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declaration of identity, in the larger envelope marked "B" addressed to the returning officer and despatch it by post without delay. The ballot paper, in order to be counted, must be received by the returning officer not later than the close of the poll.

6. If you receive more than one ballot paper, remember that it is illegal to vote more than once at the same general election or by-election.

7. As an absent voter at this election you cannot vote at the polling station but only by post.

FORM "D"

(Rule 10(1))

DECLARATION OF SECRECY

I, A.B. of being a person attending the proceedings on the issue or receipt of postal ballot papers do solemnly and sincerely declare that I will keep secret all matters coming to my knowledge in the course of such proceedings, and that I will not divulge them to any person in any manner whatever save as required by the due process of Law, and I realize that any breach of secrecy under this declaration makes me liable to the penalties prescribed in paragraph(3) of rule 10 of the Elections Rules.

Signed _____

Witness _____

Date _____

Passed the Legislative Assembly this 2nd day of December, 1983.

PETER LLOYD
President

SYBIL MCLAUGHLIN
Clerk of the Legislative Assembly

CAYMAN ISLANDS



Supplement No. 2 printed with Extraordinary Gazette of Wednesday 11th January 1984

THE ELECTIONS LAW, 1983
(LAW 36 OF 1983)

DECLARATION OF IDENTITY

Front of Form

Ballot Paper No. _____

I hereby declare that I am the person to whom the ballot paper numbered as above and the envelope in which it was enclosed (both of which I now produce) were sent.

Voter's signature _____
or name and mark

The abovementioned, who is personally known to me, has produced the ballot paper and the envelope above referred to and has signed the above declaration in my presence.

Witness' signature _____
(See instructions on the back of this Form)

Back to Form

Instructions to Voter

1. Before marking the accompanying ballot paper you must produce —
 - (i) the ballot paper showing the number thereon,
 - (ii) this declaration and
 - (iii) the envelope in which you received this declaration and the ballot paper,
 to some person to whom you are known, who will witness the declaration of identity.
(See other side)
2. You must sign the declaration of identity in the presence of the witness.
3. You may vote for only _____ candidate/s.
4. You vote by marking the ballot paper on the right-hand side with a cross opposite the name of the candidate for whom you vote, thus X.

You should mark the ballot paper secretly; if you cannot vote without the assistance of some other person, that person must not disclose how you have voted.

5. Immediately after voting you must place the marked ballot paper in the enclosed small envelope "A" and fasten it up. You must then place the envelope marked "A", together with this

Application to be treated as an Absent Voter

Name in full
Mr./Mrs./Miss _____

Address _____

Electoral district for which registered as a voter.

Reasons for application _____

Address to which Postal Ballot Paper shall be sent _____

DECLARATION BY APPLICANT

I, A.B. _____ of _____
do solemnly and sincerely declare that the information contained in the above form is correct
to the best of my knowledge and belief.

Signed _____

Witness _____

Date _____

**ELECTIONS LAW, 1983
Arrangement of Sections**

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- 2. Interpretation.

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- 3. Appointment, duties and powers of Supervisor of Elections.
- 4. Electoral districts. Representation on Assembly.
- 5. Polling divisions.
- 6. Appointment of registering officers, etc.
- 7. Appointment of returning officer.
- 8. Taking of oaths.
- 9. Remuneration of officers.
- 10. Compiling list of voters.
- 11. Commencement of enumeration.
- 12. Preliminary list.
- 13. Procedure as to omissions and objections.
- 14. Revising officer and revision of preliminary lists.
- 15. Procedure of Court revising preliminary lists.
- 16. Revised preliminary lists to be certified and deemed Register of Voters.

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- 19. Deposit.
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APPENDIX
FORM "A"

(Rule 2)

Appointment of agent to ensure registration of a voter.
Particulars

Full name, sex and age of applicant

District in which to be registered

Present address of applicant

Name of Father and Mother of applicant if alive

Address of Father or Mother if alive

If married name and address of wife or husband

If unmarried and parents deceased name and address of next-of-kin

Name, sex and address of person to be appointed agent

DECLARATION BY APPLICANT

I, _____ of _____ a person of Caymanian origin temporarily absent from these Islands solemnly and sincerely declare that I am not disqualified from voting under any of the provisions of the Elections Law, 1983 and that I desire to appoint _____ of _____ to be my agent for the purpose of putting my name on the preliminary list of voters.

Signed _____

Witness _____

Declaration by Agent

I, _____ of _____ and sincerely declare that the information contained in the above form is correct to the best of my knowledge and belief.

Signed _____

Witness _____

(3) Where the number on a ballot paper envelope agrees with the number on the ballot paper contained therein, he shall place the ballot paper in the ballot box referred to in paragraph (1) of rule 20.

(4) Where the number on the ballot paper envelope does not agree with the number on the ballot paper contained therein, he shall mark the ballot paper "rejected" and attach the ballot paper envelope thereto.

(5) He shall put into a separate packet the envelopes marked "empty" and the ballot papers marked "rejected" under the provision of this rule and shall seal up such packet.

The count of postal ballots.

23. The ballot box referred to in paragraph (1) of rule 20 and the ballot papers placed therein pursuant to rules 20 and 22 shall respectively be treated in all respects as a ballot box and ballot papers for the purposes of section 44 of the Law.

Forwarding of documents and handling of late ballots.

24. (1) The returning officer shall, at the same time as he forwards the documents mentioned in section 47 of the Law, forward to the Supervisor of Elections —

(a) any packet referred to in rule 17, 21 or 22 endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the electoral district for which the election was held; and

(b) a statement of the number of postal ballot papers issued in such form and giving such other particulars with respect to such papers as the Supervisor of Elections may require.

(2) Where any covering envelopes are received by the returning officer after the close of the poll or any envelopes addressed to postal voters are returned as undelivered too late to be re-addressed, he shall put them unopened into a separate packet, seal up such packet and forward it at a subsequent date in the manner described in paragraph (1).

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- 72. Expenses of elections.
- 73. Computation of time.
- 74. Power to make rules.
- 75. Repeal.
 - First Schedule.
 - Second Schedule.
 - Third Schedule.

number on the ballot paper, place the declaration in the receptacle for valid declarations of identity and the ballot paper in a ballot box referred to in paragraph (1); and

(b) if the number on the said declaration does not agree with the number on the ballot paper, mark the declaration "vote rejected", attach thereto the ballot paper and place it in the receptacle for votes rejected.

(7) Where the number on the declaration of identity duly signed and authenticated does not agree with the number on the ballot paper envelope or that envelope has no number on it, he shall open the envelope and shall —

(a) if the number on the declaration agrees with the number on the ballot paper, place the declaration in the receptacle for valid declarations of identity and the ballot paper in the ballot box referred to in paragraph (1); and

(b) if the number on the declaration does not agree with the number on the ballot paper or there is no ballot paper, mark the declaration "vote rejected," attach thereto the ballot paper (if any) and place it in the receptacle for votes rejected.

(8) Except for the purposes of ascertaining under paragraph (3) whether a ballot paper envelope contains a declaration of identity or under paragraph (7) whether the number on the declaration agrees with the number on the ballot paper, the returning officer shall not open the ballot paper envelopes before they are opened under rule 22.

Sealing up rejected votes and declarations.

21. On the conclusion of the proceedings under rule 20 the returning officer shall put the contents of the receptacle for votes rejected and the contents of the receptacle for valid declarations of identity into two separate packets and shall seal up such packets.

Opening of ballot paper envelopes.

22. (1) After sealing up the said packets the returning officer shall open separately each ballot paper envelope placed in the receptacle for valid ballot paper envelopes.

(2) Where a ballot paper envelope does not contain a ballot paper, he shall mark the envelope "empty."

20. (1) Before proceeding to open the covering envelopes, the returning officer shall, for the purpose of receiving the accepted ballots of the postal voters, prepare a ballot box by showing it open and empty to the agents present and by locking it and by having affixed thereto the seal of the returning officer and the seals of such agents as desire to affix their seals in such manner as to prevent the box being opened without breaking the seals.

(2) The returning officer shall open each covering envelope separately.

(3) Where a covering envelope does not contain both a declaration of identity and a ballot paper envelope or, there being no ballot paper envelope, a ballot paper, he shall mark the covering envelope "rejected", attach thereto the contents (if any) of the covering envelope and place it in a separate receptacle (hereinafter referred to as "the receptacle for votes rejected") if the covering envelope does not contain the declaration separately, the returning officer shall open the ballot paper envelope to ascertain if the declaration is inside that envelope.

(4) On determining that an envelope contains both a declaration of identity and a ballot paper envelope or, if there is no such envelope, the ballot paper, the returning officer shall first satisfy himself that the declaration of identity has been duly signed and authenticated and, if he is not so satisfied, he shall mark the declaration "declaration rejected", attach thereto the ballot paper envelope or, if there is no such envelope, the ballot paper, and place it in the receptacle for votes rejected:

Provided that before so doing he shall show the declaration to the agents and, if any objection is made by any agent to his decision, he shall add the words "rejection objected."

(5) Where the number on the declaration of identity duly signed and authenticated agrees with the numbers on the ballot paper envelope, the returning officer shall place the declaration in a separate receptacle (hereinafter referred to as "the receptacle for valid declaration of identity") and the ballot paper envelope in another separate receptacle (hereinafter referred to as "the receptacle for valid ballot paper envelopes").

(6) Where there is no ballot paper envelope or the ballot paper envelope has been opened under paragraph (3) the returning officer shall —

(a) if the number of the declaration of identity duly signed and authenticated agrees with the

Law 36 of 1983

I assent

PETER LLOYD

Governor

22nd December 1983

**A LAW TO REPEAL AND REPLACE THE
ELECTIONS LAW
(CAP. 45)**

Enacted by the Legislature of the Cayman Islands.

Part I. Preliminary

Short title.

1. This Law may be cited as the Elections Law, 1983.

Interpretation.

2. (1) In this Law, unless the context otherwise requires —
"Assembly" means the Legislative Assembly;
"by-election" means an election other than a general election;
"election" means an election of a member or members to the Assembly;
"election documents" means the documents which the returning officer is required by section 47(1) to transmit to the Supervisor of Elections after an election;
"election officer" includes the Supervisor of Elections, every registering officer, returning officer, presiding officer, poll clerk or other person having any duty to perform pursuant to this Law to the faithful performance of which duty he may be sworn;
"electoral district" means an electoral district as constituted under section 4;
"Form" means the form set out as such in the Second Schedule to this Law;
"poll book" means the book in Form No.16 in which the name and other particulars of every person applying to vote are consecutively entered by the poll clerk as soon as the applicant's right to vote at the polling station

has been ascertained and before any such applicant is allowed to vote; "polling day" means the day fixed for holding the poll at an election; "polling division" means any polling division constituted in accordance with section 5;

"polling station" means any room secured by the returning officer for the taking of the votes on polling day;

"rejected ballot paper" means a ballot paper which has been handed by the presiding officer to a voter to cast his vote but which at the close of the poll has been found in the ballot box unmarked or so improperly marked that in the opinion of the returning officer it cannot be counted;

"returning officer" means, in relation to an electoral district, the officer appointed by the Governor in that behalf under section 7;

"specified day" means the day specified by the Governor under section 11(2);

"spoiled ballot paper" means a ballot paper which on polling day, has not been deposited in the ballot box but has been found by the presiding officer to be spoiled or improperly printed, or which has been handed by the presiding officer to a voter to cast his vote, and —

- (a) has been spoiled in marking by the voter; and
- (b) has been handed back to the presiding officer and exchanged for another;

"the preliminary list" means the list of voters mentioned in section 10(1);

"voter" means any person who votes or is entitled to vote at an election; and "writ" means the writ for an election.

(2) Where in this Law —

(a) any notice, list or any other instrument is required to be published then, unless the contrary intention appears, the publication thereof shall be made by posting the same in a conspicuous place on any Court House, Church, Chapel, Post Office, School-house or such other building in the Islands as in the opinion of the Governor is suitable for the purpose:

Provided that in places where there is no such building as aforesaid, such instrument may be posted in a conspicuous place; and

(b) any paper, list or report is required to be printed under the provisions of this Law such paper, list or report may, instead of being so printed, be represented or reproduced by means of typewriter, roneo, cyclostyle or other similar apparatus or by any other method by which words, figures or signs may be represented or reproduced in visible form.

Provision of postal voters ballot boxes.

the Postmaster General shall stamp with the post office date stamp a form of receipt to be presented by the returning officer stating the number of envelopes so delivered and shall immediately forward such envelopes for delivery to the persons to whom they are addressed.

16. (1) The returning officer shall, at the proceedings on the original issue of postal ballot papers provide a ballot box or ballot boxes for the reception of the covering envelopes when returned by the postal voters.

(2) Every such ballot box shall be shown open and empty to the agents present and shall then be locked by the returning officer and sealed with the seal of the returning officer and the seals of such of the agents as desire to affix their seal in such manner as to prevent its being opened without breaking the seals.

(3) Every such ballot box shall be marked "postal voters ballot box" and with the name of the electoral district for which the election is held.

(4) The returning officer shall make provision for the safe custody of every ballot box.

Sealing up of absent voters' lists and counterfoils.

17. (1) The returning officer as soon as practicable after the completion of the issue of the postal ballot papers and in the presence of the agents, shall make up in separate packets —

- (a) a marked copy of the absent voters' list; and
- (b) the counterfoils of those ballot papers which were issued, and shall seal such packets.

(2) The sealed packets may be opened by the returning officer for the purpose of a subsequent issue and on completion of that issue shall be again made up and sealed in accordance with paragraph (1).

Receipt of Postal Ballot Papers

Receipt of covering envelopes.

18. The returning officer shall, immediately on receipt of a covering envelope before the close of the poll, place it unopened in a postal voters' ballot box locked and sealed in accordance with rule 16.

Opening of postal voters ballot box.

19. (1) Each postal voters' ballot box shall be opened by the returning officer in the presence of the agents at the close of the poll.

(2) When a postal voters' ballot box has been opened, the returning officer shall count and note the number of covering envelopes.

the proceedings on the receipt of postal ballot papers.

(2) The returning officer shall make the declaration in the presence of a Justice of the Peace, and any other person shall make the declaration in the presence either of a Justice of the Peace or of the returning officer.

(3) Any person before whom a declaration is authorized to be made under this rule may take the declaration. Any person contravening such declaration commits an offence and is liable on conviction by the Magistrate to a fine not exceeding five hundred dollars or six months imprisonment.

11. (1) The returning officer shall give each candidate not less than two days notice in writing of the time and place at which he shall issue the postal ballot papers and of the number of agents such candidate may appoint under paragraph (2) of rule 9 to attend the said issue.

(2) Where any subsequent issue of postal ballot papers is made, the returning officer shall notify each candidate as soon as practicable of the time and place at which he will make such subsequent issue and of the number of agents such candidate may appoint under paragraph (2) of rule 9 to attend such issue.

12. (1) Before the issue of a postal ballot paper the name and number of the voter shall be called out and such number shall be marked on the counterfoil and a mark shall be placed in the absent voter's list against the number of the voter to denote that a ballot paper has been issued to the voter but without showing the particular ballot paper issued.

(2) The number of a postal ballot paper shall be marked on the declaration of identity sent with that paper.

13. Where a returning officer is satisfied that two or more entries in the absent voters' list relate to the same voter, he shall not issue more than one ballot paper in respect of the same voter.

14. A returning officer shall, in addition to the ballot paper, declaration of identity and envelope for their return (hereinafter referred to as a "covering envelope") which he is required by rule 6 to send a postal voter, send a smaller envelope marked "ballot paper envelope" bearing the number of the ballot paper.

15. All envelopes addressed to postal voters shall be counted and forthwith delivered by the returning officer to the nearest head post office, or such other office as may be arranged with the Postmaster General and

Part II

Electoral Districts and Registration of Voters

3. The Governor shall appoint a Supervisor of Elections who shall —

(a) exercise general direction and supervision over the administrative conduct of elections and enforce on the part of all election officers, fairness, impartiality and compliance with the provisions of this Law;

(b) issue to election officers such instructions as from time to time he may deem necessary to ensure effective execution of the provisions of this Law; and

(c) execute and perform all other powers and duties which by this Law are conferred and imposed upon him.

4. (1) For the purpose of the election of members of the Assembly and of compiling and revising the lists of persons entitled to vote at such elections the Cayman Islands shall be divided into six electoral districts as defined in the First Schedule.

(2) The First and Second Electoral Districts shall each be represented in the Assembly by three elected members.

(3) The Third and Fourth Electoral Districts shall each be represented in the Assembly by two elected members.

(4) The Fifth and Sixth Electoral Districts shall each be represented in the Assembly by one elected member.

5. (1) Each Electoral District shall be a polling division.

(2) Notwithstanding subsection (1), the Supervisor of Elections with the approval of the Governor may divide any electoral district into so many polling divisions and with such boundaries and descriptions as he may by Notice appoint.

(3) Every such Notice shall be published.

(4) The Supervisor of Elections may in like manner from time to time vary the number, descriptions and boundaries of any polling division so appointed.

Appointment, powers and duties of Supervisor of Elections.

Electoral districts. Representation on Assembly First Schedule.

Polling divisions.

Notice of issue of postal ballot papers.

Marking of postal ballot papers.

Refusal to issue postal ballot papers.

Ballot paper envelope.

Delivery of postal ballot papers to post office.

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(5) In determining the boundaries of any polling division, the Supervisor of Elections shall have regard to geographical and population considerations and such other factors as may affect the facility of communication between various places within the polling division.

Appointment of registering officers, etc.

6. (1) The Supervisor of Elections shall from time to time appoint for each electoral district a registering officer who shall be qualified as a voter in that electoral district and who shall be in resident therein.

(2) The Supervisor of Elections may appoint persons as assistant registering officers to assist registering officers in the performance of their duties under this Law and such assistant registering officers shall also be qualified as voters in such electoral district and shall be resident therein.

(3) Subject to the authority, directions and control of the registering officer, an assistant registering officer shall have all the powers and may perform any of the duties of a registering officer under this Law.

(4) The Supervisor of Elections may at any time revoke any appointment made by him under this section and make another appointment in place thereof.

(5) A registering officer shall have such powers and be charged with such duties as appear hereinafter.

(6) Every registering officer shall, before entering on his duties as such, take and subscribe an oath in Form No. 11 and shall transmit such oath to the Supervisor of Elections.

Form No. 11

7. (1) The Governor may on the recommendation of the Supervisor of Elections from time to time appoint a returning officer for each electoral district.

Appointment of returning officer.

(2) The Governor may at any time revoke any appointment made by him under this section and make another appointment in place thereof.

(3) Forthwith upon his appointment each returning officer shall take and subscribe an oath in Form No. 12 and shall transmit such oath to the Supervisor of Elections.

Form No. 12

(4) It shall be the duty of the Supervisor of Elections to ensure that all returning officers are aware of the provisions of this Law and of any rules, etc., made hereunder.

(2) Where postal ballot papers are to be issued, or the envelopes contained in the postal voters' ballot boxes are to be opened, simultaneously in two or more batches, each candidate may appoint one or more agents up to the number he may be authorized by the returning officer to appoint not exceeding the number of such batches so, however, that the number authorized shall be the same in the case of each candidate.

(3) Subject to paragraph (5), notice of the appointment of each agent stating the name and address of the person appointed shall be given by the candidate to the returning officer before the time fixed for the issue of postal ballot papers or the opening of the said postal voters' ballot boxes, as the case may be.

(4) Subject to paragraph (5), if an agent dies or becomes incapable of acting, the candidate may appoint another agent in his place and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.

(5) Agents may be appointed and notice of appointment given to the returning officer by the candidate's election agent instead of by the candidate.

(6) In this Part of these Rules references to agents shall be taken as references to agents whose appointments have been duly made and notified and, in the case of agents appointed under paragraph (2), who are within the number authorized by the returning officer.

(7) A candidate may himself do any act or thing which any agent of his, if appointed, would have been authorized to do, or may assist his agent in doing any such act or thing.

(8) Where in this Part of these Rules any act or thing is required or authorized to be done in the presence of the candidates or their agents, the non-attendance of any such candidate or agent at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Declaration of secrecy.

10. (1) Every person attending the proceedings on the issue or receipt of postal ballot papers shall make a declaration of secrecy in the Form "D" as set out in the Appendix, or in a form as near thereto as circumstances admit, before the issue of postal ballot papers:

Form "D".

Provided that if any person only attends the proceedings on the receipt of postal ballot papers he need not make the declaration before the issue but shall make it before he is permitted to attend

Part III. Issue and Receipt of Postal Ballot Papers

Interpretation.

5. For the purpose of this Part of these Rules, unless the context otherwise requires —

“agent” includes the election agent and a person appointed to attend in the election agent’s place;

“issue” includes the original and any subsequent issue;

“postal ballot paper” means a ballot paper issued to a postal voter;

“postal voter” means a person entitled to vote by post at an election as an absent voter.

Issue of postal ballot papers.

6. Where an election is being held, the returning officer shall as soon as practicable and in no event later than seven days after nomination day or seven days after the receipt of the application under Rule 3(2) whichever date is the later in time, send to each person entitled to vote by post at the address furnished by that person for the purpose, a ballot paper and declaration of identity together with an envelope for their return addressed to the returning officer of the district where the postal voter is to cast his vote.

Form of postal ballot paper.

7. The ballot paper to be sent to a postal voter shall be in the same form as, and indistinguishable from, the ballot paper delivered to any other voter.

Form of declaration of identity. Form “C”.

8. The declaration of identity sent with the ballot paper to postal voter shall be in Form “C” as set out in the Appendix or a form to the like effect.

Persons entitled to be present at the issue and receipt of postal ballot papers.

9. (1) No person other than —

- (a) the returning officer and his clerk;
- (b) a candidate;
- (c) an election agent or any person appointed by a candidate to attend in his election agent’s place;
- (d) any agent appointed under paragraph (2),

may be present at the proceedings on the issue or receipt of postal ballot papers.

Taking of oaths.

8. (1) Every election officer and every person who is required by Part II or Part III to take an oath may take such oath either before a Justice of the Peace, the Supervisor of Elections or before any returning officer or presiding officer or poll clerk appointed in accordance with the provisions of this Law and every such Justice of the Peace, returning officer, presiding officer, poll clerk and the Supervisor of Elections is hereby authorized and empowered to administer any oath required by the said provisions of Part II or Part III to be made or taken by any election officer or other person.

(2) Every person who is required to take an oath in pursuance of any of the provisions of Part II and Part III may elect to make a solemn affirmation instead of taking such oath.

Remuneration of officers.

9. There shall be paid to the Supervisor of Elections, each registering officer, assistant registering officer, returning officer and to any other election officer appointed under this Law such remuneration for their services and such allowances in respect of travelling and other expenses incurred by them as the Governor may approve.

Compiling list of voters.

10. (1) As soon as possible after the coming into operation of this Law and thereafter in such years as the Governor may by Proclamation appoint, in no case being more than four years after the date of the first meeting of the Assembly following the last preceding general election, a list of voters (hereinafter in this Law referred to as “the preliminary list”) shall be compiled by the registering officer for each electoral district of all persons entitled to vote at the election of a member or members of the Assembly for that electoral district.

(2) If for any reason the registering officer fails to compile the preliminary list for his electoral district so that by reason thereof the Register of Voters (as described in section 16(3)) for that electoral district cannot be brought in force, the Register of Voters in force when the new Register of Voters should have come into force shall continue in operation and be deemed to be the Register of Voters for such electoral district.

Commencement of enumeration.

11. (1) It shall be the duty of every registering officer to compile the preliminary list for the electoral district to which he is appointed.

(2) Every registering officer shall —

- (a) commencing on and with effect from such day (hereinafter called “the specified day”) as the Governor may by proclamation appoint in respect of an electoral district prepare in and for such electoral district and

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pursuant to the provisions of this Law, a preliminary list of all persons who qualify as voters therein;

(b) immediately after his appointment, or immediately after publication of the specified day, whichever is the later event, affix on two public buildings in his polling division, or if there be no public buildings in the polling division, on two other buildings with the prior permission of the occupants a copy of a registration notice in Form No. 1;

(c) within the period specified in section 12(1) proceed to ascertain the name, address and occupation of every person qualified to vote for the election of a member of the Assembly in the electoral district for which he has been appointed, and shall obtain the information he may require by a house to house enquiry.

The names, addresses and occupations of all voters who are included in the enumeration in the preliminary list shall be written down in the manner and form specified in section 12 with the names of the voters grouped according to the initial letters of their surnames, and with the surname, given names and occupation of each being fully stated;

(d) exercise the utmost care in preparing the preliminary list for the electoral district for which he has been appointed, taking all necessary precautions to ensure that the list when completed contains the name, address and occupation of every qualified voter in the said electoral district and that it does not contain the name of any person who is not qualified.

(3) Any registering officer who wilfully or without reasonable excuse —

(a) refuses to prepare the preliminary list as provided in paragraph (a) of subsection (2);

(b) omits from the preliminary list the name of any person entitled to have his name entered thereon; or

(c) enters on the preliminary list the name of any person who is not entitled to have his name entered thereon,

shall be guilty of an offence and shall be liable on summary conviction to

Form No. 1

Application to be treated as absent voter. Form "B".

List of absent voters.

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Officer undertakes the preparation of the preliminary list pursuant to section 11 of the Law whereupon one copy shall be delivered to the Registering Officer.

Part II. Absent Voters

3. (1) An application to be treated as an absent voter shall be made to the registering officer in the form set out in Form "B" in the Appendix, or a form to the like effect.

(2) An application to be treated as an absent voter in relation to any election or an application to be no longer so treated shall be disregarded if it is received by the registering officer after the twelfth day before the day of the poll at that election:

Provided that an application to be treated as an absent voter on the ground of the applicant's employment on the day of the poll by the Supervisor of Elections or as a constable may be allowed after the said twelfth day.

(3) The registering officers on allowing or disallowing a person's application to be treated as an absent voter shall notify the applicant of his decision.

(4) When pursuant to paragraph (c) of section 40 (3) of the Law the registering officer gives notice to an absent voter that he has reason to believe there has been a material change of circumstances that person shall cease to be treated as an absent voter seven days after the date on which the registering officer sends such notice.

4. (1) Subject to the provision of this rule, the record or list of absent voters shall be in such a form as appears to the registering officer to be convenient.

(2) The address to which a ballot paper is to be sent shall be placed opposite the name and number in the register of each absent voter in the absent voter's list for each electoral district.

(3) As soon as the absent voter's list for an electoral district has been prepared the registering officer shall publish it by making a copy thereof available for inspection at his office and shall thereupon transmit one copy to the returning officer for that electoral district and one copy to the Supervisor of Elections.

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when they came into my possession.

SO HELP ME GOD

Signature

Sworn before me at this _____ day of _____ 19____.

Form No. 25

Section 47(1)(a)

Return After Poll has been Taken

I hereby certify that the member(s) selected for the _____ electoral district in pursuance of the within writ as having received* (the majority of votes lawfully given) (the largest number(s) of votes lawfully given) is/are _____

(Name/s Address/es and occupation/s as stated on Nomination Paper)

Returning Officer

* Delete as applicable

THIRD SCHEDULE

(Section 74(3))

THE ELECTIONS RULES

Part I Preliminary

Short title.

1. These Rules may be cited as the Election Rules.
2. (1) The appointment of an agent for registration pursuant to Section 11(4) of the Law shall be made in the form set out as Form "A" in the Appendix, or a form to the like effect.

(2) The form of appointment shall be prepared in duplicate. Both copies shall be retained by the agent so appointed until the Registering

Appointment agent by person likely to be absent when preliminary list is prepared Form "A".

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a fine of five hundred dollars and in default of payment to three months imprisonment.

(4) Where a person qualified to be registered as a voter in an electoral district is of opinion that he is likely to be temporarily absent from that electoral district when the preliminary list and the Register of Voters are being prepared that person may appoint in writing in the prescribed form and in the prescribed manner another person to act as his agent for the purpose of ensuring his registration as a voter in that electoral district.

(5) An agent appointed by any person pursuant to subsection(4)—

(a) may give on behalf of that person notice pursuant to section 13 that that person's name has been wrongly omitted from or wrongly stated in the preliminary list and Form No. 3 may be adapted for the purpose;

(b) may represent that person at any proceedings before the revising officer pursuant to sections 14 and 15;

(c) may do all such other acts, matters or things as may lawfully be done by that person to ensure inclusion of that person's name in the preliminary list and in the Register of Voters; and

(d) shall be obliged to accept on behalf of such person any notice of objection to the inclusion of such person's name in the preliminary list pursuant to section 13(2) and accordingly any such notice shall be deemed to have been validly served on such person if it is validly served on such agent.

Form No. 3.

Preliminary list.

Form No. 2.

12. (1) A registering officer shall within the space of forty days from the specified day write down in alphabetical order of their surnames on the preliminary list in Form No. 2, the names of all persons entitled to be registered as voters who are ordinarily resident on the specified day in the electoral district for which he is appointed, and shall cause a copy of such list dated and signed by him to be published.

(2) Every preliminary list shall during the hours of business in each day for a period of twenty-one days after the publication thereof be open to inspection by the public free of charge at such places as the Governor may direct in the electoral district to which such list applies and at the Governor's office in George Town.

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Procedure as to omissions and objections.

Form No. 3.

13. (1) Every person whose name has been omitted from or wrongly stated in the preliminary list and who claims to have his name inserted therein or the mistake rectified, as the case may be, shall within twenty-one days after the publication of such list, give notice in writing to the registering officer of the electoral district in which he was ordinarily resident on the specified day in Form No. 3.

Forms No. 4(1) and (2).

(2) Every person whose name appears in any such list may object to any other person whose name also appears therein as not being entitled to have his name therein, and shall within twenty-one days after the publication of such list give notice of objection and the grounds of such objection in Form No. 4(1) and Form No. 4(2) to the registering officer of the electoral district in which he was ordinarily resident on the specified day and to the person objected to by delivering the same to him personally or by leaving the same at his usual place of abode.

Revising officer and revision of preliminary list.

(3) Within seven days after the expiration of the twenty-one days mentioned in subsection (2) each registering officer shall prepare a list of all such claims and objections and the names of the persons who have made the same. Such list shall be published and shall be open to the inspection of the public free of charge during the hours of business in each day for a period of fifteen days after the preparation of such list at such places as the Governor may direct in the electoral district to which such list applies and at the Governor's office in George Town.

Form No. 5.

14. (1) The Magistrate shall be the revising officer for the purpose of revising and settling the preliminary lists in the manner hereinafter provided. He may be paid such additional remuneration for the services and such allowances in respect of travelling and other expenses incurred by him as the Governor may award.

Procedure on revision of preliminary lists.

(2) The place or room in which the revising officer sits for the purpose of revising the preliminary lists shall be deemed an open court.

(3) The revising officer shall sit on such day as may be fixed by him being within twenty-one days after the publication of the list of claims and objections, and seven days notice in Form No. 5 of the revision of such lists and of the place at which such revision will take place shall be published.

15. (1) The registering officer shall produce to the revising officer on the day fixed pursuant to section 14(3), the list of claims and objections received by such registering officer, and the revising officer shall consider such list and shall insert in the preliminary list the name of every person who is proved to his satisfaction to be entitled to have his name inserted therein, rectify any mistake in such preliminary list

(b) ordinarily resident in the Cayman Islands for a period or periods amounting to seven years out of the nine years immediately preceding the date of your registration as a voter and were resident in the Cayman Islands at that date; or

(c) on the date of the coming into force of the Cayman Islands (Constitution)(Amendment) Order, 1984 entitled to be registered as an elector.

4. That you are not within any of the classes of person who lack qualification or are disqualified by reason of crime or mental incapacity.

5. That you are not disqualified under the provision of the Elections Law, 1983.

6. That you are not the returning officer for this electoral district.

SO HELP YOU GOD.

FORM NO. 23

Section 27(4)

OATH OF AGENT OF A CANDIDATE

I _____ the undersigned, agent for _____ one of the candidates at the election of a member of the Legislative Assembly held on this day in the _____ electoral district do swear that I will keep secret the names of the candidates for whom any voter at this polling station marks his ballot paper in my presence at this election.

SO HELP ME GOD.

Signature

Sworn before me at _____ this _____ day of _____ 19 _____

FORM NO. 24

Section 43(2)

OATH OF MESSENGER SENT TO COLLECT BALLOT BOXES

I _____ Messenger appointed by _____ Returning Officer for the _____ electoral district do swear that the several boxes to the number of _____ which were used at the Polling Station at _____ of this electoral district on Polling Day now delivered by me to _____ were handed to me by _____ that they have not been opened by me or by any other person and that they are in the same state as they were in

FORM NO. 19

Section 38

OATH OF INCAPACITATED OR ILLITERATE VOTER

You _____ of _____

swear that you are incapable of voting without assistance by reason of your physical incapacity/illiteracy.

SO HELP YOU GOD.

FORM NO. 20

Section 38(5)

OATH OF FRIEND OF INCAPACITATED OR ILLITERATE VOTER

1. You swear that you will keep secret the name of the candidate for whom you mark the ballot paper of the incapacitated/illiterate voter on whose behalf you act.

2. That you have not already acted as the friend of an incapacitated or illiterate voter for the purpose of marking his ballot paper at this election.

SO HELP YOU GOD.

FORM NO. 21

Section 41(1)

OATH THAT THE VOTER IS THE PERSON INTENDED TO BE REFERRED TO IN THE OFFICIAL LIST OF VOTERS

You swear that you are qualified to vote at this election of a member to serve in the Legislative Assembly and are not disqualified from voting thereat and that you verily believe that you are the person intended to be referred to by the entry in the official List of Voters used at the Polling Station, of the name _____ whose occupation is given as _____ and whose address is given as _____

SO HELP YOU GOD.

FORM NO. 22

Section 41(2)

OATH OF QUALIFICATION

You swear —

- 1. That you are a Commonwealth Citizen of the full age of eighteen years.
- 2. That you were domiciled and resident in the Cayman Islands at the date of your registration as a voter.
- 3. That you were —
 - (a) born in the Cayman Islands or of parents, one of whom was born in the Cayman Islands;

of which he is satisfied and strike out of the said list the name of every person who, upon the application of the objector, is proved to the satisfaction of the revising officer to be disentitled to have his name retained in the said list.

(2) If the objector appears neither in person, nor by attorney-at-law, nor by some voter duly authorised in writing by him in that behalf, the objection shall be overruled and the name of the person objected to shall be retained in the preliminary list for the electoral district or polling district, as the case may be.

(3) The revising officer sitting to revise the preliminary lists under this Law shall have power to adjourn the same to such time and as often as may be necessary, and shall have the same powers for the keeping of order in his court as is now or may be hereafter given to the Magistrate under the provision of any law of the Islands.

(4) The revising officer sitting as aforesaid shall determine all claims or objections, and shall write his initials against any name struck out of the preliminary list or inserted therein and against any mistake or omission corrected, and shall sign his name to every page of each preliminary list when the same is finally settled.

(5) If the revising officer is of the opinion that the claim or objection of any person is without foundation or is frivolous, he may order such person to pay the actual costs of the inquiry including the costs of witnesses, and such costs shall be recoverable by an action before any court of competent jurisdiction.

(6) The decision of the revising officer shall be final and no appeal shall be allowed therefrom.

16. (1) On completion of the revision of the preliminary list for each electoral district the revising officer shall after signing such lists cause them to be printed and bound separately in respect of each electoral district.

(2) The revising officer shall certify such bound lists and shall thereupon transmit one copy thereof to the returning officer for the electoral district to which it relates and one copy to the Supervisor of Elections.

(3) The copy of the lists transmitted to the Supervisor of Elections shall be deemed to be the Register of Voters for that electoral district and shall come into force on such date as the Governor may by Notice published in the Gazette appoint and shall remain in force until

Revised preliminary lists to be certified and deemed Register of Voters.

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the next Register of Voters is compiled and comes into force in accordance with the provisions of this Law, and such date as has been so appointed shall for the purposes of section 25 of the Cayman Islands (Constitution) Order, 1972 be deemed to be the date of registration.

Part III. Arrangements for Elections

Issue of writs for holding elections.

17. (1) For the purpose of every general election of members of the Assembly, and for the purpose of the election of members to supply vacancies caused by death, resignation or otherwise, the Governor shall issue writs under the Public Seal addressed to the returning officers of the respective electoral districts for which members are to be returned. Such writs shall be forwarded to the Supervisor of Elections for transmission to the several returning officers.

Form No. 6.

(2) Every such writ shall be in Form No. 6 and shall specify the day and place of nomination of candidates, the day on which, if necessary, the poll shall be taken, being not less than six weeks after the day of such nomination, and the day on or before which such writ shall be returnable to the Governor.

Notice of place and time of nomination. Form No. 7.

18. (1) On receiving such writ, every returning officer shall publish a notice in Form No. 7 of the day and place fixed for the nomination of candidates.

(2) Such notice shall be published at least seven clear days before the day fixed for such nomination.

Form No.8

(3) Nomination papers shall be provided by the returning officer and shall be in Form No. 8.

(4) On the day and at the place so fixed for the nomination of candidates every returning officer shall attend between the hours of ten o'clock in the forenoon and four o'clock in the afternoon and receive the nomination of any duly qualified candidate for the seat to be filled.

(5) Every candidate for election shall be nominated on one nomination paper by at least two registered voters of the electoral district for which such candidate seeks election and his consent to nomination shall be given in writing on such nomination paper and attested by one witness:

Provided that no candidate shall be deemed not to have been validly nominated by reason only of the fact that subsequent to nomination day any person by whom his nomination paper was signed is struck off the Register of Voters for the relevant electoral district.

FORM NO. 17

Sections 28(2) and 36

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BALLOT PAPER

No. 6700

GENERAL ELECTION _____

_____ electoral district

Consecutive Number given voter in Poll Book _____

Counterfoil

Ballot Paper

Polling Day _____

Space for initial of P.O.

No. 6700

Do not fold beyond this line _____

JAMES, JOHN PETER
Shopkeeper

ROBINSON, PETER FREDERICK
Carpenter

SMITH, GEORGE ROBERT
Mechanic

FORM NO. 18

Section 38(1)

OATH OF IDENTITY OF A VOTER RECEIVING A BALLOT PAPER
AFTER ANOTHER VOTER HAS VOTED IN HIS NAME

You swear that you are _____
(Name as on official list of voters)

of _____
(Address as on official list of voters)

whose name is entered on the official list of voters now shown you.

SO HELP YOU GOD.

FORM NO. 16

Consecutive number given each voter as he applies for ballot	Particulars of Voters							Particulars of Persons applying for ballot papers after another has voted as such person			Remarks	
	Name of Voter	Occu- pa- tion	Postal Ad- dress	Con- secutive No. of voters on list of voters	Form of oaths if any voters required to swear	(a) Re- cord that oath sworn or re- fused	(b) Re- cord that voter has voted	Name	Con- secutive No. of voter on list of voters	Re- cord that oath sworn		Ob- jection if any made on behalf of any can- didate

(a) If sworn insert "sworn" and number of the Oath; if refused insert "refused to be sworn"
 (b) When Ballot put into Ballot Box insert "voted".

Form No. 9.

Withdrawal of candidature.

Deposit.

(6) If at four o'clock in the afternoon in an electoral district for which one member is to be returned only one candidate has been nominated for the seat to be filled, and at an election in an electoral district for which two members are to be returned only two candidates have been nominated for the seats to be filled, and at an election in an electoral district for which three members are to be returned only three candidates have been nominated, the returning officer shall declare that candidate or those candidates elected and shall immediately thereafter certify by endorsement on the writ the return of such candidate or candidates, as the case may be, in Form No. 9 and shall return the writ so endorsed to the Supervisor of Elections for transmission to the Governor within the time specified for that purpose.

(7) Any candidate duly nominated may, not less than three clear days before the day fixed for taking the poll, withdraw from his candidature by giving notice to the effect, signed by him to the returning officer and any votes cast for the candidate who has so withdrawn shall be null and void.

(8) When a candidate has withdrawn after the ballots are printed, the returning officer shall advise, by letter or telegraph, each presiding officer of his constituency of such withdrawal, and, when time permits, shall distribute to each presiding officer a printed notice of the withdrawal. On polling day each presiding officer shall post up a copy of the printed notice of withdrawal in a conspicuous place in his polling station. If time does not permit of the printing and the distribution of such notice, the presiding officer upon being advised by letter or telegram by the returning officer of the withdrawal of any candidate, shall himself prepare by hand a notice to that effect and post it up in a conspicuous place in his polling station. In either case the presiding officer shall, when delivering a ballot to each voter, inform such voter of the withdrawal of the candidate.

(9) If, after the withdrawal, there remains only one candidate in an electoral district for which one member is to be returned, or two candidates in an electoral district for which two members are to be returned, or three candidates in an electoral district for which three members are to be returned, the returning officer shall return as duly elected the candidate or candidates, as the case may be, so remaining, without waiting for the day fixed for holding the poll.

19. (1) A candidate for election, or someone on his behalf, shall deposit with the returning officer, on or before the day of his nomination, the sum of one thousand dollars and, if he fails to do so, the nomination of such candidate shall be null and void.

(2) The deposit shall be made in any legal tender.

(3) The full amount of every deposit made under subsection (1) shall forthwith after its receipt be transmitted by the returning office to the Financial Secretary of the Islands.

(4) If after the deposit is made the candidature is withdrawn in accordance with section 18(1), the deposit shall be returned by the Financial Secretary of the Islands to the person by whom it was made, and if the candidate dies after the deposit is made and before taking the poll, the deposit, if made by him, shall be returned to his legal personal representative, or, if not made by him, shall be returned to the person by whom, it was made.

When deposit forfeited or returned.

20. (1) If a candidate who has made such deposit is not elected and the number of votes polled by him does not exceed one-sixteenth of the total of votes polled, the amount deposited shall be forfeited to the Crown; in any other case the deposit shall be returned, as soon as practicable after the result of the election is declared, to the candidate, his legal personal representative or the person by whom the deposit was made, as the case may be.

(2) For the purpose of this section the number of votes polled shall be deemed to be the number of the ballot papers (other than rejected ballot papers) counted.

Contested elections, publication of date and place, etc.

21. (1) If in an electoral district there are more candidates duly nominated than there are seats to be filled, a poll shall be taken, and in such case the returning officer shall adjourn the election to the day specified in the writ, and the poll shall be taken on such day in the manner hereinafter provided.

Form No. 10.

(2) The returning officer shall, as soon as practicable after adjourning the election, publish a notice in Form No. 10 specifying that day and time on which, and the locations of the polling stations in the electoral district at which, the poll will be taken, and of the names of the candidates nominated for election and of the place where and the day and time where the number of votes given to the several candidates for such electoral district will be counted.

Polling stations.

22. (1) On the day named in the notice published under section 21(2) for the taking of the poll, the returning officer shall cause to be opened in the electoral district to which he is appointed such number of polling stations as the Supervisor of Elections shall determine:

Provided that there shall be not less than three polling stations in

the three candidates for whom he votes. In the Third and Fourth Electoral Districts he will place a cross opposite the two candidates for whom he votes.

3. The voter shall then fold his ballot paper so that the initials of the presiding officer and the numbers on the counterfoil can be seen and the counterfoil detached without opening the ballot paper; he shall then return the ballot paper so folded to the presiding officer who shall in full view of those present including the voter remove the counterfoil and place the ballot paper in the ballot box. The voter shall then forthwith quit the polling station.

4. If the voter inadvertently spoils a ballot paper, he can return it to the presiding officer who will, if satisfied of such inadvertence, give him another paper.

5. If the voter places any mark on the paper by which he may afterwards be identified, or if —

(a) at a general election

(i) in the First and Second Electoral Districts he votes for more than three candidates;

(ii) in the Third and Fourth Electoral Districts he votes for more than two candidates; or

(iii) in any other electoral district he votes for more than one candidate; or

(b) at a by-election he votes for more than the number of candidates to be elected, then his ballot paper will be void and will not be counted.

6. If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the presiding officer, he shall be liable under section 68 of the Elections Law, 1983 on summary conviction before the Stipendiary Magistrate to imprisonment for six months or to a fine of one thousand dollars.

OATH OF POLL CLERK

Section 24(2)

I the undersigned, appointed as Poll Clerk for the Polling Station at _____ in the _____ electoral district swear that I will act faithfully in my capacity as Poll Clerk and also in that of presiding officer if required to act as such, according to Law, without partiality, fear, favour or affection and that I will keep secret the names of the candidates for whom any of the voters in the abovementioned Polling Station marks his ballot paper in my presence at this election.

SO HELP ME GOD

Poll Clerk

Sworn before me at _____ this _____ day of _____ 19 _____

DIRECTION FOR THE GUIDANCE OF VOTERS

Section 26(2)

1. Each voter may vote only at one polling station. In the First and Second Electoral Districts the voter may vote for three candidates but may not give more than one vote to any one candidate. In the Third and Fourth Electoral Districts the voter may vote for two candidates, but may not give more than one vote to any one candidate. In the Fifth and Sixth Electoral Districts the voter may vote for only one candidate.

2. The voters will go into one of the compartments and, with the pencil provided in the compartment, place a cross on the right hand side, opposite the name of the candidate for whom he votes, thus X.

For example:- Supposing JOHN PETER JONES and GEORGE ROBERT SMITH are the candidates for election and the voter wishes to vote for JONES, he must place a cross opposite JONES' name as follows:-

JONES, JOHN PETER
Shopkeeper

SMITH, GEORGE ROBERT
Carpenter

X

In the First and Second Electoral Districts the voter will place a cross opposite the names of

the First and Second Electoral Districts and not less than two polling stations in the Third and Fourth Electoral Districts.

(2) The returning officer shall provide each polling station with such number of compartments as he may consider necessary to enable voters to record their votes screened from observation.

(3) Unless the writ otherwise directs, polling stations shall be opened at seven o'clock in the forenoon and shall be closed at six o'clock in the afternoon.

Presiding Officers.

23. (1) The Supervisor of Elections shall, subject to the approval of the Governor, appoint a presiding officer to attend at each polling station to receive the votes, but he shall not so appoint any person who has been employed by or on behalf of a candidate in or about the election. The Supervisor of Elections may himself, if he thinks fit, preside at any polling station.

Form No. 13.

(2) Forthwith upon his appointment every presiding officer shall take and subscribe an oath in Form No. 13 and shall transmit such oath to the Supervisor of Elections.

Poll Clerks.

24. (1) The Supervisor of Elections shall, subject to the approval of the Governor, appoint a poll clerk or poll clerks for every polling station in an electoral district.

Form No. 14.

(2) Forthwith upon his appointment every poll clerk or person appointed to act as poll clerk shall take and subscribe an oath in Form No. 14 and shall transmit such oath to the Supervisor of Elections.

(3) If any presiding officer dies or becomes incapable of performing his duties during the taking of the poll, the poll clerk shall forthwith assume the office of presiding officer and shall appoint some other person to act as poll clerk.

(4) If any poll clerk dies or becomes incapable of performing his duties during the taking of the poll, the presiding officer shall forthwith appoint some other person to act as poll clerk.

(5) Every appointment made under subsection (3) or (4) shall be immediately reported to the Supervisor of Elections by the person making the appointment.

(6) The references to poll clerk in subsections (3) and (4) shall, where there are two or more poll clerks in a polling station, be construed as references to the poll clerk senior in appointment as such.

25. (1) The Supervisor of Elections shall supply to each returning officer as many ballot boxes as he deems necessary being at least equal in number to the number of polling stations in his electoral district.

(2) Every ballot box shall be made of some durable material, with one lock and key and a slit or narrow opening in the top and so constructed that the ballot papers may be introduced therein but cannot be withdrawn therefrom unless the box is unlocked.

Supplies of election material.

26. (1) The returning officer shall provide each presiding officer with as many ballot boxes and as many ballot papers as in the opinion of the returning officer may be necessary.

(2) The returning officer shall provide each polling station with —

(a) a statement showing the number of ballot papers, so provided, with their serial numbers;

(b) the necessary materials to enable voters to mark the ballot papers;

(c) the necessary materials for putting the official mark on the ballot papers;

(d) at least two copies, which he shall certify, of the Register of Voters (hereinafter called the "official list of voters") relating to the electoral district to which he is appointed;

(e) at least three copies of the directions for the guidance of voters in Form No. 15;

Form No. 15.

(f) blank poll books;

(g) a copy of this Law;

(h) sealing wax and tape for sealing the ballot box; and

(i) such other things as may be necessary for conducting the election in the manner provided by this Law.

Polling and counting agent.

27. (1) Each candidate may, before the commencement of the poll, appoint two polling agents to attend a polling station and two counting agents to attend at the counting of the votes.

(2) An agent may be appointed on behalf of more than one candidate and a person may be appointed both as a polling agent and a counting agent.

OATH OF RETURNING OFFICER

I _____ having been appointed returning officer for the _____ electoral district do swear that I will faithfully perform all the duties of such returning officer in accordance with the provisions of the Elections Law, 1983. to the best of my ability.

SO HELP ME GOD.

Returning Officer

Sworn before me _____

Date

OATH OF PRESIDING OFFICER

I _____ the undersigned, appointed presiding officer for the Polling Station at _____ in the

_____ electoral district swear that I will act faithfully in my said capacity of presiding officer, according to Law, without partiality, fear, favour or affection, and that I will keep secret the names of the candidates for whom any of the voters in the abovementioned polling station marks his ballot paper in my presence at this election.

SO HELP ME GOD.

Presiding Officer

Sworn before me at _____ this _____ day of _____, 19____.

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NOTIFICATION OF ELECTION

TAKE NOTICE that a poll will be taken for the election of a member for the electoral district to serve in the Legislative Assembly.

The poll will be opened on the _____ day of _____, 19____ at the hour of _____ in the forenoon and kept open till the hour of _____ in the afternoon in the following polling stations established in the said electoral district, that is to say:-
Location of Polling Stations:

The Candidates in the above electoral districts are as follows:-
Candidates:-

The number of votes to the several candidates will be counted on the _____ day of _____, 19____, at _____ o'clock in the _____ noon at _____ of which all persons are hereby required to take notice and govern themselves accordingly.

Dated this _____ day of _____, 19____.

Returning Officer for the Electoral District

OATH OF REGISTERING OFFICER

I _____ do swear that I will faithfully perform all the duties of registering officer of the _____ electoral district in accordance with the provision of the Elections Law, 1983 to the best of my ability.
SO HELP ME GOD.

Registering Officer

Sworn before me _____
Date _____

(3) Every appointment of an agent shall be in writing and shall state the name and address of the person appointed and shall be given, duly signed by the candidate, to the presiding officer or the returning officer as the case may be.

(4) The agent of each candidate, on being admitted to the polling station, shall take an oath in Form No. 24 to keep secret the name of the candidate for whom any of the voters has marked his ballot paper in his presence.

28. (1) The poll shall be taken in each electoral district by secret ballot in accordance with sections 36, 37 and 38.

(2) The ballot of each voter shall be a printed paper in Form No. 17 (in this Law called a ballot paper) in which the full names and occupations of the candidates alphabetically arranged in the order of their surnames and numbered accordingly shall be printed exactly as they are set out in the nomination paper. Each ballot paper shall have a serial number printed on the back and shall have attached to it a counterfoil with the same serial number printed on the face and there shall be a line of perforations between the ballot paper and the counterfoil.

29. Each presiding officer shall, on or before the day fixed for taking the poll, visit his polling station and see that the requirements of this Law for taking the poll have been complied with.

30. (1) Subject to sections 32 and 33, no person shall be entitled to vote in any polling division unless his name appears on the official list of voters for the electoral district in which that polling division is situated.

(2) Every person whose name appears on the official list of voters for an electoral district shall be entitled to vote in that electoral district notwithstanding that he is not resident in that electoral district upon polling day:

Provided however that no person shall vote in more than one electoral district, or at more than one polling station in the same electoral district, or more than once in the same electoral district on the same day:

And provided that where there is more than one polling station in any electoral district or polling division no persons shall vote at any polling station other than the polling station which has been allotted to them by Notice made by the Supervisor of Elections.

(3) Any person contravening any of the provisions of this section shall be guilty of an offence and shall be liable on summary conviction

Form No. 24.

Taking of poll and the ballot.

Form No. 17.

Inspection of polling station.

Where voter shall vote.

19

before the Magistrate to a fine of one thousand dollars or to imprisonment for six months.

Restriction on voting.

31. No person shall vote for the election of more candidates than there are seats to be filled.

Transfer of voters in special cases.

32. (1) Where any person whose name appears upon the official list of voters for any polling division is appointed as presiding officer or poll clerk for some other polling division in an electoral district, the returning officer may upon written request transfer the name of the presiding officer or poll clerk, as the case may be, to the official list of voters for the polling division of which such person is appointed the presiding officer or poll clerk as the case may be.

(2) The returning officer shall give notice in writing to every candidate in his electoral district of any transfer made under subsection (1) and to the presiding officer of the polling station at which the person whose name is so transferred would have been entitled to vote but for section 33.

Where transferred voters to vote.

33. (1) Every person whose name is transferred in accordance with section 32 from any official list of voters to another official list of voters shall vote, if he votes at all, in the polling division of which he is appointed presiding officer or poll clerk as the case may be.

(2) Every presiding officer who issues to any person whose name has been transferred from any official list of voters to any other official list of voters any ballot paper at any polling division other than the polling division of the electoral district to which such person's name has been transferred shall be guilty of an offence and shall be liable on summary conviction before the Magistrate, to a fine of five hundred dollars or to imprisonment for six months.

Proceedings at poll.

34. (1) At the hour fixed for opening the poll the presiding officer and the poll clerk shall, in the presence of such of the candidates, their agents, and the voters as are present, open the ballot box and ascertain that there are no ballot papers or other papers therein, after which the box shall be locked, and the presiding officer shall keep the key thereof; the box shall be placed on a table in full view of all present and shall be maintained there until the close of the poll.

(2) Immediately after the ballot box is so locked, the presiding officer shall call on the voters to vote.

(3) The presiding officer shall secure the admittance of every

member of the electoral district and we certify that to the best of our belief he is qualified for election as a member of the Legislative Assembly.

Signatures of persons nominating _____

I _____ nominated in the foregoing nomination paper hereby consent to such nomination as candidate for election as a member of the Legislative Assembly for the electoral district.

Witness my hand this _____ day of _____, 19 _____

Signature of Candidate

Signed by the said Candidate in the presence of:-

Signature of Witness

FORM NO. 9

Section 18(6)

RETURN OF UNCONTESTED ELECTION

I hereby certify that the member elected for the electoral district in pursuance of the within Writ is

(Insert name, address and occupation of member elected as stated on the nomination paper) no other candidate having been nominated.

Dated at _____ this _____ day of _____, 19 _____

Returning Officer

member when so elected to be certified to me not later than the _____ day of _____, 19____. GIVEN under my hand and the Public Seal of the Cayman Islands this _____ day of _____, 19____, and in the Islands this _____ day of _____, 19____, and in the year of Her Majesty's reign.

Governor

*To be included in a writ for a general election.
To be included in a writ for a by-election.

FORM NO. 7

Section 18(1)

NOTICE OF NOMINATION

The Governor having issued his Writ of Election for the election of a member of the Legislative Assembly for electoral district the returning officer for the said electoral district will on the _____ day of _____, 19____, now next ensuing between the hours of ten o'clock in the forenoon and four o'clock in the afternoon at _____ proceed to the nomination of a member for the electoral district.

Dated this _____ day of _____, 19____.

Returning Officer for the Electoral District

FORM NO. 8

Section 18(3)

NOMINATION PAPER

Surname of Candidate	Other Name	Address	Occupation

We, the undersigned voters for the _____ electoral district do hereby nominate the above-named person as a proper person to serve as a

voter in the polling station and shall see that they are not impeded or molested at or about the polling station.

(4) Every voter, upon entering the polling station, shall declare his name, residence and occupation. The poll clerk shall then ascertain if the name of the voter appears on the official list of voters used at the polling station. When it has been ascertained that the applicant voter is qualified to vote at the polling station, his name, address and occupation shall be entered in the poll book to be kept by the poll clerk in the form set out as Form No. 16, a number corresponding to the consecutive number allotted to the voter on the official list of voters being inserted against the voter's name in the appropriate column of the poll book, and the voter shall be immediately allowed to vote, unless an election officer or any agent of a candidate present at the polling station desires that he be first sworn.

(5) The poll clerk shall —

(a) make such entries in the poll book opposite the name of each voter as the presiding officer pursuant to the provisions of this Law directs; and

(b) enter in the poll book opposite the name of each voter as soon as the voter's ballot paper has been deposited in the ballot box, the word "voted"; and

(c) enter in the poll book the word "Sworn" or "Affirmed" opposite the name of each voter to whom any oath or affirmation has been administered, indicating the nature of the oath or affirmation; and

(d) enter in the poll book the words "Refused to be sworn" or "Refused to affirm" opposite the name of each voter who has refused to take an oath or affirm, when he has been legally required so to do, or has refused to answer questions which he has been legally required to answer.

Form No. 16.

Who are to be admitted within polling stations.

35. (1) The presiding officer shall keep order at his polling station and shall regulate the number of voters to be admitted at a time, and shall exclude all other persons except the persons permitted to remain in the polling station by section 42.

Agents, how to be placed.

(2) The agents aforesaid shall be posted in such a place that they can see each person who presents himself as a voter and hear his name as given by him, but so that they cannot see how any voter votes. They shall

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not interfere in the proceedings save in so far as they may be allowed by this Law.

Preservation of order.

(3) If any person persists, after being warned, in disobeying the direction of the presiding officer given with a view to keeping order at the polling station or in acting in contravention of this section, it shall be lawful for the presiding officer to cause him to be removed from the polling station.

General mode of taking.

36. (1) Each voter who applies therefor shall receive from the presiding officer a ballot paper, and immediately before delivery —

(a) the ballot paper shall be stamped with an official mark, either embossed or perforated;

(b) the number, name and description of the voter as stated in the copy of the register of voters shall be called out;

(c) the counterfoil of the ballot paper shall be marked with a number corresponding to the consecutive number on the official list of voters and entered in the poll book;

(d) a mark shall be placed on the register of voters against the number of the voter to denote that a ballot paper has been received but without showing the particular ballot paper which has been received; and

(e) the presiding officer shall place his initials as indicated in Form 17.

Form 17.

(2) The presiding officer shall instruct the voter how to make his mark, and shall properly fold the voter's ballot paper, directing him to return it, when marked, folded as shown, but without inquiring or seeing for whom the voter intends to vote, except when the voter is unable to vote in the manner prescribed by this Law on account of illiteracy or other physical incapacity.

(3) The voter, on receiving the ballot paper, shall forthwith enter one of the polling compartments in the polling station and there secretly mark his ballot paper by marking with a black lead pencil and not otherwise a cross within the space opposite the name of the candidate for whom he intends to vote, and he shall then fold the ballot paper as directed so that the initials and the numbers on the counterfoil can be

FORM NO. 5

Section 14(3)

REVISION NOTICE

TAKE NOTICE that the preliminary lists of voters for the electoral district will be revised by me the undersigned on the day of 19, at o'clock.

Dated this day of 19

Revising Officer

FORM NO. 6

Section 17(2)

WRIT OF ELECTION

Elizabeth the Second, by the Grace of God of the United Kingdom of Great Britain, and Northern Ireland and of Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

To the Returning Officer of electoral district.

WHEREAS by section 17 (1) of the Elections Law, it is provided that for the purpose of every general election of members of the Legislative Assembly, and for the purpose of the election of members to supply vacancies caused by death, resignation or otherwise, the Governor shall issue writs of election under the Public Seal of the Cayman Islands, addressed to the returning officers of the respective electoral districts for which members are to be returned.

*AND WHEREAS I deem it expedient that writs should be issued for the election of members to serve in the Legislative Assembly.

#AND WHEREAS the seat of the elected member for the electoral district has become vacant in consequence of

NOW, THEREFORE, I Governor of the Cayman Islands do hereby require that you proceed to the nomination of candidates on the day of 19, at and thereafter, if necessary, you do on the day of 19, between the hours of o'clock in the forenoon and o'clock in the afternoon, cause election to be made according to Law of a member to serve in the Legislative Assembly of the Cayman Islands for the said electoral district and that you do cause the name of such

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(1) NOTICE OF OBJECTION

To the registering officer of the _____ electoral district

TAKE NOTICE that I _____

(Name of Objector)

of _____

(Place of Residence)

(Occupation)

am qualified for inclusion in the preliminary list of voters for the electoral district and am so included.

And that I object to the inclusion therein of _____ on the ground that such person is disqualified for inclusion therein by reason of _____

Dated this _____ day of _____ 19 _____

Signature of Objector

(2) NOTICE TO PERSON OBJECTED TO

To C.D. of _____ I _____ of _____ being a person whose name is included in the preliminary list of voters for the _____ electoral district hereby give you notice that I object to your name being retained on the list of voters for the _____ electoral district above mentioned on the grounds that:-

and that you will be required to prove your qualification at the time of the revision of the said list.

Dated this _____ day of _____ 19 _____

Signature of Objector

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seen without opening it, and hand the paper to the presiding officer who shall, without unfolding it, ascertain by examination of the initials and numbers appearing thereon that it is the same paper as that delivered to the voter and, if the same, he shall in full view of the voter and of all present remove the counterfoil and deposit the ballot in the ballot box.

(4) A voter who has inadvertently so dealt with the ballot paper delivered to him that it cannot conveniently be used shall restore it to the presiding officer who shall cancel it by writing the word "spoiled" across the face of the same. The presiding officer shall then deliver another ballot paper to the voter.

(5) Every voter shall vote without undue delay and shall leave the polling station as soon as his ballot papers has been put into the ballot box.

(6) If at the closing of the poll there are any voters inside the polling station who are qualified to vote and have not been able to do so since their arrival at the polling station, the poll shall be kept open a sufficient time to enable them to vote, but no one not actually present within the polling station at the hour of closing shall be allowed to vote.

Questions which may be put to voter.

37. (1) The presiding officer may, and shall if requested by a candidate or his agent, put to the voter the following questions —

(a) Are you the same person whose name appears as A.B. on the official list of voters now in force for this polling division?

(b) Have you already voted at this election either here or elsewhere?

(2) If any person refuses to answer to any such questions put to him in this section provided, the presiding officer shall refuse to give him a ballot paper.

(3) If any person knowingly makes a false answer to any such question he shall be liable, on summary conviction before the Magistrate, to a fine of five hundred dollars or to imprisonment for six months.

Mode of taking ballot in special cases.

38. (1) Subject to all other provisions of this Law as to proof of qualifications as a voter, and as to the administration of oaths, if a person representing himself to be a particular voter applies for a ballot paper after another person has voted as such person, he shall be entitled to receive a ballot paper and to vote after taking the oath of identity in Form No. 18 and otherwise establishing his identity to the satisfaction of the

presiding officer.

(2) In such case, the presiding officer shall put on the ballot paper his initials together with a number corresponding to the number allotted to the voter on the official list of voters and entered in the poll book opposite the name of such voter, and the poll clerk shall enter in the poll book —

- (a) the name of such voter;
- (b) a note of his having voted on a second ballot paper issued under the same name; and
- (c) any objections made on behalf of any, and of which, of the candidates.

(3) The presiding officer, on the application of any voter who is incapacitated from any physical cause, or by reason of illiteracy from voting in the manner prescribed by this Law, shall require the voter making such application to make oath in Form No.19 of his incapacity to vote without assistance, and shall thereafter deal with such votes in the manner specified in subsection (4) or (5).

Form No. 19.

(4) If any such voter as is referred to in subsection (3) requests the assistance of the presiding officer in marking his ballot, the presiding officer shall thereafter assist such voter by marking his ballot paper in the manner directed by such voter in the presence of the poll clerk and of the sworn agents of the candidates and of no other person and shall place such ballot in the ballot box.

(5) If such voter as is referred to in subsection (3) requests that he be assisted not by the presiding officer but by a person who is a voter in the electoral district, then the presiding officer shall permit such person to accompany the voter into the voting compartment and mark the voter's ballot paper for him:

Provided that no person shall at any election be allowed to act as such person for more than one voter.

(6) Any person who, in accordance with subsection (5), is permitted to mark the ballot paper of a voter who is unable to mark his ballot paper by reason of physical incapacity or illiteracy, shall first be required to take the oath in Form No. 20.

Form No. 20

(7) Whenever any voter has had his ballot paper marked as provided in subsection (4) or (5) the poll clerk shall enter in the poll book

PRELIMINARY LIST OF VOTERS
ELECTORAL DISTRICT

Consecutive No.	Location of Residence	Name of Voter Family Name First	Occupation	Remarks

NOTICE OF CLAIM

To the registering officer of the _____ electoral district
TAKE NOTICE that I _____ of _____
(place of residence)

(Occupation)

am qualified for inclusion in the preliminary list of voters for the electoral district and that my name, address and occupation have been (omitted from) (wrongly stated in) such list and that I hereby claim that such list be amended (by the insertion of my name, address and occupation therein)(by the correction of the particulars therein relating to my name address and occupation) as follows,

(Strike out bracketted words not applicable)

Dated this

day of

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Signature of Claimant

SECOND SCHEDULE

FORM NO. 1
REGISTRATION NOTICE

Section 11(2)(b)

Arrangement for
postal voting.

TAKE NOTICE that —

- (a) the enumeration of all persons qualified as voters in (the polling division of) the electoral district will begin on the _____ day of 19 . . . and will be completed on the _____ day of 19 . . .
- (b) the registering officer for the (polling division in the said) electoral division is _____
- (c) Every person not disqualified on any of the grounds set out in the next paragraph of this notice is qualified to be registered as a voter in the said electoral district if he or she —
(List here qualifications)
- (d) (List here disqualifications)
- (e) the preliminary list of qualified persons for the above electoral district will be posted up in the said district for a period of twenty-one days beginning on the _____ day of _____, 19 . . .

Registering Officer

Date _____

opposite the voter's name, in addition to any other requisite entry, the reason why such ballot paper was so marked.

39. (1) Subject to this section, where —

- (a) a voter is unable or likely to be unable to go in person to the polling station for one of the following reasons —
 - (i) the general nature of the occupation, service or employment of the person in question;
 - (ii) that person's service as a member of any of Her Majesty's Forces;
 - (iii) the particular circumstances of that person's employment on the date of the poll either as a constable or for a purpose connected with the election by the Supervisor of Elections;
 - (iv) at a general election the candidature in some other electoral district of that person or that person's wife or husband;
 - (v) at a general election the fact that that person is acting as returning officer for some other electoral district; or
 - (vi) at a general election the particular circumstances of that person's employment on the date of the poll by a returning officer for some other electoral district for a purpose connected with the election in that electoral district;
- (b) a voter is unable or likely to be unable by reason either of blindness or any other physical incapacity to go in person to the polling station or, if able to go, to vote unaided;
- (c) a voter is unable or likely to be unable to go in person from his qualifying address to the polling station without making a journey by air or sea; or
- (d) a voter is no longer residing at his qualifying address,

that voter may vote by post if, in the prescribed

manner and within the prescribed time, he applies to be treated as an absent voter and furnishes an address in the Islands or overseas to which the ballot paper is to be sent for the purpose and if his application is allowed by the registering officer under section 40.

(2) At an election for which a person's application to be treated as an absent voter is allowed he shall not be entitled to vote in person under section 36.

(3) Nothing in this section shall be taken as conferring a right to vote on a person not having the right apart from this section.

40. (1) An application to be treated as an absent voter shall be made to the registering officer and shall be allowed by him if he is satisfied that the applicant is, or will, if registered, be entitled under section 39 to vote as an absent voter.

(2) The application shall be for a particular election only, unless it is based on —

- (a) the general nature of the applicant's occupation, service or employment;
- (b) the applicant's physical incapacity;
- (c) the necessity of a journey by sea or air to go from the applicant's qualifying address to his polling station; or
- (d) the ground that the applicant no longer resides at his qualifying address.

(3) An application based on one of the grounds mentioned in subsection (2) shall be for an indefinite period, but where such an application is allowed the applicant shall cease to be entitled to be treated as an absent voter in pursuance thereof if —

- (a) he applies to the registering officer to be no longer so treated;
- (b) he ceases to be registered at the same qualifying address; or
- (c) the registering officer gives notice that he has reason to believe there has been a material change

Determination of right to be treated as an absent voter.

Sound at grid reference 7 001 140 ft. N 1 533 330 ft. E and to the south and west of a line running from the shoreline at a point south of the junction of the Bodden Town Road and the road to North Side, at grid reference 7 001 110 ft. N 1 577 310 ft. E to a point in the North Sound, at grid reference 7 021 000 ft. N 1538 710 ft. E.

The fifth district (NORTH SIDE)

All that area of Grand Cayman Island which lies to the north and east of a line running from the shoreline at a point south of the junction of the Bodden Town Road and the road to North Side, at grid reference 7 001 110 ft. N 1 577 310 ft. E to a point in North Sound at grid reference 7 021 000 ft. N 1 538 710 ft E and to the north and west of a line running from the shoreline at a point south of the road junction of Bodden Town Road with the road to North Side at grid reference 7 001 110 ft. N 1 577 310 ft E to a point on the shoreline at Old Robin Point, at grid reference 7 020 160 ft. N 1 587 810 ft. E.

The sixth district (EAST END)

All that area of Grand Cayman Island which lies to the east of a line running from the shoreline, to the south of the junction of the Bodden Town Road with the road to North Side, at grid reference 7 001 110 ft N 1577 310 ft E to a point on the shoreline at Old Robin Point, at grid reference 7 020 160 ft N, 1 587 810 ft. E.

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(2) Rules made pursuant to this section may provide in respect of any breach thereof that the offender shall be liable on summary conviction before the Magistrate to such fine not exceeding five hundred dollars or to such term of imprisonment not exceeding six months as may be prescribed therein.

(3) Until varied or revoked by rules made under this section the rules set out in the Third Schedule shall have effect.

Third Schedule.

75. The Elections Law is repealed.

Repeal.

FIRST SCHEDULE

Electoral Districts	Extent	Section 4(1)
The first district (WEST BAY)	All that area of Grand Cayman Island which lies to the north of a line running from the shoreline, south of Galleon Beach, at grid reference 7 014 930 ft. N 1 508 670 ft. E to a point on the shoreline at Welch Point, at grid reference 7 017 080 ft. N 1 515 510 ft. E.	
The second district (GEORGE TOWN)	All that area of Grand Cayman Island which lies to the south of a line running from the shoreline, south of Galleon Beach, at grid reference 7 014 930 ft. N 1 508 670 ft. E to a point on the shoreline at Welch Point, at grid reference 7 017 080 ft. N 1 515 510 ft. E and west of a line running from the shoreline at Bats' Cave Beach, grid reference 6 990 820 ft. N 1 533 330 ft. E north to a point on the shoreline in North Sound, at grid reference 7 001 140 ft N 1 533 330 ft. E.	
The third district (LESSER ISLANDS)	All that area comprising the islands of Cayman Brac and Little Cayman.	
The fourth district (BODDEN TOWN)	All that area of Grand Cayman Island which lies to the east of a line running from the shoreline at Bats' Cave Beach, at grid reference 6 990 820 ft N 1 533 330 ft. E due north to a point on the shoreline in North	

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of circumstances and the prescribed period elapses after the giving of the notice.

(4) The registering officer shall keep a record of absent voters and of the addresses furnished by them as the addresses to which their ballot papers are to be sent.

Who may vote.

41. (1) Where there is contained in the official list of voters a name, address and occupation which correspond so closely with the name, address and occupation of a person by whom a ballot paper is demanded as to suggest that the entry in such list of voters was intended to refer to him, such person shall, upon taking the oath in Form No. 21 and complying in all other respects with this Law, be entitled to receive a ballot paper and to vote. In any such case the name, address and occupation shall be correctly entered in the poll book and the fact that the oath has been taken shall be entered in the proper column of the poll book.

Form No. 21.

(2) A voter, if required by the presiding officer, the poll clerk, one of the candidates or an agent of a candidate, or by a voter present shall before receiving his ballot paper take an oath in Form No. 22 and, if he refuses to take such oath, erasing lines shall be drawn through his name on the official list of voters and in the poll book, if such name has been entered in the said book, and the words "Refused to be sworn" shall be written thereafter.

Form No. 22.

Who may be present.

42. (1) In addition to the presiding officer and the poll clerk, the Supervisor of the Elections, the returning officer of the electoral district, and the candidates, one agent for each candidate in each polling station, and the constables on duty, no others shall be permitted to remain in the polling station during the time the poll remains open:

Provided that no candidate and his agent shall be in the same polling station at the same time for more than ten consecutive minutes.

(2) Agents of candidates may, with the permission of the presiding officer, absent themselves from and return to the polling station at any time before one hour prior to the close of the poll.

Proceedings at the close of the poll.

43. (1) Forthwith upon the close of the poll, the presiding officer shall, in the following order —

(a) seal the ballot boxes;

(b) count the number of voters whose names appear in the poll book as having voted and make an entry

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thereof on the line immediately below the name of the voter who voted last thus, "The number of voters who voted in this election in this polling station is _____" (stating the number) and sign his name thereto;

(c) count the spoiled ballot papers, if any, place them in the special envelope supplied for that purpose and indicate thereon the number of such spoiled ballot papers and seal it up;

(d) count the counterfoils of all used ballot papers and place them in the special envelope supplied for that purpose and indicate thereon the number of counterfoils and seal it up;

(e) count the unused ballot papers, place them with all the stubs of all used ballot papers in the special envelope supplied for that purpose and indicate thereon the number of such unused ballot papers and seal the special envelope; and

(f) check the number of ballot papers supplied by the returning officer against the number of spoiled ballot papers, if any, the number of voters whose names appear in the poll book as having voted, and the number of unused ballot papers, if any, in order to ascertain that all ballot papers are accounted for.

(2) The ballot boxes, poll book, envelopes containing the spoiled and unused ballot papers, official list of voters and other documents used at the poll shall be delivered to the place notified for the counting of the votes or delivered to the returning officer. The returning officer may specially appoint one or more persons for the purpose of collecting the ballot boxes and papers aforesaid from a given number of polling stations, and such person or persons shall, on delivering the ballot boxes and papers to the returning officer, take the oath in Form No. 24 and when so collecting and delivering be accompanied by two police officers.

(3) The presiding officer shall, with the ballot boxes and papers aforesaid and accompanied by two police officers deliver personally to the returning officer, sealed in the envelope provided for that purpose, the keys of such ballot boxes.

(4) Upon the request of any candidate a polling agent of such

Power to make rules.

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falls to be done on Sunday or on any day excluded by subsection (1), that thing may be done on the next day, not being one of such excluded days.

74. (1) The Governor in Council may make rules —

(a) prescribing anything to be prescribed under this Law;

(b) with respect to the form of the Register of Voters and any special lists, records or forms required by this Law in connection with the Register or with any election;

(c) with respect to the procedure to be followed in the preparation of the Register and any such special lists or records as aforesaid and with respect to the time, place and manner of their publication; and

(d) generally with respect to any matters incidental to the provisions of this Law so far as those provisions relate to the registration of voters or to voting by post and, without prejudice to the generality of the foregoing, such rules may include provisions relating to —

(i) the evidence which shall or may be required or be deemed sufficient or conclusive evidence in connection with a person's application to be treated as an absent voter, or of his being subject to any physical incapacity, or of the fact that he is acting as returning officer at any election;

(ii) the marking of any register so as to distinguish persons having special rights as to the place or manner of voting at any election;

(iii) the procedure in connection with the issue and receipt of ballot papers for voting by post (including provisions as to the persons who are to be entitled or may be allowed to attend and the rights and obligations of persons attending) and as to the steps to be taken to ensure the secrecy of the voting and the safe custody (before and after the count) of the ballot papers returned and other documents.

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station and no person shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station any information as to the candidate for whom any voter in such station is about to vote or has voted.

(2) Every election officer and every such agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting and shall not attempt to communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

(3) No person shall, directly, or indirectly, induce any voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom or against whose name he has marked his vote.

(4) Every person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable, on summary conviction before the Magistrate, to a fine of five hundred dollars or to imprisonment for six months.

Part VI. Miscellaneous Provisions

No obligation on voter to disclose vote.
70. No voter who has voted at any election shall, in any legal proceedings to question the election or return, be required to state for whom he voted.

Conclusiveness of Register of Voters.
71. At any election a person shall not be entitled to vote unless his name is on the Register of Voters for the time being in force by virtue of this Law, and every person whose name is on such Register shall, subject to the provisions of this Law be entitled to demand and receive a ballot paper and to vote:

Provided that nothing in this section shall entitle any person to vote who is prohibited from voting by any law in force in the Islands, or relieve such person from any penalties to which he may be liable for voting.

Expenses of elections.
72. All expenses properly incurred by, and all remuneration and travelling allowances payable to, officers under this Law shall be defrayed out of the general revenue of the Islands.

Computation of time.
73. (1) In reckoning time for the purposes of this Law, Sunday shall be included but Christmas Day, Good Friday and any public holiday, shall be excluded.

(2) Where anything required by this Law to be done on any day

The count.

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candidate may also accompany the persons appointed under subsection (2).

44. (1) Each returning officer, upon receipt by him of each of the ballot boxes, shall take every precaution for its safekeeping and for preventing any person other than himself from having access thereto, sealing it and under his own seal so that it cannot be opened without the seal being broken, but without effacing or covering any other seals thereto affixed.

(2) After the ballot boxes have been received they shall be opened by the returning officer for the count of votes and in the presence of such of the candidates and their agents as are present, and of at least two voters if none of the candidates is present or represented and the returning officer shall —

(a) record and count the number of votes given to each candidate (allowing the candidates or their agents or, in the absence of the candidates and their agents, the two voters present, full opportunity to see such votes but not the official number on the back of the ballot paper) and a poll clerk and not less than two witnesses shall be supplied with tally sheets upon which they may keep their own scores as each vote is called out by the returning officer;

(b) reject all ballot papers —

(i) which have not been marked for any candidate;

(ii) on which votes have been given for more candidates than there are seats to be filled; or

(iii) upon which there is any writing or mark by which the voter could be identified, but no ballot paper shall be rejected on account of any writing, number or mark placed thereon by any presiding officer.

(3) If in the course of counting the votes any ballot paper is found with the counterfoil still attached thereto, the returning officer shall (carefully concealing the numbers thereon from all persons present and without examining them himself) remove such counterfoil. He shall not reject the ballot paper merely by reason of the failure of the presiding officer to remove the counterfoil.

(4) If in the course of counting the votes the returning officer discovers that the presiding officer has omitted to affix his initials to any ballot paper as provided by section 36(1), he shall, in the presence of the poll clerk and such of the candidates of their counting agents as are present, affix his initials to such ballot paper and shall count such ballot paper as if it had been initialled by the presiding officer, in the first place, provided that he is satisfied that the ballot paper is one that has been supplied by the presiding officer, and also that every ballot paper supplied to such presiding officer has been accounted for as provided by paragraph (f) of section 43(1).

(5) The returning officer shall keep a record, on the special form printed in the poll book, of every objection made by any candidate or his counting agent or any voter present, to any ballot paper found in a ballot box, and shall decide every question arising out of the objection. The decision of the returning officer shall be final, subject to reversal on petition under section 50 questioning the election or return; and every such objection shall be numbered and a corresponding number placed on the back of the ballot paper and initialled by the returning officer.

(6) All the ballot papers not rejected by the returning officer shall be counted and a list shall be kept of the number of votes given to each candidate and of the number of rejected ballot papers. The ballot papers which respectively indicate the voter given for each candidate shall be put into separate envelopes; all rejected ballot papers shall be put into a special envelope and all such envelopes shall be sealed by the returning officer and by such agents or witnesses present as may desire to seal them or to sign their names thereon in addition or instead.

(7) Any of the candidates, if not satisfied with the accuracy of the count, may on completion thereof immediately demand a recount which shall thereupon be carried out in the same manner as the original count:

Provided that no candidate may demand such a recount more than once at any election.

(8) When the election is for one seat the candidate who on the completion of the count is found to have the largest number of votes shall then be declared by the returning officer to be elected as the member for the electoral district, and when the election is for two or three seats the returning officer shall likewise declare the two or three candidates (as the case may be) who are found on completion of the count to have the largest numbers of votes to be elected as the members for the electoral district.

(9) Whenever there is an equality of votes between two or more

determination of the appeal except the Court hearing the appeal shall direct that the period of five years shall run from the date of conviction.

(6) Any person making or publishing any false statement of fact as provided in paragraph (d) of subsection (1) may be restrained by interim or perpetual injunction by the Grand Court from any repetition of that false statement or of a false statement of a similar character in relation to the candidate and for the purpose of granting an interim injunction prima facie proof of the falsity of the statement shall be sufficient.

Offences in respect of ballot papers.

- 68. (1) Every person who —
 - (a) forges or counterfeits, or fraudulently defaces or destroys, any ballot paper;
 - (b) without due authority supplies a ballot paper to any person;
 - (c) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorized by law to put in;
 - (d) fraudulently takes out of the polling station any ballot paper;
 - (e) without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of any election; or
 - (f) not being duly registered as a voter, votes at any election,

shall be guilty of an offence and shall be liable on summary conviction before the Magistrate to a fine of one thousand dollars or to imprisonment for six months.

(2) In any information or prosecution for an offence in relation to the ballot boxes, ballot papers and other things in use at an election, the property in such ballot boxes, ballot papers or things may be stated to be in the returning officer at such election.

Secrecy of voting.

69. (1) Every election officer and every agent appointed under section 27 in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorized by law, to any person any information as to the name or number on the list of voters of any voter who has or has not applied for a ballot paper or voted at that polling

42 shall be guilty of an illegal practice, and shall on summary conviction before the Magistrate be liable to a fine of five hundred dollars or to imprisonment for six months, and in addition shall be incapable during a period of five years from the date of conviction of being registered as a voter or of voting at any election, or of being a candidate for election to the Assembly, or, if elected before his conviction, of retaining his seat as a member.

(2) A person charged under subsection (1) (d) shall not be guilty of an illegal practice if he can show that he had reasonable grounds for believing, and did in fact believe the statement he made to be true.

(3) A candidate shall not be liable nor shall his election be avoided for any illegal practice under subsection (1) (d) committed by his agent other than his election agent unless —

(a) it can be shown that the candidate or his election agent has authorized or consented to the committing of the illegal practice by the other agent, or has paid for the circulation of the false statement constituting the illegal practice; or

(b) the Grand Court dealing with an election petition under section 54 find and report that the election of the candidate was procured or materially assisted in consequence of the making or publishing of such false statement.

(4) Every person who, between the date of the publication by the returning officer of a notice in accordance with section 18(1) and the day after polling at the election, whether in a general election or in a by-election, incites, combines or conspires with others to act in a disorderly manner with intent to prevent the transaction of the business of a public meeting called for the purpose of promoting the election of a candidate as a member to serve in the Assembly, shall be guilty of an illegal practice and shall be liable on summary conviction before the Magistrate to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment and be incapable during a period of five years from the date of conviction of being registered as a voter or of voting at any election, or of being a candidate for election to the Assembly, or if elected before his conviction, of retaining his seat as a member.

(5) In the event of any appeal by any person convicted under any of the provisions of subsections (1), (2) and (4), the incapacity shall continue until the appeal is determined and thereafter unless the conviction is quashed remain in force for a period of five years from the

31 candidates and the addition of a vote would entitle one of such candidates to be declared elected, then the returning officer shall declare that there has been an equality of votes between such candidates and that none of the candidates having such equality of vote, has been elected and shall, as soon as possible thereafter, hold a special by-election in that electoral district and at such special by-election the provisions of this Law shall apply *mutatis mutandis* except that only the persons having received such equality of votes shall be eligible to be candidates and such candidates shall not be required to be nominated in accordance with the provisions of section 18 nor to pay any further deposit.

45. (1) Subject to subsection (2), during the hours when the poll is open upon polling day, no persons shall assemble or congregate within one hundred yards of any building in which is situate any polling station.

(2) This section shall not apply —

(a) to any voters who are waiting to poll their votes at such polling station and who obey any instructions which may be given by the presiding officer or poll clerk or any constable for the purpose of forming a queue with other voters also waiting; or

(b) to any persons who may under the provisions of this Law lawfully enter or remain in such polling station.

(3) Every person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on summary conviction before the Magistrate to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

46. (1) During the hours that the poll is open upon polling day, no person shall, upon any public road or in any public place within one hundred yards of any building in which a polling station is situate, seek to influence any voter to vote for any candidate or to ascertain for what candidate any voter intends to vote or has voted.

(2) Every person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and shall be liable on summary conviction before the Magistrate to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

Maintenance of order at polling station.

Influencing of voters to vote for any candidate.

47. (1) The returning officer within the time specified for the return of any writ shall forward to the Supervisor of Elections —

(a) the writ with his return in the form set out as Form No. 25 endorsed thereon showing the candidate or candidates declared to be elected in accordance with section 44;

(b) a report of his proceedings showing the number of votes cast for each candidate at each polling station, and making such observation as the returning officer may think proper as to the state of the election papers as received from the presiding officer;

(c) the number of persons to whom, it appears from the counterfoils, ballot papers have been supplied in the electoral district;

(d) the reserve supply of undistributed blank ballot papers;

(e) the poll book used at each polling station, a packet containing the counterfoils and unused ballot papers, packets containing the ballot papers cast for the several candidates, a packet containing the spoiled ballot papers, a packet containing the rejected ballot papers and a packet containing the official list of voters used at the polling stations, and the written appointments of candidates' agents; and

(f) all other documents used for the election.

(2) The Supervisor of Elections shall, on receiving the return of any member or members elected to serve in the Assembly, cause it to be entered, in the order in which such return is received by him, in a book to be kept by him for such purpose and thereupon immediately cause a notice to be published in the Gazette and at least one newspaper circulating in the Islands of the name or names of the candidate or candidates so elected and in the order in which it was received.

(3) The Supervisor of Elections shall, on receiving the return of any member or members elected to serve in the Assembly, transmit the writ with the return endorsed thereon to the Governor within the time

undue influence or personation.

punishment) be incapable during a period of five years from the date of conviction —

(a) of being registered as a voter, or voting at any election or by-election;

(b) of being elected a member of the Assembly or, if elected before his conviction, of retaining his seat as a member:

Provided that in the event of any appeal the incapacity shall continue until the appeal is determined and thereafter, unless the conviction is quashed, remain in force for a period of five years from the determination of the appeal except the Court hearing the appeal directs that the period of five years shall run from the date of conviction.

Illegal practices and penalties.

67. (1) Subject to subsections (2) and (3), every person who —

(a) votes, or induces or procures any person to vote, at any election, knowing that he or such other person is prohibited by this Law, or by any Law in force in the islands, from voting at such election;

(b) before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate;

(c) between the date of the publication by the returning officer of a notice in accordance with section 18(1) and the day after polling at the election, whether in a general election or in a by-election, acts in a disorderly manner, with intent to prevent the transaction of the business of a public meeting called for the purpose of promoting the election of a candidate as a member to serve in the Assembly;

(d) himself or as a director of any body or association corporate, before or during an election for the purpose of affecting a candidate at the return of the election, makes or publishes any false statement of fact in relation to the personal character or conduct of the candidate,

any other person, either before, during or after an election, directly or indirectly, gives, or provides or pays, wholly or in part, the expenses of giving or providing any food, drink, entertainment or provision to or for any persons for the purpose of corruptly influencing that person, or any other person, to vote or to refrain from voting at such election, or on account of such person or any other person having voted or refrained from voting at such election;

(b) every voter who corruptly accepts or takes any such food, drink, entertainment or provision.

Definition of undue influence.

62. Every person who, directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting or on account of such person having voted or refrained from voting at any election, or who by abduction, duress of any fraudulent contrivance, impedes or prevents the free exercise or the franchise of any voter, or thereby compels, induces or prevails upon any voter, either to give or refrain from giving his vote at any election, shall be guilty of undue influence within the meaning of this Law.

Definition of personation.

63. Every person who at an election applies for a ballot paper in the name of another person, whether that name be the name of a person living or dead, or of a fictitious person, or who, having voted once at any election, applies at the same election for a ballot paper in his own name, shall be guilty of personation within the meaning of this Law.

Penalties for bribery, treating, undue influence.

64. Any person who is charged with any offence of bribery, treating or undue influence under this Law, or of procuring, counselling, aiding or abetting any such offence shall be liable on summary conviction thereof before the Magistrate to a fine of two thousand dollars or to imprisonment for twelve months.

Penalty for personation.

65. Every person who is guilty of personation, or of aiding, abetting, counselling or procuring the commission of the offence of personation shall be liable on summary conviction before the Magistrate to a fine of two thousand dollars or to imprisonment for twelve months.

Incapacity to vote or to be elected following a conviction for bribery, treating.

66. Any person who is convicted of bribery, treating, undue influence or personation, or of aiding, abetting, counselling or procuring the commission of any of the said offences shall (in addition to any other

specified in such writ. The Governor shall within seven days of the receipt of the said writ return the same to the Supervisor of Elections for safe custody in accordance with section 18.

(4) The Supervisor of Elections shall, immediately after each general election, cause to be printed and published a report in the Gazette giving, by polling division, the number of votes polled for each candidate, the number of rejected ballot papers, the number of names on the official list of voters together with any other information that he may deem fit to include; and shall also, at the end of each year, cause to be printed and published a similar report on the by-elections held during the year.

(5) If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the Assembly for any electoral district, and if it has been determined on the hearing of an election petition respecting the election for such electoral district that such person was entitled to have been returned, the returning officer who has so wilfully delayed, neglected or refused to make such return of his election shall forfeit to the person aggrieved the sum of two thousand dollars and costs in addition to all damages sustained.

Custody of election documents.

48. (1) The Supervisor of Elections shall keep the election documents referred to in section 47(1) in safe custody and shall allow no person to have access to them:

Provided that, if an election petition has been presented questioning the validity of any election or return, the Supervisor of Elections shall, on the order of the Judge of the Grand Court, deliver to the proper officer of that Court the documents relating to the election that is in dispute:

Provided also that after the expiration of twelve months from the day of any election it shall be lawful for the Supervisor of Elections to cause the said documents used at such election to be burnt.

(2) No such election documents in the custody of the Supervisor of Elections shall be inspected or produced except on the order of the Judge of the Grand Court; and an order under this subsection may be made by the Judge upon his being satisfied by evidence on oath that the inspection or production of such election documents is required for the purpose of instituting or maintaining a prosecution for an offence in relation to an election or for the purpose of a petition which has been filed questioning an election or return.

(3) Any such order for the inspection or production of election documents may be made subject to such conditions as to persons, time,

place and mode of inspection or production as the Judge deems expedient.

Custody of ballot boxes.

49. Forthwith upon making the return to the writ in accordance with section 47, the returning officer shall cause the ballot boxes used at such election, with their locks and keys and the screens and other appliances used in the polling station, to be transmitted or delivered to the Supervisor of Elections.

Part IV. Election Petitions

Petitions against elections.

50. A petition complaining of the undue elections or undue return of a member of the Assembly (in this Law called an election petition) may be presented to the Grand Court by any one or more of the following persons, that is to say —

- (a) a person who voted or had a right to vote at the election to which the petition relates;
- (b) a person claiming to have had a right to be returned at such election;
- (c) a person alleging himself to have been a candidate at such election.

Presentation of election petition and security for costs.

51. The following provisions shall apply with respect to the presentation of an election petition —

- (a) the petition shall be presented within twenty-one days after the return made by the returning officer of the member to whose election the petition relates, unless it questions the return or election upon an allegation of corrupt practices and specifically alleges a payment of money or other reward to have been made by any member, or on his account or with his privity, since the time of such return, in pursuance or in furtherance of such corrupt practices, in which case the petition may be presented at any time within twenty-eight days after the date of such payment;
- (b) at the time of the presentation of the petition, or within three days afterwards, security for the payment of all costs, charges and expenses that may become payable by the petitioner —
 - (i) to any person summoned as a witness on his behalf; or

in part expended in bribery at any such election;

(f) every voter who, before or during any election, directly or indirectly, by himself, or by any other person on his behalf, receives, agrees, or contracts for any money, gift, loan or valuable consideration, office, place or employment for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election;

(g) every person who, after any election, directly or indirectly, by himself, or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at any such election.

(2) The provision of subsection (1) shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any lawful expenses incurred in good faith at or concerning an election.

(3) For the purpose of this section “lawful expenses” includes—

- (a) the payment of the agents, clerks, canvassers and messengers of candidates;
- (b) payments made for the purpose of hiring vehicles for the conveyance of voters to or from a polling station;
- (c) payments made for the use of any premises for a public meeting in furtherance of the candidature of any person or for the use of any committee room or office for the purpose of promoting or procuring the election of a candidate;
- (d) payments made in respect of postage, stationery, printing, advertising, the distribution of advertising material and the use of any public address system.

Definition of treating.

61. The following persons shall be deemed guilty of treating within the meaning of this Law —

- (a) every person who corruptly, by himself or by

lends, or agrees to give or lend, or offers, promises or promises to procure or to endeavour to procure any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election;

(b) every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or to procure, or offers, promises, or promises to procure or to endeavour to procure, any office, place or employment, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce such voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election;

(c) every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid to or for any person, in order to induce such person to procure or endeavour to procure, the return of any person as an elected member of the Assembly, or the vote or any voter at any election;

(d) every person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, promises or endeavours to procure the return of any person as an elected member of the Assembly, or the vote of any voter at any election;

(e) every person who advances, or pays or causes to be paid, any money or valuable consideration to or to the use of any other person with the intent that such money, or valuable consideration, or any part thereof, shall be expended in bribery at any election, or who knowingly pays or causes to be paid any money or money's worth to any person in discharge or repayment of any money wholly or

(ii) to the member whose election or return is complained of, or to any other person named as a respondent in the petition, shall be given on behalf of the petitioner;

(c) the security shall be to an amount of three thousand dollars and shall be given by deposit of money in the Grand Court.

Avoidance of election of candidate certified guilty of corrupt or illegal practice.

52. If a candidate who has been elected is certified by the Judge who tried the election petition questioning the return or election of such candidate to have been personally guilty or guilty by his agents of any corrupt or illegal practice his election shall be void.

Avoidance of election for general corruption, etc.

53. Where on an election petition it is shown that corrupt or illegal practices or illegal payments or employments committed in reference to the election for the purpose of promoting or procuring the election of any person thereat have so extensively prevailed that they may be reasonably supposed to have affected the result, the election of that person, if he has been elected, shall be void and he shall be incapable of being elected to fill the vacancy or any of the vacancies for which the election was held.

Trial of election petitions.

54. (1) Every election petition shall be tried in the same manner as an action in the Grand Court by the Judge sitting alone.

(2) At the conclusion of the trial the Judge shall determine whether the member of the Assembly whose return or election is complained of or any, and what, other person was duly returned and elected, or whether the election was void, and shall certify such determination to the Governor, and, upon his certificate being given, such determination shall be final; and the return shall be confirmed or altered, or a writ for a new election issued, as the case may require, in accordance with such determination.

Powers of Judge.

55. At the trial of an election petition the Judge shall, subject to the provisions of this Law, have the same powers, jurisdiction and authority, and witnesses shall be subpoenaed and sworn in the same manner, as nearly as circumstances admit, as in the trial of a civil action in the Grand Court, and such witnesses shall be subject to the same penalties for perjury.

Part V. Election Offences

Intoxicating liquor not to be sold or given.

56. (1) No intoxicating liquor shall be sold, offered for sale, or given away at any premises situate in any electoral district in which an election

is being held, to which a licence issued under the Liquor Licensing Law, applies, at any time between the opening of the poll and the declaration of the results by the returning officer.

(2) Any person who contravenes the provisions of this section shall be liable on summary conviction before the Magistrate to a fine of five hundred dollars or to imprisonment for six months.

Employers to allow employees time.

57. (1) Every employer shall, on polling day, allow to every voter in his employ a reasonable period for voting, and no employer shall make any deduction from the pay or other remuneration of any such voter or impose upon or extract from him any penalty by reason of his absence during such period.

(2) Any employer who, directly or indirectly, refuses, or by intimidation, undue influence, or in any other way, interferes with the granting to any voter in his employ of such period for voting, as is in this section provided, shall be guilty of an offence and on summary conviction before the Magistrate be liable to a fine of five hundred dollars or to imprisonment for six months.

Offences by election officers.

58. Every election officer who —

(a) makes, in any record, return or other document which he is required to keep or make under this Law, any entry which he knows or has reasonable cause to believe to be false, or does not believe to be true;

(b) permits any person whom he knows or has reasonable cause to believe not to be a physically incapacitated or illiterate person to vote in the manner provided for physically incapacitated or illiterate persons, as the case may be;

(c) refuses to permit any person whom he knows or has reasonable cause to believe to be physically incapacitated or illiterate person to vote in the manner provided for physically incapacitated or illiterate persons as the case may be;

(d) wilfully prevents any person from voting at the polling station at which he knows or has reasonable cause to believe such person is entitled to vote:

(e) wilfully neglects or refuses to count any ballot

Loudspeakers, ensigns, banners, etc. prohibited on polling day.

shall be guilty of an offence against this section, and on summary conviction before the Magistrate shall be liable to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

59. (1) No person shall furnish or supply any loudspeaker, bunting, ensign, banner, standard or set of colours, or any other flag, to any person with intent that it shall be carried or used on motor cars, trucks or other vehicles, as political propaganda, on polling day, and no person shall, with any such intent, carry or use, on motor cars, trucks or other vehicles, or in any place or manner, any loudspeaker, bunting, ensign, banner, standard or set of colours, or any other flag, on polling day.

(2) No person shall furnish or supply any flag, ribbon, label or like favour to or for any person with intent that it be worn or used by any person within any electoral district on polling day as a badge to distinguish the wearer as the supporter of any candidate, or of the political or other opinions entertained or supposed to be entertained by such candidate, and no person shall use or wear any flag, ribbon, label or other favour, as such badge within any electoral district on polling day.

(3) Nothing contained in either subsection (1) or (2) shall be deemed to extend to the furnishings or supplying of any banner bearing only the name of any candidate, or only such name preceded by the words "vote for", or of any rosette, or to the use of any such banner on any vehicle, or of any such rosette.

(4) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on summary conviction before the Magistrate to a fine of five hundred dollars or to imprisonment for six months.

Definition of bribery.

60. (1) The following persons shall be deemed guilty of bribery within the meaning of this Law —

(a) every person who, directly or indirectly, by himself or by any other person on his behalf, gives,

paper which he knows or has reasonable cause to believe is validly cast for any candidate in accordance with the provisions of this Law; or

(f) wilfully counts any ballot paper as being cast for any candidate, which he knows or has reasonable cause to believe was not validly cast for such candidate,