

Local Government Act, 2001

Method of election of Cathaoirleach by local authority. **37.**—Subject to *paragraph 4 of Schedule 10*, the following provisions shall apply and have effect in respect of the election of a Cathaoirleach by the members of a local authority:

- (a) one or more than one member may be proposed and seconded for nomination and every person so proposed and seconded who does not reject the nomination shall be a candidate and no other person shall be a candidate otherwise than in accordance with this provision;
- (b) where there is only one candidate, such candidate shall be elected;
- (c) where there are more than 2 candidates, a poll shall be taken;
- (d) if at such poll a majority of the members present vote for any particular candidate, such candidate shall be elected;
- (e) if at such poll no candidate receives the votes of a majority of the members present, the candidate receiving the least number of votes shall be excluded from the election, and, subject to *paragraph (g)*, one or more further polls (according as may be necessary) shall be taken;
- (f) *paragraphs (d) and (e)* shall apply in relation to such further poll or polls;
- (g) where there are only 2 candidates or where, as a result of one or more polls all the candidates except 2 have been excluded, the question as to which of such candidates shall be elected shall be put to the members present and whichever of such candidates receives the majority of votes cast shall be elected;
- (h) if from an equality of votes given to 2 or more candidates any question arises as to which of such candidates is to be excluded or as to which of such candidates is to be elected, such question shall be decided by lot in accordance with *paragraph (i)*;
- (i) in deciding any such question by lot, the names of the candidates concerned shall be written on similar slips of paper, the slips shall be folded so as to prevent identification and mixed and drawn at random, and the candidate whose name is first drawn shall be—
 - (I) the candidate who shall be excluded, where the question concerns an exclusion, or
 - (II) the candidate who shall be elected, where the question concerns an election.