

## **RULE 107**

### **COUNCIL ELECTIONS**

**The Council of the University of Tasmania makes these rules under the University of Tasmania Act 1992 and Ordinance 84.**

#### **1. Commencement**

These rules take effect on 18 May 2001.

#### **PART 1 – STAFF ELECTIONS**

1. All invalid votes are to be rejected, and the number of first preference votes recorded for each candidate are to be counted.
2. The aggregate number of such first preferences shall be divided by one more than the number of candidates required to be elected, and the quotient increased to the nearest one-millionth shall be the quota and (except as provided by clause 13) no candidate shall be elected until that candidate obtains a number of votes equal to or greater than the quota.
3. Any candidate who, after the counting of the first preferences, has votes in excess of the quota, shall be declared elected.
4. The votes in excess of the quota (“the surplus”) obtained by such a candidate shall be transferred to the other candidates not yet declared elected, next in order of the voters’ preferences, in the following manner:
  - (a) the voting papers which express a first preference for the elected candidate shall be re-examined, and in each case, subject to clause 15, the next consecutive preference expressed for an unelected candidate ascertained;
  - (b) the surplus shall be divided by the total number of votes obtained by the elected candidate in the counting of the first preferences, and the resulting number shall be the transfer value;
  - (c) the vote expressed by each ballot paper shall be transferred to the next preferred candidate ascertained in accordance with sub-clause (a), with a value (including any fractional part) equal to the transfer value, and added to the number of votes previously obtained by the next preferred candidate.
5. Where, on the counting of the first preferences or on any transfer more than one candidate has a surplus, the largest surplus shall be dealt with first. If then more than one candidate has a surplus, the then largest surplus shall be dealt with, and so on: provided that, if one candidate has obtained a surplus at a count or transfer

previous to that at which another candidate obtains a surplus the surplus of the former shall be dealt with first.

6. Where two or more surpluses are equal, the surplus of the candidate who was the highest on the poll at the count or transfer at which they last had an unequal number of votes shall be dealt with first, and if they had an equal number of votes at all preceding counts or transfers, it is to be decided by lot which candidate's surplus is to be dealt with first.
7. Where the number of votes obtained by a candidate is raised up to or above the quota by transfer, that candidate shall thereupon be declared elected. In such a case, notwithstanding the fact that the candidate may have reached the quota during the progress of the transfer, the candidate shall not cease to become entitled to receive further votes until the conclusion of that transfer.
8. The surplus of a candidate declared elected pursuant to clause 7 shall be transferred to the other candidates not yet declared elected, next in order of the voters' respective preferences, in the following manner:
  - (a) the ballot papers corresponding to the votes obtained by the elected candidate shall be re-examined and in each case, subject to clause 15, the next consecutive preference expressed for an unelected candidate shall be ascertained;
  - (b) the surplus of the elected candidate shall be divided by the total value of the candidate's vote and the resulting number shall be the transfer value;
  - (c) the vote expressed by each ballot paper shall be transferred to the next preferred candidate, ascertained according to sub-clause (a), with a value (including any fractional part) equal to the value at which it was received by the elected candidate, multiplied by the transfer value, and added to the number of votes previously obtained by the next preferred candidate.
9. Where, after the first preferences have been counted and all surpluses, if any, have been transferred in the manner prescribed above, no candidate, or less than the number of candidates required to be elected, has or have obtained a quota, the candidate who is lowest on the poll shall be excluded, and, subject to clause 15, all the votes obtained by that candidate shall be transferred to the candidates next in order of the voter's preference at the same values as those at which they were received by the candidate: provided that the transfer of the excluded candidate's votes for all purposes shall be deemed to be a single transfer.
10. Where the number of votes obtained by a candidate is raised up to or above the quota by a transfer, that candidate shall thereupon be declared elected. In such a case, notwithstanding the fact that the candidate may have reached the quota during the progress of the transfer, the candidate shall not cease to become entitled to receive further votes until the conclusion of that transfer.

11. The surplus of a candidate elected under clause 10 shall be transferred to the other candidates not yet declared elected, next in order of the voters' respective preferences, in the same manner as is directed by clause 8: provided that such surplus shall not be dealt with until all the votes of the excluded candidate have been transferred.
12. Where any surplus exists it shall be dealt with before any other candidate is excluded.
13. The same process of excluding the candidate lowest on the poll and transferring the votes to other candidates shall be repeated until all the candidates, except the number required to be elected, have been excluded, and the unexcluded candidates who have not already been so declared, shall then be declared elected, in order of their total votes at that time.
14. Where at any time it becomes necessary to exclude a candidate, and two or more candidates have the same number of votes and are lowest on the poll, then whichever of such candidates was lowest on the poll at the last count or transfer at which they had an unequal number of votes shall be excluded, and if such candidates have had an equal number of votes at all preceding counts or transfers it shall be decided by lot which candidate shall be first excluded.
15. In determining which candidate is next in order of a voter's preference, any candidate who has been declared elected or who has been excluded shall be passed over.
16. Where on any transfer it is found that a vote expresses no consecutive preference, other than for candidates who have already been declared elected or been excluded, that vote shall be set aside as exhausted.
17. The procedure provided for by these rules may be carried out in whole or in part by a computer programmed accordingly.
18. Despite anything else in this Part, if-
  - (a) the election is one at which a senior academic is required to be elected (see section 8(i)(e) of the Act as amended by the University of Tasmania Amendment Act 2001); and
  - (b) the procedure provided for by Ordinance 84 and this Part has not resulted in the election of a senior academic-

then the senior academic who was the last senior academic to be excluded must be taken to have been elected in the place of the person who would otherwise have been the last candidate elected.

**Made by Council on 18 May 2001.**

**Sealed with the seal of the University of Tasmania on 30 May 2001.**

Professor D McNicol  
**Vice-Chancellor**

Mr R Easter  
**Acting Deputy Principal**