

EXECUTIVE COUNCIL

CONFIDENTIAL

Title of Report: Voting arrangements for Referendum of 3 November 2011
Paper No: 211/11
Date: 28 September 2011
Report of: Attorney General/Registrar General

1.0 Purpose

The purpose of this paper is to put voting options for the November Referendum.

2.0 Recommendation

It is recommended that Honourable Members approve option B described in paragraph 4.5 below, and that the Governor notify the relevant polling requirements as required under the Electoral Ordinance.

3.0 Summary of Financial Implications.

Operating Budget

No financial implications (if option B is agreed)

4.0 Background

4.1 The proposed November referendum is the first occasion on which a stand alone referendum will be held (the 2001 referendum was held in conjunction with a general election). A number of decisions now need to be made in relation to voting arrangements for this referendum.

4.2 The Electoral Ordinance requires the minimum appointment of the following polling places:

- (a) static polling stations on polling day at the following locations:
 - (i) one place in Stanley;
 - (ii) one place outside Stanley on East Falkland;
 - (iii) one place on West Falkland; and
- (b) mobile polling to the hospital and sheltered accommodation.

4.3 At the 2009 general election, a number of options for voting arrangements were put to Members (reference Executive Council paper 100/09). On that occasion, it was agreed that the following arrangements would be made in addition to the minimum statutory requirements:

Voting on West Falkland - half day static polling stations at Hill Cove and Port Howard.

On East Falkland - half a day static polling station was at Hope Cottage.

Island voters were encouraged to register for postal or proxy methods beforehand, and so there was *no* mobile polling to the outer Islands by FIGAS charter flight.

However, because voters on New Island and Bleaker Island did not (or could not) make postal or proxy arrangements, a helicopter was chartered to collect their votes.

4.4 The cost of the voting arrangements at the 2009 General Election were £7,580.00, with an estimated £3,000 attributable to the cost of providing the non-statutory arrangements described at paragraph 4.2.

4.5 Four voting options have been identified for the voting arrangements at the November referendum (see additional information about each option at paragraph 4.6 onwards):

Option A

- (a) static polling stations on polling day at:
 - (i) Town Hall, Stanley;
 - (ii) Goose Green;
 - (iii) Fox Bay; and
- (b) mobile polling stations on polling day to the hospital and sheltered accommodation

Cost: £5,000 (to be absorbed in AG's Directorate budget if possible)

Option B

- (a) static polling stations on polling day as at option A
- (b) mobile polling stations:
 - (i) to the hospital and sheltered accommodation on polling day;
 - (ii) to Hill Cove West Falkland Island between am Tuesday 1 November from 10.00 hours to midday (Stanley local time)

(iii) to Port Howard West Falkland between pm – Tuesday 1 November from 1500 to 1700 hours (Stanley local time)

(iv) Hope Cottage East Falkland Island between am Thursday 3 November 10.00 hours to 1300 hours (Stanley local time)

Cost: £8,000 (to be absorbed by savings in AG's Directorate budget if possible)

Option C

(a) static polling stations on polling day as at options A and B

(b) mobile polling stations:

(i) to the hospital and sheltered accommodation on polling day;

(ii) to all settlements with registered voters present on East and West Falkland, including outer Islands accessible by FIGAS (ie excluding Beaver, New Island, and West Point).

Cost: £12,000 (an additional £4,000 would be sought for the Registrar General's operating budget in 11/12).

Option D

(a) static polling stations on polling day as at options A, B and C.

(b) mobile polling stations:

(i) to the hospital and sheltered accommodation on polling day;

(ii) to all settlements with registered voters present on East and West Falkland, including all outer Islands (which will involve helicopter hire for Beaver Island subject to paragraph 4.11 (a) below).

Cost: £16,000 (an additional £8,000 would be sought for the Registrar General's operating budget in 11/12).

4.6 Option A meets the statutory minimum, and is the cheapest. This would mean that voters outside Stanley who are not able to access, or to conveniently access, the polling stations at Goose Green and Fox Bay on polling day would have to register for and make practical arrangements for postal, proxy, or postal proxy voting. Voters without regular flights would be best advised to make arrangements for one of the proxy voting options, because a postal vote still requires the ballot paper to be delivered and collected within a fairly short timeframe.

4.7 Option B is recommended because, although not the cheapest, it does provide some additional mobile polling outside Stanley to assist voters, albeit it involves less mobile polling than previously carried out; for sound financial reasons it is not recommended that helicopters be chartered for voting on remote Islands.

4.8 As with the 2009 General Election, hiring FIGAS to visit every accessible Island is also not recommended; on the basis that it is easy for people on most outer Islands to vote by proxy, postal proxy or by post (given that most will be frequently visited by FIGAS as part of the ordinary service anyway). The number of voters currently registered as living on outer Islands is 20.

4.9 It is recognised that the situation different for Beaver, New Islands and West Point, so efforts have been made to contact voters registered as living on those three Islands (currently 6 people) to explore with them the possibility of their taking advantage of proxy or postal arrangements. The position in relation the voters on the three Islands is currently as follows:

- (a) New Island - there is one registered voter, who has advised the Registry that they will be in Stanley during the Referendum.
- (b) West Point Island – there are two registered voters, who have completed and submitted proxy forms;
- (c) Beaver Island – there are three registered voters, who have received proxy/postal proxy forms, but have not yet submitted them (a verbal update on this will be provided at the meeting of Executive Council).

4.10 To supplement option B, the following arrangements have been made to publicise the options for voting by proxy, postal proxy or postal arrangements, and to encourage voters outside Stanley to take advantage of those arrangements:

- (a) adverts in Penguin News FINN and FITV plus notices in Post Office; and
- (b) Radio announcements using FIRS midday and evenings,

(copies with dates of publication annexed to paper for completeness).

4.11 In connection with options C and D, the cost of FIGAS hire is £900 per hour. It is estimated that ensuring a FIGAS visit to the accessible outer Islands adds £2,000. The FIGAS manager has confirmed that there is no prospect of the FIGAS service being resumed to Beaver, New Islands or West Point in time for the referendum.

4.12 In connection with option D, the following has been explored in relation to helicopter options and costs:

- (a) MOD service: £2,000 per hour. The cost of this service will depend on whether the MOD service is scheduled to be flying in the area on the relevant day, and whether they are willing/able to combine visits to any of the Islands as part of the same trip, so it is impossible to provide an accurate estimate of the cost but the very worst case scenario would be in the region of £4,000.
- (b) CHC operated aircraft: the Registrar General has been advised by CHC management that a helicopter could not be made available for charter.

(c) British International independently operated aircraft: no costings have yet been provided in response to a request, and this option would be subject to availability in any event.

5.0 Financial Implications

5.1 The Registry budget currently has no money available for the referendum. No bid for funding has been made for the referendum to date because it is anticipated that a referendum could be run efficiently under option A or B using savings from the AG's Directorate Budget (a savings opportunity has arisen as a result of the early retirement of the Registrar General whilst a review of existing services is undertaken).

5.2 If Members preferred option C, an additional £4,000 would be required for the Registrar General's operating budget for the year 11/12.

5.3 In relation to option D, for the reasons set out in paragraph 4.12 above, it is difficult to make an accurate estimate of the helicopter flying hours required to service the three relevant Islands which do not currently have a FIGAS service, but it is anticipated that an additional £8,000 would be required if Members preferred option D.

Option	Cost	To be found from savings	Additional
A	£5,000	(£5,000)	-
B	£8,000	(£8,000)	-
C	£12,000	(£8,000)	£4,000
D	£16,000	(£8,000)	£8,000

6.0 Legal Implications

6.1 Under the Electoral Ordinance, the Governor may appoint additional polling places beyond the statutory minimum described at paragraph 4.2 above.

7.0 Human Resources Implications

7.1 Additional casual staff will be required for the referendum as is always the case with any election; but there are no new human resources implications providing option B is accepted. If options C or D are preferred, some additional casual staff would be required (which is already reflected in the financial implications section).

ANNEX

Radio Announcement

(2 Sept) Lunch and evening

Saturday – 3 Sept – afternoon

Monday 5 Sept, Wednesday 7 Sept and Friday 9 Sept – Lunch and evening

REFERENDUM
Thursday 3rd November 2011

The Registration Officer wishes to inform all electors that the Electoral Ordinance (Title 30.1) has provision for electors to vote by other means than in person. These voting options are:

- a) Proxy
- b) Postal and
- c) Postal and Proxy

Should electors wish to vote by one of these means they should contact the Registration Officer for more information or an application form.

These options are available to electors who feel they wish to vote but may otherwise be engaged on Election Day.

For further information or guidance please contact the Registration Officer on telephone number 27269; by fax 27270; by email assistantregistrar@townhall.gov.fk or by writing to the Registration Officer, Town Hall, Stanley.

The closing period for this is Thursday 20th October 2011 at midday. After this date no application can be accepted.

J C Rowland
Registration Officer

Penguin News publication of official leaflet

2 September
9 September
16 September
23 September

**There is going to be
a referendum
on 3rd November 2011**

You will be asked this question:

**DO YOU WANT A SINGLE CONSTITUENCY
FOR THE WHOLE OF THE ISLANDS?**

If you want a single constituency for the whole of the Islands:
vote “YES”

If you want separate constituencies for Camp and Stanley:
vote “NO”

How is the Assembly elected now?

There are two constituencies in the Islands:

- Camp, which elects 3 members to the Legislative Assembly
- Stanley, which elects 5 members to the Legislative Assembly

On 2 September 2011 there were 262 voters in Camp and 1315 in Stanley.

So, having these two constituencies means that there is:
one member for every 87 voters in Camp
one member for every 263 voters in Stanley

Single Constituency Bill

The Single Constituency Bill would amend the Constitution to replace the two constituencies with a single constituency. If it becomes law, voters throughout the Islands would elect all 8 members of the Legislative Assembly.

That would give everyone (in Camp and in Stanley) more choice about who to vote for. However, it might mean that none of the 8 members of the Legislative Assembly comes from Camp or that none of them come from Stanley.

The Legislative Assembly can only pass the Bill if two-thirds or more of those voting in Camp and two-thirds or more of those voting in Stanley support the Bill by voting “Yes”. If that happens (and only if that happens), there could be a single constituency to elect all 8 members of the Legislative Assembly.

If a third or more of those voting in Camp or a third or more of those voting in Stanley oppose the Bill by voting “No”, the Bill cannot be passed and the two constituencies will stay separate.

The Single Constituency Bill has been published in the *Falkland Islands Gazette*. If you want a copy of the Bill, you should contact the Registration Officer, either by phoning 27269 or by visiting the Registry in the Town Hall.

What about the voting system?

In 2001, the referendum was not just about whether or not there should be a single constituency but also about a voting system for elections.

To keep things simpler this time, the referendum on 3 November 2011 is only about whether there should be a single constituency.

What happens next?

The referendum will be held on 3 November 2011. Information about when and where to vote will be announced nearer the time.

If you are registered to vote, you will be able to vote in the referendum.

If you are entitled to vote but are not registered, you should register to make sure that you can have your say on the issue.

If you want to check whether or not you are registered to vote or if you have any queries about registering to vote, you should contact the Registration Officer, either by phoning 27269 or by visiting the Registry in the Town Hall.