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Guide

to the 2023 Review of Parliamentary Constituencies

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# Chapter 1: Who We Are and What We Do

1. The Boundary Commission for Northern Ireland (“the Commission”) is an independent and impartial public body. It is responsible for reviewing Parliamentary constituency boundaries in Northern Ireland on the basis of rules laid down by Parliament.

1. There are separate Boundary Commissions for England, Scotland and Wales. There are also other bodies with responsibility for the review of local government boundaries, including the Local Government Boundaries Commissioner in Northern Ireland. This guide is not intended to address the functions of those other bodies.
2. The constitution of the Commission is set out in Appendix A and our current membership is as follows:

* The Speaker of the House of Commons (Chair)
* Mr Justice Michael Humphreys (Deputy Chair)
* Sarah Havlin (Commissioner)
* Vilma Patterson MBE (Commissioner)

1. The Commission is supported in its work by a small Secretariat; the Secretary to the Commission is Heather McKinley. The officers of the Commission also include the following assessors:

* The Registrar General of Births and Deaths in Northern Ireland
* The Commissioner of Valuation for Northern Ireland
* The Chief Electoral Officer for Northern Ireland
* The Chief Survey Officer of Land and Property Services

1. The Commission is required to submit a formal report to the Speaker of the House of Commons by 1July 2023 on the basis of rules set out in the Parliamentary Constituencies Act 1986 (“the Act”), as amended by:

* the Boundary Commissions Act 1992
* the Parliamentary Voting System and Constituencies Act 2011
* the Electoral Registration and Administration Act 2013
* the Parliamentary Constituencies Act 2020

1. In order to prepare its report, the Commission will carry out a review process. This process is referred to as “the 2023 Review”.
2. Public consultation is an important part of the 2023 Review. The Commission will develop and publish proposals, in accordance with the Act. The public will have opportunities to submit written and oral representations about the published proposals, as part of a structured process. The Commission will take these representations into account when preparing recommendations for the final report which will be submitted to the Speaker. Further information about public consultation is provided in Chapter 4.
3. This Guide is a basic introduction to the review process, which relates solely to Parliamentary constituency boundaries. It is not intended to be a full statement of the law. For that, please see the relevant legislation (as set out above), which is available at [www.legislation.gov.uk](http://www.legislation.gov.uk).
4. If you would like further information, you can contact the Commission using the details below. We will be updating information on our website throughout the review process and key documents will be available there.

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# Chapter 2: Preparing for the 2023 Review

## Electorate Data

1. The Act specifies which electorate figures are to be used by the Commission when carrying out a review. For the 2023 Review, the Commission is required to use the total number of persons whose names appeared on the electoral register as at 2 March 2020. The Commission has obtained the [electorate figures](https://www.eoni.org.uk/Register-To-Vote/Electorate-Statistics/Electorate-Statistics-by-Ward-2020) for the 2023 Review from the Electoral Office for Northern Ireland.

## Allocation of Constituencies

1. The Act specifies that there shall be 650 constituencies in the United Kingdom. With the exception of five protected constituencies in Scotland, Wales and England, this total is to be distributed across the four parts of the United Kingdom in accordance with a mathematical formula specified in the Act.
2. In accordance with that formula, and based on the electorate figures referred to above, the number of constituencies allocated to Northern Ireland for the 2023 Review is 18.

## Local Government Boundaries

1. The Act says that the Commission may take into account “local government boundaries” as it develops its proposals for Parliamentary constituencies. The Act defines local government boundaries in Northern Ireland as the boundaries of wards that existed or were “prospective” on the “review date”.
2. For the 2023 Review, this means the local government boundaries referred to are those that were in force on 1 December 2020 (since there were no prospective boundaries in Northern Ireland on that date). These local government boundaries can be viewed on an [interactive map](https://maps.spatialni.gov.uk/) (select “add data”, then search “2012 wards”).

# Chapter 3: Developing Proposals – Rules and Approach

## Statutory Electorate Range

1. Schedule 2 of the Act sets out the Rules for Distribution of Seats, and is included here at Appendix B.
2. Rule 2 stipulates that the electorate of any constituency shall be no less than 95%, and no more than 105%, of the United Kingdom ‘electoral quota’. This quota is the total electorate of the United Kingdom (excluding the five protected constituencies) divided by 645 (650 less the protected constituencies).
3. The electoral quota for the 2023 Review is, to the nearest whole number, 73,393[[1]](#footnote-1). Applying Rule 2, each constituency must have an electorate of no less than 69,724 and no more than 77,062.
4. The Act does not require the Commission to seek to create constituencies with electorates that are as close as possible to the UK electoral quota – rather, the Commission should adhere to the statutory electorate range.

## Other Factors

1. Rule 5 specifies other factors which the Commission may take into account, “if and to such extent as they think fit”. These are:

* special geographical considerations, including in particular the size, shape and accessibility of a constituency;
* local government boundaries which exist, or are prospective, on the review date
* boundaries of existing constituencies ;
* any local ties that would be broken by changes in constituencies;
* the inconveniences attendant on such changes.

1. The Commission may at its discretion decide to take some or all or none of these factors into account. Rule 5 does not require the Commission to take these factors into account, nor does it restrict the Commission to only taking these factors into account, if it considers other factors to be relevant to the exercise of its powers.
2. Rule 7 only applies to Northern Ireland. Where the Commission feels that having to apply Rule 2 would unreasonably impair its ability to take into account the factors set out in Rule 5, or to submit a report on time, Rule 7 can be applied and one or more constituencies recommended which fall slightly outside the Rule 2 range, in accordance with a prescribed formula. For the 2023 Review this means that the Commission could propose one or more constituencies of between 68,314[[2]](#footnote-2) and 77,062 electors.
3. The Act does not define what “unreasonably impairs” means. The Commission will consider that it is unreasonably impaired when it is prevented contrary to good sense from giving weight to any or all of the Rule 5 factors by the restrictions on electoral size required by Rule 2.

## Approach

1. The Commission considers that the boundaries of existing constituencies and local government boundaries (i.e. wards), being clear and certain, provide an appropriate starting point for its work. That work will also be informed by other matters, including those less readily capable of definition, in the course of the consultation process.
2. With regards to taking existing constituency boundaries as an appropriate starting points, this does not mean that an existing constituency should be considered to be protected from change simply because its electorate falls within the statutory electorate range, as the Commission must ensure that all constituencies in Northern Ireland are in line with the requirements of the Act.
3. With regards to taking existing ward boundaries as an appropriate starting point, this may not necessarily mean that some existing wards may not be split across constituencies, given the statutory requirements within which the Commission must work.
4. The Commission’s understanding of “special geographical considerations” is that these will primarily relate to physical features such as mountains, lakes, coastlines, major roads, major rivers and built-up areas.In relation to the “size, shape and accessibility of a constituency”, the Commission understands this to relate to constituencies that do not contain detached parts, and that are made up of local government wards that are adjacent to each other.
5. “Local ties which would be broken by changes in constituencies” is not defined in the legislation. The Commission understands this term to primarily relate to patterns of commuting, shopping, school attendance, the organisation of health and other public services, and transport routes, but this definition is likely to be more fully informed by the consultation process.The Commission understands “the inconveniences attendant on such changes” to be a factor that will be informed by the consultation process.

## Factors the Commission will not consider

1. As an independent and impartial body, it would not be appropriate for the Commission to take into account existing or future voting patterns, or possible impacts on future election results.

## Naming and designation of constituencies

1. The Commission is required to propose a name for each of the 18 constituencies which it recommends. The law offers no guidance on this point. The Commission’s approach to the naming of constituencies is that, if a constituency remains largely unchanged, the existing constituency name should usually be kept.
2. Should proposed changes mean retaining the existing name would not be appropriate, the Commission’s approach will be to apply the established convention of naming constituencies after counties qualified by compass points (for example ‘West Tyrone’) or after special geographical considerations (for example ‘Upper Bann’).
3. The Commission is also required to designate each of the constituencies as either ‘county’ or ‘borough’ constituencies. This designation determines the level of candidates’ expenses allowable at elections. The Commission considers that, as a general principle, where constituencies contain more than a small rural element they should normally be designated as county constituencies. Otherwise, they should be designated as borough constituencies.

# Chapter 4: The Review Process

## Overview of the Process

1. The 2023 Review will follow a detailed process laid down by the Act; a summary of the process is at Appendix C. The process involves the development of proposals by the Commission, followed by opportunities for individuals and organisations to submit written representations and to make oral representations at public hearings.
2. At the conclusion of the process, the Commission will prepare a final report containing its recommendations for Parliamentary constituencies in Northern Ireland. Those recommendations are then submitted to the Speaker of the House, who lays them before Parliament, and are published.
3. The Commission encourages individuals and organisations to make written and/or oral representations, whether for or against the proposals. The manner in which a representation is made (whether orally or in writing), or the consultation stage at which it is made, will not influence the weight that the Commission gives to that representation when considering its recommendations.
4. The Commission’s website and social media (as detailed in Chapter 1) will be used to publicise its proposals, and to set out how representations can be made.

## Preparation of Initial Proposals

1. The Commission will prepare its initial proposals for Parliamentary constituencies in Northern Ireland. These will be developed taking account of the rules, factors and approach outlined at Chapter 3 of this Guide.
2. The Commission will consider a range of options in the development of its initial proposals. Only after scrutinizing a number of schemes of constituencies for the whole of Northern Ireland will the Commission decide on its initial proposals.

## Publication of Initial Proposals

1. The Commission will then publish its initial proposals for consultation, together with an accompanying report. These will be placed on the Commission’s website with information about how and when to submit a representation.
2. As part of this consultation process, a copy of the proposals will be made available at public display points in every constituency. A full list of the display points will be published on the Commission’s website in due course. If you require a copy of the initial proposals in an alternative format, please contact the Commission using the contact details in Chapter 1.

## Initial Consultation Period

1. Following publication of the initial proposals, there will be a statutory 8-week consultation period (‘the initial consultation period’). During this time, representations can be made to the Commission in writing. Details of how individuals and organisations can make written representations during the initial consultation period will be published alongside the initial proposals. It is important that representations are submitted in time to ensure they are received within the 8-week period.
2. Representations can support or oppose the initial proposals. Representations that oppose the Commission’s proposals can include suggestions for alternative proposals. For representations opposing the proposals, it is helpful if they include alternative suggestions which take into account the requirements of the legislation. A counter-proposal that sets out the composition of each constituency is likely to be more persuasive than a proposal for a single constituency which does not address any knock-on effects on neighbouring constituencies.

## Secondary Consultation Period

1. After the initial consultation period, the Commission will publish the written representations it has received on its website. If you require a copy of those written representations in an alternative format, please contact the Commission using the contact details in Chapter 1.
2. There will then be a further statutory 6-week period (‘the secondary consultation period’) during which individuals and organisations can submit written comments on the representations from the initial consultation period. Therefore, written representations made during the secondary consultation period can support or challenge the representations made by others during the initial consultation period.

## Public Hearings

1. The Commission is also required to hold public hearings during the secondary consultation period. The legislation specifies that there must be at least two, and no more than five, public hearings, of no more than 2 days each. The hearings shall between them cover proposals regarding the whole of Northern Ireland. Public hearings are intended to provide an opportunity to make oral representations about any of the Commission’s initial proposals, and to present any counterproposals.
2. Detailed information about these public hearings will be announced on the Commission’s website in due course.
3. A Chair will be appointed for each hearing. Each hearing will begin with an explanation of the proposals with which the hearing is concerned, and how written representations may also be made. The Chair may determine the order in which participants speak, the time allotted to each speaker and (if necessary due to time constraints) who is permitted to speak. The Chair may also manage any questioning of those present at the hearing.
4. Respondents wishing to speak at one of the hearings are encouraged to inform the Commission in advance. Details on how to request a speaking slot will be published on the Commission’s website in due course. Participants should expect their oral representations to be recorded and transcribed for later publication.
5. The Commission is currently considering alternative arrangements which may be required, should COVID-19 restrictions still be in place at the time of the public hearings. More information will be provided on any alternative arrangements at the appropriate time.

## Third Consultation Period and Revised Proposals

1. After the end of the secondary consultation period, the Commission will publish on its website all the written representations received during the secondary consultation period, together with transcripts of the public hearings.
2. Following the publication of these representations and transcripts, there will be a further 4-week period during which individuals and organisations can submit written comments with respect to representations made at the public hearings. This is known as the ‘third consultation period’.
3. Having considered the written representations received during the initial and secondary consultation periods, and transcripts of the hearings, the Commission will decide whether and to what extent it will revise its initial proposals. If it decides to revise its initial proposals, it will publish the revised proposals and an accompanying report before the start of the third consultation period. Any revised proposals and accompanying materials will be published on the Commission’s website and sent to local display points.
4. Written representations with respect to any revised proposals can be made during the 4 weeks of the third consultation period. The Commission will publish all the written representations received during the third consultation period after the consultation period has closed.

## Final Recommendations and Report

1. After the end of the third consultation period, and taking into account representations received, the Commission will consider what final recommendations to make for Parliamentary constituencies in Northern Ireland.
2. Once the Commission has decided on its final recommendations, it will prepare and submit a report to the Speaker of the House of Commons. The report will be published by the Commission once the Speaker of the House of Commons has laid it before Parliament. The submission of the Final Report to the Speaker of the House of Commons concludes the Commission’s role in the review process.

## After the Final Report

1. Once reports from all four Boundary Commissions have been laid before Parliament, the Secretary of State or the Minister for the Cabinet Office must submit to Her Majesty in Council a draft of an Order in Council giving effect to the recommendations in the reports.
2. In preparing the draft Order in Council, the Government may only modify the recommendations in the report of any Parliamentary Boundary Commission if it has been expressly requested to do so by the relevant Commission submitting a statement of modifications to the Speaker. If a Commission submits a statement of modifications, the Speaker must lay this before Parliament, and the Commission must also publish it.
3. The Act specifies that the Order in Council will not affect any Parliamentary election until the dissolution of the Parliament then in being. Any by-elections held in the meantime must therefore be held on the basis of the old (existing) constituencies.

## Future Reviews

1. The legislation provides that the next review report is to be submitted before 1 October 2031.

# Appendix A: The Constitution of the Boundary Commission of Northern Ireland

In accordance with Schedule 1 to the Parliamentary Constituencies Act 1986 (as amended).

### 1. Chair:

The Speaker of the House of Commons is the Chair of each of the 4 Boundary Commissions. This is an ex officio appointment and the Speaker generally plays no part in the substantive work of the Commission.

### 2. Three other members:

The Deputy Chair, who presides over the Commission’s meetings, is a judge of the High Court appointed by the Lord Chief Justice of Northern Ireland.

Two other members are appointed by the Secretary of State in accordance with the Act. Current membership of the Commission is at Chapter 1.

### 3. Four assessors (available to provide technical advice and support as necessary):

* The Registrar General of Births and Deaths in Northern Ireland
* The Commissioner of Valuation for Northern Ireland
* The Chief Electoral Officer for Northern Ireland
* The Chief Survey Officer of Land and Property Services

### 4. Secretary:

The Secretary is appointed by the Secretary of State in accordance with the Act.

### 5. Assistant Commissioners

The Secretary of State may, at the request of the Commission, appoint one or more Assistant Commissioners to assist the Commission in the discharge of its functions. Assistant Commissioners appointed may, for example, serve as Chairs at the public hearings.

# Appendix B: Schedule 2 to the Parliamentary Constituencies Act (as amended)

## Rules for Distribution of Seats

Number of constituencies

1. The number of constituencies in the United Kingdom shall be 650.

Electorate per constituency

1. (1) The electorate of any constituency shall be-

(a) no less than 95% of the United Kingdom electoral quota, and

(b) no more than 105% of that quota.

(2) This rule is subject to rules 4(2), 6(3) and 7.

(3) In this Schedule the “United Kingdom electoral quota” means-

U

645

where U is the electorate of the United Kingdom minus the electorate of the constituencies mentioned in rule 6.

Allocation of constituencies to parts of the United Kingdom

1. (1) Each constituency shall be wholly in one of the four parts of the United Kingdom (England, Wales, Scotland and Northern Ireland).

(2) The number of constituencies in each part of the United Kingdom shall be determined in accordance with the allocation method set out in rule 8.

Area of constituencies

1. (1) A constituency shall not have an area of more than 13,000 square kilometres.

(2) A constituency does not have to comply with rule 2(1)(a) if-

(a) it has an area of more than 12,000 square kilometres, and

(b) the Boundary Commission concerned are satisfied that it is not reasonably possible for the constituency to comply with that rule.

Factors

1. (1) A Boundary Commission may take into account, if and to such extent as they think fit-

(a) special geographical considerations, including in particular the size, shape and accessibility of a constituency;

(b) local government boundaries which exist, or are prospective, on the review date;

(c) boundaries of existing constituencies;

(d) any local ties that would be broken by changes in constituencies;

(e) the inconveniences attendant on such changes.

(1A) In the case of a local government boundary which is prospective on the review date, it is that boundary rather than any existing boundary which it replaces, which may be taken into account under sub-paragraph (1)(b).

(2) The Boundary Commission for England may take into account, if and to such extent as they think fit, boundaries of the English regions specified in sub-paragraph (2A) as they exist on the most recent ordinary council-election day before the review date.

*(2A)* *[See full table of areas contained in each English region* [*here*](https://www.legislation.gov.uk/uksi/2018/1310/schedule/2/paragraph/1)*].*

(3) This rule has effect subject to rules 2 and 4.

Protected constituencies

1. (1) There shall be two constituencies in the Isle of Wight.

(2) There shall continue to be-

(a) a constituency named Orkney and Shetland, comprising the areas of the Orkney Islands Council and the Shetland Islands Council;

(b) a constituency named Na h-Eileanan an Iar, comprising the area of Comhairle nan Eilean Siar;

(c) a constituency named Ynys Mon, comprising the area of the Isle of Anglesey County Council.

(3) Rule 2 does not apply to these constituencies.

Northern Ireland

1. (1) In relation to Northern Ireland, sub-paragraph (2) below applies in place of rule 2 where-

(a) the difference between-

(i) the electorate of Northern Ireland, and

(ii) the United Kingdom electoral quota multiplied by the number of seats in Northern Ireland (determined under rule 8),

exceeds one third of the United Kingdom electoral quota, and

(b) the Boundary Commission for Northern Ireland consider that having to apply rule 2 would unreasonably impair-

(i) their ability to take into account the factors set out in rule 5(1), or

(ii) their ability to comply with section 3(2) of this Act.

(2) The electorate of any constituency shall be-

(a) no less than whichever is the lesser of-

N-A

and 95% of the United Kingdom electoral quota, and

(b) no more than whichever is the greater of-

N+A

and 105% of the United Kingdom electoral quota,

where-

N is the electorate of Northern Ireland divided by the number of seats in Northern Ireland (determined under rule 8), and

A is 5% of the United Kingdom electoral quota.

The allocation method

1. (1) The allocation method referred to in rule 3(2) is as follows.

(2) The first constituency shall be allocated to the part of the United Kingdom with the greatest electorate.

(3) The second and subsequent constituencies shall be allocated in the same way, except that the electorate of a part of the United Kingdom to which one or more constituencies have already been allocated is to be divided by-

2C + 1

where C is the number of constituencies already allocated to that part.

(4) Where the figure given by sub-paragraph (3) above is the same for two or more parts of the United Kingdom, the part to which a constituency is to be allocated shall be the one with the smaller or smallest actual electorate.

(5) This rule does not apply to the constituencies mentioned in rule 6, and accordingly –

(a) the electorate of England shall be treated for the purpose of this rule as reduced by the electorate of the constituencies mentioned in rule 6(1);

(b) the electorate of Scotland shall be treated for the purposes of this rule as reduced by the electorate of the constituencies mentioned in rule 6(2)(a) and (b);

(c) the electorate of Wales shall be treated for the purposes of this rule as reduced by the electorate of the constituency mentioned in rule 6(2)(c).

Interpretation

1. (1) This rule has effect for the purposes of this Schedule.

(2) Subject to sub-paragraph (2A), the “electorate” of the United Kingdom, or of a part of the United Kingdom or a constituency, is the total number of persons whose names appear on the relevant version of a register of parliamentary electors in respect of addresses in the United Kingdom, or in that part or that constituency. For this purpose the relevant version of a register is the version that is required by virtue of subsection (1) of section 13 of the Representation of the People Act 1983 to be published no later than the review date, or would be so required but for –

(a) any power under that section to prescribe a later date, or

(b) subsection (1A) of that section.

(2A) In relation to a report under section 3(1) that a Boundary Commission is required (by sections 3(2)) to submit before 1 July 2023, the “electorate” of the United Kingdom, or of a part of the United Kingdom or a constituency, is the total number of persons whose names appear on a register of parliamentary electors (maintained under section 9 of the Representation of the People Act 1983) in respect of addresses in the United Kingdom, or in that part of that constituency, as that register has effect on 2 March 2020.

(3) “Local government boundaries” are-

(a) in England, the boundaries of counties and their electoral divisions, districts and their wards, London boroughs and their wards and the City of London,

(b) in Wales, the boundaries of counties, county boroughs, electoral divisions, communities and community wards,

(c) in Scotland, the boundaries of local government areas and the electoral wards into which they are divided under section 1 of the Local Governance (Scotland) Act 2004, and

(d) in Northern Ireland, the boundaries of wards.

(3A) A local government boundary is “prospective” on a particular date if, on that date-

(a) it is specified in a provision of primary or secondary legislation, but

(b) that provision is not yet in force for all purposes.

(3B) For that purpose-

(a) “primary legislation” means-

(i) an Act of Parliament;

(ii) an Act of the Scottish Parliament;

(iii) an Act of Senedd Cymru; or

(iv) Northern Ireland legislation, and

(b) “secondary legislation” means an instrument made under primary legislation.

(4) “Ordinary council-election day” is-

(a) in relation to England and Wales, the ordinary day of election of councillors for local government areas;

(b) in relation to Scotland, the day on which the poll is held at ordinary elections of councillors for local government areas;

(c) in relation to Northern Ireland, the day of an election for any district council (other than an election to fill a casual vacancy).

(5) The “review date”, in relation to a report under section 3(1) of this Act that a Boundary Commission is required (by section 3(2)) to submit before a particular date, is

(a) 1 December 2020 in the case of a report required to be submitted before 1 July 2023, and

(b) in the case of a report required to be submitted before any other particular date, the date which is two years and 10 months before that date.(For example, 1 December 2028 in the case of a report required to be submitted before 1 October 2031).

(6) “The United Kingdom electoral quota” has the meaning given by rule 2(3).

(7) A reference in rule 6(2)(a) or (b) to an area is to the area as it existed on the coming into force of Part 2 the Parliamentary Voting System and Constituencies Act 2011, and the reference in rule 6(2)(c) to the area of the Isle of Anglesey County Council is to the area as it existed on the coming into force of the Schedule to the Parliamentary Constituencies Act 2020.

# Appendix C: Summary of Review Process

1. The electoral quota to 1 decimal place is 73,392.7. The BCNI press release issued on 5 January 2021 incorrectly stated the electoral quota as 73,392. The correct figure to the nearest whole number is 73,393. [↑](#footnote-ref-1)
2. The BCNI press release issued on 5 January 2021 incorrectly stated the lower limit for the Rule 7 range as 68,313. The correct figure is 68,314. [↑](#footnote-ref-2)