

RETURNING OFFICER FACTSHEET – DEALING WITH TIES

What if two or more candidates have the same surplus?

- If at the first stage of the count two or more candidates have the same number of votes in excess of the quota, their surpluses require to be transferred. A pop-up box will appear on the system to allow the Returning Officer to determine the sequence in which this should be done. The order of transfer will have to be decided by lot. The RO may wish to have an unused pack of playing cards (or other means of drawing lots) available within the count centre.
- If at a later stage of the count two or more candidates have the same number of votes in excess of the quota, their surpluses require to be transferred:
 - ✓ The system will transfer the surplus votes for the candidate who had the highest number of votes at the end of the most recent preceding stage, or at the end of the most recent stage at which they had unequal numbers of votes, first.
 - ✓ If the candidates had equal votes in all preceding stages a pop-up box will appear on the system to allow the RO to determine the sequence in which this should be done. This should be decided by lot.

What if two or more candidates who are being excluded have the same number of votes?

- If at any stage of the count two or more candidates who are to be excluded by virtue of having the lowest numbers of votes have exactly the same number of votes, the system will look at the candidate with the highest number of votes at the end of the most recent preceding stage at which they had unequal number of votes. The candidate with the lowest number of votes will be excluded first.
- If the numbers of votes credited to two or more candidates were equal at all stages of the count, a pop-up box will appear on the system to allow the Returning Officer to determine the sequence in which the candidates should be excluded. This should be decided by lot.

What if the contest result is tied?

- A tied contest situation is very rare as candidates' votes are shown to five decimal places after the first transfer of a surplus. If there is a tie for candidates being elected the system will look at the most recent preceding stage and the candidate with the highest number of votes will be elected. It is, however, important that ROs:
 - ✓ can 'walk' candidates through the stages of the count so they understand how this situation has been reached.
 - ✓ are aware that in the unlikely event of a complete equality of votes at all stages of the Count, the RO would have to decide the outcome by lot.

eCounting Project Team