

# GENERAL SYNOD OF THE CHURCH OF ENGLAND

## Single Transferable Vote Rules 2020

In exercise of the power conferred by Standing Order 133(3), the General Synod makes the following Rules—

### PART 1

#### INTRODUCTION

##### **Citation, commencement and application**

- 1.—(1) These Rules may be cited as the Single Transferable Vote Rules 2020.
- (2) These Rules come into force on 15th July 2020.
- (3) These Rules apply to an election in which one or more persons are to be elected and which is to be conducted using the single transferable vote system.

##### **Interpretation**

- 2.—(1) In these Rules, “elections portal” means—
  - (a) in an election to the Upper House of a Convocation, the online facility provided pursuant to Rule 3 of the Convocations (Elections to Upper House) Rules 2020;
  - (b) in an election to the Lower House of a Convocation, the online facility provided pursuant to Rule 3 of the Clergy Election Rules 2020;
  - (c) in an election to the House of Laity of the General Synod, the online facility provided pursuant to Rule 3 of the House of Laity Election Rules 2020;
  - (d) in any other election conducted in accordance with these Rules in relation to which an online facility is authorised to be provided for the conduct of the election, that online facility.
- (2) In these Rules, “presiding officer” means—
  - (a) in an election to either Convocation, the person designated by or pursuant to the Rules under Canon H2 or H3;
  - (b) in an election to the House of Laity of the General Synod, the person designated by or pursuant to the Church Representation Rules;
  - (c) in an election conducted in accordance with the Standing Orders of the General Synod, the Clerk to the General Synod;
  - (d) in an election to a diocesan synod, the person appointed by the bishop of the diocese;
  - (e) in an election at an annual parochial church meeting, the person appointed by the meeting;
  - (f) in any other election held in accordance with these Rules, the person appointed by the person or persons responsible for holding the election.
- (3) In these Rules, “continuing candidate” means a candidate who, at any given time, is neither deemed elected nor excluded from the poll.

(4) In these Rules—

“first preference” means the figure “1” alone opposite the name of a candidate, “second preference” means the figure “2” alone opposite the name of a candidate in succession to the figure “1”, “third preference” means the figure “3” alone opposite the name of a candidate in succession to the figures “1” and “2”, and so on;

“next available preference” means a second or subsequent preference recorded in consecutive numerical order for a continuing candidate, with the preferences next in order on the voting record for candidates already elected or excluded from the poll being ignored.

(5) In these Rules—

“voting record”, in relation to an election, means—

- (a) in so far as the election is conducted by means of an elections portal, the record of a vote cast by means of the election portal;
- (b) otherwise, a voting paper;

“transferable record” means a voting record on which, following a first preference, one or more subsequent preferences are recorded in consecutive numerical order for a continuing candidate;

“non-transferable record” means, subject to paragraph (6), a voting record on which no subsequent preferences are recorded for a continuing candidate.

(6) For the purposes of these Rules, a voting record is to be treated as having become a non-transferable record whenever—

- (a) the names of two or more candidates (whether continuing or not) are marked with the same number and are next in order of preference, or
- (b) the name of the candidate next in order of preference (whether continuing or not) is marked either by a number not following consecutively after some other number on the voting record or by two or more numbers, or
- (c) for any other reason it is not possible to determine for which of the continuing candidates the next available preference of the voter is recorded.

(7) A reference in these Rules to a “parcel” or “sub-parcel” of voting records is, in so far as an election is conducted by means of an elections portal, to be read as a reference to a group or sub-group, created by means of the portal, of the voting records cast by using the elections portal.

(8) In these Rules—

“original vote”, in relation to a candidate, means a vote derived from a voting record on which a first preference is recorded for that candidate;

“transferred vote”, in relation to a candidate, means a vote derived from a voting record on which a second or subsequent preference is recorded for that candidate;

“quota” means the number determined under Rule 9;

“surplus” means the number of votes by which the total number of the votes, original and transferred, credited to a candidate exceeds the quota.

- (9) In these Rules, “stage” means –
- (a) all the operations involved in the counting of the first preferences recorded for candidates, or
  - (b) all the operations involved in the transfer of the surplus of an elected candidate, or
  - (c) all the operations involved in the transfer of the votes of an excluded candidate.
- (10) A reference in these Rules to “determining by lot” is, in a case involving the use of an elections portal, a reference to taking the following steps—
- (a) first, mixing and drawing at random by means of the elections portal, the name of each candidate;
  - (b) second, in cases of exclusion, to exclude the candidate or candidates concerned in the order in which their names are drawn and, in cases where surpluses are to be transferred, to transfer the surpluses in the order in which the names are drawn.
- (11) A reference in these Rules to “determining by lot” is, in a case involving voting papers, a reference to taking the following steps—
- (a) first, to write the name of each candidate on a slip of paper, with all such slips being similar to each other;
  - (b) second, to fold each slip so as to prevent the identification of any candidate;
  - (c) third, to mix up the slips and draw them at random;
  - (d) fourth, in cases of exclusion, to exclude the candidate or candidates concerned in the order in which their names are drawn and, in cases where surpluses are to be transferred, to transfer the surpluses in the order in which the names are drawn.

## PART 2

### NOMINATIONS

#### **Nominations**

- 3.—**(1) Every nomination (whether made by following the procedure provided for by an elections portal or by completing a nomination paper) must contain—
- (a) the full name (including any title and preferred style) and postal address of the candidate;
  - (b) a declaration of the candidate's willingness to serve.
- (2) Where oral nominations are permitted, a nomination is in order if—
- (a) the candidate is described in such a way as to ensure that the candidate’s identity is known to each voter and to the presiding officer, and

- (b) there is, in the opinion of the meeting, sufficient evidence of the candidate’s willingness to serve.
- (3) Where a presiding officer is notified of the death of a candidate, or a candidate signifies in writing to the presiding officer (whether sent by electronic or other means) that the candidate wishes to withdraw from the election, or a candidate is found by the presiding officer to be ineligible for election, the presiding officer must, immediately after sorting the voting records, cause the voting records with a first preference for that candidate to be transferred to the second preference as if that were the original vote, unless it is a non-transferable voting record in which case it must be set aside.
- (4) This Rule is to be read with—
  - (a) in the case of an election to the Upper House of a Convocation, Rule 9 of the Convocations (Elections to Upper House) Rules 2020,
  - (b) in the case of an election to the Lower House of a Convocation, Rules 25 and 35 of the Clergy Election Rules 2020,
  - (c) in the case of an election to the House of Laity of the General Synod, Rules 6 and 18 of the House of Laity Election Rules 2020.

### PART 3

### VOTING

#### **Voting records**

- 4.—(1) In an election to be conducted by means of an elections portal, a list of the candidates, described as in their respective nominations, must be displayed within the elections portal.
- (2) In an election to be conducted by post, the voting paper must consist of a paper containing a list of the candidates, described as in their respective nominations.
- (3) In an election to be conducted at a meeting, or partly at a meeting and partly by post, the voting paper must consist of a paper containing a list of candidates, described in such a way as to ensure that the identity of each candidate is known to each voter and to the presiding officer.

#### **Method of voting**

- 5.—(1) Each voter has one transferable vote.
- (2) When recording a vote, a voter—
  - (a) must place by means of the elections portal or on a voting paper the figure “1” opposite the name of the candidate for whom the voter is voting, and
  - (b) may in addition indicate the order of the voter’s choice or preference for as many other candidates as the voter pleases by placing against their respective names the figures “2”, “3”, “4”, “5” and so on in consecutive numerical order.

**Spoilt voting papers**

6. A voter who has inadvertently dealt with a voting paper in such a manner that it cannot be conveniently used is entitled, on delivering it to the presiding officer and proving the inadvertence to the presiding officer's satisfaction, to obtain another voting paper in the place of the spoilt paper; and the spoilt paper must be immediately cancelled.

**Invalid voting records**

7.—(1) A voting record is invalid if—

- (a) in a case involving the use of a voting paper, it is not signed by the voter on its reverse, or
- (b) the figure "1" standing alone indicating a first preference is not placed against the name of any candidate, or
- (c) the figure "1" standing alone indicating a first preference is placed opposite the name of more than one candidate, or
- (d) the figure "1" indicating a first preference and some other figure are placed opposite the name of the same candidate, or
- (e) it is not possible to determine for which candidate the first preference of the voter is recorded.

(2) This Rule is to be read with—

- (a) in the case of an election to the Upper House of a Convocation, Rule 13(7) of the Convocations (Elections to Upper House) Rules 2020,
- (b) in the case of an election to the Lower House of a Convocation, Rules 28(10) and (11) and 39(8) of the Clergy Election Rules 2020, and
- (c) in the case of an election the House of Laity of the General Synod, Rules 10(10) and (11) and 22(8) of the House of Laity Election Rules 2020.

## PART 4

## QUOTA AND SURPLUS

**Sorting and counting voting records**

- 8.—(1) The presiding officer, after rejecting any voting records that are invalid, must cause the valid voting records to be arranged in parcels according to the first preferences recorded for each candidate.
- (2) The presiding officer must count the number of voting records in each parcel and must credit each candidate with a number of votes equal to the number of valid voting records on which a first preference has been recorded for that candidate.

**The quota**

- 9.—(1) The presiding officer must add together the numbers of votes credited to all the candidates and then divide the sum by a number exceeding by one the number of vacancies to be filled, with the division being rounded up to two decimal places.
- (2) The number determined in accordance with this Rule which is sufficient to ensure the election of a candidate is referred to in these Rules as “the quota”.

**Candidate with quota deemed to be elected**

10. If the value credited to a candidate is equal to or greater than the quota, that candidate is deemed to be elected, provided that the number of candidates deemed to be elected does not exceed the number of vacancies to be filled; and this Rule and the subsequent Rules in this Part are subject to Part 6 (constraints).

**Value greater than quota and equal surpluses**

- 11.—(1) If at the end of any stage of the count, the value credited to one or more candidates is greater than the quota, the presiding officer must, subject to the other provisions of this Part, transfer the largest surplus.
- (2) If two or more candidates each have an equal surplus, the presiding officer must transfer the surplus of the candidate who was credited with the greatest value at the earliest stage at which the values credited to such candidates were unequal.
- (3) If the values credited to such candidates were equal at all stages of the count, the presiding officer must determine by lot which surplus to transfer.

**Transfer of surplus deferred**

- 12.—(1) If one or more candidates have surpluses, and the total value of the surpluses does not exceed the difference between the total value credited to the candidate with the lowest value and the value credited to the candidate with the next lowest value, the transfer of such surplus or surpluses must be deferred.
- (2) If there is more than one candidate with the lowest value, the transfer of any surpluses must not be deferred.

**Surplus from original votes**

13. If the value credited to a candidate whose surplus is to be transferred is a value which arises out of original votes only, the presiding officer—
- (a) must examine all the voting records in the parcel of that candidate,
  - (b) must arrange the transferable records in sub-parcels according to the next available preferences for continuing candidates recorded, and
  - (c) must make a separate sub-parcel of the non-transferable records.

**Surplus from transferred votes**

14. If the value credited to a candidate whose surplus is to be transferred is a value which arises out of original and transferred votes, or of transferred votes only, the presiding officer—

- (a) must examine all the voting records contained in the sub-parcel last received by that candidate,
- (b) must arrange the transferable records in further sub-parcels according to the next available preferences for continuing candidates recorded, and
- (c) must make a separate sub-parcel of the non-transferable records.

**Ascertainment of values**

15. In a case under Rule 13 or 14, the presiding officer must ascertain the number of voting records and their total value in each sub-parcel of transferable records and in the sub-parcel of non-transferable records.

**Surplus equal to or greater than total value of transferable records**

- 16.—(1) If the surplus is equal to or greater than the total value of the voting records in the sub-parcels of transferable records, the presiding officer must transfer each record in the sub-parcels of transferable records to the continuing candidate indicated as the voter's next available preference, each voting record being transferred at the value at which it was received by the candidate whose surplus is being transferred.
- (2) When the surplus is greater than the total value of the sub-parcels of transferable voting records, the non-transferable records must be set aside as not effective, at a value which is equal to the difference between the surplus and the total value of the sub-parcels of transferable records.

**Surplus less than total value of transferable records**

- 17.—(1) If the surplus is less than the total value of the transferable records, the presiding officer must transfer each record in each sub-parcel of transferable records to the continuing candidate indicated as the voter's next available preference.
- (2) The value at which each record is to be transferred must be ascertained by dividing the surplus by the total number of transferable records, such transfer value being calculated to two decimal places, with any remainder being disregarded; but the consequential loss of value must be recorded.

**Candidate deemed to be elected after transfer of a surplus**

18. If, after the transfer of a surplus, the value credited to a continuing candidate is equal to or greater than the quota, that candidate is deemed to be elected, provided that the number of candidates deemed to be elected does not exceed the number of vacancies to be filled.

PART 5

EXCLUSION OF CANDIDATE

**Candidate with lowest value excluded**

19. If at the end of any stage of the count no candidate has a surplus other than a surplus whose transfer is deferred, and one or more vacancies remain unfilled, the presiding officer must exclude the candidate credited with the lowest value.

**Selection of candidate for exclusion**

- 20.—(1) If, when a candidate is to be excluded, two or more candidates are each credited with the same lowest value, the presiding officer must exclude the candidate (of those two or more) who was credited with the lowest value at the earliest stage at which they were credited with unequal values.
- (2) If the relevant candidates were each credited with the same value at all stages of the count, the presiding officer must determine by lot which of those candidates to exclude.

**Transfer of votes of excluded candidate**

- 21.—(1) The voting records of the excluded candidate must be rearranged in parcels according to transfer value, and the parcel of voting records of highest transfer value must be first transferred.
- (2) The presiding officer must cause the voting records in the parcel to be arranged in sub-parcels according to next available preferences for continuing candidates and must credit the continuing candidates with the value of the voting records received.
- (3) Non-transferable records must be set aside, and their value recorded.
- (4) The parcels of voting records of lower transfer values must similarly be transferred in turn in descending order of transfer value.

**Candidate deemed elected after transfer of parcel of voting records from excluded candidate**

22. If, after the transfer of a parcel of voting records of any one transfer value from an excluded candidate, the value credited to a continuing candidate is equal to or greater than the quota, that candidate is deemed to be elected, provided that the number of candidates deemed to be elected does not exceed the number of vacancies to be filled.

**Voting records transferred to be placed on top of parcel etc.**

23. Whenever a transfer is made under any of the preceding provisions of these Rules, each sub-parcel of voting records transferred must be placed on top of the parcel or sub-parcel (if any) of voting records of the candidate to whom the transfer is made; and that candidate is to be credited with a value ascertained in pursuance of these Rules.

PART 6

CONSTRAINTS

**Interpretation**

- 24.—(1) This Rule applies for the purposes of the interpretation of this Part.
- (2) Rule 75 of the Church Representation Rules (constraints in elections) applies to an election conducted under these Rules with whatever modifications are necessary.
- (3) “Conformant result” means the election of the required number of candidates fulfilling all the constraints in force.

- (4) “Guarded candidate” means a candidate who has not yet been deemed elected but who must eventually be elected if a conformant result is to be achieved.
- (5) “Doomed candidate” means a candidate who has not yet been excluded but who must eventually be excluded if a conformant result is to be achieved.

### **Modifications**

- 25.—**(1) For the purposes of this Part, the following Rules apply with the following modifications.
- (2) Rule 10 has effect as if, after “provided that” there were inserted “the candidate is not required to be classified as a doomed candidate and that”.
  - (3) Rule 11 has effect as if, in paragraph (1), after “one or more candidates” there were inserted “other than a doomed candidate”.
  - (4) Rule 12 has effect as if, in paragraph (1), after “next lowest value,” there were inserted “ignoring for this purpose any guarded candidate,”.
  - (5) Rule 17 has effect as if, in paragraph (1), after “continuing candidate”, there were inserted “other than a doomed candidate”.
  - (6) Rule 19 has effect as if, after “the candidate credited with the lowest value”, there were inserted “other than a guarded candidate”.
  - (7) Rule 21 has effect as if, in paragraph (2), after “preferences for continuing candidates”, there were inserted “other than a doomed candidate”.

### **Application of constraints**

- 26.—**(1) If it is a requirement in an election that a specified number, or not more than a maximum number, or not less than a minimum number, of vacancies are to be filled by candidates of any named category, the presiding officer must conduct the count subject to the appropriate constraints.
- (2) In an election to which Rule 35 (casual vacancies) applies, any candidate who must not be excluded must immediately be classified as guarded.
  - (3) At the beginning of the first stage of the count, and whenever a candidate is deemed elected, or is chosen for exclusion, or becomes guarded or doomed, the presiding officer must immediately ascertain whether any continuing candidate or candidates must be classified as a guarded candidate or as a doomed candidate to ensure that a conformant result is possible.
  - (4) If the value credited to two or more candidates is, at the same time, equal to or greater than the quota, they must be taken in order, largest first, in determining whether they should be deemed elected for the purposes of achieving a conformant result; and if two or more candidates have equal values, the order must be determined in the same way as for equal surpluses (as to which, see Rule 11).
  - (5) Any candidate classified as a guarded candidate remains a continuing candidate, and is to be credited with the value of any voting records transferable to that candidate at any later stage of the count, until that candidate attains the quota.
  - (6) At the end of each stage, if any candidate is classified as a doomed candidate, the next stage is the exclusion of that candidate in accordance with Rules 21 and 22; and if more than one

candidate is classified as a doomed candidate, they are to be excluded together, with their votes being treated as if they had all been for one candidate.

- (7) At any time when the total number of candidates deemed elected together with the number of guarded candidates is equal to the number of vacancies to be filled, all guarded candidates are at that stage deemed elected in accordance with Rule 27.

## PART 7

### MISCELLANEOUS

#### Last vacancies

- 27.**—(1) If, at the end of any stage of the count or following the transfer of a parcel of voting records on the exclusion of a candidate, the number of candidates deemed to be elected is equal to the number of vacancies to be filled, no further transfer is to be made.
- (2) When the number of continuing candidates is equal to the number of vacancies remaining unfilled, the continuing candidates are deemed to be elected.
- (3) When only one vacancy remains unfilled, and the value credited to some continuing candidate exceeds the total of the values credited to the other continuing candidates together with any surplus not transferred, that candidate is deemed to be elected.
- (4) When the last vacancies can be filled under this Rule, no further transfer is to be made.

#### Recording of values

- 28.**—(1) The presiding officer must record the total of the values credited to each candidate at the end of every stage of the count.
- (2) The record required by this Rule must include—
- (a) the value of non-transferable records not effective, and
  - (b) the loss of value owing to the disregard of fractions.
- (3) In the case of an election to the Lower House of a Convocation or to the House of Laity of the General Synod, the record may be in accordance with the form circulated by the provincial registrar to the presiding officer of each diocese.

#### Recounts

- 29.**—(1) Any candidate or an authorised agent may, at the end of any stage of the count, request the presiding officer to re-examine and recount some or all of the voting records dealt with during that stage of the count.
- (2) The presiding officer, on receiving a request under paragraph (1), must immediately re-examine and recount accordingly the voting records indicated, making any alteration in the arrangement of the voting records in the various parcels which may be necessary in consequence of any error discovered in the recount.
- (3) The presiding officer may also at his or her discretion recount voting records either once or more often in any case in which he or she is not satisfied as to the accuracy of any previous

counting of the votes; but this paragraph does not require the presiding officer to recount the same voting records at any given stage more than once.

- (4) When an election or any stage of the election is recounted, either on appeal or at the request of the presiding officer or of a candidate, if the original count and the recount are identical at the point when a lot must be drawn to resolve a tie, the original lot must be used to make the determination.

### **Form of result sheet**

**30.**—(1) When the counting of the votes has been completed in accordance with these Rules, the presiding officer must immediately prepare a result sheet showing the result of the election.

(2) The result sheet must include a record of—

- (a) any transfer of votes made under these Rules,
- (b) the total value of votes credited to each candidate after any such transfer, and
- (c) the names of the persons elected.

- (3) The operation of these Rules, in their application to an election to the Lower House of a Convocation or to the House of Laity of the General Synod, must be illustrated in a form prepared by the provincial registrar and circulated to the presiding officer of each diocese or in a substantially similar form.

### **Deposit, inspection and display of result sheet**

**31.**—(1) A copy of the result sheet signed by the presiding officer must—

- (a) in the case of an election conducted in accordance with the Standing Orders of the General Synod, be deposited as soon as possible in the General Synod Office and, for six months after the date of the count, be available during the customary hours for inspection by anybody qualified to vote in the election;
- (b) in the case of an election to or by a diocesan synod, be deposited as soon as possible in the diocesan office and, for six months after the date of the count, be available during the customary hours for inspection by anybody qualified to vote in the election.

(2) This Rule does not apply to—

- (a) an election to the Upper House of a Convocation, as to which see Rule 14(8) and (9) of the Convocations (Election to Upper House) Rules 2020,
- (b) an election to the Lower House of a Convocation, as to which see Rules 29(8) to (10) and 40(8) and (9) of the Clergy Election Rules 2020, or
- (c) an election to the House of Laity of the General Synod, as to which see Rules 11(8) and (9) and 23(8) and (9) of the House of Laity Election Rules 2020.

### **Notification of result**

**32.**—(1) In an election conducted by means of an elections portal or by post, the presiding officer must, within ten days of the declaration of the result, send each candidate and each of the relevant persons—

- (a) a full return signed by the presiding officer showing the names and addresses of those elected, and
  - (b) a copy of the result sheet.
- (2) The “relevant persons” are—
- (a) in the case of an election to or by a diocesan synod, the secretary of that synod;
  - (b) in the case of an election to a deanery synod, the secretary of the deanery synod and the diocesan electoral registration officer.
- (3) This Rule does not apply to—
- (a) an election to the Upper House of a Convocation, as to which see Rule 14(6) of the Convocations (Election to Upper House) Rules 2020,
  - (b) an election to the Lower House of a Convocation, as to which see Rules 29(6) and 40(6) of the Clergy Election Rules 2020, or
  - (c) an election to the House of Laity of the General Synod, as to which see Rules 11(6) and 23(6) of the House of Laity Election Rules 2020.

### **Preservation of voting records**

- 33.**—(1) The presiding officer must ensure that the valid voting records received by the presiding officer for the purposes of any election are preserved for a period of not less than six months beginning with the date of the count.
- (2) This Rule does not apply to—
- (a) an election to the Upper House of a Convocation, as to which see Rule 13(8) of the Convocations (Election to Upper House) Rules 2020,
  - (b) an election to the Lower House of a Convocation, as to which see Rules 28(12) and 39(9) of the Clergy Election Rules 2020, or
  - (c) an election to the House of Laity of the General Synod, as to which see Rules 10(12) and 22(9) of the House of Laity Election Rules 2020.

### **Procedure on appeals**

- 34.**—(1) If, on an appeal, any voting records counted by the presiding officer are rejected as invalid, or any rejected voting records are declared valid, the person or persons with the function of deciding the appeal, may direct some or all of the voting records to be recounted and the result of the election to be ascertained in accordance with these Rules.
- (2) If, on an appeal, the decision of the presiding officer on any operation is reversed, the operation in question and all operations subsequent to it are void and the person or persons with the function of deciding the appeal—
- (a) must direct what operation is to be made in place of the operation in question, and
  - (b) must cause the subsequent operations to be carried out and the result of the election to be ascertained in accordance with these Rules.

**Casual vacancies**

- 35.—**(1) Where a casual vacancy is to be filled by a fresh election, the presiding officer must conduct that election in accordance with these Rules.
- (2) Where, in an election conducted under these Rules, there is a requirement that a casual vacancy is to be filled by recounting the original voting records or that it may be filled in that way and a decision to that effect has been taken by the appropriate body, the presiding officer must conduct the election in accordance with the following paragraphs of this Rule.
  - (3) Where the election is to be conducted by the voting records of a general election, the number of persons to be elected is to be the same as in the general election, provided that no continuing candidate elected during the original count is excluded.
  - (4) Where the election is to be conducted by the voting records of an election other than the general election, the number of persons to be elected is to be calculated by adding together the number of persons previously elected using these voting records who are still continuing as elected persons, and the number of casual vacancies to be filled, provided that no continuing candidate elected during the original count is to be excluded.
  - (5) The presiding officer must ask every candidate not elected in the previous election but who is still qualified for election if he or she consents to serve.
  - (6) If the number of candidates is the same as or fewer than the places to be filled and the candidate or (if there is more than one) each of them so consents, the candidate is deemed elected to fill the vacancy.
  - (7) If more candidates than the places to be filled so consent, the votes validly cast in the preceding election must be recounted from the beginning in accordance with these Rules, the presiding officer having first withdrawn those candidates who do not consent or are no longer eligible for election.
  - (8) Paragraphs (2) to (7) do not apply (except for the purposes of Rule 26(2)) to—
    - (a) an election to the Upper House of a Convocation, as to which see Rule 20 of the Convocations (Election to Upper House) Rules 2020,
    - (b) an election to the Lower House of a Convocation, as to which see Rule 45 of the Clergy Election Rules 2020, or
    - (c) an election to the House of Laity of the General Synod, as to which see Rule 27 of the House of Laity Election Rules 2020.

**Count by computer**

- 36.—**(1) The presiding officer may determine that a computer program is to be used in the count of an election, in so far as it is conducted by post or in person.
- (2) The computer program to be used must be certified by the company known at the date on which these Rules are made as Electoral Reform Services Limited as consistent with these Rules, subject to the following modifications.
  - (3) Rules 11 and 20 have effect as if, for the provision for determination by lot, there were substituted provision for determination by means of a random number.

(4) Rule 29 has effect as if, for paragraphs (1) to (3) there were substituted—

“(1) The presiding officer may, and at the request of a candidate or an authorised agent must, verify the accuracy of the manual input into the computer, making any alteration to that input which may be necessary in consequence of any error discovered.”

**Revocation and transitional provision**

**37.—**(1) The Single Transferable Vote Regulations 1990 to 2015 are revoked.

(2) Where, immediately before the commencement of these Rules, nomination papers for an election have already been issued, these Rules apply in relation to the election as if they had been in force at the time when the nomination papers were issued.

Made this ..... day of .....2020

*Signature*

**APPENDIX I (NOT FORMING PART OF THE RULES)****Elections which include Constraints on the choice made by electors.**

*The text of Parts 4 and 5 as modified by Rule 25 (constraints on choice made by electors) is as follows:*

**PART 4****QUOTA AND SURPLUS****Sorting and counting voting records**

- 8.**—(1) The presiding officer, after rejecting any voting records that are invalid, must cause the valid voting records to be arranged in parcels according to the first preferences recorded for each candidate.
- (2) The presiding officer must count the number of voting records in each parcel and must credit each candidate with a number of votes equal to the number of valid voting records on which a first preference has been recorded for that candidate.

**The quota**

- 9.**—(1) The presiding officer must add together the numbers of votes credited to all the candidates and then divide the sum by a number exceeding by one the number of vacancies to be filled, with the division being rounded up to two decimal places.
- (2) The number determined in accordance with this Rule which is sufficient to ensure the election of a candidate is referred to in these Rules as “the quota”.

**Candidate with quota deemed to be elected**

- 10.** If the value credited to a candidate is equal to or greater than the quota, that candidate is deemed to be elected, provided that the candidate is not required to be classified as a doomed candidate and that the number of candidates deemed to be elected does not exceed the number of vacancies to be filled; and this Rule and the subsequent Rules of this Part are subject to Part 6 (constraints).

**Value greater than quota**

- 11.**—(1) If at the end of any stage of the count, the value credited to one or more candidates other than a doomed candidate is greater than the quota, the presiding officer must, subject to the other provisions of this Part, transfer the largest surplus.
- (2) If two or more candidates each have an equal surplus, the presiding officer must transfer the surplus of the candidate who was credited with the greatest value at the earliest stage at which the values credited to such candidates were unequal.
- (3) If the values credited to such candidates were equal at all stages of the count, the presiding officer must determine by lot which surplus to transfer.

**Transfer of surplus deferred**

- 12.**—(1) If one or more candidates have surpluses, and the total value of the surpluses does not exceed the difference between the total value credited to the candidate with the lowest value and the

value credited to the candidate with the next lowest value, ignoring for this purpose any guarded candidate, the transfer of such surplus or surpluses must be deferred.

- (2) If there is more than one candidate with the lowest value, the transfer of any surpluses must not be deferred.

**Surplus from original votes**

13. If the value credited to a candidate whose surplus is to be transferred is a value which arises out of original votes only, the presiding officer—
- (a) must examine all the voting records in the parcel of that candidate,
  - (b) must arrange the transferable records in sub-parcels according to the next available preferences for continuing candidates recorded, and
  - (c) must make a separate sub-parcel of the non-transferable records.

**Surplus from transferred votes**

14. If the value credited to a candidate whose surplus is to be transferred is a value which arises out of original and transferred votes, or of transferred votes only, the presiding officer—
- (a) must examine all the voting records contained in the sub-parcel last received by that candidate,
  - (b) must arrange the transferable records in further sub-parcels according to the next available preferences for continuing candidates recorded, and
  - (c) must make a separate sub-parcel of the non-transferable records.

**Ascertainment of values**

15. In a case under Rule 13 or 14, the presiding officer must ascertain the number of voting records and their total value in each sub-parcel of transferable records and in the sub-parcel of non-transferable records.

**Surplus equal to or greater than total value of transferable records**

- 16.—(1) If the surplus is equal to or greater than the total value of the voting records in the sub-parcels of transferable records, the presiding officer must transfer each record in the sub-parcels of transferable records to the continuing candidate indicated as the voter's next available preference, each voting record being transferred at the value at which it was received by the candidate whose surplus is being transferred.
- (2) When the surplus is greater than the total value of the sub-parcels of transferable voting records, the non-transferable records must be set aside as not effective, at a value which is equal to the difference between the surplus and the total value of the sub-parcels of transferable records.

**Surplus less than total value of transferable records**

- 17.—(1) If the surplus is less than the total value of the transferable records, the presiding officer must transfer each record in each sub-parcel of transferable records to the continuing candidate other than a doomed candidate indicated as the voter's next available preference.

- (2) The value at which each record is to be transferred must be ascertained by dividing the surplus by the total number of transferable records, such transfer value being calculated to two decimal places, with any remainder being disregarded; but the consequential loss of value must be recorded.

**Candidate deemed to be elected after transfer of a surplus**

- 18. If, after the transfer of a surplus, the value credited to a continuing candidate is equal to or greater than the quota, that candidate is deemed to be elected, provided that the number of candidates deemed to be elected does not exceed the number of vacancies to be filled.

PART 5

EXCLUSION OF CANDIDATE

**Candidate with lowest value excluded**

- 19. If at the end of any stage of the count no candidate has a surplus other than a surplus whose transfer is deferred, and one or more vacancies remain unfilled, the presiding officer must exclude the candidate credited with the lowest value other than a guarded candidate.

**Selection of candidate for exclusion**

- 20.—(1) If, when a candidate is to be excluded, two or more candidates are each credited with the same lowest value, the presiding officer must exclude the candidate (of those two or more) who was credited with the lowest value at the earliest stage at which they were credited with unequal values.
- (2) If the relevant candidates were each credited with the same value at all stages of the count, the presiding officer must determine by lot which of those candidates to exclude.

**Transfer of votes of excluded candidate**

- 21.—(1) The voting records of the excluded candidate must be rearranged in parcels according to transfer value, and the parcel of voting records of highest transfer value must be first transferred.
- (2) The presiding officer must cause the voting records in the parcel to be arranged in sub-parcels according to next available preferences for continuing candidates other than a doomed candidate and must credit such continuing candidates with the value of the voting records received.
- (3) Non-transferable records must be set aside, and their value recorded.
- (4) The parcels of voting records of lower transfer values must similarly be transferred in turn in descending order of transfer value.

**Candidate deemed elected after transfer of parcel of voting records from excluded candidate**

- 22. If, after the transfer of a parcel of voting records of any one transfer value from an excluded candidate, the value credited to a continuing candidate is equal to or greater than the quota, that candidate is deemed to be elected, provided that the number of candidates deemed to be elected does not exceed the number of vacancies to be filled.

**Voting records transferred to be placed on top of parcel etc.**

- 23.** Whenever a transfer is made under any of the preceding provisions of these Rules, each sub-parcel of voting records transferred must be placed on top of the parcel or sub-parcel (if any) of voting records of the candidate to whom the transfer is made; and that candidate is to be credited with a value ascertained in pursuance of these Rules.

**APPENDIX II (NOT FORMING PART OF THE RULES)****Notes on constraints**

1. When constraints are required in an election they impinge on the expressed wishes of the voters. The inclusion of Part 6, which addresses the way in which constraints are to be considered, is not intended as an encouragement to their use.
2. Presiding officers are reminded of Rule 75 of the Church Representation Rules—

*Constraints in elections*

**75.—(1)** Where there is a requirement in an election conducted under these Rules or under rules made under Rule 42 or 56 for a given number, or at least a given number, of the places available to be filled by candidates of a defined category, the presiding officer must examine the valid nominations to ascertain the number of candidates of that category.

(2) If the number of candidates of that category who are nominated is less than or equal to the required given number—

- (a) those candidates are declared elected and their names are not included on the voting paper, and
- (b) the requirement for a given number is disregarded and the election proceeds with the number of seats to be filled being reduced by the number of persons declared elected.

(3) The presiding officer must circulate with the voting papers a separate notice giving the name of each person who has been declared elected under paragraph (2).

(4) In the application of this Rule to an election which involves a system of electronic voting, a reference to something included on or circulated with a voting paper is to be read as including a reference to it being provided as part of the procedure provided for by the system being used in the election for electronic voting.