

Rules for Election of Council Members



Approved by Council at Meeting 4/05, 1 August 2005

1 Definitions

- 1.1 In these rules
 - (a) 'continuing candidate' means a candidate not already elected or excluded from the count;
 - (b) 'close of ballot', in relation to an election, means 10am on the day appointed for the election;
 - (c) 'Roll of the University' means a Roll referred to in clause 5.

2 Returning Officer

- 2.1 An election referred to in these rules is to be conducted by the Council Secretary who is to be the Returning Officer for the election. The Returning Officer may delegate any of his or her powers or functions under these rules.
- 2.2 Subject to these rules, detailed arrangements for the conduct of any election shall be made by the Returning Officer.
- 2.3 The Returning Officer shall prepare and circulate a notice calling for nominations in accordance with the rules.
- 2.4 The Returning Officer shall check the validity of all nominations received during the nomination period and advise each candidate of the outcome of their nomination. The Returning Officer shall reject any nominations received after the nomination period has closed.
- 2.5 The Returning Officer shall accept all nominations, which satisfy the requirements of these rules.
- 2.6 The Returning Officer shall treat any defective nominations in the manner prescribed in these rules.
- 2.7 Where a ballot is required, the Returning Officer shall conduct the ballot in accordance with the provisions of these rules.
- 2.8 In respect to any matter pertaining to the conduct of any election, and notwithstanding anything else contained in the rules, the Returning Officer shall take such action as the Returning Officer considers necessary, including but not limited to making void a step already taken in the election, to ensure the secrecy of the ballot and to prevent or remedy an irregularity.
- 2.9 The Returning Officer shall, subject to the University of Adelaide Act 1971 and to these Rules, determine finally on questions of detail concerning any election.

3 Scrutineers

- 3.1 Each candidate may appoint a scrutineer in writing to act on their behalf during the opening of envelopes and scrutiny and count of ballot papers. A candidate in any election for the Council (including a candidate that may have been declared elected) cannot be a scrutineer.
- 3.2 Scrutineers have the right to view all facets of the election process including the removal of the 'Ballot Paper Envelopes' from the outer return envelopes and the marking of the roll which occurs progressively as ballot material is returned.

4 Time of elections

- 4.1 The Council in consultation with the Returning Officer shall determine the election dates in each category of membership for which election is required by the University of Adelaide Act 1971.

5 Electors and candidates

- 5.1 A person is eligible to vote if their name appears on a roll referred to in 5.3 below on Close of Roll Day.
- 5.2 Close of Roll Day shall be a day which is no earlier than 30 days and no later than 7 days before the day on which nominations for the election open.

Rolls

- 5.3 The Returning Officer is to be provided with the following certified rolls:
- (1) a Roll of Academic Staff containing the names and addresses of those persons who:
 - (a) hold the post of professor, associate professor, principal lecturer, senior lecturer, lecturer or associate lecturer at the University (or, if an alternative designation is adopted for any of those posts, the post as so designated); and
 - (b) hold a full-time, or not less than 0.5 fractional, appointment to the post concerned;
 - (2) a Roll of General Staff containing the names and addresses of those persons who hold a full-time, or not less than 0.5 fractional, appointment to a post at the University other than a post referred to in paragraph (1) (a);
 - (3) a Roll of Undergraduate Students containing the names and addresses of those persons who are enrolled as students of the University proceeding towards:
 - (a) a bachelor's degree; or
 - (b) a diploma other than a graduate diploma;
 - (4) a Roll of Postgraduate Students containing the names and addresses of those persons who are enrolled as students of the University proceeding towards:
 - (a) a degree other than a bachelor's degree; or
 - (b) a graduate diploma; or
 - (c) a graduate certificate;
 - (5) a Roll of Graduates as determined by Council after consultation with the presiding member of the Graduate Association.

Note: Section 3 of the University of Adelaide Act 1971 defines

- *the academic staff as the officers or employees of the University classified by the Council as members of the academic staff;*
- *the general staff as the officers or employees of the University classified by the Council as members of the general staff;*
- *an undergraduate student as a student enrolled at the University in an academic program designated by the statutes or rules to be an undergraduate program;*
- *an postgraduate student as a student enrolled at the University in an academic program designated by the statutes or rules to be an postgraduate program;*
- *a graduate of the University as a person on whom the University has conferred an academic award, including an honorary award and an award conferred jointly with another university.*

Eligibility to nominate as a member of academic staff

- 5.4 In respect of a person seeking election as a member of the academic staff of the University, the prescribed qualification is that the person's name is on the Roll of Academic Staff on Close of Roll Day.

Eligibility to nominate as a member of general staff

- 5.5 In respect of a person seeking election as a member of the general staff of the University, the prescribed qualification is that the person's name is on the Roll of General Staff on Close of Roll Day.

Eligibility to nominate as an undergraduate student

- 5.6 In respect of a person seeking election as an undergraduate student of the University, the prescribed qualifications are that the person's name:
- (1) is on the Roll of Undergraduate Students;
 - (2) is not on the Roll of Academic Staff or the Roll of General Staff; and
 - (3) was enrolled as required by sub-section 12(7) of the *University of Adelaide Act 1971*, on Close of Roll Day.

Eligibility to nominate as a postgraduate student

- 5.7 In respect of a person seeking election as a postgraduate student of the University, the prescribed qualifications are that the person's name:
- (1) is on the Roll of Postgraduate Students;
 - (2) is not on the Roll of Academic Staff or the Roll of General Staff; and
 - (3) was enrolled as a postgraduate student for the semester last preceding the date of the election, on Close of Roll Day.

Eligibility to nominate as a graduate

- 5.8 In respect of a person seeking election as a graduate of the University, the prescribed qualifications are that the person's name:
- (1) is on the Roll of Graduates; and
 - (2) is not on the Roll of Academic Staff, the Roll of General Staff, the Roll of Undergraduate Students or the Roll of Postgraduate Students, on Close of Roll Day.

6 Notice of election and call for nominations

- 6.1 Before the opening of nominations for an election, the Returning Officer must publish a notice which (a) specifies the number and category of vacancies to be filled at the election, the term of office, the names of retiring members and whether the retiring members are eligible for re-election; (b) invites nominations for election to the vacancies; and (c) specifies how nominations are to be made and the date and time by which nominations must reach the Returning Officer.
- 6.2 The notice must be published: at least 50 days before the appointed day for the election
- 6.3 In the case of an election by graduates, the notice must be published at least once in any University publication specifically aimed at graduates, which may be online or in print.
- 6.4 In the case of an election by staff or students, must be published at least once in a bulletin which circulates to all staff, which may be online or in print.

7 Making of nominations

- 7.1 Each nomination form shall state the number of vacancies for each category of member, and the date and time by which nominations must reach the Returning Officer.
- 7.2 Each nomination shall be signed by two members of the electorate for the election.
- 7.3 Each candidate nominated shall declare, on the nomination form, that he/she is qualified to be elected in the category of membership for which he/she is nominated, and signify thereon his/her consent to the nomination.
- 7.4 Nominations must reach the Returning Officer by the close of nominations. Nominations received after the date and time set for the close of nominations shall be invalid. A nomination may be forwarded by facsimile, provided the original nomination form is sent in the post.
- 7.5 Where the Returning Officer finds that a nomination is or may be defective, the Returning Officer shall, before rejecting the nomination, notify the person concerned of the defect and where practicable, give the person the opportunity of remedying the defect prior to the close of nominations.
- 7.6 Where the Returning Officer has notified a person of a defective nomination, and where that person has corrected the defect and advised the Returning Officer prior to the close of nominations, the Returning Officer shall accept the nomination.
- 7.7 Where the Returning Officer has notified a person of a nomination defect, and where that person has not corrected the defect and advised the Returning Officer prior to the close of nominations, the nomination shall be rejected.
- 7.8 (a) A candidate must provide the following information with the nomination paper :
 - full name; and
 - in the case of a staff candidate, faculty, school, department or area;
 - in the case of a student candidate, year of enrolment;
 - in the case of a graduate candidate, year of graduation from the University of Adelaide.(b) Candidates must also provide a statement in support of their nomination of not more than 150 words. The statement may include the following information:
 - academic qualifications
 - occupation experience
 - positions or offices held at any time in public bodies, clubs and institutions (including University clubs and societies) with dates of tenure
 - honours and distinctions
 - other information in support of candidacy.(c) A candidate may provide a photograph taken within the last 24 months.
- (d) If a statement exceeds the 150 word limit and the candidate has not reduced the size of the statement to 150 words or less by the close of nominations, the Returning Officer will exclude from the statement all words appearing after the 150th word.

A statement must not refer to another person who has nominated as a candidate for election to the council without the written consent of that person.
- 7.9 All nominations and candidate statements must reach the Returning Officer before noon on nomination closure day.
- 7.10 A candidate duly nominated for any office may subsequently withdraw their nomination by letter to the Returning Officer at any time before the closing date for the receipt of nominations, and receipt by the Returning Officer of such letter shall be held to cancel such nomination. Nominations may not be withdrawn after the close of nominations.

8 Uncontested elections

- 8.1 If the number of valid nominations received is less than or equals the number of vacancies to be filled, the Returning Officer shall declare the nominated candidate/s elected.

9 Conduct of ballot

- 9.1 If the number of valid nominations received exceeds the required number of candidates, the Returning Officer shall conduct a ballot.

Form of ballot

- 9.2 A ballot for a Council election must be a secret ballot using the proportional representation preferential system as defined in the Local Government (Elections) Act 1999.

Distribution of ballot papers

- 9.3 If there is to be an election for members of the Council, the Returning Officer is to post a ballot paper to each person whose name is on the relevant Roll of the University, addressed to the person at his or her last known address.
- 9.4 The ballot papers are to be posted at least:
- (a) in the case of an election of graduates - 21 clear days; and
 - (b) in all other cases - 14 clear days, before the day appointed for the election.
- 9.5 The fact that a person whose name is on the relevant Roll of the University did not receive a ballot paper does not invalidate an election.

Material to accompany ballot papers

- 9.6 Each ballot paper is to be accompanied by:
- (a) a notice setting out how the ballot paper is to be completed and specifying the date and time of the close of ballot
 - (b) 2 envelopes, one a declaration envelope marked 'Ballot Paper Envelope' and the other an envelope addressed to the Returning Officer and
 - (c) a statement for each of the candidates. The statements will be printed in a consistent format by the Returning Officer and will be set out in the same order as the names are to appear on the ballot paper.
- 9.7 The 'Ballot Paper Envelope' shall contain a declaration flap that must be signed by the elector to indicate that the envelope contains his/her vote and they have only voted once in the ballot. An envelope not signed by an elector or returned after the closing date and time of the ballot shall not be accepted for further scrutiny.

Contents of ballot paper

- 9.8 Each ballot paper must contain the names of the candidates in the order determined by lot in accordance with subsection 9.10.
- 9.9 The ballot paper must be initialled by the Returning Officer or by a person appointed by the Returning Officer. A ballot paper stamped with a facsimile of the relevant initials is taken to be initialled in accordance with this subsection.
- 9.10 The Returning Officer is to determine the order of candidates in following way:
- (a) the names of the candidates concerned are to be written on separate and similar slips of paper;
 - (b) the slips are to be folded so as to prevent identification;

- (c) the slips are then to be mixed and drawn at random;
- (d) the candidates' names are to be listed in the order in which they are drawn.

Method of voting

- 9.11 To make a formal vote at an election a person must make a vote on the ballot paper –
- (a) if only one candidate is required to be elected – by placing the number 1 in the square opposite the name of the candidate of the voter's first preference and, if the voter so desires, by placing the number 2 and consecutive numbers in the squares opposite the names of other candidates in the order of the voter's preference for them;
 - (b) if more than one candidate is required to be elected – by placing consecutive numbers beginning with the number 1 in the squares opposite the names of candidates in the order of the voter's preference for them until the voter has indicated a vote for a number of candidates equal to the number of candidates required to be elected and then, if the voter so desires, by continuing to place consecutive numbers for one or more additional candidates in the order of the voter's preference.
 - (c) A tick or cross appearing on a ballot paper is equivalent to the number 1.
- 9.12 The marked ballot paper must be forwarded by the voter to the Returning Officer in the signed 'Ballot Paper Envelope', which in turn is placed in the envelope addressed to the Returning Officer. An envelope not signed by an elector or returned after the closing date and time of the ballot shall not be accepted for further scrutiny.
- 9.13 The Returning Officer may open the envelopes addressed to the Returning Officer and check the signatures on 'Ballot Paper Envelopes' prior to the ballot closure day. All 'Ballot Paper Envelopes' purporting to contain a signature for the elector whose name is shown on the envelope shall be accepted for further scrutiny.
- 9.14 All 'Ballot Paper Envelopes' received by the Returning Officer must remain unopened until the close of the ballot.

Informal ballot papers

- 9.15 A ballot paper is informal if:
- (a) it is not authenticated by the initials of the Returning Officer or by a mark authorised by the Returning Officer, or
 - (b) it has no vote indicated on it or does not indicate the order of the voter's preference in a manner required by Rule 9.11
- 9.16 If –
- (a) a series of numbers (starting from the number 1) appearing on a ballot paper is non-consecutive by reason only of the omission of one or more numbers from the series or the repetition of a number (not being the number 1); and
 - (b) if more than one candidate is required to be elected – the numbers are at least consecutive up to the number of candidates required to be elected,

the ballot paper is not informal and the votes are valid up to the point at which the omission or repetition occurs.

A ballot paper is not informal by reason of non-compliance with this section if the voter's intention is clearly indicated on the ballot paper.

- 9.17 Where, during the ballot, the Returning Officer is informed by a scrutineer that the scrutineer objects to a returned envelope or a ballot paper being accepted or rejected, the Returning Officer shall decide whether the returned envelope or ballot paper is to be

admitted or rejected and endorse his/her decision on the envelope or ballot paper. The decision of the Returning Officer is to be final.

Procedure on close of ballot

- 9.18 As soon as practicable after the close of ballot, the Returning Officer, in the presence of any appointed scrutineer shall:
- (a) remove the declaration flaps on all accepted 'Ballot Paper Envelopes' prior to opening the envelopes to ensure the secrecy of the elector's votes
 - (b) open the envelopes referred to in paragraph (a) and take out the ballot paper and
 - (c) count the votes and ascertain the result of the ballot in accordance with these rules.

Informal ballot papers to be rejected

- 9.19 The Returning Officer is to reject any informal ballot papers and count the formal ballot papers.
- 9.20 A reference in any other clause of these rules to a ballot paper is taken to be a reference to a formal ballot paper, and a reference to a vote is taken to be a reference to a vote in a formal ballot paper.

Method of Counting

- 9.21 (1) The Returning Officer must, with the assistance of any other election staff who may be present, and in the presence of any scrutineers who may be present, conduct the counting of the votes in an election according to the following method:
- (a) the number of first preference votes given for each candidate and the total number of all such votes must be ascertained and a quota determined by dividing the total number of first preference votes by one more than the number of candidates required to be elected and by increasing the quotient so obtained (disregarding any remainder) by one and, where any candidate has received a number of first preference votes equal to or greater than the quota, the Returning Officer must make a provisional declaration that the candidate has been elected;
 - (b) notwithstanding paragraph (a) or any other paragraph of this subsection, if the total number of all first preference votes does not exceed 150, the number of votes of any kind contained in the ballot papers will, for the purposes of any counting or calculation under paragraph (a) or any other paragraph of this subsection, be taken to be the number obtained by multiplying the number of votes of that kind contained in the ballot papers by 100;
 - (c) unless all the vacancies have been filled, the surplus votes of each elected candidate must be transferred to the continuing candidates as follows:
 - (i) the number of surplus votes of the elected candidate must be divided by the number of first preference votes received by that candidate and the resulting fraction will be the transfer value;
 - (ii) the total number of the first preference votes for the elected candidate that are contained in ballot papers that express the next available preference for a particular continuing candidate must be multiplied by the transfer value, the number so obtained (disregarding any fraction) must be added to the number of first preference votes of the

continuing candidate and all those ballot papers must be transferred to the continuing candidate,

and, where any continuing candidate has received a number of votes equal to or greater than the quota on the completion of any such transfer, the Returning Officer must make a provisional declaration that the candidate has been elected;

- (d) unless all the vacancies have been filled, the surplus votes (if any) of any candidate elected under paragraph (c), or elected subsequently under this paragraph, must be transferred to the continuing candidates in accordance with paragraph (c)(i) and (ii) and, where any continuing candidate has received a number of votes equal to or greater than the quota on the completion of any such transfer, the Returning Officer must make a provisional declaration that the candidate has been elected;
- (e) if a continuing candidate has received a number of votes equal to or greater than the quota on the completion of a transfer under paragraph (c) or (d) of the surplus votes of a particular elected candidate, no votes of any other candidate may be transferred to the continuing candidate;
- (f) for the purposes of the application of paragraph (c)(i) and (ii) in relation to a transfer under paragraph (d) or (h) of the surplus votes of an elected candidate, each ballot paper of the elected candidate that was obtained on a transfer under this subsection must be dealt with as if any vote it expressed for the elected candidate were a first preference vote, as if the name of any other candidate previously elected or excluded had not been on the ballot paper and as if the numbers indicating subsequent preferences had been altered accordingly;
- (g) if, after the counting of first preference votes or the election of a candidate and the transfer of the surplus votes (if any) of the elected candidate that are capable of being transferred, no candidate has, or less than the number of candidates required to be elected have, received a number of votes equal to the quota, the candidate who has the fewest votes must be excluded and all the excluded candidate's votes must be transferred to the continuing candidates as follows:
 - (i) the total number of the first preference votes for the excluded candidate that are contained in ballot papers that express the next available preference for a particular continuing candidate must be transferred, each first preference vote at a transfer value of one, to the continuing candidate and added to the number of votes of the continuing candidate and all those ballot papers must be transferred to the continuing candidate;
 - (ii) the total number (if any) of other votes obtained by the excluded candidate on transfers under this subsection must be transferred from the excluded candidate in the order of the transfers on which they were obtained, the votes obtained on the earliest transfer being transferred first, as follows:
 - (A) the total number of votes transferred to the excluded candidate from a particular candidate that are contained in ballot papers that express the next available preference for a particular continuing candidate must be multiplied by the transfer value at which the votes were so transferred to the excluded candidate;

- (B) the number so obtained (disregarding any fraction except where a computer program is used to tally the votes) must be added to the number of votes of the continuing candidate;
- (C) all those ballot papers must be transferred to the continuing candidate;
- (h) if any continuing candidate has received a number of votes equal to or greater than the quota on the completion of a transfer under paragraph (g) or (i) of votes of an excluded candidate, the Returning Officer must make a provisional declaration that the candidate has been elected and, unless all the vacancies have been filled, the surplus votes (if any) of the candidate so elected must be transferred in accordance with paragraph (c)(i) and (ii), except that, if the candidate so elected is elected before all the votes of the excluded candidate have been transferred, the surplus votes (if any) of the candidate so elected must not be transferred until the remaining votes of the excluded candidate have been transferred in accordance with paragraph (g)(i) and (ii) to continuing candidates;
- (i) subject to paragraph (k), if, after the exclusion of a candidate and the transfer of the votes (if any) of the excluded candidate that are capable of being transferred, no continuing candidate has received a number of votes greater than the quota, the continuing candidate who has the fewest votes must be excluded and his or her votes transferred in accordance with paragraph (g)(i) and (ii);
- (j) if a candidate is elected as a result of a transfer of the first preference votes of an excluded candidate or a transfer of all the votes of an excluded candidate that were transferred to the excluded candidate from a particular candidate, no other votes of the excluded candidate may be transferred to the candidate so elected;
- (k) in respect of the last vacancy for which two continuing candidates remain, the Returning Officer must make a provisional declaration that the continuing candidate who has the larger number of votes has been elected notwithstanding that that number is below the quota and, if those candidates have the same number of votes, the candidate with the larger number of votes at the last preceding count or transfer will be taken to be the elected and, if the number of votes at that count or transfer was equal, the Returning Officer must, in the presence of any scrutineers who may be present, draw lots to determine which of the candidates is to be elected;
- (l) notwithstanding any other provision of this subsection, if, on the completion of a transfer of votes under this subsection, the number of continuing candidates is equal to the number of remaining unfilled vacancies, the Returning Officer must make a provisional declaration that those candidates have been elected;
- (m) for the purposes of this subsection –
 - (i) the order of election of candidates will be taken to be in accordance with the order of the count or transfer as a result of which they were elected, the candidates (if any) elected on the count of first preference votes being taken to be the earliest elected; and
 - (ii) if two or more candidates are elected as a result of the same count or transfer, the order in which they will be taken to have been elected will be in accordance with the relative numbers of their votes, the candidate with the largest number of votes being

taken to be the earliest elected but, if any two or more of those candidates each have the same number of votes, the order in which they will be taken to have been elected will be taken to be in accordance with the relative numbers of their votes at the last count or transfer before their election at which each of them had a different number of votes, the candidate with the largest number of votes at that count or transfer being taken to be the earliest elected and, if there has been no such count or transfer, the Returning Officer must, in the presence of any scrutineers who may be present, draw lots to determine the order in which they will be taken to have been elected;

- (n) subject to paragraphs (o) and (p), if, after any count or transfer under this subsection, two or more candidates have surplus votes, the order of any transfers of the surplus votes of those candidates will be in accordance with the relative sizes of the surpluses, the largest surplus being transferred first;
- (o) subject to paragraph (p), if, after any count or transfer under this subsection, two or more candidates have equal surpluses, the order of any transfers of the surplus votes of those candidates will be in accordance with the relative numbers of votes of those candidates at the last count or transfer at which each of those candidates had a different number of votes, the surplus of the candidate with the largest number of votes at that count or transfer being transferred first but, if there has been no such count or transfer, the Returning Officer must, in the presence of scrutineers who may be present, draw lots to determine the order in which the surpluses will be dealt with;
- (p) if, after any count or transfer under this subsection, a candidate obtains surplus votes, those surplus votes will not be transferred before the transfer of any surplus votes obtained by any other candidate on an earlier count or transfer;
- (q) if the candidate who has the fewest votes is required to be excluded and two or more candidates each have the fewest votes, whichever of those candidates had the fewest votes at the last count or transfer at which each of those candidates had a different number of votes will be excluded but, if there has been no such count or transfer, the Returning Officer must, in the presence of any scrutineers who may be present, draw lots to determine which candidate will be excluded;
- (r) if a candidate is elected by reason that the number of first preference votes received, or the aggregate of first preference votes received and all other votes obtained on transfers under this subsection, is equal to the quota, all the ballot papers expressing those votes must be set aside as finally dealt with;
- (s) a ballot paper must be set aside as exhausted where on a transfer it is found that the paper expresses no preference for any continuing candidate;
- (t) for the purposes of this subsection, a transfer under paragraph (c), (d) or (h) of the surplus votes of any elected candidate, a transfer in accordance with paragraph (g)(i) of all first preference votes of an excluded candidate or a transfer in accordance with paragraph (g)(ii) of all the votes of an excluded candidate that were transferred from a particular candidate will each be regarded as constituting a separate transfer.

(2) In subsection (1) –

‘continuing candidate’ means a candidate not already elected or excluded from the count;

‘election’ of a candidate means the making by the Returning Officer of a provisional declaration that the candidate has been elected; and ‘elected’ has a corresponding meaning;

‘surplus votes’ of an elected candidate means the excess (if any) over the quota of the elected candidate’s votes.

(3) In subsection (1), a reference to votes of or obtained or received by a candidate includes votes obtained or received by the candidate on any transfer under that subsection.

(4) If a candidate has died between the close of nominations and the close of the ballot, then a vote indicated on a ballot paper opposite the name of the deceased candidate must be counted to the candidate next in the order of the voter’s preference, and the numbers indicating subsequent preferences will be taken to have been altered accordingly.

Declaration of result

9.22 When the Returning Officer is satisfied that the votes have been correctly calculated and counted, the Returning Officer shall declare the result of the election by:

- (a) writing to all candidates contesting the election and advising them of the outcome;
- (b) writing to the University Council with a written election report that will be tabled at the next meeting of the Council.

9.23 The report to the University Council shall include:

- (a) The total number of persons on the roll of voters.
- (b) The total number of ballot papers issued.
- (c) The total number of envelopes that were returned undelivered by the closing date of the ballot.
- (d) The total number of envelopes returned at the close of the ballot.
- (e) The total number of ballot papers extracted from envelopes.
- (f) The total number of formal and informal ballot papers.

Internet-based elections

9.24 In spite of anything in the preceding provisions, an election may be conducted using the internet (an *internet-based election*).

9.25 For an internet-based election, any reference in these rules to a physical document may be read as a reference to an appropriate electronic document such as a page on a website or an email.

9.26 For an internet-based election, the standard official email address with the University’s email system is to be regarded as the person’s address.

9.27 Voting papers for an internet-based election may be provided by email or on the internet.

Computer counting

9.28 The Returning Officer may after consultation with the Council, decide to use a computer program to carry out the steps involved in the recording, scrutiny and counting of votes in the election. The Returning Officer must be reasonably satisfied that the proper use of the program would produce the same result as a manual count.