and clicked, it should re re-titled "Ranking confirmed" and should be de-activated unless the entire count is run again. It should not be possible to amend the ranking of candidates as entered in the table and the name of the candidate ranked "1" should be entered in the appropriate alternative statement in paragraph 3. In cases where there is more than one other equal largest surplus, their relative rankings should be retained in the system for use in the event that they need to be distinguished in a further surplus distribution later.

Also, this statement should be presented below the "Ranking confirmed" button –

"Following the drawing of lots, the largest surpluses of equal size will be distributed in the following order :-
 <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank">
[etc.]"
[The candidates should be listed in the order of their ranking in the table above, beginning with the candidate ranked "1".]

5.   <u>Applying "lots" ranking to subsequent surplus distributions</u>

Where more than two equal largest surpluses are distinguished by lots, the two or more surpluses not immediately distributed cannot be split subsequently, i.e. nothing can happen to require an alteration in their relative order of distribution. By definition, the distribution of the first equal surplus cannot result in a surplus equal to or greater than the remaining equal surpluses. Any larger surplus with subsequently emerges will be distributed before the remaining equal surpluses. Any equal surplus that subsequently emerges will be distributed after them because it arose at a later count.

In a case where, after a distribution of votes, the ranking of two or more equal surpluses which remain the largest have been determined by an earlier drawing of lots, the appropriate alternative statement outlined in paragraph3 should be presented with an asterisk after "largest" and the following footnote below the statement:-
" * It was determined by the drawing of lots after Count [No.] that this surplus would be distributed, as necessary, before the remaining equal surpluses which arose at the same count."

ELECTRONIC COUNTING

COUNT MENU

SECTION 24 : STATEMENT SCREEN/PRINT : NEXT STEP SECTION : EXCLUDE THE LOWEST CANDIDATE(S)

See section 22 entitled "SCREENS/PRINTS : STATEMENT".

See sections 8 to 10 relating to the exclusion of lowest candidates.

1.   Introduction

This section deals with situations where an exclusion is mandatory, i.e. there is either no surplus available for distribution or the distribution of a surplus is prohibited. It gives pointers to where the text for a "filling of last seat(s) shortcut" might arise. The first entry in the "Next step" section is either "There is/are no surplus(es) available for distribution." or "The available surplus(es) will not be distributed because it/they cannot materially affect the progress of the count, either by electing a continuing candidate, by saving the lowest candidate from exclusion, or by saving the deposit of the lowest candidate".

Where an exclusion arises, it is axiomatic that, at a minimum, the lowest continuing candidate (LCC) must be excluded. However, the exclusion of more than the LCC is required in certain circumstances.

Note that, where the LCC or any number of the lowest candidates has/have zero votes, he/she/they should <u>never</u> be excluded on his/her/their own.

2. ~~**Exclude lowest candidate only**~~

> In cases where the next step is the exclusion of the lowest candidate only, the second entry in the "Next step" section should be as follows :-
>
> "<First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank"> will now be excluded because he/she is the lowest ["*" where there is an equality of votes – see section 3 below] candidate."
>
> If the exclusion of the lowest candidate leaves the number of continuing candidates equal to the number of seats remaining to be filled, a filling of last seat(s) shortcut arises – see section 25 entitled "**STATEMENT SCREEN/PRINT : NEXT STEP SECTION - FILLING OF LAST SEAT(S) SHORTCUT**".
>
> If not, the following material follows:-
> "His/her [No.] votes will be distributed in the next count."

3. ~~**Which candidate is the lowest?**~~

See section 8 entitled "TWO OR MORE LOWEST CANDIDATES WITH EQUAL VOTES" and section 11 entitled "DRAWING LOTS".

> Where the two or more lowest candidates have equal votes and a single lowest candidate only must be excluded, the candidate with the smallest number of votes at the earliest count at which two or more such candidates had unequal votes is deemed to be the lowest candidate and is excluded.
>
> This scenario is dealt with in the "Next step" section of the screen by displaying the asterisk as indicated in the paragraph 2 statement above and by presenting the following material immediately after it :-

" * He/she had a smaller number of votes at an earlier count than the other lowest candidate(s) with equal votes."

This table follows:-

VOTES, COUNT BY COUNT

Candidate	Votes at end of :		
	First count	**Second count**	Third count
Bree, Declan (Lab.)	672	872	912
Brennan, Matt (F.F.)	672	**742**	912

Notes on columns in "Votes, count by count" table

1. <u>Candidate</u>   The candidates should be presented in ballot paper order, with no "Totals" row at the bottom. The entry in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">.

2. There should be a label over the other columns entitled "Votes at end of :"

3. <u>First Count</u>   The entry in this column should read, for each candidate, the number of votes credited to him/her at the end of the first count.

4. <u>Second [etc.] Count</u>   The entry in this column should read, for each candidate, the number of votes credited to him/her at the end of the count in question. Data should be entered for <u>each</u> count up to and including the count <u>before</u> the current count. The system should search the data for any candidates who had fewer votes than all the other candidates at the earliest count and highlight his/her name in the "Candidate" column, together with the "votes" figure and the column heading.

The system should then proceed automatically with the distribution of the lowest candidate's votes in the next count, except in cases, as outlined in paragraph 2, where the exclusion of the lowest candidate equates the number of continuing candidates to the number of seats remaining unfilled.

Where the two or more lowest candidates had equal votes at all counts, the returning officer must draw lots to determine which candidate is the lowest and should be excluded. The candidates are excluded in the order in which their names are drawn.

In such cases no candidate is highlighted in the "votes count-by-count" table (i.e. two or more candidates are the lowest candidates and had equal votes at all counts). The space for the candidate's name in the statement in paragraph2 (which should not include an asterisk) should be left blank and **the system should stop conducting the count** because drawing of lots is required to determine the order of exclusion of the lowest candidates. A dialog box should be presented to the user saying "Drawing of lots is required after Count [No.] to determine the order of exclusion of candidates". The dialog box should present two options:-

❑ <u>Close</u>   This stops the count. The user would be able to view/print all count screens up to and including the current statement screen. It would not be possible to view/print any screens after the current statement screen, as the progress of the count will be affected by the drawing of lots. To-restart the count, the user would click the "Counting of votes" button - the statement screen would then be displayed again with the dialog box outlined above. The user would click the "Draw lots" button in the dialog box and proceed.

❑ <u>Draw lots</u> When clicked, the incomplete statement screen would be presented again for the user to draw lots to determine the order of exclusion of candidates. When the user confirms the order of exclusion of candidates as

entered in the system following the drawing of lots, the system proceeds automatically with the count

When the user clicks "Draw lots" in the dialog box, the incomplete statement screen should be presented again with the following additional material below the table of votes count-by-count :-

"Drawing of lots is required between the following [No.] candidates – who are the lowest candidates and had equal votes at all counts – to determine the order in which they should be excluded :-"

This table containing follows this statement :-

EQUALITIES OF VOTES

Candidate	Drawn in Lots
Doyle, Frank (F.F.)	3
Grace, Tom (F.G.)	4
Mapother, Ita (Lab.)	1
Searle, Tina	2

Notes on columns in "Equalities of Votes" table

1.   Candidate   The candidates should be presented in ballot paper order, with no totals" row at the bottom. The entry in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">.

2.   Drawn in lots When the user places the cursor anywhere in this column, a dialog box should be presented, saying "Please draw lots for the listed candidates and click candidate boxes in this column, in the order in which they are drawn, up to one less than the number of candidates in the table".

The first clicking of a candidate's box inserts a "1" in the box. A second clicking in that box deletes the "1". The next clicking in another candidate's box inserts a "2" in that box and a repeated click in that box deletes the "2", thus enabling a "2 to be inserted in another box by clicking.   And so on. The system should require the user to order candidates up to a maximum of one less than the number of candidates in the table. If the user tries to close the screen or move to another screen without clicking the required number of boxes, a dialog box should be presented, saying, "Please complete the ordering of exclusion of candidates in the "Drawn in lots" column." When the required number of boxes have been clicked, the system should automatically insert the lowest ranking in the sole candidate box, which has not got a ranking. e.g. if five out of six candidates have been ranked by clicking, the system automatically inserts "6" in the box with no ranking. When this is done, the system should present a dialog box saying "You can amend the order of candidate exclusion until you click the "Confirm order of candidate exclusion" button. OK". The user should be able to amend this order of candidates by clicking again in either the box marked with the lowest ranking or in the box with the second lowest ranking. He/she should be able to delete all rankings by clicking in turn through them backwards to "1". If all rankings are deleted from the table, the same dialog box should be presented again. Immediately below the table, there should be a button entitled "Confirm order of candidate exclusion" which should not become active until all candidates have been ranked in the table and which should be de-activated if any user deletes any rankings. Once the button is active and clicked, it should re re-titled "Order of candidate exclusion confirmed" and should be de-activated unless the entire count is run again. It should not be possible to amend the order of candidate exclusion as entered in the table and the name of the candidate ranked "1" should be entered in the statement outlined in paragraph 2. In cases where there is more than one other equal lowest candidate, their relative rankings should

be retained in the system for use in the event of further candidate

exclusions later.

Also, this statement should be presented below the "Order of candidate exclusion

confirmed" button –

"Following the drawing of lots, the votes of the lowest candidates with equal

votes at all counts will be distributed, as necessary, in the following order :-

 <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or

"blank">

[etc.]"

[The candidates should be listed in the order of their ranking in the table above,

beginning with the candidate ranked "1".]

4.   Applying "lots" order of candidate exclusion to subsequent exclusions

In a case where, after a distribution of votes, the order of exclusion of two or more

lowest candidates with equal votes at all counts was determined by an earlier

drawing of lots involving lowest candidates, the statement outlined in paragraph 2

should be presented with an asterisk after "largest" and the following footnote

below the statement:-

" * It was determined by the drawing of lots after Count [No.] that this lowest

candidate would be excluded before the remaining lowest candidates who had

equal votes at all counts."

5.   Exclude two or more lowest candidates together

See section 9 entitled "LOGIC FOR EXCLUDING TWO OR MORE LOWEST CANDIDATES

TOGETHER".

In cases where the next step is the exclusion of the two or more lowest candidates together, the second entry in the "Next step" section should be as follows :-

"The [No.] lowest candidates will now be excluded together because the sum of their votes, together with any surplus not distributed, is less than those of the next lowest candidate and

❑   [Either] the second lowest candidate has already saved his/her deposit.

❑   [Or] the exclusion of the candidates separately could not save any deposit of theirs that is not already saved.

The candidates being excluded are :-

<First Name(s)> or <Initial(s)> <Surname>, <Party Abbrev. or "Non-P" or "blank"> who has [No.] votes

[etc.]"

[The candidates should be listed in ascending order of their votes, viz. the lowest candidate should be on the top of the list and the highest candidate on the bottom. Where candidates have equal votes, they should be listed in ballot paper order, with the candidate listed first on the ballot paper listed above the other candidate(s) with equal votes.]

If the exclusion of the lowest candidates leaves the number of continuing candidates equal to the number of remaining seats, a "filling of last seat(s)" shortcut arises – see section 25 entitled "**STATEMENT SCREEN/PRINT : NEXT STEP SECTION - FILLING OF LAST SEAT(S) SHORTCUT**".

If not, the following material follows:-

"All their votes, totalling [No.], will be distributed in the next count."

While candidates with equal votes may be included in a multiple exclusion, they will never each have the <u>largest</u> number of votes of the candidates being excluded.

Thus, the issue of distinguishing between them for multiple exclusion purposes does not arise.

ELECTRONIC COUNTING

COUNT MENU

SECTION 25 : STATEMENT SCREEN/PRINT : NEXT STEP SECTION : FILLING OF LAST SEAT(S) SHORTCUT

See section 22 entitled "SCREENS/PRINTS : STATEMENT"

See section 11 entitled "FILLING OF LAST SEAT(S)".

1.   Introduction

This note deals with the presentation in the Next Step section of the Statement screen of "filling of last seat(s)" shortcuts, which can arise in one of the following situations:-

❑   the number of continuing candidates is equal to the number of seats remaining unfilled,

❑   the number of continuing candidates is one greater than the number of unfilled seats,

❑   there is one unfilled seat.

Each of these cases is dealt with below.

2.   Continuing candidates = unfilled seats

One situation in which this shortcut applies is when the distribution of votes in the previous count results in one or more candidates reaching/exceeding the quota, leaving the number of continuing candidates equal to the number of seats

remaining unfilled. In this case, the following should be stated in the Next Step section of the Statement screen–

"As the number of continuing candidates equals the number of unfilled seats, the continuing candidates are deemed to be elected without reaching the quota, as follows:-

 <First Name(s)> or <Initial(s)> <Surname>, <Party Abbrev. or "Non-P" or "blank"> who has [No.] votes

Etc.,"

[Such continuing candidates should be listed in the descending order of their votes, beginning with the candidate with the largest number of votes. Candidates elected with equal votes should be displayed in ballot paper order, with the candidate listed first on the ballot paper listed above the other candidate(s) with equal votes.]

"As all seats are now deemed to be filled, the formal declaration of the result may now be made."

The other situation in which this shortcut can apply is following the decision to exclude the lowest candidate(s) [but before his/her/their votes are distributed in the next count] when the number of continuing candidates then equals the number of seats remaining unfilled. The text for these cases would come after the following material in the Next Step section of the Statement screen–

EITHER -

"<First Name(s)> or <Initial(s)>,   <Surname> will now be excluded because he/she is the lowest[1] candidate."

OR -

"The [No.] lowest candidates will now be excluded together because the sum of their votes is less than those of the next lowest candidate and

❑   [Either] the second lowest candidate has already saved his/her deposit.

---

[1] Where two or more lowest candidates have equal votes, the relevant material on distinguishing between such candidates set out in section 24 entitled "**STATEMENT SCREEN/PRINT : NEXT STEP SECTION - EXCLUDE THE LOWEST CANDIDATE(S)"** should be included in this entry.

❑　　　[Or] the exclusion of the candidates separately could not save any deposit of theirs that is not already saved.

The candidates being excluded are :-

<First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank"> who has [No.] votes

[Etc.,]"

[The candidates should be listed in ascending order of their votes; viz. the lowest candidate should be on the top of the list and the highest candidate on the bottom. Where candidates have equal votes, they should be listed in ballot paper order.]

The shortcut material in such a case is as follows:-

"The exclusion of this/these candidate(s) leaves the number of continuing candidates equal to the number of unfilled seats. Consequently, the continuing candidates are deemed to be elected without reaching the quota, as follows:-

 <First Name(s)> or <Initial(s)> <Surname>, <Party Abbrev. or "Non-P" or "blank"> who has [No.] votes

Etc.,"

[Such continuing candidates should be listed in the descending order of their votes, beginning with the candidate with the largest number of votes. Candidates elected with equal votes should be displayed in ballot paper order.]

"As all seats are now deemed to be filled, the formal declaration of the result may now be made."

The provisions of section 26 (about distributing surpluses - after remaining seats have been filled by way of shortcut - to see if the deposits of any continuing candidates can be saved) do not apply to this shortcut because there are no continuing candidates.

3.   **Continuing candidates exceed unfilled seats by one**

This shortcut applies when the number of continuing candidates is one greater than the number of seats remaining unfilled <u>and</u> the total of the votes credited to the lowest continuing candidate, together with any surplus(es) not transferred, is less than the number of votes credited to the next highest continuing candidate. In such cases, the continuing candidates, with the exception of the lowest candidate, are deemed to be elected.

This shortcut applies immediately following a <u>distribution of votes</u>. It does <u>not</u> apply immediately following the <u>decision</u> to exclude the lowest candidate(s) but before the vote <u>distribution</u> in the next count.

Where this case applies, the Next Step section of the Statement screen will not have material about candidate exclusions and distributing his/her/their votes in the next count. Instead, the following should be stated –

"As there is one continuing candidate more than seats remaining unfilled and the total of the votes credited to the lowest continuing candidate, together with any surplus(es) not transferred, is less than the number of votes credited to the next highest continuing candidate, the following continuing candidates, with the exception of the lowest candidate, are deemed to be elected without reaching the quota:-

<First Name(s)> or <Initial(s)> <Surname>, <Party Abbrev. or "Non-P" or "blank"> who has [No.] votes

Etc.,"

[Such continuing candidates should be listed in the descending order of the magnitude of their votes, beginning with the candidate with the <u>largest</u> number of votes. Candidates elected with equal votes should be displayed in ballot paper order.]

"As all seats are now deemed to be filled, the formal declaration of the result may now be made."

See section 26 about distributing surpluses - after remaining seats have been filled by way of shortcut - to see if any deposits can be saved.

4.   <u>One unfilled seat</u>

When only one seat remains unfilled <u>and</u> the votes of the highest continuing candidate exceed the total of the votes of all other continuing candidates, together with any surplus(es) not transferred, the highest continuing candidate is deemed to be elected.

This shortcut applies following a <u>distribution of votes</u>. It does <u>not</u> apply immediately following the <u>decision</u> to exclude the lowest candidate(s) but before the vote <u>distribution</u> in the next count.

Where this case applies, the Next Step section of the Statement screen will not have material about candidate exclusions and distributing his/her/their votes in the next count. Instead, the following should be stated –

 "As there is one seat remaining unfilled <u>and</u> the votes of the highest continuing candidate exceed the total of the votes of all other continuing candidates, together with any surplus(es) not transferred, the highest continuing candidate is deemed to be elected without reaching the quota, as follows:-

<First Name(s)> or <Initial(s)> <Surname>, <Party Abbrev. or "Non-P" or "blank"> who has [No.] votes.

As all seats are now deemed to be filled, the formal declaration of the result may now be made."

See section 26 about distributing surpluses - after remaining seats have been filled by way of shortcut - to see if any deposits can be saved.

ELECTRONIC COUNTING

COUNT MENU

SECTION 26 : STATEMENT SCREEN/PRINT : NEXT STEP SECTION : DISTRIBUTING SURPLUS(ES) TO SAVE DEPOSIT(S)

See section 22 entitled "SCREENS/PRINTS : STATEMENT"

See section 11 entitled "FILLING OF LAST SEAT(S)".

See section 14 entitled "THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS".

1.   Introduction

This note deals with the presentation in the Next Step section of the Statement screen of further surplus distributions **where the remaining seat(s) has/have been filled by way of certain shortcuts**. In these cases, any available surplus(es) which could possible save the deposits of continuing candidates (i.e. candidates neither elected nor excluded at the end of the count proper) must be distributed afterwards.

Where one of the relevant shortcuts applies but the issue of further surplus distributions does not arise, either because there is no continuing candidate(s) or because there is no available surplus or because the sum of the available surplus(es) could not possible save the deposits of any continuing candidate, no reference should be made in the Next Step section of the Statement screen to this aspect of the count rules.

Where one of the relevant shortcuts applies and the issue of further surplus distributions arises, the material to be included in the Next Step section of the

screen is set out below. The system should proceed automatically with the surplus distribution, even though all seats are filled.

2.   **"Surplus distribution" statement screen after filling of last seat(s)**

The following material should be displayed <u>after</u> the phrase "The formal declaration of the result may now be made." :-

"Continuing candidates need to secure a minimum of [No.][1] votes to recover their deposits. There is/are an available surplus(es) amounting to [No.] votes, as follows :-
[This table follows:-]

Candidate	Votes in surplus	Surplus arose on -
Fergus Pyle (F.F.)	652	Second count
Conor Brady	375	Fourth count

Notes on table

❑ <u>Candidate</u>   If there is more than one surplus, the candidates concerned should be listed in the order of the size of their surpluses, beginning with the largest, in the form <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank"> . Candidates who obtained an exact quota of votes should not be included. Where two or more candidates have equal surpluses arising from <u>different</u> counts, the candidate(s) whose surpluses arose

---

[1][In the case of a Dáil bye-election, the figure entered here should have the following footnote on screen/print: "The threshold for recovery of the deposit at Dáil bye-elections is based on the total number of seats in the constituency at the previous general election, viz. [total number of seats in the constituency at the previous general election] seats."]

at the earliest count(s) should be listed first. Where two or more candidates have equal surpluses arising from the <u>same</u> count, the candidates should be listed in ballot paper order.

❑ <u>Votes in Surplus</u>   This column should show, for each candidate, the number of votes in his/her surplus.

❑ <u>Surplus arose on:</u>   This column should show, for each candidate, the number of the count at which his/her surplus arose, i.e. First count, Second count, etc.

"This/these surplus(es) could save the deposits of (one or more of) the only/following continuing candidate(s):-

<First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank"> who has [no.] votes and needs a further [No.] votes to save his/her deposit

[etc.]"

[If there is more than one continuing candidate whose deposits could possible be saved by the distribution of the available surplus(es), they should be listed in descending order of their votes, viz. the highest candidate should be on the top of the list and the lowest candidate on the bottom. Where candidates have equal votes, they should be listed in ballot paper order, with the candidate listed first on the ballot paper listed above the other candidate(s) with equal votes.]

FOLLOWED BY EITHER –

[Where there is only one available surplus] "<First Name(s)> or <Initial(s)>, <Surname>'s surplus of [No.] votes will be distributed in the next count."

OR –

[Where there is more than one available surplus] "<First Name(s)> or <Initial(s)>, <Surname>'s surplus of [No.] votes will be distributed in the next count because it is the largest[2] available surplus."

---

[2] Where the two or more largest surpluses are equal, the relevant material on distinguishing between such

The system should then proceed with the distribution of the (largest) surplus, presenting the normal surplus distribution screen/print (section 19), and Count result and State of the poll screens/prints (section 21), subject to the inclusion in a prominent position on each such screen/print of the statement "ALL SEATS HAVE BEEN FILLED". A summary of the count should be included in the ongoing Result Sheet (see section 27) and in the "Current count/Next step" report (see section 22), and the transfer and location of votes should be recorded in the lists of individual votes (see section 28).

3.   Subsequent "surplus distribution" statements

The second and subsequent surplus distribution statement screens/prints presented after the remaining seat(s) was/were filled by (a) candidate(s) without reaching the quota should be a limited version of the normal statement screen/print, as follows:-

The label at the top of the screen should specify the election type, constituency name, the poll date, the type of screen (i.e. "Statement"), the count number and the number of seats to be filled.

The top section of the statement is as follows:-

"ALL SEATS HAVE BEEN FILLED.
The minimum number of votes required to recover the deposit at this election is [No.][3] votes."

---

surpluses set out in section 23 entitled "**STATEMENT SCREEN/PRINT : NEXT STEP SECTION – DISTRIBUTE THE ONLY/LARGEST AVAILABLE SURPLUS**" should be included in this entry.

[3] In the case of a Dáil bye-election, the figure entered here should have the following footnote on screen/print : "The threshold for recovery of the deposit at Dáil bye-elections is based on the total number

"<First Name(s)> or <Initial(s)>, <Surname>'s surplus of ☐ votes was distributed in this count as it could (in combination with the other available surplus(es)) save the deposit(s) of (the only) continuing candidate(s) at the time the remaining seat(s) was/were filled."

FOLLOWED BY EITHER –

"The following continuing candidate(s) has/have now saved his/her/their deposit(s) :-

<First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank">who has [no.] votes

[etc.]"

 [If there is more than one continuing candidate whose deposit has been saved, they should be listed in descending order of their votes, viz. the highest candidate should be on the top of the list and the lowest candidate on the bottom. Where candidates have equal votes, they should be listed in ballot paper order, with the candidate listed first on the ballot paper listed above the other candidate(s) with equal votes.]

OR – "The distribution of this surplus did not save the deposit of any/the only continuing candidate(s)."

FOLLOWED BY EITHER –

 "There is no other surplus available for distribution. All counts are now finished."

 OR –

"All continuing candidates at the time the remaining seat(s) was/were filled have now saved their deposits. All counts are now finished."

 OR –

---

of seats in the constituency at the previous general election, viz. [total number of seats in the constituency at the previous general election] seats."

"There is/are still (an) available surplus(es) amounting to [No.] votes, as follows:-
"

[This table follows:-]

Candidate	Votes in surplus	Surplus arose on -
Fergus Pyle (F.F.)	652	Second count
Conor Brady	375	Fourth count

Notes on table

❑ <u>Candidate</u>   If there is more than one surplus, the candidates concerned should be listed in the order of the size of their surpluses, beginning with the largest, in the form <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank"> . Candidates who obtained an exact quota of votes should not be included. Where two or more candidates have equal surpluses arising from <u>different</u> counts, the candidate(s) whose surpluses arose at the earliest count(s) should be listed first. Where two or more candidates have equal surpluses arising from the <u>same</u> count, the candidates should be listed in ballot paper order.

❑ <u>Votes in Surplus</u>   This column should show, for each candidate, the number of votes in his/her surplus.

❑ <u>Surplus arose on:</u>   This column should show, for each candidate, the number of the count at which his/her surplus arose, i.e. First count, Second count, etc.

"The following continuing candidate(s) at the time the remaining seat(s) was/were filled has/have not saved his/her/their deposit(s):-
<First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank"> has [no.] votes and needs a further [No.] votes to save his/her deposit [etc.]"

[If there is more than one continuing candidate whose deposit has not been saved, they should be listed in descending order of their votes, viz. the highest candidate should be on the top of the list and the lowest candidate on the bottom. Where candidates have equal votes, they should be listed in ballot paper order, with the candidate listed first on the ballot paper listed above the other candidate(s) with equal votes.]

FOLLOWED BY EITHER –

"The available surplus(es) could save the deposit(s) of (one or more of) the (only) continuing candidate(s) at the time the remaining seat(s) was/were filled.

 FOLLOWED BY EITHER –

  [Where there is only one available surplus] "<First Name(s)> or <Initial(s)>, <Surname>'s surplus of [No.] votes will be distributed in the next count."

 OR –

 [Where there is more than one available surplus] "<First Name(s)> or <Initial(s)>, <Surname>'s surplus of [No.] votes will be distributed in the next count because it is the largest[4] available surplus."

OR –

"The available surplus(es) could not possibly save the deposit(s) of any continuing candidate. No further surplus distribution will, therefore, be made. All counts are now finished."

These screens should be printable. It should be possible to view and print these screens at any stage after the system has generated it.

---

[4] Where the two or more largest surpluses are equal, the relevant material on distinguishing between such surpluses set out in section 23 entitled "**STATEMENT SCREEN/PRINT : NEXT STEP SECTION – DISTRIBUTE THE ONLY/LARGEST AVAILABLE SURPLUS"** should be included in this entry.
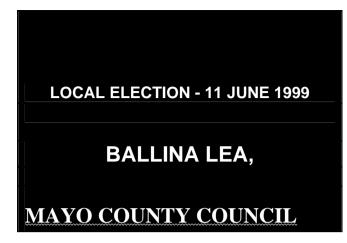
ELECTRONIC COUNTING

COUNT MENU

SECTION 27 : PRINT : RESULT SHEET (DURING COUNT)

When clicked the "Result sheet (during count)" button for each count in the Count Menu should generate a printed result sheet summarising progress to date on the overall count. The format of the result sheet is set out in the attached sheet. Elected candidates should be shown in the "Elected candidates" box at the top of the sheet according as, and in the order in which, they are elected. Candidates are elected in the order of the count at which they were elected. Candidates elected at the same count are elected in the order of the magnitude of their surpluses beginning with the largest. Where two or more candidates are elected on the same count with either equal or no surpluses or where they are elected with equal votes but without reaching the quota, they should be entered in the box in ballot paper order with the candidate first listed on the vote listed highest in the box.   Drawing of lots may be required in the Post–Count "Order of election (local elections)" screen to determine the statutory order of election of local election candidates, which will then be reflected in the "Declaration of result" print and in the "Elected candidates" box in the Post–Count Result sheet.

Where the Result sheet runs over more than one A4 page, the top section of the sheet, the column headings (with count numbers adjusted) and the row headings (i.e. list of candidates) should be repeated on second and subsequent pages. A header/footer on each page should indicate the number of the current page and the total number of pages in the Result sheet.

There should be a facility for printing the Result Sheet on page sizes larger than A4. Each time the "Result Sheet (during count)" button is clicked at a local election a dialog box should be presented before the result sheet is printed saying "see Post-Count Result Sheet for statutory order of election. OK".

LOCAL ELECTION - 11 JUNE 1999

BALLINA LEA,

MAYO COUNTY COUNCIL

TOTAL ELECTORATE	18,303
	162
INVALID BALLOT PAPERS	
VALID POLL	11,095
NUMBER OF SEATS	6
QUOTA	1,586

NAMES OF CANDIDATES ELECTED

ANNIE MAY REAPE (F.F.)   STEPHEN MOLLOY (F.F.)

EDDIE STAUNTON (F.G.)

SEAMUS WEIR (F.G.)

ERNIE CAFFREY (F.G.)

BRIAN GOLDEN (F.F.)

NAMES OF CANDIDATES (10 No.) (* Denotes outgoing member)	First Count Number of Votes	Second Count Transfer of **Reape, A's** Surplus and Result	Third Count Transfer of **Flynn, B's** Votes and Result	Fourth Count Transfer of **Clarke, J's** Votes and Result	Fifth Count Transfer of **Munnelly, V's** Votes and Result	Sixth Count Transfer of **Staunton, E's** Surplus and Result	Seventh Count Transfer of **Weir, S's** Surplus and Result
* CAFFREY, ERNIE (F.G.)	**1,629**	**1,629**	**-** **1,629**	**-** **1,629**	**-** **1,629**	**-** **1,629**	**-** **1,629**
Clarke, John (S.F.)	610	+23 633	+16 649	- 649 -	-	-	-
Flynn, Bernard	334	+9 343	- 343 -	-	-	-	-
* GOLDEN, BRIAN (F.F.)	**1,069**	**+25** **1,094**	**+24** **1,118**	**+99** **1,217**	**+287** **1,504**	**+27** **1,531**	**+14** **1,545**
* MOLLOY, STEPHEN (F.F.)	**1,206**	**+29** **1,235**	**+52** **1,287**	**+66** **1,353**	**+28** **1,381**	**+4** **1,385**	**+1** **1,386**
Munnelly, Vinnie (F.G.)	886	+7 893	+13 906	+58 964	- 964 -	-	-
O'Donnell, John (F.F.)	1,107	+92 1,199	+19 1,218	+104 1,322	+11 1,333	+1 1,334	+5 1,339

LOCAL ELECTION - 11 JUNE 1999

BALLINA LEA,

MAYO COUNTY COUNCIL

TOTAL ELECTORATE	**18,303**
INVALID BALLOT PAPERS	**162**
VALID POLL	**11,095**
NUMBER OF SEATS	**6**
QUOTA	**1,586**

NAMES OF CANDIDATES ELECTED

ANNIE MAY REAPE (F.F.)   **STEPHEN MOLLOY (F.F.)**

EDDIE STAUNTON (F.G.)

SEAMUS WEIR (F.G.)

ERNIE CAFFREY (F.G.)

BRIAN GOLDEN (F.F.)

	First Count	Second Count	Third Count	Fourth Count	Fifth Count	Sixth Count	Seventh Count
* REAPE, ANNIE MAY (F.F.)		- 232					
	1,818	1,586	1,586	1,586	1,586	1,586	1,586
* STAUNTON, EDDIE (F.G.)		+19	+90	+40	+396	- 135	
	1,176	1,195	1,285	1,325	1,721	1,586	1,586
WEIR, SEAMUS (F.G.)		+28	+81	+61	+111	+103	- 58
	1,260	1,288	1,369	1,430	1,541	1,644	1,586
			+48	+221	+131	-	+38
Non-transferable papers not effective	-	-	48	269	400	400	438
TOTAL	11,095	11,095	11,095	11,095	11,095	11,095	11,095

ELECTRONIC COUNTING

COUNT MENU

SECTION 28 : PRINTS : LISTS OF INDIVIDUAL VOTES

See section 16 entitled "MIXING, NUMBERING AND TRANSFER OF INDIVIDUAL VOTES".

1. Introduction

There are two printed lists involved here.

The first list is entitled **"Individual votes transferred in count [N]"** – a sample follows:-

INDIVIDUAL VOTES TRANSFERRED IN COUNT [N][1]

[Election Type]   [Constituency Name]   Date of poll: [dd month year]

Number of seats: [N]   Number of Candidates: [N]

Electorate [N]   Votes recorded [N]

Quota:[N]   Minimum number of votes required to save deposit:[N]

---

[1] Each vote transferred in the count is shown twice, viz. under the candidate <u>from</u> whom it is transferred and under the candidate <u>to</u> whom it is transferred.

<u>The **269** votes of the following excluded candidate(s) were distributed in this count:-</u>

4. **<u>Mary Humphries (F.F.)</u>** <u>who had **86** votes:-</u>

    Vote numbers 3, 5, 9, etc.

5. **<u>Brendan McFadden (P.D)</u>** <u>who had **115** votes:-</u>

    Vote numbers 6, 25, 98, etc.

6. **<u>Stephen Price (Non-P)</u>** <u>who had **68** votes:-</u>

    Vote numbers 1, 15, 44, 72, etc.

<u>Henry Abbott (F.F.)</u> <u>received the following **63** votes in the following order:-</u>

    Vote numbers 17, 32, 45, etc.

<u>Benny Cooney (Non-P)</u> <u>received the following **98** votes in the following order:-</u>

    Vote numbers 16, 45, 72, etc.

<u>The following **40** votes became **non-transferable not effective** in the following order:-</u>

    Vote numbers 35, 66, 88, etc.

<u>Notes on "Individual votes transferred in count [N]" table</u>

The label at the top of the list should specify the election type, constituency name, the poll date, the type of list (i.e. "Individual votes transferred this count"), the count number and the total number of seats to be filled.

The top section of the list should display the following standard information for the election:-

- ❑ Number of candidates
- ❑ Electorate
- ❑ Votes recorded

❑   Quota, and

❑   (Minimum number of votes) Required to save deposit.

The first section of the list names (in the format <Surname>, <First Name(s)> or <Initial(s)>, followed by the designated abbreviation(s) for the registered political party (or by Non-P or blank)) the candidate whose surplus was distributed in the current count or the excluded candidate(s) whose votes were transferred, accompanied by the total number of votes transferred from each candidate and the total number of votes transferred in the count. The numbers of the votes transferred from each candidate are listed in ascending order under the candidate's name.

Each continuing candidate coming into the current count is then listed in ballot paper order. The label for each candidate is as follows: - <Surname>, <First Name(s)> or <Initial(s)>, followed by the designated abbreviation(s) for the registered political party (or by Non-P or blank). Also included in the label in bold is the total number of votes transferred to that candidate during the count. The numbers of the votes that have been transferred to that candidate in the current count should be listed below the label in ascending order of vote number. The numbers of the votes transferred in the current count to "non-transferable votes not effective" (N-TVNE) should be listed in ascending order of vote number as a separate category below the last continuing candidate. The N-TVNE category does not operate in the first count.

Note that each vote transferred in a count is shown <u>twice</u> in this list.

It should be possible to print this list at any stage after the system has generated it.

The second list entitled **"Location of <u>all</u> votes after count [N]"** has the same layout as the first. A sample follows:-

<u>LOCATION OF ALL VOTES AFTER COUNT [N]</u>

Election Type][Constituency Name]   Date of poll: [dd month year]

Number of seats: [N]   Number of Candidates: [N]

Electorate [N]   Votes recorded [N]

Quota:[N]   Minimum number of votes required to save deposit:[N]

Henry Abbott (F.F.) is credited with **7415** votes as follows:-

<u>415 votes received in Count [N]:-</u>
   Vote numbers 17, 32, 45, etc.

<u>1000 votes received in Count [N-1]:-</u>
   Vote numbers etc.

<u>6000 votes received in Count [N-2]:-</u>
   Vote numbers etc.

1000 votes are **non-transferable not effective** as follows:-

<u>800 votes became non-transferable not effective in Count [N]:-</u>
   Vote numbers 17, 32, 45, etc.

<u>200 votes became non-transferable not effective in Count [N-1]:-</u>
   Vote numbers 17, 32, 45, etc.

Notes on "Location of all votes after count [N]" table

The list sets out for each elected or continuing candidate listed in ballot paper order the numbers of <u>all</u> the votes held after the current count. No entry is shown for excluded candidates whose votes have all been distributed. The vote numbers of candidates with a quota of votes should be shown.

The vote numbers are grouped in descending order of the count at which they were credited to the candidate, i.e. the most recent count is displayed at the top and so on down to the first count. The vote numbers within each count are listed in ascending order of vote number.   The label for each count should also specify the total number of votes transferred to the candidate in the count in question.

It should be possible to print this list at any stage after the system has generated it.

ELECTRONIC COUNTING

SECTION 29 : POST-COUNT MENU

When opened, the Post-Count Menu should present the following buttons :-

1. Order of elections (local elections only)

2. Post-Count Result sheet

3. Result Sheet in Word format

4. Declaration of result

5. Deposit(s) saved report

6. Deposit(s) lost report

7. Lots drawn report

8. Election report

9. Election statistics

10. Print votes as ballot papers

ELECTRONIC COUNTING

POST-COUNT MENU

SECTION 30 : SCREEN/PRINT: ORDER OF ELECTION (LOCAL ELECTIONS ONLY)

See section 13 entitled "ORDER OF ELECTION AT LOCAL ELECTIONS" and section 12 entitled "DRAWING LOTS".

1. Introduction

Statutory rules for order of election set out in section 12 apply at local elections only. These rules include drawing lots to determine the relative order of election of candidates who were elected –

- ❑ with equal surpluses on same count; or
- ❑ with no surpluses on same count; or
- ❑ without reaching the quota and with equal votes;

and who cannot be distinguished mathematically under the local election count rules.

When the "order of election (local elections only)" button is clicked at a local election, a screen should be presented outlining data relevant to order of election and providing for drawing of lots where necessary. This screen should be printable and accessible subsequently.

The "order of election (local elections only)" button should be de-activated for any other election.

2. Description

The order of election screen at a local election should be set up as follows :-

The label at the top of the screen should specify the election type, constituency name, the poll date, the type of screen (i.e. "Order of election at a local election") and the number of seats to be filled.

The next section should comprise a table as follows:-

Candidates in order of election

Candidate	Elected on count no.	No. of votes in surplus	Total no. of votes	Order of election
Proulx, Annie (F.F.)	2	6		1.
Loyola, Ignatius (Lab.)	2	4		2.
Abbott, Henry (F.F.)	3	0		3.
Walsh, John	4		654	4.*
Breen, Dan (F.G.)	4		654	5.

* See table(s) below

Notes on columns in "Candidates in order of election" Table

❑ Candidate This column should list the candidates in order of election, i.e. in the order of the count at which they were elected (see section 13). The entry in this column should read, for each such candidate, <Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">.

❑ Elected on count no.

- No of votes in surplus : Where a candidate is elected with no surplus, "0" (zero) should be entered. There should be no entry in this column for candidates elected without reaching the quota.

- Total no. of votes : there should be an entry in this column only for candidates elected without reaching the quota. The entry should be the number of votes the candidate had at the time of his/her election.

- Order of election : In cases where two or more candidates are deemed to be elected -

  - with equal surpluses on same count; or

  - with no surpluses on <u>same</u> count [where two or more candidates are deemed to be elected with equal/no surpluses on <u>different</u> counts, the candidate(s) elected at the earliest count(s) is/are deemed to be elected first]; or

  - without reaching the quota and with equal votes;

  the candidate with the largest number of votes at the earliest count at which two or more of such candidates had unequal votes is deemed to be elected first and should be listed above the other(s) in this table with an asterisk in the "Order of election" column and a footnote as shown above. In such cases the following table should be presented below the "Candidates in order of election" table.

Votes, count by count

Candidate	Votes at end of :			
	First Count	**Second Count**	**Third Count**	**Fourth Count**
Breen, Dan (F.G.)	426	527	548	654
Walsh, John	426	527	563	654

Notes on columns in "Votes, count by count" table

1. <u>Candidate</u>   The candidates should be presented in ballot paper order, with no "Totals" row at the bottom. The entry in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or "Non-P" or "blank">.

2. <u>First Count</u>   The entry in this column should read, for each candidate, the number of votes credited to him/her at the end of the first count.

3. <u>Second Count [etc.]</u>   The entry in this column should read, for each candidate, the number of votes credited to him/her at the end of the count in question. Data should be entered for every count. The system should search the data for the candidate who had more votes than all the other candidates at the earliest count and highlight his/her name in the "Candidate" column, together with the "votes" figure and the column heading.

The candidate highlighted in the table should be listed in the following statement –

"<First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank"> is deemed to be elected first because he/she had a greater number of votes at an earlier count than the other candidate(s) listed in the "Votes, count by count" table."

Were there are two or more equalities relevant to order of election at the same local election, there should be a separate "Votes, count by count" table and statement for each equality.

In cases where no candidate is highlighted in the table (i.e. where two or more candidates have equal/no surpluses arising from the same count or where two or more candidates with equal votes were elected without reaching the quota and

had, in either case, equal votes at all counts), they should be listed in the table in italics and in ballot paper order in the "Candidates in order of election" table, and no figure should be entered for them in the "order of election" column of that table because drawing of lots is required to determine the order of their election. A dialog box should be presented to the user saying, "Drawing of lots is required to determine the order of election of two or more candidates". The dialog box should present two options:-

❑ <u>Close</u>   This closes the order of election screen.

❑ <u>Draw lots</u> When the user clicks "Draw lots" in the dialog box, the incomplete order of election screen should be presented again with the following additional material below the table of votes count-by-count :-

 "Drawing of lots is required between the following [No.] candidates to determine the order of their election :-"

This statement is followed by a table containing the following columns –

Draw lots for order of election

Candidate	Drawn in lots
Dickens, Charles (F.F.)	3
Seth, Vikram (Lab.)	1
Thackeray, William (G.P.)	2

Notes on "Draw lots for order of election" table

• <u>Candidate</u> The candidates should be presented in ballot paper order, with no "Totals" row at the bottom. The entry in this column should read, for each candidate, <Surname>, <First Name(s)> or <Initial(s)>, <Party Abbrev. or

"Non-P" or "blank">.

- <u>Drawn in lots</u>   When the user places the cursor anywhere in this column, a dialog box should be presented, saying "Please draw lots for the candidates listed in this table and click candidate boxes in this column, in the order in which they are drawn, up to one less than the number of candidates in the table". The first clicking of a candidate's box inserts a "1" in the box. A second clicking in that box deletes the "1". The next clicking in another candidate's box inserts a "2" in that box and a repeated click in that box deletes the "2", thus enabling a "2 to be inserted in another box by clicking. And so on. The system should require the user to rank candidates up to a maximum of one less than the number of candidates in the table. If the user tries to close the screen or move to another screen without clicking the required number of boxes, a dialog box should be presented, saying, "Please complete the ranking of the candidates in the "Drawn in lots" column." When the required number of boxes have been clicked, the system should automatically insert the lowest ranking in the sole candidate box that has not got a ranking. e.g. if two out of three candidates have been ranked by clicking, the system automatically inserts "3" in the box with no ranking. When this is done, the system should present a dialog box saying "You can amend the ranking until you click the "Confirm ranking" button. OK". The user should be able to amend the ranking by clicking again in either the box marked with the lowest ranking or in the box with the second lowest ranking. He/she should be able to delete all rankings by clicking in turn through them backwards to "1". If all rankings are deleted from the table, the same dialog box should be presented again, viz. "Please draw lots for the candidates listed in this table and click candidate boxes in this column, in the order in which they are drawn, up to one less than the number of candidates in the table". Immediately below the table, there should be a button entitled "Confirm order of election ranking" which should not become active until all candidates have

been ranked in the table and which should be de-activated if the user deletes any rankings.

When the "Confirm order of election ranking" button is active and clicked :-

- The button should re re-titled "Order of election ranking confirmed" and should be de-activated unless the entire count is run again; and

- the rows of the candidates concerned should be re-listed in the "Candidates in order of election" table in the order in which the candidates were drawn and with the correct overall figure entered for each such candidate in the "order of election" column.

- It should not be possible, subsequently, to amend the ranking of candidates as entered in the "Candidates in order of election" table, unless the count is run again.

Also, this statement should be presented below the "Order of election ranking confirmed" button –

"Following the drawing of lots, the candidates elected with [EITHER] equalities of surpluses on the same count [OR] no surpluses on the same count [OR] equal votes and without reaching the quota [FOLLOWED BY] are deemed to be elected in the following order :-
 <First Name(s)> or <Initial(s)>, <Surname>, <Party Abbrev. or "Non-P" or "blank">.
[etc.]"
[The candidates should be listed in the order of their ranking in the table above, beginning with the candidate ranked "1".]

The order of election shown in the "Candidates in order of election" table should be carried forward to the Post-Count Result Sheet.

ELECTRONIC COUNTING

POST-COUNT MENU

SECTION 31 : POST-COUNT RESULT SHEET

1.   General

When clicked after the count is finished, the "Post-Count Result sheet" button should generate a printed result sheet summarising progress on the entire count. A sample of the result sheet is set out in section 27entitled **"SCREENS/PRINT: RESULT SHEET (DURING COUNT)"**.

Where the sheet runs over more than one A4 page, the top section of the sheet, the column headings (with count numbers adjusted) and the row headings (i.e. list of candidates) should be repeated on second and subsequent pages. A header/footer on each page should indicate the number of the current page and the total number of pages in the result sheet.

There should be a facility for printing the result sheet on page sizes larger than A4.

2.   Elected Candidates (Local elections)

 In the case of local elections, each time a user clicks the "Post-count Result sheet" button and has not previously accessed the "Order of election (local elections only)" screen, the following dialog box should be presented :-
"You must access the "Order of election (local elections only)" screen before accessing this screen. OK" [This is to ensure that the statutory rules for order of election of local election candidates have been applied in the Post-Count Result sheet.]

Elected candidates should be shown in the "Elected candidates" box at the top of the sheet in the order in which they were elected as set out in the "Order of election (local elections only)" screen.

3. **Elected Candidates (other elections)**

Elected candidates should be shown in the "Elected candidates" box at the top of the sheet in the order in which they were elected, i.e. in the order of the count at which they were elected.

Where two or more candidates are elected on the same count with either equal or no surpluses or where they are elected with equal votes but without reaching the quota, they should be entered in the box in ballot paper order with the candidate first listed on the ballot paper listed highest in the box.

ELECTRONIC COUNTING

POST-COUNT MENU

SECTION 32 : RESULT SHEET IN WORD FORMAT

When clicked, the "Result sheet in Word format" should convert the Post-Count Result sheet described in section 32 into a Word document in identical format ready for printing on A4 and larger page sizes. This document should be stored in the system and via "Explorer", be capable of being printed and exported to a floppy disk or CD.

<u>**ELECTRONIC COUNTING**</u>

<u>**POST-COUNT MENU**</u>

<u>**SECTION 33 : PRINT : DECLARATION OF RESULT**</u>

When clicked, the "Declaration of result" button should print the following table:-

[Election Type]

Declaration of result

The following is the result of the poll taken on [Date of poll] to fill the [No. of seats.] in the constituency of [Name of constituency].

I declare the following candidates to be elected [in the case of local elections only : "in the following order"] :-

Name of candidate	Political Party	Address	Occupation
Máire Phipps	Non-Party	19, Ashfield Park, Templeogue, Dublin 6W	Secondary teacher
Seán Fleming		Ardara, Co. Donegal	Coillte Teo. employee
Budge Pountney	Fianna Fáil	3, Southdene, Douglas, Cork	Medical doctor
Aaron Parekh	Fine Gael	Cois Abhainn, Killorglin, Co. Kerry	Unemployed

[The attached result sheet sets out the total number of votes cast for each candidate, any transfer of votes made to each candidate and the total number of votes credited to each candidate at the end of the count at which such transfer took place.]

_____

Returning Officer

_____

Date

[There should be a header/footer on each page of the printed Declaration in the form   [Name of constituency]   [Date of Poll] Page [x] of [y] page(s)]

ELECTRONIC COUNTING

POST-COUNT MENU

SECTION 34 : PRINT: DEPOSIT(S) SAVED REPORT

When clicked, the "Deposit(s) saved report" button should print the following report:-

Deposit(s) saved report

[Election type]

Date of Poll : [Date of Poll]

[Name of constituency]

Number of votes required to save deposit: [No.[1]]

CANDIDATES WHO SAVED THEIR DEPOSITS

Candidate	Political Party	Comment
Girvan Dempsey	Fianna Fáil	Elected
Shane Horgan	The Labour Party	1268 votes
Kevin Maggs	Progressive Democrats	999 votes

---

[1] In the case of a Dáil bye-election, see section 14 entitled **"THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS".** In such cases**,** the figure entered here should have the following footnote : "The threshold for recovery of deposit at Dáil bye-elections is based on the total number of seats in the constituency at the previous general election, viz. [total number of seats in the constituency at the previous general election] seats."

Notes on columns in "Candidates who saved their deposits" table

❑ Candidate   This column should list the candidates in ballot paper order with the candidate listed first in the ballot paper listed first in the "Saved deposit" report, and so on.   The entry in this column should read, for each such candidate, <First Name(s)> or <Initial(s)> <Surname>

❑ Political Party   The entry in this column should be the full name of each registered political party, or "Non-Party". There should be no entry for candidates designated as "No Entry" in the candidate set-up in the Pre-Count Menu.

❑ Comment   Where candidates are elected, the word "Elected" should be displayed in this column. In other cases, the number of votes credited to the candidate at the end of the last count should be specified.

ELECTRONIC COUNTING

POST-COUNT MENU

SECTION 35 : PRINT: DEPOSIT(S) LOST REPORT

When clicked, the "Deposit(s) lost report" button should print the following report:-

[Election type]

Date of Poll : [Date of Poll]

[Name of constituency]

Number of votes required to save deposit: [No.[1]]

CANDIDATES WHO LOST THEIR DEPOSITS

Candidate	Political Party	Votes
Peter Clohessy	Fianna Fáil	0
Mick Galwey	The National Party	413
John Hayes		412
Keith Wood	Green Party	395

---

[1] In the case of a Dáil bye-election, see section 14 entitled **"THRESHOLD FOR RETURN OF DEPOSIT AT DÁIL BYE-ELECTIONS".** In such cases**,** the figure entered here should have the following footnote: "The threshold for recovery of deposit at Dáil bye-elections is based on the total number of seats in the constituency at the previous general election, viz. [total number of seats in the constituency at the previous general election] seats."

Notes on columns in "Candidates who lost their deposits" table

❑ <u>Candidate</u> This column should list the candidates in ballot paper order with the candidate listed first in the ballot paper listed first in the "Lost deposit" report, and so on.   The entry in this column should read, for each such candidate, <First Name(s)> or <Initial(s)> <Surname>

❑ <u>Political Party</u> The entry in this column should be the name of each registered political party, or "Non-Party". There should be no entry for candidates designated as "No Entry" in the candidate set-up in the Pre-Count Menu.

❑ <u>Votes</u> The entry here is, in the case of continuing candidates (i.e. candidates neither elected nor excluded at the end of the count), the number of votes such candidates had at the end of the count. In the case of excluded candidates, the entry here is the number of votes they had when they were excluded.

<u>**ELECTRONIC COUNTING**</u>

<u>**POST-COUNT MENU**</u>

<u>**SECTION 36 : PRINT: LOTS DRAWN REPORT**</u>

1. <u>**General**</u>

When clicked, the "lots drawn report" button should print details of any instances where lots were drawn in the course of the count. Where no lots were drawn during the count, clicking the button would generate the following dialog box : "No lots were drawn in this count. OK"

2. <u>**Details of report**</u>

The number of the count during/at the end of which the drawing of lots arose would head each entry. The possible entries are set out below.

<u>**Count X**</u>

<u>**Order of exclusion of candidates with lowest equal votes**</u>

"At the end of this count, lots were drawn between [N] lowest candidates with equal votes at all counts to determine the order in which they should be excluded.

The order in which the name(s) of the candidate or candidates was/were drawn for exclusion is as follows:-

- ❑ First: <First Name(s)> or <Initial(s)> <Surname>, followed by the designated abbreviation(s) of his/her political party, "Non-Party" or blank.
- ❑ [As necessary]Second:
- ❑ Third:

Etc."

The candidates concerned were excluded as follows:-

Candidate	Excluded in Count
<First Names(s)> or <Initial(s)> <Surname>, <Party Abbrev. etc.>	[N]

Count X

Order of distribution of equal surpluses arising on the same count

"At the end of this count, lots were drawn between [N] candidates with equal surpluses of [N] votes arising on count [N] who had equal votes at all counts to determine the order in which their surpluses should be distributed.

The order in which the name(s) of the candidate or candidates was/were drawn for distribution of their surplus(es)- is as follows:-

❑ First: <First Name(s)> or <Initial(s)> <Surname>, followed by the designated abbreviation(s) of his/her political party, "Non-Party" or blank.

❑ [As necessary]Second:

❑ Third:

Etc."

The surpluses concerned were distributed as follows:-

Candidate	Surplus distributed in Count
<First Names(s)> or <Initial(s)> <Surname>, <Party Abbrev. etc.>	[N]

Count X

Equal remainders in the distribution of a surplus

"During this count, the following [N] candidates with equal remainders of [0.NNNNNNNNN] in the distribution of a surplus also had equal sets of next preference votes in the "last set of votes" of the candidate whose surplus was being distributed, and they also had equal votes at all previous counts:-
 [List candidates in ballot paper order in the form <Surname>, <First Name(s)> or <Initial(s)> followed by the designated abbreviation(s) of his/her political party, "Non-Party" or blank.]

As the equal remainders could not be distinguished under the normal counting rules, lots were drawn between the listed candidates to determine which remainder(s) was/were deemed to be the largest for the purpose of attracting an additional vote in the surplus distribution.

The order in which the name(s) of the candidate or candidates was/were drawn – and consequently the order in which an he/she/they qualified for an additional vote in the surplus distribution - was as follows:-

❑ First: <First Name(s)> or <Initial(s)> <Surname>, followed by the designated abbreviation(s) of his/her political party, "Non-Party" or blank.

❑ [As necessary]Second:

❑ Third:

Etc."

[N.B. The names of candidates whose equal remainders did not attract an additional vote should be omitted from the list.]

Post-Count

Equalities relating to order of election of candidates at a local election

"After the count, lots were drawn to determine the order of election of [N] candidates who were elected -

- ❑ with equal surpluses of [N] votes on count [N], or
- ❑ with no surpluses on count [N], or
- ❑ without reaching the quota but each with [N] votes.

[delete the two conditions that do not apply]

The order in which the name(s) of the candidate or candidates was/were drawn – and consequently the order of their election- was as follows:-

- ❑ First: <First Name(s)> or <Initial(s)> <Surname>, followed by the designated abbreviation(s) of his/her political party, "Non-Party" or blank.
- ❑ [As necessary]Second:
- ❑ Third:

Etc."

If more than one case of drawing lots arises in relation to order of election at local elections, they should be listed separately with the case relating to the higher placing in election order dealt with first.

ELECTRONIC COUNTING

POST-COUNT MENU

SECTION 37 : PRINT: ELECTION REPORT

When clicked, the "election report" button should present the following report:-

[Election type]

Date of Poll : [Date of Poll]

[Name of constituency]

ELECTION REPORT

1.   Postal and special voting

A	Number of votes issued to **postal** voters :	
B	Number of votes issued to **special** voters :	
C	Number of covering envelopes received from **postal** voters before close of poll :	
D	Number of covering envelopes received from **special** voters before close of poll :	
E	Total [D + E] :	
F	Number of **postal and special** votes rejected at opening of ballot box (including receipts not accompanied by a vote) :	
G	Number of **postal and special** votes placed in ballot box for subsequent recording of votes in voting machine :	

H   Number of covering envelopes received from postal voters after close of poll

2.   <u>Summary reconciliation of vote accounts</u>

1.   Number of **postal and special** votes recorded by voting machine :

2.   Number of votes recorded by **polling station** voting machines :

3.   Total number of votes recorded by voting machines [1. + 2.]:

4.   Total number of votes recorded by presiding officers :

5.   Difference between total numbers of votes recorded by voting machines and by voting machines [3. – 4.]:

_____   _____

Returning Officer   **Date**

<u>Notes on "Election report" table</u>

Postal and special voting

❑   Data in rows A to G are copied from the corresponding rows in the "Pre-count report on postal and special voting" in section 2 entitled "**PRE-COUNT MENU**".

❑   <u>Data at Row H should be entered in this screen by user</u>. To ensure that this is done, the system should check – each time the "Election report" button is clicked – whether data have been entered in this row and, if not, present the following dialog box : "Data should be entered at Row H NOW for the number of covering envelopes received from postal voters after close of poll. OK"

Summary reconciliation of vote accounts

❑ The data at row 1 should be carried forward from the "by voting machine" column in the "postal and special voters" row in the "Reconciliation of vote accounts" table set out in section 2.

❑ The data at row 2 should be the figure in the "by voting machine" column for the "Total" row in the "Reconciliation of vote accounts" table set out in section 2 <u>minus</u> the figure in row 1 above.

❑ The data at row 3 should be the figure in the "by voting machine" column for the "Total" row in the "Reconciliation of vote accounts" table set out in section 2.

❑ The data at row 4 should be the figure in the "by voting machine" column for the "Total" row in the "Reconciliation of vote accounts" table set out in section 2.

❑ The data at row 5 should be the figure in the "discrepancy" column for the "Total" row in the "Reconciliation of vote accounts" table set out in section 2.

ELECTRONIC COUNTING

POST-COUNT MENU

SECTION 38 : PRINT: ELECTION STATISTICS

When clicked, the "Election Statistics" button should print the following statistics for the election in the constituency concerned :-

[Election type]

Date of Poll : [Date of Poll]

[Name of constituency]

ELECTION STATISTICS

- Electorate:

- Number of votes recorded at the election :

- Turnout (i.e. number of votes recorded as percentage of electorate) :

- Number of seats to be filled :

- Total number of first preference votes recorded at the election :

The following data should be printed in respect of the candidate(s) of each registered political party. Similar data should be supplied for all "Non-Party" and "No Entry" candidates grouped together as "Other" :-

- Number of candidates nominated by the party/group:

- Number of first preference votes recorded for the party/group :

- Number of first preference votes recorded for the party/group as % of total number of first preference votes recorded at the election:

- Number of seats obtained by the party/group :

- % of total number of seats obtained by the party/group:

In respect of each constituency, the following data should be supplied in relation to outgoing members:

- Total number of outgoing members who stood for re-election : [By Party/Other] and [By Sex]

- Number of outgoing members who were re-elected: [By Party/Other] and [By Sex]

- Number of outgoing members who unsuccessfully stood for re-election : [By Party/Other] and [By Sex]

ELECTRONIC COUNTING

POST-COUNT MENU

SECTION 39 : VOTE DATA FOR CANDIDATES, ETC.

1. **General**

   The system must include provision for generating, after the election is completed, vote data in electronic form for dissemination to candidates, political parties, etc. The data must be in raw form and capable of being queried by users using their own software.

2. **Function**

   The "Vote data for candidates, etc." button should be de-activated until data has been loaded into the system (and carried forward into the "Reconciliation of vote accounts table) for all voting machines set up for the election.

   When clicked <u>for the first time</u>, the "Vote data for candidates, etc." button should, using the same source as the "Mixing and numbering of votes" button in the Pre-Count Menu for all the votes recorded at an election in a constituency, randomise all the votes <u>without numbering them</u> and record them electronically in exportable format (i.e. on a floppy or a CD) in the following format:-

VOTE DATA FOR CANDIDATES, ETC.

[Type of election] held on [Date of Poll]

[Name of Constituency]

\<Surname\>, \<First Name(s)\> or \<Initial(s)\>, \<Party Abbrev. or "Non-P" or "blank"\>	\<Surname\>, \<First Name(s)\> or \<Initial(s)\>, \<Party Abbrev. or "Non-P" or "blank"\>	\<Surname\>, \<First Name(s)\> or \<Initial(s)\>, \<Party Abbrev. or "Non-P" or "blank"\>	\<Surname\>, \<First Name(s)\> or \<Initial(s)\>, \<Party Abbrev. Or "Non-P" or "blank"\>	\<Surname\>, \<First Name(s)\> or \<Initial(s)\>, \<Party Abbrev. or "Non-P" or "blank"\>
2	1			3
	2		1	
	1			2
		1	2	
2			1	
	1	2		
3			2	1
2	1	5	4	3
			1	
	1	2		3
2				1
1			2	

Notes on Table

- ❑ The candidates should be listed in ballot paper order from left to right in the Heading row. The candidate's name should be followed by the designated abbreviation(s) for the registered political party (or by Non-P or blank).
- ❑ The preference(s) in each vote should be presented in the row for that vote, e.g. the first vote shown in the table above comprises a first preference for the second candidate on the ballot paper, a second preference for the first candidate on the ballot paper and a third preference for the fifth candidate on the ballot paper.

When clicked for the <u>second or subsequent time</u>, the "Vote data for candidates, etc." button should generate in exportable format the same electronic vote data in the identical unnumbered order as that generated when the "Vote data for candidates, etc." button was first clicked.

<u>The randomising of the votes for candidates, etc. should be kept quite separate from - and not affect - the randomising and numbering of the votes for the purpose of conducting the count</u>. The intention is that the vote data supplied to candidates, etc. will be in a completely different order from the vote data used for the count. After vote data have been generated for candidates, etc., the system should, of course, retain the separate randomised and numbered order of votes used for count purposes

<u>**ELECTRONIC COUNTING**</u>

<u>**POST-COUNT MENU**</u>

<u>**SECTION 40 : PRINT VOTES AS BALLOT PAPERS**</u>

1.   <u>General</u>

The facility to print votes recorded at an election as individual ballot papers is intended to be used only if directed by a Court at a hearing of a petition questioning the election result. Thus, the "Print votes as ballot papers" button should not be visible in the software used at an election. The system should provide for this button to be displayed only on entering a password (DoELG should be able to change the password). Alternative arrangement for limiting access to this function may be agreed with the successful tenderer.

2.   <u>Function</u>

When clicked, the "Print votes as ballot papers" button should open a menu with two options, as follows :-

❑ **Print votes dealt with in count [N]** . User would be able to enter count number.   When user does this and clicks "Enter", the system should print out as individual ballot papers all votes <u>dealt with</u> in that count with a record on each ballot paper of its movements up to the count in question.   If count 1 is entered, all votes recorded at the election are printed. If a count involving a surplus distribution is entered, all votes in the last set of votes received by the candidate whose surplus is being distributed are printed. If a count involving an exclusion is entered, all votes transferred from the excluded candidate(s) are printed.

❑ **Print all votes recorded**. Selecting this option would print out as individual ballot papers all votes recorded in the election with a record on each ballot paper of all its movements during the entire count.

The print of each vote would comprise the entire ballot paper with the preferences shown on it. The randomised number of the vote would be displayed prominently and the numbers of the counts at which the vote transferred to other candidates would be shown in the following table printed on the ballot paper :-

Count Number	Action taken in count
2	Distribution of surplus of Molumby
7	Distribution of votes of Kelly, O'Connor and O'Gorman
11	Distribution of votes of McSweeney