

# Softball Ireland Constitution 2012

Adopted by the membership at the Softball Ireland AGM November 2011

James O' Farrell – Softball Ireland Umpire In Chief

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## 1. AIMS AND OBJECTIVES

Softball Ireland is the governing body for the sport of softball in Ireland. It is a non-profit organisation whose purposes are:

- 1.1. Representation, promotion and development of softball as an amateur sport for all who wish to participate within the terms of this constitution
- 1.2. Provision of support, direction and facilities for members, clubs and other affiliated bodies
- 1.3. Safe and fair regulation of all competitive play of softball
- 1.4. Liaison with relevant Irish sporting organisations
- 1.5. Maintenance of links with corresponding organisations in other countries, and with international bodies
- 1.6. Management of Ireland's representation in international softball competition
- 1.7. Development of appropriate sponsorship and other revenues to support these purposes.

## 2. MEMBERSHIP

- 2.1 Membership of SI is open to anyone over the age of 16 who signifies their acceptance of the terms of this constitution by paying the required annual subscription through either of the following means:
  - 2.1.1 Registration with an affiliated team
  - 2.1.2 Registration with the SI National Council
- 2.2 The required subscription will be determined annually by the National Council and will include appropriate insurance.
  - 2.2.1 The registration of a member or club is valid for the SI financial year that the payment is made
- 2.3 Members are required to abide by all rules, regulations and byelaws set down by the National Council referred to in this constitution *and by the recognised Regional Councils.*

## 3. REGISTRATION OF CLUBS

- 3.1. For voting and other purposes of this constitution, a team is a group of nine or more members who have registered as a team under an affiliated Club and are fully paid in the financial year immediately preceding the AGM.
- 3.2. Registration requires:
  - 3.2.1. Adoption of a name approved by the *Regional Council*
  - 3.2.2. Nomination of a home ground approved by the *Regional Council*
  - 3.2.3. Payment of the required registration fee
  - 3.2.4. Nomination of a club representative (captain, manager or coach) for all dealings with the *Regional Council.*
- 3.3. The National Council will not approve a club or team name that is likely to give offence.
  - 3.3.1. *For voting and other purposes of this constitution, a team is a group of nine or more members who have registered as a team under a Club affiliated to SI. The registered team must be fully paid up in accordance with the Bye Laws by 30 June in the year of the AGM in question and qualify for the purposes of voting as per the criteria outlined below:*
  - 3.3.2. *Be members of a Regional League who competed in a minimum of 90% of scheduled games of the most recent complete season, or;*

- 3.3.3. *Be a regional team which has entered and played in two (2) Softball Ireland qualifying competitions which shall be listed in the Bye Laws of SI, or;*

*The number of Intervarsity teams will be calculated as the average of the number of teams entered in the total Intervarsity tournaments by each 3<sup>rd</sup> level college for the previous **academic year**. In order for a team to be considered entered for the purposes of calculating the average, a full roster of players (including the nomination by a player of the 3<sup>rd</sup> level college for the purposes of 3.6 of this constitution) must be submitted to the Secretary of SI within 28 days of completion of the tournament by the tournament organizers. For the purposes of calculation the average will always be rounded down to the nearest whole number.*

- 3.4. The required registration fee will be determined annually by the National Council and published in the Bye-Laws for the coming year.
- 3.5. Where disputes about the ownership or status of a team name cannot be resolved by agreement, the National Council will issue a ruling. Such ruling may be appealed using the procedure in Article 9.
- 3.7. Where an individual is registered to more than one team they cannot be counted twice for the purposes of section 3.1. The individual may nominate which team they wish to be included on for the purposes of assessing whether a team has sufficient numbers in accordance with section 3.1 and whether it therefore qualifies as a team for the purposes of votes at General Meetings. Where no nomination is made, the individual will be counted as a member of the club for which they are registered for the longest period.

#### 4. GENERAL MEETINGS

- 4.1. The supreme governing body of the Association is a General Meeting of the membership.
- 4.2. An Annual General Meeting will be held between 1<sup>st</sup> of October and 31<sup>st</sup> of November each year.
- 4.3. The business of the AGM is:
- 4.3.1. Adoption of standing orders and agenda
  - 4.3.2. Minutes of the last General Meeting and matters arising
  - 4.3.3. Report of President
  - 4.3.4. Audited accounts and report of Treasurer
  - 4.3.5. Motions and amendments of which notice has been received
  - 4.3.6. Election of officers and council members
  - 4.3.7. Appointment of auditors (who may be professional auditors, or two ordinary members of the Association) for the coming year
  - 4.3.8. Any Other Business. Items covered under AOB can be discussed at the end of the AGM, but must adhere to the agreed Standing Orders.
- 4.4. Any member or club may propose a motion or amendment and may nominate or second any member for election. The National Council may propose motions or amendments.
- 4.5. The following timescale will apply (reckoned from the date of the AGM):
- 4.5.1. The date and location of the meeting will be notified by the Secretary to clubs four weeks in advance
  - 4.5.2. Motions for the agenda must be received in writing by the Secretary two weeks in advance
  - 4.5.3. Written nominations for election of officers and committee members must be made and seconded at least two weeks in advance.

- 4.5.4. A draft agenda containing all motions, Standing Orders and nominations will be circulated to all clubs one week in advance
- 4.5.5. The Treasurer's report and accounts will be circulated to all clubs one week in advance
- 4.5.6. *In the event that there are not nominations for at least two of the three named positions and 2 ordinary council members or Nominations for President and 3 ordinary members of the National Council by the due date, the Secretary will immediately inform club representatives, and the deadline for nominations will be extended by 1 week.*
- 4.5.7. In the event that after the extension of the deadline for nominations has passed and insufficient nominations have been received to fulfil the requirements of 5.2 then the minimum requirement to proceed to the AGM will be;
- 4.5.7.1 Nominations for 2 named council member positions and 2 ordinary council members
- Or
- 4.5.7.2 Nominations for President and 4 or more ordinary council member
- 4.5.8. If the minimum numbers detailed in 4.5.7 are not met by the prescribed deadline then the AGM will be postponed, even if this results in it being called outside the deadlines laid down in 4.2, until the sitting Council can achieve the minimums required in 4.5.7. The AGM can be called with a minimum of 1 weeks notice from this time
- 4.6. An Extraordinary General Meeting for a specified purpose will be held within three weeks of a written request by no less than one third of teams registered with affiliated clubs, or by a majority of the National Council.
- 4.6.1. *The agenda, location, date and time of an EGM will be issued to the members by the Association Secretary at least 2 weeks in advance of the meeting.*
- 4.6.2. *An EGM cannot be called within 4 weeks of a scheduled AGM*
- 4.7. Any member may attend and subject to standing orders (see Appendix One) may speak at a General Meeting.
- 4.8. *Proxy voting is permitted for all General Meetings of SI. All proxy votes must be received by the Secretary 48 hours prior to the start time of the General Meeting. SI will accept all forms of proxy received either in writing, by FAX or scanned copies forwarded to the email of the Secretary, subject to the Form of Proxy being in agreement with Appendix Three (3) of this constitution.*
- 4.9. *In voting on motions:*
- 4.9.1. *Each team within a club will have a single vote. This vote may be cast by a member of the team who is present either in person or by proxy subject to all proxy votes being in accordance with section 4.8 of the Constitution.*
- 4.10. *In Elections;*
- 4.10.1 Each team within a club will have a single vote. This vote may be cast by a member of the team who is present either in person or by proxy subject to all proxy votes being in accordance with section 4.8 of the Constitution.
- 4.10.2. The system used will be Single Transferable Vote (see Appendix Two).
- 4.10.3. It is a secret ballot.
- 4.10.4. To facilitate voting by proxy, the full list of nominations and the Form of Proxy must be made available to all Clubs as soon as possible after the closing date for receipt of nominations.
- 4.10.5 The quorum for a valid General Meeting is the presence of at least one member from at least one fifth of teams registered with affiliated clubs either in person or by proxy.

## 5. THE NATIONAL COUNCIL

- 5.1. The business of the Association between AGMs shall be governed by the National Council.
- 5.2. The National Council shall be composed:
  - 5.2.1. The officers of President, Secretary, and Treasurer
  - 5.2.2. Up to six other members with at least one position being available for each region properly affiliated to Softball Ireland, to a maximum of 4 positions.
- 5.3. Vacancies in its membership shall not inhibit the National Council from carrying out its duties
- 5.4. The National Council may co-opt members of the Association to fill vacancies, and will inform the membership generally if such co-options amount to fifty percent or more of the Council
- 5.5. The National Council may delegate any particular functions to appropriate members or sub committees
- 5.6: Softball Ireland will establish and maintain sub committees with, but not limited to, the responsibilities of Technical, Coaching and Development and these sub committees will either be chaired or attended by a designated member of the SI Council.
- 5.7. The National Council may delegate its regional duties in any region to a regional representative, and will delegate its regional duties to regional committee where a Regional Conference has been held
- 5.8. The National Council may enter into whatever business or contractual arrangements it deems necessary, proper and prudent within its resources to carry out its duties
- 5.9. Any contract under Article 5.8 extending more than three months beyond the date of an AGM requires the approval of that AGM
- 5.10. A member of the National Council with a financial or other personal interest in a matter shall withdraw from the Council's deliberations on that matter
- 5.11 The National Council meeting quorum should be no less than 4 including one officer.
- 5.12. The term of office for all council members shall be as laid out below;
  - 5.12.1: From the 2011 AGM the named positions on Softball Ireland Council will be up for election in the odd numbered years
  - 5.12.2: From the 2011 AGM the unnamed positions on Softball Ireland council will be up for election in the even numbered years
  - 5.12.3: This does not include the regional representatives from *Regional Council* as they will be appointed from their own governing body.
- 5.13. There is no limit on the number of times an officer or council member can stand for re-election
- 5.14 Should a vacancy appear on the National Council the membership shall be entitled to be notified within 14 days of such vacancy and volunteers sought to fill the vacancy in accordance with 5.4.

## 6. OFFICERS

- 6.1. The duties of the President are:
- 6.1.1. To convene all meetings of the National Council and all General Meetings
  - 6.1.2. To convene a meeting of the National Council within two weeks of request from any Council member
  - 6.1.3. To ensure that all the Association's business is efficiently and fairly conducted in accordance with this constitution
  - 6.1.4. To report to the AGM on the activities of the Association and the National Council
- 6.2. The duties of the Secretary are:
- 6.2.1. To ensure that correct records are kept of the business of the Association and the National Council
  - 6.2.2. To publish the minutes of the AGM (and any EGM's) held within the previous year within 1 month of that AGM or EGM being fully completed.
  - 6.2.3. To prepare the agenda for National Council and General Meetings
  - 6.2.4. To keep teams informed of National Council activities by email and website
  - 6.2.5. To ensure that correct minutes are kept of National Council and General Meetings
  - 6.2.6. To provide copies of such minutes on request of any member
  - 6.2.7. To conduct appropriate correspondence with other bodies
- 6.3. The duties of the Treasurer are:
- 6.3.1. To ensure that a record is kept of the paid-up membership and registered clubs
  - 6.3.2. To control the Association's funds in a prudent manner in accordance with decisions of the National Council
  - 6.3.3. To ensure the proper maintenance of the Association's bank account or accounts
  - 6.3.4. To ensure the recording of transactions in sufficient detail to enable an audit
  - 6.3.5. To provide any records or information as required by the appointed auditors
  - 6.3.6. To supply registered teams with a financial report together with balance sheet, and income and expenditure accounts at least one week in advance of the AGM
  - 6.3.7. To reimburse from Association funds any reasonable expenses of members in the conduct of Council business
- 6.4. Authority for cheques or withdrawals from the Association's funds requires the signature of either
- 6.4.1. The Treasurer and one other member of the National Council, or in the absence of the Treasurer,
  - 6.4.2. The President or Secretary and two other members of the National Council
- 6.5. All officers and council members shall strive to protect the best interests of the Association.
- 6.6. The Association's accounting year is twelve months ending on 30<sup>th</sup> of September.

## **7. Regional Council**

- 7.1 *Groups of clubs may establish a Regional Council, subject to their area of operation being approved by the SI Council. The criteria for approval by the SI council is as follows:*
- 7.1.1 Copies of all minutes of any General Meeting of all the clubs in that *Region* and record of the votes taken at that meeting resolving to create the *Regional Council*;
  - 7.1.2 A copy of the draft constitution of the *Region* is to be provided to the Secretary of SI in order to ensure it does not conflict with the Constitution of SI; and
  - 7.1.3: The *Regional Council*s must form a Governing body / Council, consisting of no less than 5 members. Of these there must be a Chairperson, Treasurer and Secretary.
  - 7.1.4: Teams or clubs that form part of the *Regional Council* must adhere to the registration regulations, requirements and fees as passed down to them from Softball Ireland
  - 7.1.5 Any Club in the *Region* must have the opportunity to opt out of membership of the *Regional Council* if it deems it to be more appropriate to be a member of another *Regional Council*
- 7.2 The *Regional Council* will keep the SI Council informed of their activities, and will comply with directives of the SI Council.
- 7.3 The *Regional Council* will invite Softball Ireland Council to their AGM and supply them with copies of all minutes of meetings from that year a minimum of 4 weeks in advance of the *Regional* AGM
- 7.4 All *Regional Council*s will hold their AGM a minimum of 2 weeks prior to the published Softball Ireland AGM

## **8. REGULATION OF THE GAME**

- 8.1. The National Council will publish rules of play and byelaws for the organisation of competitions and other matters.
- 8.2. The National Council shall impose appropriate penalties for breach or flagrant disregard of the rules and byelaws.
- 8.3. Penalties for individuals can include reprimand, fine, community service, suspension or permanent expulsion from the Association.
- 8.4. Penalties for teams can include reprimand, fine, community service, suspension, overturning of results, loss of points, or demotion.
- 8.5. A scale of penalties will be incorporated in the byelaws.
- 8.6. No penalty will be imposed without giving the party complained against an opportunity to defend them.
- 8.7. No member of the National Council directly involved in an incident for which penalties are being considered will take part in the Council's deliberations.
- 8.8. The National Council may promulgate amendments to the rules and byelaws via email and web-site subject to the following provisos:
  - 8.8.1. The National Council shall invite the views of the technical sub committee on any changes to the rules and byelaws materially affecting the playing of the game of softball, who will determine whether such a rule or bylaw is enforceable or not
  - 8.8.2. Changes to the scale of penalties, or to the procedures for complaints, discipline or appeals must be approved by a General Meeting



8.8.3. Other changes must be published two weeks before they come into effect, and the National Council must review any proposed change if objections are received from at least one third of teams under affiliated clubs or registered members.

8.9. An incoming Council is mandated to complete any disciplinary action against a member, team or club, which has been initiated but not completed in the previous year.

## **9. APPEALS**

9.1. Any club or player may appeal against the imposition of penalties, or any other decision of the National Council adversely affecting them, provided that they pay the appeal fee as set out in the byelaws.

9.2. Penalties and decisions will remain in force pending the appeal.

9.3. The appeal will be heard by an Appeal Committee composed of three members of the Association not involved in the dispute, who are

9.3.1. Nominated by the National Council

9.3.2. Acceptable to the appellant(s).

9.4. The Appeal Committee will act promptly to hear the appellant(s), the National Council and any other parties it deems necessary, and to issue decision.

9.5. Where an appeal succeeds, the Appeal Committee will order the refund of the appeal fee and reverse or otherwise appropriately modify any penalty.

9.6. The decision of the Appeal Committee is final.

9.7. This procedure does not apply to any decision of an umpire in the course of play

## **10. INTERNATIONAL REPRESENTATION**

10.1. The National Council will appoint the manager(s) of any national squad.

10.2. All members of the Association have an equal right to be considered for appointment as a manager and (subject to any international regulations on age or gender) to try out for inclusion in a national squad.

10.3. There is no appeal against a decision concerning selection of national squad.

10.4. National squad representatives must abide by any code of conduct issued by the National Council.

10.5. Any group of members taking part in an international or local event, organised or governed by a body recognised by Softball Ireland must adhere to any code of conduct passed down by Softball Ireland or the Governing body / organiser responsible for the event. Failure to comply may result in actions in accordance with the Softball Ireland Constitution and Bye laws.

## **11. DRUGS IN SPORT**

11.1. The Association and its members are bound by the Anti-Doping Programme of the Irish Sports Council, and relevant regulations of the International Olympic Council and international governing bodies for softball.

## **12. SPONSORSHIP**

12.1. Affiliated teams and other bodies must coordinate fund-raising efforts by keeping the National Council informed of major events or sponsorship approaches.

12.2. The National Council may require the amendment or suspension of such fund-raising where it conflicts with national priorities.

12.3. Affiliated clubs may not pursue or receive sponsorship from any tobacco companies. Nor can they use branding, logos or trademarked items or deals representing aforementioned companies in the case where funding is received through vendors of said products.

**13. INTERPRETATION AND AMENDMENT**

- 13.1. Interpretation of this constitution will be determined by the National Council, which will seek affirmation of its view at the next General Meeting.
- 13.2. If a General Meeting overturns an interpretation by the National Council, this shall not affect the legitimacy of any Council actions taken in the interim.
- 13.3. Amendments to this constitution are made by the passing at a General Meeting of a motion of which due notice has been given.

**14. IRISH BASEBALL AND SOFTBALL FEDERATION**

- 14.1. The Association is a member organisation of the Irish Baseball and Softball Federation, and will be represented on the Council of that body by the SI President, Secretary and Treasurer.

**APPENDIXONE: Model Standing Orders for Meetings**

1. The first business of any general meeting of the SI shall be the adoption of an Agenda and Standing Orders for the efficient conduct of business.
2. Once adopted, these standing orders can be suspended or varied, for specified purpose only, by 2/3 of members present and entitled to vote.
3. All other votes on procedure shall be by simple majority of those present and voting. There is no need to count abstentions.
4. Where there is consensus, a procedural vote shall be by voice only; otherwise members shall vote by show of voting cards, one of which shall be supplied by the Secretary in accordance with the constitution to each qualified member before the beginning of the meeting.
5. Two members (not officers) will be elected as scrutinizers to supervise the conduct of elections and count all card and ballot votes.
6. Where the President is unavailable to take the Chair, or withdraws, the meeting shall elect a Chair duly proposed and seconded. In the event of a contest, an election will be conducted by show of voting cards.
7. No matter that has not been duly notified in advance can appear on the Agenda.
8. Matters to be taken under Any Other Business shall be restricted to matters of information, unless with the agreement of all members present.
9. There shall be only one item of business (whether report, motion or election) before the meeting at any time.
10. Any member may speak, when called upon by the chair, on any item of business. Members shall address the Chair and shall confine their remarks to the matter under discussion.
11. A member shall speak only once on any item of business, except for an officer presenting a report or the proposer of a motion (not an amendment), who shall have right of reply at the end of the discussion.
12. Officers or committee members may with the permission of the Chair answer relevant questions at any time.
13. No meeting shall continue past 3 hours duration save with the agreement of all members present.
14. The Chair may impose time limits on debates and on speakers in order to complete the agenda.
15. The Chair shall call for a vote on any issue when it appears to him that all sides have had a fair opportunity to be heard.
16. Motions on the agenda shall be considered only when they have been proposed and seconded by members present and entitled to vote.
17. Discussion of any report shall conclude with a motion to adopt it, or adopt a specified part, or reject it for a specified reason.
18. The seconded of a motion may second formally, and shall then have a right to speak later in the discussion (except where a vote is taken under SO-15 or SO-26).
19. Once a motion or amendment has been proposed and seconded, it cannot be withdrawn except with the consent of the meeting.
20. An amendment to a motion shall be a proposal to change its wording, but shall not constitute a direct negative nor introduce substantially new business.
21. Only one amendment shall be considered at a time.
22. With the consent of the meeting, the proposer and seconded of a motion may accept without debate an amendment which then becomes part of the original motion.
23. Where a motion is the subject of an amendment, the amendment shall be decided first. Any further amendments shall then be considered. Finally, the motion as amended (or not) shall be decided.

24. In the case of an equality of votes on any business, the Chair shall declare the motion 'not carried'.
25. Any business dealt with may not be raised again for decision later in the same meeting.
26. On the conclusion of any speech a member who has not spoken on the business under consideration may move:
  - 26.1. The adjournment of the meeting
  - 26.2. That the question be put to a vote immediately, or
  - 26.3. That the meeting proceeds immediately to the next business without taking a decision
27. There is no debate on a motion under SO 26. It shall be put to a vote at once, unless the Chair rules that to do so would be frivolous or would infringe the rights of a minority. A member who has moved such motion shall not do so again on the same agenda item.
28. No member shall interrupt another except, with the leave of the Chair, to raise a point of order.
29. No point of order can be raised once the Chair has called for a vote on the matter before the meeting.
30. The Chair shall rule promptly on any points or order.
31. A motion to overturn the Chair's ruling on a point of order may be proposed and if seconded shall be put to a card vote immediately after brief statement of explanation from the Chair.

## **APPENDIX TWO: Guide to the Single Transferable Vote (Dial System)**

### **Valid ballots:**

A valid vote is one which clearly indicates the voter's order of preferences by means of numerals: 1, 2, 3 etc. A single numeral against one candidate's name without other preferences is valid. Ballot paper is deemed invalid if there are two or more first preferences, or a voter makes a mark (eg X or a tick) for more than one candidate.

A vote is valid in so far as the first preference is clear and unambiguous, and it continues to be transferable as long as further preferences are clear and unambiguous.

### **The Quota:**

The quota is the minimum number of votes needed to guarantee the election of a candidate. It is calculated by dividing the total number of valid ballot papers by one more than the number of seats to be filled and adding one to the result.

Thus, if there were 40 valid papers and 4 Council seats to be filled, the quota would be 9, i.e.  $40 / (4+1) + 1 = 9$ .

For a single seat election (egg President) the quota would be  $40 / (1+1) + 1 = 21$ .

### **Transfer of Surplus:**

At the end of any count, any candidate who has received a number of votes equal to or greater than the quota is deemed to be elected.

If a candidate receives more than the quota, the surplus votes retransferred proportionately to the remaining candidates.

All the candidate's ballot papers are sorted into separate parcels according to the next effective preference shown (that is, passing over anyone already elected or eliminated).

A separate parcel is made of the non-transferable papers (papers on which an effective subsequent preference is not shown).

If the total number of transferable votes is less than or equal to the surplus, each remaining candidate will receive all the votes from the appropriate parcel of transferable papers.

If the number of transferable papers is greater than the surplus, each remaining candidate will receive from the appropriate parcel of transferable papers a whole number share of the surplus votes calculated as follows:-

Surplus number of papers in candidate's parcel divided by total number of transferable papers)

If the surplus (on later counts) arises out of transferred papers, only the papers in the parcel last transferred to that candidate re-examined and this parcel is then treated in the same way as a surplus consisting of first preference votes. If two or more candidates exceed the quota, the larger surplus is distributed first.

### **Elimination of Candidate:**

If no candidate has a surplus, or the surplus is insufficient to elect one of the remaining candidates or materially affect the progress of the count (the surplus is less than the difference between any remaining candidates), the lowest of the remaining candidates is eliminated and his/her papers are transferred to remaining candidates according to the next preference indicated on them. If a ballot papers to be transferred and the second preference shown on it is for candidate already elected or eliminated, the vote passes to the third choice and so on.

### **Completion of Counting:**

Counting continues until all the seats have been filled. If the position is reached where the number of seats left to be filled is equal to the number of candidates still in the running, these candidates are declared elected without having obtained the quota.

Example of a three-seat constituency with five candidates.

### **Checking and sorting**

The ballot papers are checked and the valid papers are arranged into separate parcels under the names of each candidate according to first preference. Scrutinizers should check each stage of the count at least twice.

**Establishing the Quota**

The quota is established by taking the number of seats plus one (here  $3\text{seats} + 1 = 4$ ). The total valid poll (37 votes in our example) is divided by four (any fractions are disregarded). One is added making the quota 10.

**1st Count**

Each separate parcel is counted and each candidate is credited with one vote in respect of each paper on which a first preference is recorded.

Result of the 1st count

Andrews 9

Boland 7

Carroll 12

Delaney 4

Aright 5

Total valid 37

Invalid Votes 2

Total 39

Carroll's vote (12) is larger than the quota (10), so he is elected.

**2nd Count**

Carroll has a surplus of 2 votes and this must be transferred next because it could alter the ranking of Delaney and Aright.

Carroll's 12 papers are examined and arranged in separate piles for each candidate according to the second preferences. There is a non-transferable pile for papers on which no second preference is indicated.

In our example, Carroll's second preferences are as follows:

Andrews 2

Boland 3

Delaney 0

Aright 6

Total transferable 11

Non-transferable 1

Since the total number of transferable papers (11) exceeds the surplus (2) only a fraction of each pile can be transferred. The number of papers to be transferred from each candidate's second preference pile is arrived at by

A. dividing the surplus (2) by the total transferable vote (11)  $= 0.1818182$

And then multiplying that fraction by the number of papers in each candidate's sub-parcel

So:

Andrews' sub-parcel has 2 papers  $\times 0.1818182$ . His share of the surplus is 0.36.

Boland's sub-parcel has 3 papers  $\times 0.1818182$ . Her share of the surplus is 0.54

Aright's sub-parcel has 6 papers  $\times 0.1818182$ . His share of the surplus is 1.09

Delaney's sub-parcel has 0 papers, she has no share of the surplus.

Transfers are only in whole votes, so Aright receives one vote. Since there is one paper remaining to be transferred, Boland having the largest fraction receives the second paper. One paper is taken from the top overnight and Boland's transfer piles and added to their original papers. Note that the lower preferences on the remaining untransformed papers are now out of consideration.

**Result of 2nd Count**

## First Count Transfers Second Count

Andrews 9 0 9

Boland 7 1 8

Carroll Elected - -

Delaney 4 0 4

Aright 5 1 6

**3rd Count**

As no candidate reached the quota the scrutinizers eliminate the candidate with the smallest number of papers (Delaney) and proceed to distribute these papers. No fraction is applied to transferring votes of an eliminated candidate - all the votes are distributed.

Delaney's papers have Andrews as the next preference on all four.

**Result of 3rd Count**

## Second Count Transfers Third Count

Andrews 9 4 13

Boland 8 0 8

Carroll Elected - -

Delaney 4 Eliminated -

Aright 6 0 6

Andrews having 3 votes in excess of the quota is now declared elected.

**4th Count**

Andrews' surplus of 3 votes must now be transferred..For this purpose, only the parcel of votes that put him over the quota is examined. The 4 votes transferred to him from Delaney is re-examined and sorted according to third preference on each paper.

The result is found to be as follows;

Enright 0

Boland 2

Non-transferable 2

Since the number of transferable papers is less than the surplus, two papers are transferred to Boland.

**Result of 4th Count**

## Third Count Transfers Fourth Count

Andrews 13 Elected -

Boland 8 2 10

Carroll Elected - -

Delaney Eliminated - -

Aright 6 0 6

Boland has reached the quota and is elected to the last seat.

**Note:** If Boland was still less than the quota at this stage she would still be declared elected having more votes than Aright, with no more votes to distribute.

On the other hand, if there had been four seats (disregarding the change in the quota) Boland and Aright would both have been declared elected on the elimination of Delaney.

**Presenting the results**

At the end, the scrutinizers should be able to provide a summary form like this:

Total number of papers: 39 Invalid: 2 Total valid poll: 37

Seats to be filled: 3 Quota: 10

Elected: Carroll, Andrews and Boland.

1stCount Transfer 2nd

Count Transfer 3rd

Count Transfer 4th Count

Andrews 9 0 9 4 13 Elected –

Boland 7 1 8 0 8 2 10 Elected

Carroll 12 Elected - - - - -

Delaney 4 0 4 Elam 's - - - -

Aright 5 1 6 0 6 6 -

Second count: distribution of Carroll's surplus of 2. Third count: distribution of Delaney's 4 votes. Fourth count: distribution of Andrews' surplus of 3.

The chief scrutinizer should carefully preserve all the ballot papers in case of a request for a recount.