

## GENERAL SYNOD

SINGLE TRANSFERABLE VOTE (AMENDMENT) REGULATIONS  
2004

## Explanatory Memorandum

1. In the course of having a version of eSTV (the Electoral Reform Society's computerised elections program) certified as consistent with the Single Transferable Vote Regulations 1990 and 1998, a conflict between two of the Regulations has come to light. This conflict only arises in cases when constraints apply (that is where there is a requirement that a given number or not less than a given number of places of those elected be filled by candidates of a named category) and even then it would only be in exceptional circumstances that adverse consequences would flow from it. However, unlikely as it is that that would happen, it is thought desirable to amend the Regulations to remove the perceived difficulty.
2. In cases when constraints apply, the special provisions in Regulation 13 come into play. In that event, it is possible that a value above the quota can be credited to more candidates than there are vacancies to be filled (because some other candidate, with a value below the quota, must be 'guarded' to fulfil the constraints). In this sort of case, the normal principles of STV would require that, for the purposes of determining which of those candidates with a value above the quota should eventually be deemed to be elected, the ones with the highest value should be taken first. Regulation 13(6) was intended to deal with this but, because it relates only to candidates who are **deemed elected** at the same time, it comes into conflict with the proviso to Regulation 9 which says that, in these circumstances, candidates **cannot** be deemed elected. The only mechanism then available is the transfer of a surplus / exclusion of a candidate - processes which can theoretically produce an irregular result inconsistent with the principles of STV.
3. The Amendment Regulation will insert a revised version of Regulation 13(6) to correct this by enabling candidates with the highest value to be deemed to be elected.

**General Synod Office**

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