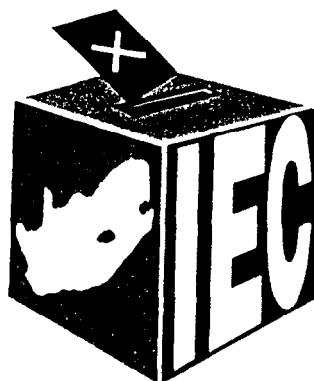


HANDBOOK FOR. . .

COUNTING OFFICERS AND ENUMERATORS



INDEPENDENT ELECTORAL COMMISSION

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HANDBOOK FOR COUNTING OFFICERS AND ENUMERATORS

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Preface

Over 200 000 South Africans representing all sections of our society will play a historic role in administering our country's first democratic elections.

Many of those who will run the elections will be administering elections for the first time. Indeed, many of them would not even have voted in the past. But all those who will do duty for the nation in this election have agreed, with enthusiasm and commitment, to make their skills and time available to our emerging democracy.

Running an election for over 20 million voters is no easy task, even in countries where there is much experience of electoral processes. For us this task is even more daunting. It is for this reason that this handbook is a key tool to assist Counting Officers and Enumerators to understand thoroughly their role and responsibilities. This handbook will be supplemented by other training events before the elections, but it serves as the first component of your training.

Many people have contributed to this handbook. Judy Thompson and Joycelen Lucas did the substantive work on writing the manual. Their colleagues from the Commonwealth Technical Resource Group, Steve Godfrey and Victor Butler also played a role in drafting the handbooks and providing much needed international expertise. David Liebowitz, Mike Hoy, Ron Gould and Jorgen Elklit together with Judy Thompson contributed towards the finalisation of the counting procedures. The staff of the National Training Unit of the Election Administration Directorate of the Independent Electoral Commission (Cindy Futhane, Pindelwa Mda, Gugu Nxumalo, Siven Maslamoney, Bobby Rodwell, Joan Lurie, Adrienne Cohen, Regina Santagostino, Portia Pebelo), also contributed in different but equally important ways. Various staff of the English Literacy Project (an affiliate of the National Literacy Co-operation) and the SACHED Trust must be thanked for working at very tight (and ever-changing) deadlines and specifications. Special mention must be made of Lucienne Hunter, Orenna Krut, Luisa Potenza, Joseph Setloboko, Carola Steinberg and Michael Westcott. Lastly, we need to thank various IEC staff for their comments and input, including the directors of the Administration Directorate, Piet Colyn, Tshinga Madiba and Yunus Mahomed.

We trust that this handbook will be a valuable contribution to enabling Counting Officers and Enumerators to fulfil their responsibilities effectively.

Yours for a free and fair election

Kumi Naidoo

Deputy Director: Training
Elections Administration Directorate
Independent Electoral Commission

Johannesburg, 21 March 1994

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. The National Forms are shown in this book. There are also similar Provincial Forms that are not shown in this book.

1 Introduction

As a Counting Officer for the April 1994 elections, you will be in charge of a Counting Station. Your job is to make sure the ballots are counted in an accurate and orderly way.

This Handbook will tell you what your duties are, so you should read it carefully. You will probably have a number of questions and you will get a chance to ask them when you attend the training sessions organised by the Independent Electoral Commission (IEC). You can also contact the Administration Directorate at the IEC if there is anything you still need to know. Remember that there may be changes to the Electoral Act before the elections, so it is important for you to keep up to date.

As you are now an officer of the Independent Electoral Commission, you are not allowed to show open support for any political party until after the election. The voters must see for themselves that you and all other election officers are neutral, so they can feel comfortable about voting for any party they choose.

What is the Declaration of Secrecy?

The Declaration of Secrecy is a promise that all electoral officers must sign. When you sign it, you promise to make sure that voters can choose their party in secret. You cannot break the secret of their vote for any reason and you must do everything possible to prevent other people from breaking it. There is a copy of the Declaration of Secrecy, and other forms that you will need, printed at the back of this Handbook.

Other references

When you start your duties, you must read and understand the documents which will be given to you. They are

- this Handbook
- the Electoral Act
- the Electoral Regulations
- the amendments to the Act and to the Regulations.

In this Handbook, you will find notes printed behind each heading. Here are three of them: (S.24), (R. 13), (A1). These are references to parts of the Electoral Act, the law which says exactly how an election should be organised. 'S' stands for 'Section'. 'R' stands for 'Regulation' and 'A' stands for Amendment. These references are included because this Handbook gives only a short summary of the rules. If you need to know more, or to check on what the Act says, these references will tell you where to look.

2 The Counting Station

The Counting Officer must control all activities inside the Counting Station.

Where is the counting station located?

In any suitable premises. The Commission does not usually use premises of any defence force, police or political organisation (S. 42).

What are the parts of a counting station?

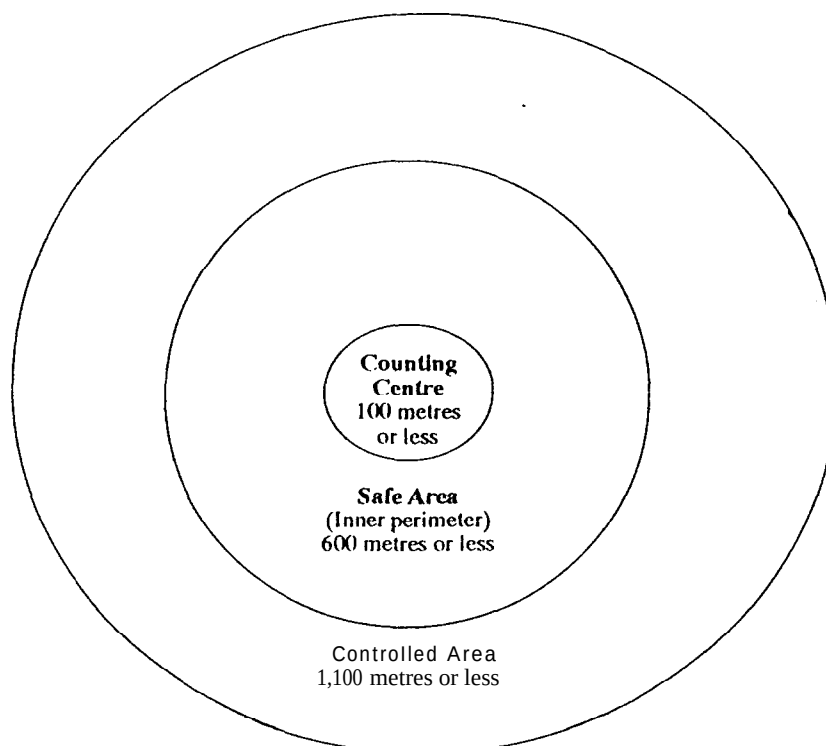
Each Counting Station has three parts (R.42):

The Counting Centre (R.42): This is the central area where the votes are counted. It is within a radius of 100 metres. If there are no existing boundaries, such as fences or roads, the Provincial Electoral Officer, in consultation with the District Electoral Officer and the election officials of registered parties, will set up clear boundaries.

The Inner Perimeter or Safe Area (8.43): This is the area around the Counting Centre, within a radius of 600 metres. Its boundaries will be designated as for the Counting Centre.

The Controlled Area (R.44): This is the area around the other two sections, within a radius of 1 100 metres. Its boundaries are designated as for the other two sections.

Map of the three areas of a Counting Station



3 People Allowed into the Counting Centre

- The Chief Director, members of the Commission, electoral officers and other employees of the IEC are allowed into the Centre on official duty. They must carry identification (S. 12, R.43).
- Party Voting Agents must be appointed by their party and wear identification approved by the IEC (R. 10)
- Observers: not more than three per Counting Station. They must wear only identification issued by the IEC. They must be registered with the Chief Director: Monitoring (R. 64, R. 65).
- Intergovernmental observers must wear identification approved by multilateral or bilateral missions, They must be registered with the Department of Foreign Affairs.
- Monitors must wear identification issued by the IEC and not by any other organisation or political party. They must be appointed by the Chief Director: Monitoring.
- Candidates: one for each registered party.

4 Security and Order

As Counting Officer in charge of the Station, you must protect people and property and prevent any violence or disturbance in the area (3.12, R. 17).

You will have to do the following:

- liaise closely with the peace officer in charge of security (R.47)
- take all the steps necessary for the orderly counting of the ballot papers.

Inside the Controlled Area of the Counting Station:

- ensure that proper order is kept
- make sure no political activities take place, including the display of party posters or banners
- if any person is hindering or obstructing the counting in any way, you have the authority to order them to leave. If they do not obey the order, the peace officer may arrest them (R.44).

Inside the Inner Perimeter of the Counting Station:

- make sure that no one is present who is not entitled to be there
- make sure no political activities take place, including the display of party posters or banners (R. 43).

Inside the Counting Centre:

- make sure that no one is present who is not entitled to be there (S.12)

5 Party Voting Agents

How is a Party Voting Agent appointed?

Party Voting Agents are appointed by the Provincial Election Agent of a political party, in consultation with the Provincial Electoral Officer. (R. 10)

The appointment of Party Voting Agents must be in writing. Copies of all appointments are kept by the Chief Director and the Provincial Electoral Officer for public inspection (S. 13). A Party Voting Agent must be eligible to vote (S. 13).

What must the Counting Officer check before admitting a Party Voting Agent to the Counting Station?

Check that the Party Voting Agent

- makes a Declaration of Secrecy which is delivered to the Chief Director (S. 14)
- wears an identifying armband approved by the Chief Director.

What is the role of the Party Voting Agent?

Their task at the Counting Station is to monitor the counting of the ballot papers. They may notify the Counting Officer of any irregularity or inaccuracy in the counting (S. 37). They watch the count and have the right to challenge the tally. If there is no challenge, the Party Voting Agent is required to sign the tally. (S. 45)

6 The Duties of the Counting Officer

The Counting Officer must administer, organise and conduct the counting of the votes in an area (S. 12)

What must the Counting Officer do when he or she is appointed?

- complete all documentation required by the Provincial Electoral Officer
- make the Declaration of Secrecy
- find out the exact site of the Counting Station
- attend a training session
- carry out any lawful instructions from the Provincial Electoral Officer (R.7)

What should the Counting Officer do to prepare for the counting of votes?

- appoint Enumerators, in consultation with the Provincial Electoral Officer
- assist in training the Enumerators. Enumerators must carry out any lawful instructions that you may give them (R.8)
- be sure the team is ready for its duties.
- make sure that each Enumerator has signed the Declaration of Secrecy (R.7).

7 Counting 'Station Procedures

IEC Official at entrance of Counting Centre

The IEC Official, checks to ensure persons entering the Counting Centre have the appropriate identification (relevant official armband allocated by the IEC), and to regulate the entrance to the Counting Centre.

(see diagram on page 14)

Receipt of packages

Counting Officer's Table (table A):

2 IEC Officials (the Counting Officer and his/her deputy)

The Counting Officer (or his/her deputy), in the presence of any Party Voting Agents, inspects the seals on the packets, ballot boxes and other packages delivered to the Counting Centre. IEC monitors, national and international observers may witness the inspection. The Counting Officer consults with the Party Voting Agents and confirms that the seals are intact or that any irregularities identified are not material. The Counting Officer issues a receipt - "Counting Centre Package Receipt" - to the IEC official delivering the packages (see appendix 2).

If the irregularities are declared to be material, the Counting Officer will follow instructions from the Chief Director: Administration of the IEC. The Counting Officer also records the details of all irregularities on the form "Notification of Irregularities and Discrepancies" (see appendix 5).

Important: Prior to April 29, the Counting Officer will be furnished with a list of the Voting Stations allocated to the Counting Station, together with the details of the schedule for delivery. Where packages from some or all of the Voting Stations have not been delivered to the Counting Centre allocated, an IEC official will take the necessary steps to locate the packages and have them delivered.

IEC Officials next to the Counting Officer's Table:

2 officials

These Officials, on the instruction of the Counting Officer, separate the packages into two groups: packages with national ballots and packages with provincial ballots. They take the separated packages to the relevant reception area; either the Provincial Package Reception Area ("Area B") or the National Package Reception Area ("Area C"); and place them in bins according to voting days; i.e. April 26, April 27, and April 28.

Reconciliation

Reconciliation of Presiding Officers' Statements

The two IEC Officials next to the Counting Officer's table take packages from one voting station placed in the bins in the Provincial Reception Area/National Reception Area and deliver them to the relevant Provincial or National Reconciliation Table when requested by the Officer at the available table as follows:

- Packages for April 26 - Day One tables (D1, D2, D3 respectively)
- Packages for April 27 - Day Two tables (E1, E2, E3 respectively)
- Packages for April 28 - Day Three tables (F1, F2, F3 respectively)

Important: Packages in respect of April 27 and 28 from the same voting station must be taken to corresponding Day Two and Day Three tables for reconciliation together, eg; E1: F1; E2: F2; E3: F3

Reconciliation Tables (tables D, E and F)

18 IEC Officials (9 Provincial Tables - 9 National Tables)

2 Supervisors (1 Provincial; 1 National) [20]

The IEC Official at each of the 18 reconciliation tables breaks the seals and opens the ballot boxes on the table. He/she then removes the ballot papers from the ballot boxes and places them in a pile on the table. He/she displays the empty ballot boxes for the Party Voting Agents, monitors and observers present. He/she counts the number of ballot papers placed on the table and makes a written record of the total. He/she arranges the ballot papers in groups of 20 (bound by a paper clip) and then in groups of 100 (five groups of 20 bound together with a larger paperclip).

The Official then notifies the Supervisor in charge of the tables that the process is completed. He/she locates the Ballot Paper Statement for the relevant voting day and hands the statement to the Supervisor.

Supervisor in charge of reconciliation tables

The Supervisor examines the Ballot Paper Statement prepared by the Presiding Officer to see whether the number of ballot papers recorded for the relevant ballot boxes matches the number of ballot papers actually found in the ballot boxes. If the numbers match, the statement is considered reconciled, and the supervisor places the counted ballot papers into a ballot box or ballot boxes if more than one box is required. He/she completes the "Counting Centre Reconciliation Statement" and attaches it to the outside of the ballot box containing the counted ballot papers (see appendix 3). Where the counted ballot papers are placed into more than one ballot box, a "Counting Centre Reconciliation Statement" is completed for each ballot box used. He/she seals the box/es with the seals issued by the IEC to the Counting Centre. An Official at the relevant table takes the sealed ballot box/es to the appropriately designated (Provincial or National) section of the Package Holding Area. (Area G)

If the Ballot Paper Statement prepared by the Presiding Officer cannot be reconciled because the number on the statement does not match the actual number found in the box/es, the Supervisor checks the arithmetic. If the arithmetic is incorrect, he/she may correct it. If the numbers match after correcting the arithmetic, the Supervisor continues the process following the procedures as prescribed.

If the numbers still do not match, the Official at the reconciliation table repeats the counting process until the results are identical in two consecutive counts. If the difference between the totals after the two consecutive counts, and the Presiding Officer's Ballot Paper Statement is not more than one vote or 0.5% of the total votes reflected in the statement, whichever is higher, the statement is considered reconciled. The process continues in the manner described. If the difference is more than one vote or more than 0.5% of the total reflected in the Presiding Officer's statement, the Supervisor complies with the instructions of the Chief Director: Administration of the IEC with respect to the packages. The Supervisor records the details of all irregularities on the form "Notification of Irregularities and Discrepancies".

Package Holding Area ("area G"):
2 IEC Officials (1 Provincial; 1 National)

The Official assigned to this area monitors the sealed ballot boxes/packages brought to the area from the Reconciliation Tables until they are requested at the Counting Tables. The Official must ensure that all the packages from one voting station are not delivered as a batch to the counting table. A batch should comprise ballot boxes from various voting stations. No more than three thousand ballot papers should comprise a batch to be delivered to the Counting Table. This is determined by checking the Counting Centre Reconciliation Form on the outside of the ballot boxes. No additional ballot boxes (batches) are delivered to any Counting Table until the batch being dealt with at the table is completed, sealed and removed from the table.

Sorting of votes according to political parties

Counting Tables (tables X)
2 Provincial, 2 National,
3 IEC Officials at each table (one being the supervisor) [12]

When a Counting Table is available, one of the officials at the table will go to the package holding area to collect a batch relevant to the Counting Table (Provincial or National). At the Counting Table, the two officials examine the boxes in the batch to determine whether or not the seals placed at the Reconciliation Table are intact. Party Voting Agents, monitors and observers may examine the seals also. If they are not, instructions will be sought from the Counting Officer on how to deal with the matter. If the seals are intact, the two Officials will open the boxes and remove the ballot papers and all the other contents. The Counting Centre Reconciliation Forms and packets removed from the boxes are placed back into one of the ballot boxes and sealed by the Supervisor, in the presence of Party Voting Agents, monitors and observers.

The Officials at the Counting Table hold up the ballot papers one by one and show it to the Party Voting Agents, monitors, and observers present at the table. If the Officials at the counting table are satisfied that a single party is identifiable on the ballot paper, and that the ballot paper has been properly issued and bears the official voting station stamp on the back, they call out the party for which the ballot paper is marked. He/she hands the ballot paper to one of the five officials at the Party Allocation Tables (Tables H, I, J, K, L) next to the Counting Table.

If there is uncertainty in identifying the party for which the ballot paper was marked; if the ballot paper did not bear the official voting station stamp; or if a Party Voting Agent disputes the party allocation, the ballot paper is set aside in a separate pile on the Counting Table to be dealt with after the rest of the ballot papers have been allocated to parties.

Party Allocation Tables (tables H, I, J, K, L):

5 tables to one Counting Table:

1 IEC Official to each table [20]

The supervisor tells each IEC Official at the Party Allocation Tables the names of the parties whose ballot papers he/she is handling. After receiving the ballot paper from the Counting Table, the official places the ballot paper in the pile designated for the particular party.

Prior to the count

Supervisor: Counting Table

After all the ballot papers from the batch have been allocated, but before the actual count by party commences, the Supervisor takes the pile of ballot papers that were temporarily put aside. He/she holds up each ballot paper in view of the Party Voting Agents present and announces his/her decision whether the ballot paper should be accepted or rejected (see examples of valid and invalid ballots in Section 8).

If the Supervisor's decision is disputed by any Party Voting Agent, the Supervisor marks on the back of the ballot paper "disputed but counted" where his/her decision is to accept; or "disputed but rejected" where the decision is to reject. The disputed ballots are placed in separate piles one for ballots disputed but counted and one for ballots disputed but rejected.

Where there is no dispute to the Supervisor's decision, he/she hands the ballot papers that were accepted to the Officials at the relevant Party Allocation Table. He/she places the ballot papers in the appropriate party pile. The Supervisor also keeps in a separate pile at the Counting Table the ballots that were rejected and not disputed.

Guidelines for accepting and rejecting Ballot Papers:

(see “Section 8: Valid and Invalid Ballots” on page 16)

Counting of votes according to party

Party Allocation Tables

The five officials at the Party Allocation Tables count the ballots in each party pile assigned to him/her. He/she arranges the ballots first **in** groups of 20 (bound by a paper clip) then in groups of 100 (5 groups of 20 bound together by a larger clip). He/she records on a piece of paper the result of the count for each pile.

Counting Table

One of the two Officials at the Counting Table counts the number of counted but disputed votes in favour of each party; the number of rejected but disputed ballot papers and the number of rejected and undisputed ballot papers. He/she then arranges the ballots in each pile into groups of 20 (bound by a paper clip), then into groups of 100 (five groups of 20 bound together by a larger paper clip). He/she records the result of the count for each pile.

Supervisor at the Counting Table

When the counting process is completed, the Supervisor instructs the Officials at the Party Allocation Tables to swap positions and repeat the counting process. He/she also directs the official at the Counting Table who did not count the disputed ballot papers on that table previously to repeat the process.

Important: The counting process is repeated until the results of two consecutive counts at the Counting Tables and the Party Allocation Tables are identical in every respect.

Interim tally of votes

Supervisor at the Counting Table

After two identical counts, the Supervisor records on the “Batch Tally Form” (see appendix 4) the number of:

- Ballots counted and not disputed in respect of each party;
- Ballots counted but disputed in respect of each party;
- Ballots rejected but disputed; and
- Ballots rejected and not disputed

He/she then reads the batch tally as recorded on the Batch Tally Form and requests the Party Voting Agents present to sign the Batch Tally Form. If a Party Voting Agent challenges the interim tally, the Supervisor notifies the Counting Officer. The Counting Officer asks the Party Voting Agent to state the grounds for the challenge and decides whether or not to have a recount of the batch.

If the Counting Officer decides to have a recount of the batch, the recount is carried out immediately and in precisely the same manner as was done previously. If no recount is ordered and no further challenges are made to the interim tally, one Party Voting Agent from each party present is asked to sign the Batch Tally Form indicating that no irregularity was identified during the counting process.

Important: By signing the Batch Tally Form, the party/parties accept the batch tally and no appeal to the IEC regarding the tallies will be allowed.

Sealing and delivery of Batch and Batch Statement

The Officials at the Counting Table put all the categories of ballot papers counted in separate packets and mark the packets accordingly. The Supervisor seals the packets with the seals issued by the IEC for that purpose. He/she places the packets together with a copy of the Batch Tally Form in one or more ballot boxes as required, and seals the ballot boxes with seals issued for that purpose. The sealed boxes are then returned to a specially designated area within the Package Holding Area (Area G). The Supervisor hands the original Batch Tally Form to the Counting Officer. Copies of the Batch Tally Form are photocopied for the Party Voting Agents, monitors and observers.

The Counting Officer, from time to time, reports to the Provincial Electoral Officer details of the accumulated tally as reflected in the Batch Tally Forms. The Provincial Electoral Officer, in turn, faxes copies of the reports received to the Media Centre at the numbers to be provided.

Calculation of total number of votes

The Counting Officer

On completion of the entire counting process, the Counting Officer calculates the final tally of votes. He/she adds the totals from all of the Batch Tally Forms together. Before reading the final tally, the Counting Officer requests the Party Voting Agents to report any irregularity or inaccuracy.

If a Party Voting Agent reports any irregularity or inaccuracy, the Counting Officer records the details in writing. He/she decides on the action to be taken, records the details of the decision in writing and seals all the written reports in a packet marked "Notification of Irregularities/Inaccuracies".

The Counting Officer, after dealing with all alleged irregularities and/or inaccuracies or where no such allegations are made, reads the final tally in the presence of all Party Voting Agents. They may challenge the final tally in respect of the calculation of that tally only. If any of the Party Voting Agents challenge the tally, the Counting Officer requests the Party Voting Agent to state the grounds for the challenge. The Counting Officer decides whether or not to order a recalculation and informs the Party Voting Agents of his/her decision. If a recalculation is ordered, it is carried out immediately by referring to all the relevant Batch Tally Forms.

After dealing with any challenges to the tally, the Counting Officer records the details of the final tally on the forms "National Count: Number of Votes cast" (see appendix 6) and "Provincial Count: Number of Votes Cast". He/she then requests the Party Voting Agents (one agent from each party) to sign the tally forms in the appropriate places indicating that no irregularity was identified during the counting process. Having signed the forms, the party/parties accept the tallies and no appeal to the IEC will be allowed regarding the tallies. Copies of the final tallies are photocopied for the Party Voting Agents, monitors and observers.

The Counting Officer places the final tally forms in separate packets (National/Provincial) and seals the packets. He/she also has copies of the final tally forms delivered to the Provincial Electoral Office who in turn sends them to the IEC.

Delivery of packages at the end of the counting process

The Counting Officer

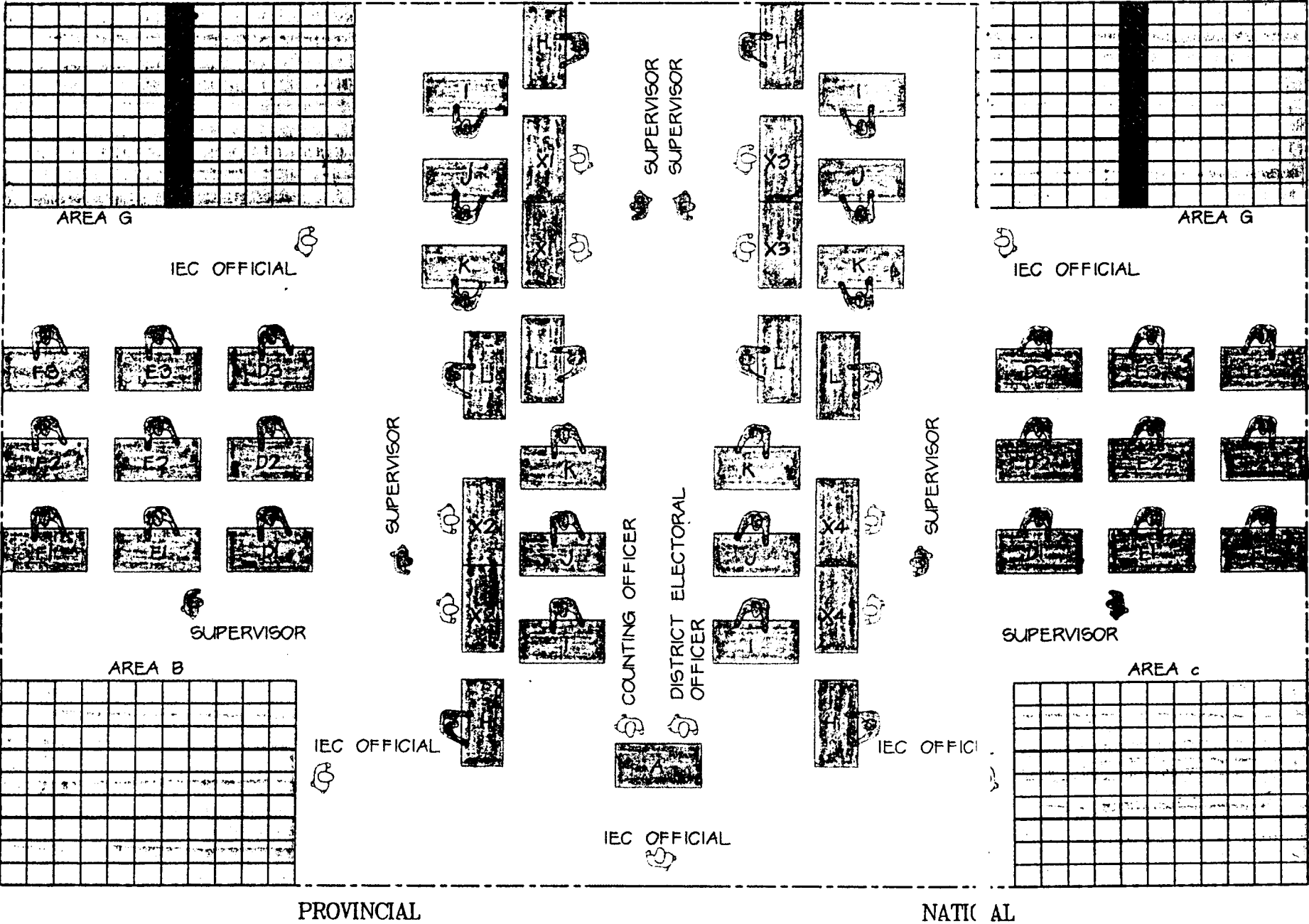
The Counting Officer arranges for all the sealed packets and/or ballot boxes to be stored in the holding area:

- Ballot boxes containing packets of stubs, partially used and unused ballot books, discarded ballot papers (spoiled), ballot papers with no official voting station stamp;
- Packets containing “Notification of Irregularities and Discrepancies” and the written reports of irregularities/inaccuracies;
- Packets containing forms for “National Count: Number of Votes Cast” and “Provincial Count: Number of Votes Cast”.
- Ballot boxes containing the packets of counted ballots and the packets of rejected ballots.

He/she then ensures that all persons, other than IEC officials required to remain, leave the Counting Station. The Counting Station is secured according to instructions. You will be informed of the arrangements for the delivery of packages to the IEC.

Counting Centre Layout

INDEPENDENT ELECTORAL COMMISSION COUNTING CENTRE LAYOUT



KEY		
CODE	TYPE	DESCRIPTION
A	Table	Counting centre reception table
B	Area	Provincial package reception area
C	Area	National package reception area
D1	Table	Reconciliation tables-26 April 1994
D2	Table	
D3	Table	
E1	Table	Reconciliation tables-27 April 1994
E2	Table	
E3	Table	
F1	Table	Reconciliation tables-28 April 1994
F2	Table	
F3	Table	
G	Area	Package holding area
H	Table	Party allocation table
I	Table	Party allocation table
J	Table	Party allocation table
K	Table	Party allocation table
L	Table	Party allocation table
X1	Table	Provincial ballot counting tables
X2	Table	
X3	Table	National ballot counting tables
X4	Table	

NB: 1. Allow 2m clearance for party voting agents except between Area G and party allocation tables
2. Table size 1600x800mm throughout

AREA: 24.5mx16.5m=404.25m²

8 Valid and Invalid Ballots

The attached examples of valid and invalid ballots are provided to counting officials and party agents to assist in the resolution of differences of opinions during the counting process concerning the validity of specific ballots.

The IEC has reviewed each of the attached sample ballots in the light of the provisions of the Electoral Act (as described below), and has determined whether each one is valid or invalid for the reasons explained on each ballot.

Counting officials and party agents should compare disputed ballot papers with the attached samples when resolving differences of opinion in order to ensure consistency of decisions, not only within a counting centre but among all counting centres throughout the country.

Provisions of the Electoral Act

The IEC has determined that given the possible conflict between Section 35 and Section 44 of the Act, Section 44 will serve as the determining provision when evaluating disputed ballots.

Section 44 (3) states:

The Counting officer shall reject and not count any ballot paper:

- (a) on which is cast votes for more than one registered party;
- (b) in respect of which he or she has reasonable grounds to believe that it has not been officially issued to a voter in terms of this Act;
- (c) which is unmarked or on which it is impossible to determine with certainty in favour of which registered party the vote is cast; or
- (d) which does not bear the official mark on the back thereof.

In assessing the validity of disputed ballots, counting officials and party agents are strongly encouraged to err on the side of validating as many of the votes as possible. For example, if only one party is clearly marked with any type of mark or marks anywhere along the that party's name, logo abbreviation or picture, and whether or not the mark is in the actual box, one must assume that the voters intention was to vote for and not against that party, unless there is a clear indication in writing that the voter has specifically rejected that particular party. Keep in mind that the vote must clearly be for a registered party and not an individual.

Section 44 (4) states:

Subject to subsection (3), the Counting Officer shall not reject and shall cause to be counted any ballot paper on which there is a mark or writing by means of which a voter has clearly indicated his or her choice otherwise than by a cross on the ballot paper concerned.

The points which must be emphasised here - apart from 44 (3) (b) and (d) - are that any marks or writing are acceptable in addition to a cross, and that the choice of the elector must be clear - keeping in mind the approach described above.