

ferable vote, as defined by the Representation of the People Act, 1918, and that His Majesty in Council shall have the same power of making regulations in respect thereto as he has under sub-section (3) of section twenty of that Act, and that the said sub-section shall apply accordingly:

And whereas by sub-section (3) of section twenty of the Representation of the People Act, 1918, it is provided that His Majesty may, by Order in Council, frame regulations prescribing the method of voting, and transferring and counting votes, at any election, according to the principle of the transferable vote, and for adapting the provisions of the Ballot Act, 1872, and any other Act relating to parliamentary elections thereto, and with respect to the duties of returning officers in connection therewith, and that any such regulations shall have effect as if they were enacted in the said Representation of the People Act:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows:—

1.—(1) This Order may be cited as the Irish Houses of Commons (Proportional Representation) Order, 1921.

(2) The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order in like manner as it applies for the interpretation of an Act of Parliament.

2. The rules contained in the Schedule to this Order shall apply in the case of any election of the full number of members to serve in the House of Commons of Southern Ireland or the House of Commons of Northern Ireland for any constituency named in Part I. or Part II. of the Fifth Schedule to the Government of Ireland Act, 1920 (other than a university constituency).

*Almeric FitzRoy.*

## SCHEDULE.

### PART I.

1. The election shall be conducted in accordance with the following Rules, as illustrated in Part II. of this Schedule.

2.—(1) Every elector shall have one transferable vote.

(2) An elector in giving his vote—

(a) must place on his ballot paper the figure 1 opposite the name of the candidate for whom he votes;

(b) may in addition place on his ballot paper the figure 2 or the figures 2 and 3, or 2, 3 and 4, and so on opposite the names of other candidates in the order of his preference.

(3) For the purpose of enabling the vote of any voter to whom rule 26 in Part I. of the First Schedule to the Ballot Act, 1872, applies to be marked on the ballot paper in manner directed by such voter, the presiding officer shall proceed in accordance with the instructions in Part III. of this Schedule.

3. The forms contained in Part IV. of this Schedule shall be substituted for the forms of front and back of ballot paper and of directions for the guidance of the voter contained in the Second Schedule to the Ballot Act, 1872, and for the "Instructions to the Voter" contained in Form No. 1 of Schedule IV. to the Representation of the People Order.

4. A ballot paper on which—

(a) the figure 1 standing alone indicating

a first preference for some one candidate is not placed; or on which

(b) the figure 1 standing alone indicating a first preference is set opposite the name of more than one candidate; or on which

(c) the figure 1 standing alone indicating a first preference and some other number is set opposite the name of the same candidate; or on which

(d) any mark is made not authorised by the Ballot Act, 1872, as modified by this Schedule; or on which anything except the number on the back is written or marked by which the voter can be identified, shall be invalid and not counted.

5.—(1) After the ballot papers have been mixed, in accordance with the Rules contained in Part I. of the First Schedule of the Ballot Act, 1872, the returning officer shall, rejecting any that are invalid, cause the ballot papers to be arranged in parcels according to the first preferences recorded for each candidate.

(2) The returning officer shall then count the number of papers in each parcel, and credit each candidate with a number of votes equal to the number of valid papers on which a first preference has been recorded for such candidate, and he shall ascertain the full total number of all valid papers.

6. The returning officer shall then divide the full total number of all valid papers by a number exceeding by one the number of vacancies to be filled. The result increased by one, any fractional remainder being disregarded, shall be the number of votes sufficient to secure the return of a candidate. This number is herein called the "quota."

7. If at the end of any count the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall be deemed to be elected.

8.—(1) If at the end of any count the number of votes credited to a candidate is greater than the quota, the surplus shall be transferred in accordance with the provisions of this Rule to the continuing candidate or candidates indicated on the ballot papers in the parcel or sub-parcel of the elected candidate, according to the next available preferences recorded thereon.

(2)—(a) If the votes credited to an elected candidate consist of original votes only, the returning officer shall examine all the papers in the parcel of the elected candidate whose surplus is to be transferred and shall arrange the transferable papers in sub-parcels according to the next available preferences recorded thereon.

(b) If the votes credited to an elected candidate consist of original and transferred votes, or of transferred votes only, the returning officer shall examine the papers contained in the sub-parcel last received by the elected candidate, and shall arrange the transferable papers therein in further sub-parcels according to the next available preferences recorded thereon.

(c) In either of the cases referred to in paragraphs (a) and (b) of this sub-section the returning officer shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of transferable papers and in the sub-parcel of non-transferable papers.

(3) If the surplus is equal to or greater than the total number of papers in the sub-parcels of transferable papers, the returning officer shall transfer each sub-parcel of transferable