

## SCHEDULES

### SCHEDULE 1

#### THE ELECTIONS

##### PART I

##### GENERAL

###### *Orders*

- 1 (1) The Secretary of State may by order make provision about the elections, and any other provision consequential on or supplementary to this Schedule.
- (2) An order under this paragraph may apply, with or without modifications, any enactment (and in particular any enactment relating to elections) or any provision made under an enactment.
- (3) An order under this paragraph shall be made by statutory instrument; but no order shall be made unless a draft has been laid before, and approved by resolution of, each House of Parliament.

###### *Return of delegates*

- 2 (1) Five delegates shall be returned for each of the parliamentary constituencies in Northern Ireland and twenty for Northern Ireland as a whole.
- (2) The constituencies referred to in sub-paragraph (1), and in the following provisions, are those provided for in the Parliamentary Constituencies (Northern Ireland) Order 1995.

###### *Date of poll*

- 3 The poll in the elections shall be held on a date provided for by an order under paragraph 1.

###### *Franchise*

- 4 The persons entitled to vote at the election in a constituency shall be those who both—
- (a) would be entitled to vote as electors at a local election in a district electoral area wholly or partly comprised in the constituency, and
  - (b) are registered at an address within the constituency in a register of local electors.

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*Parties and party lists*

- 5 (1) The elections shall be conducted on the basis of lists submitted by the nominating representatives of parties.
- (2) The parties for which lists may be submitted are those set out in Part II of this Schedule.
- 6 (1) The nominating representative of each of those parties may (within such time as may be prescribed by an order under paragraph 1) submit to the Chief Electoral Officer for Northern Ireland separate lists of candidates for all or any of the constituencies (“constituency lists”).
- (2) If a nominating representative submits at least three constituency lists, he may also submit a list of candidates for Northern Ireland as a whole (a “regional list”).
- (3) The number of candidates on a constituency list must be at least two and not more than five.
- (4) The number of candidates on a regional list must be at least two and not more than ten.
- (5) A constituency list for a party may not include a candidate who is on another constituency list for the party.
- (6) A party’s regional list must include at least two candidates who are not on a constituency list for the party.

*Method of election*

- 7 (1) Each elector shall have one vote, to be cast for a party named on the ballot paper for the constituency.
- (2) The ballot paper shall show the names of each of the parties for which a constituency list has been submitted for the constituency.

*Constituency delegates*

- 8 (1) For each constituency there shall be calculated—
- (a) the total number of votes given;
  - (b) the quota for the constituency;
  - (c) the number of votes given for each party.
- (2) The quota for a constituency is—

$$\frac{T}{6} + 1$$

where

T is the total number of votes given.

- 9 (1) If the number of votes given for a party in a constituency equals or exceeds the quota, one of the candidates on the party’s constituency list shall be returned from the constituency as a delegate.
- (2) But if the number of votes equals or exceeds a multiple of the quota, a correspondingly greater number of candidates shall be returned (up to the number appearing on the list).

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- 10 If the application of paragraph 9 produces fewer than five delegates, then—
- (a) there shall be calculated for each party (excluding any whose constituency list has been exhausted) the quotient representing—

$$\frac{V}{N+1}$$

where

V is the number of votes given for the party and N is the number of the party's candidates returned as delegates by the previous application of paragraph 9 (or paragraph 9 and this paragraph);

- (b) a candidate on the list of the party with the highest quotient shall be returned as a delegate.
- 11 If the application of paragraph 10 produces fewer than five delegates, it shall be applied again until five delegates have been produced (or all the constituency lists have been exhausted).
- 12 The order in which the candidates on a party's list are returned for a constituency shall be the order in which they appear on the list.
- 13 An order under paragraph 1 shall make provision as to the return of delegates in the event of an equality of quotients.

#### *Regional delegates*

- 14 (1) For each party having a regional list the aggregate number of votes given in all the constituencies shall be calculated.
- (2) Two candidates from the regional list of each of the ten parties with the largest aggregates shall be returned as delegates.
- 15 The order in which the candidates on a party's regional list are returned shall be the order in which they appear on the list, except that a candidate returned at the election for a constituency shall be disregarded.
- 16 An order under paragraph 1 shall make provision as to the return of delegates in the event of an equality of votes.

#### *Disqualification*

- 17 A person is disqualified for being on a constituency or regional list if—
- (a) he is a person to whom section 3 of the Representation of the People Act 1983 applies (disfranchisement of offenders in prison), or
- (b) he is authorised to be detained on the ground (however formulated) that he is suffering from mental illness, or
- (c) he is not of voting age within the meaning of section 1 of that Act.

#### *Amendment of lists, and vacancies*

- 18 (1) A person's name shall be treated as removed from a party's constituency or regional list if he dies or is disqualified or if the Secretary of State receives a written request for removal from—
- (a) that person, or
- (b) the party's nominating representative.

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- (2) A person whose name is treated as removed from a list shall (if he is one) cease to be a delegate or a member of a team nominated under section 2(2) or (4).
- 19 (1) This paragraph shall apply where a person ceases to be a delegate in accordance with paragraph 18.
- (2) Where the delegate was appointed from a party's constituency list, there shall be returned as a delegate in his place—
- (a) the next person on that list who is not a delegate, or
  - (b) if there is no such person, the next person on the party's regional list who is not a delegate.
- (3) Where the delegate was appointed from a regional list, there shall be returned as a delegate in his place the next person on that list who is not a delegate.
- (4) A vacancy which cannot be filled by the application of sub-paragraph (2) or (3) shall remain unfilled.
- 20 Where a party ceases to exist, any persons on its lists who are delegates or members of a team nominated under section 2(2) or (4) shall cease to be so.