

ARRANGEMENT OF CLAUSES

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GRENADA

ACT NO. 26 OF 2011

I assent,



CARLYLE ARNOLD GLEAN
Governor-General.

2nd December, 2011.

AN ACT to amend the Representation of the People Act
No. 35. of 1993.

[9th December, 2011].

WHEREAS pursuant to the Representation of the People Act, No. 35 of 1993 (the Act), an enumeration was to be conducted in the year 2009;

WHEREAS prior to the period of commencing the enumeration, a new voter registration system was proposed to be introduced, to provide for the computerization and for the use of biometrics in the voter registration System (“System”);

WHEREAS because of the proposed introduction of the System, the current provisions in the Act relating to enumeration and registration were inapplicable, and as a result the Governor-General, in the exercise of his powers under section 28(5) of the Act, extended the period of enumeration by virtue of regulation 2 of the Statutory Rules, and Orders No. 27 of 2009 and regulation of the Statutory Rules and Order No. of 2011;

WHEREAS as a result of the foregoing an enumeration is therefore pending;

AND WHEREAS this Act seeks to provide for the establishment of the System to make transitional provisions for the enumeration that is pending and any other matters consequential or incidental thereto;

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives and by the authority of the same as follows—

Short title.

1. This Act may be cited as the

REPRESENTATION OF THE PEOPLE
(AMENDMENT) ACT, 2011.

and shall be read and construed as one with the Representation of the People Act No. 35 of 1993, hereinafter referred to as the “principal Act”.

Amendment of section 2 of principal Act.

2. Section 2 of the principal Act is amended by—

- (a) repealing the definitions “current list”, “enumeration list” “list”, “official list”; and
- (b) inserting in alphabetical order the following new definitions—

““current list” means the existing list of electors for every polling division in a constituency, which is published in accordance with the provisions of this Act;

“enumeration list” means the list produced by an enumerator during an enumeration period, in accordance with the provisions of this Act;

“official consolidated list of electors” means a duly printed and published compilation of the current lists of every constituency, as modified by the Supervisor of Elections, in accordance with the provisions of this Act;

“polling day” means the day fixed for holding the poll at an election;

“System” means the computerized voter registration system established under section 8”.

Amendment of heading of Part II of principal Act.

3. The heading to Part II of the principal Act is hereby repealed, and the following heading is substituted—

**“DIVISION OF STATE INTO CONSTITUENCIES AND
THE ESTABLISHMENT OF PARLIAMENTARY
ELECTION CONSTITUENCY OFFICES”**

Insertion of new section in principal Act.

4. The principal Act is hereby amended by inserting immediately after section 4, the following new section—

**“Establishment of Parliamentary Election
Constituency Offices**

4A. There shall be established in each constituency, such Parliamentary Election Constituency Offices as the Supervisor of Elections may deem necessary for the purpose of registration of electors”.

Repeal of Part III
of principal Act.

5. Part III of the principal Act is hereby repealed and replaced as follows—

“PART III

REGISTRATION OF ELECTORS

Right of
person to
vote.

5. Subject to this Act, a person is entitled to vote in an election in a constituency, if on polling day, he is qualified and registered as an elector in that constituency, and his name appears on the current list to be used for that constituency.

Entitlement
to registr-
ation.

6.—(1) Subject to section 7, a person shall be entitled to be registered as an elector in any one constituency if he—

- (a) is a citizen of Grenada; or
- (b) is a Commonwealth citizen, who has resided in Grenada for a period of at least twelve months immediately before the date of his registration;
- (c) has attained the age of eighteen years; and
- (d) is ordinarily resident in that constituency.

(2) For the purposes of registration under this Act and the Rules, a person is deemed, subject to this Act, to reside in the polling division in which he was ordinarily resident, immediately prior to his registration.

(3) A person is not ordinarily resident in a polling division, if he has taken up residence in that polling division, for the purpose of engaging in any employment of a temporary or seasonal character.

(4) For the purposes of registration under this Act and the Rules, a person may be ordinarily resident only in one polling division at any particular time.

Disqualification
of electors.

7.—(1) No person shall be titled to be registered as an elector in any constituency who—

- (a) has been sentenced by a Court in any part of the Commonwealth to death, or to imprisonment for a term exceeding twelve months, and has not either suffered the punishment as may have been substituted by a competent authority, unless he received a free pardon;
- (b) is a person adjudged to be of unsound mind by a qualified medical practitioner;
- (c) has been detained as a criminal lunatic under any law in force in the State;
- (d) is disqualified for registration as an elector, by any law in force in the State relating to offences connected with elections.

(2) For the purposes of section 7(1) (a), neither pardon nor any punishment imposed by a Court in any part of the Commonwealth not involving actual imprisonment, will operate to disqualify a person from entitlement to be registered as an elector.

Establishment
of com-
puterized voter
registration
system.

8.—(1) There is hereby established, for the purposes of registration in accordance with the provisions of this Act, a single, uniform, non-discriminatory, centralized, interactive computerized voter registration system, which shall be administered and maintained by the Supervisor of Elections, in accordance with the provisions of this Act and Part III of the Schedule I.

(2) The System shall—

- (a) serve as the single system for storing and managing the list of electors throughout Grenada;
- (b) contain the name and such information as is provided for under this Act and Part III of the First Schedule, of every person who is qualified and registered to vote in Grenada; and
- (c) assign a voter registration number that is unique, to every person registered therein.

(3) All personal data collected and entered into the System shall only be used for the purposes of this Act and in accordance with the provisions of this Act.

Request to
be
registered.

9.—(1) For the purposes of this section, registration shall be effected in accordance with the provisions of this Act, and the Rules provided for in Part III of the Schedule I.

(2) A person who is entitled under section 6 to be registered as an elector, may make a request to be registered, to the registration officer in the polling division of the constituency in which he is ordinarily resident.

(3) A person who makes a request to be registered under sub-section (2), shall present to the registration officer at the time of the request, either of the following documents—

- (a) his birth certificate;
- (b) his valid passport; or
- (c) his citizenship certificate.

(4) A person who is house bound and entitled under section 6 as an elector, may make a request to the registration officer to be registered in the polling division of the constituency in which he is ordinarily resident.

(5) Where a request is made pursuant to sub-section (4), the registration shall be conducted by the registration officer using a mobile registration unit.

(6) The Supervisor of Elections may make regulations prescribing for the use of a mobile registration unit.

(7) For the purposes of this section—

“house bound person” means a person who is confined to his place of residence due to a physical disability;

“mobile registration unit” means a unit that is outfitted with all the necessary equipment and required particulars as authorized by the Supervisor of Elections, to register a person, in the same manner as provided for in this Act, as if he were to be registered at a Parliamentary Election Constituency Office.”

The right to remain registered.

10. Subject to section 7, a person registered as an elector pursuant to this Part, shall remain registered, unless and until his name is deleted from the current list, by the Supervisor of Elections, where the Supervisor of Elections determines that, since the publication of the current list, that person has—

(a) died;

- (b) left Grenada and has not been ordinarily resident in that constituency for a period exceeding 12 months, not being a citizen of Grenada;
- (c) ceased to be ordinarily resident in Grenada for a period exceeding five years, being a citizen of Grenada;
- (d) become ordinarily resident in another constituency;
- (e) had an objection to his registration allowed; or
- (f) otherwise ceased to be qualified by virtue of this Act or any other law.

Preparation of current list.

11. The Supervisor of Elections shall prepare, or cause to be prepared, a current list of all persons who are entitled to be electors in, and for each polling division comprised in each constituency, in accordance with the provisions of this Act and the Rules.

Continuous registration.

12.—(1) A registration officer acting in accordance with the Constitution and the provisions of this Act shall—

- (a) in each polling division in the constituency for which he is a registration officer; and

- (b) in accordance with the Constitution and the provisions of this Act and the Rules,

register, or cause to be registered on a continuous basis; a person who is qualified to be an elector that is not yet registered.

(2) A registration officer shall take all reasonable steps to ensure, that the current list for every polling division comprised in the constituency for which he is the registration officer, contains the—

- (a) name;
- (b) address;
- (c) occupation;
- (d) voter registration number; and
- (e) sex

of a person entitled to be registered as an elector in any such respective polling division.

(3) A registration officer shall take all reasonable steps to ensure, that no person shall be registered as an elector in any polling division comprised in the constituency, if such a person is not entitled pursuant to section 6.

Supplying information on qualified electors.

13. Where a building is let in separate apartments, flats or lodgings, the person receiving the rents payable by the tenants or lodgers, whether on his own account or as an agent of another person, shall, if required so to do by or on behalf of the registration officer for the constituency in which the building is situated, furnish the registration officer with the name of every tenant or lodger, who, to the best of his knowledge, is qualified to be registered as an elector for that constituency.

Continuous revision and publication of current list.

14.—(1) A current list shall be revised by the processing of claims, objections, applications for registration, or matters raised or made regarding such list under the Rules.

(2) All revisions shall subsequently be published in an addendum on the next quarterly date, and upon publication, shall form part of the current list.

(3) Any alteration of a current list shall be effected in accordance with the Rules.

(4) For the purpose of this section, the quarterly dates are – March 31, June 30, September 30 and December 31.

(5) A current list that is updated by incorporating quarterly addenda where applicable, shall be published every 6 months in that respective constituency and a Notice shall

be published in the *Gazette* by the Supervisor of Elections stating the availability of the list for inspection by the public.

(6) An official consolidated list of electors shall be published by the Supervisor of Elections every six months.

Content of list.

15.—(1) The current list shall contain the names, addresses and voter registration numbers of the persons who are ordinarily resident and registered as electors, in the constituency to which the current list relates.

(2) The current list shall be prepared in accordance with this Act, the Rules, and the appropriate forms set out in Schedule II.

Supervisor of Elections to make adjustment to current list.

16. The Supervisor of Elections shall make all additions to the current list, and shall make removals therefrom, in consequence of any action taken under section 18 or pursuant to the Rules.

Addendum to current list.

17.—(1) After publication of each current list, an addendum to the current list, shall be compiled for the 3 month period immediately following the publication of the current list, and shall be published in accordance with section 14.

(2) An addendum to the current list, is a list of electors for the constituency, which shall consist of the name of a person, who since publication of the current list for the

constituency, the registration officer has reasonable cause to believe—

- (a) has effected a change of address—
 - (i) in the constituency within which he is ordinarily resident; or
 - (ii) from another constituency, and is now ordinarily resident in the constituency in which he now seeks to be registered.
- (b) has changed his name, occupation, address or sex and is still, in the opinion of the registration officer, qualified for inclusion on the current list;
- (c) has become entitled under section 6 to be registered as an elector since the publication of the current list; or
- (d) has had his name, occupation, address or sex erroneously omitted from the current list.

18. Subject to section 5, every current list for a constituency shall be prepared—

Preparation of current lists generally.

- (a) by deleting from it, the names of persons that the Supervisor of Elections has reasonable cause to believe, do not have the right to

remain registered in accordance with section 10;

- (b) by substituting in the names of electors for such polling division, for the name, address, occupation or sex of any person whom the registration officer believes to have changed his name, address or occupation, which the registration officer believes to be the true name, address or occupation of such person at the time of the preparation of such list; and
- (c) by adding the names, addresses, occupations and sex of all persons on the addendum to the current list.

Changing registered name.

19. Where a person who has been registered to vote under a particular name or in a particular constituency or polling division, wishes to change his registration regarding either his name or that constituency or polling division, in order to be able to vote under another name or in another constituency, the Rules set out in Schedule I shall apply.

Compiling of list.

20. In respect of the process of registration including compiling the current list, and the forms to be used regarding such process, Schedules I and II shall apply subject to the provisions of the Constitution and this Act.

No registration after Governor-General's Writ.

21.—(1) Where the Governor-General issues a writ for an election in a constituency, no further registration shall be allowed until after that election.

(2) The Supervisor of Elections shall, not later than 14 days after the writ referred to in subsection (1), publish a current list in respect of each constituency.

(3) From the date of the publication of the current list pursuant to subsection (2), there shall be a seven day period for claims and objections as provided for under the Rules.

(4) Immediately after the end of the period specified in subsection (3), the Supervisor of Elections shall print and publish, or cause to be printed and published, an official consolidated list of electors.

List for elections to be used for any elections.

22. Subject to Section 21 (3), the official consolidated list published in accordance with section 21 (4), shall be used for any election held in a constituency to which the list relates, until it is superseded by a current list prepared in accordance with the provisions of this Act.

Duration of list.

23. A current list prepared for the purposes of this Act shall be published, and shall remain in force for a period of six months, or until the next publication of a current list that is updated for the Constituency.

Voter
identification
card.

24.—(1) The Supervisor of Elections shall issue to every person duly registered as an elector under this Act, a voter identification card in the prescribed format.

(2) Where a person who has been issued a voter identification card under subsection (1) loses that card, or the card is defaced, or destroyed, he may apply to the Supervisor of Elections for that card to be replaced, and the Supervisor of Elections may issue a voter identification card replacing the same, in accordance with the Rules and after the payment of the prescribed fee.

Effect of
current lists.

25.—(1) The current lists prepared under this Act shall, for the purposes of this Part, be presumptive on the following questions, that is to say—

- (a) whether or not any person registered therein was, on the date of publication of the current list, ordinarily resident at the address shown; and
- (b) whether or not an address is in any constituency or any particular part of that constituency.

(2) A person registered as an elector shall not be excluded from voting, on the ground that he is not a Commonwealth

citizen, or is not 18 years of age or over, or was otherwise subject to any legal incapacity to vote; but this provision shall not prevent the rejection of the vote on a scrutiny, or affect his liability to any penalty for voting.

(3) No misnomer or inaccurate description of any person or place named in the current list, record, nomination paper, ballot paper, notice or other document required for the purposes of this Act, shall affect the full operation of that document with respect to that person or place, in any case where the description of the person or place is such, as to be commonly understood.

(4) Where anything in connection with the preparation or publication of any current list or other action under this Part is omitted to be done, or cannot be done at the time required to under this Part, or is done before or after that time, or is otherwise irregularly done in manner or form, the Governor-General may, by order, at any time before or after the time within which the thing is required to be done, extend that time, or validate anything so done before or after the time required, or so irregularly done in a manner or form.

Appeals from
registration
officer to
Supervisor of
Elections.

26.—(1) Subject to subsection (2), an appeal lies to the Supervisor of Elections from any decision of a registration officer on any claim, application, objection or other repre-

sentation or matter, which has been considered by the registration officer.

(2) No appeal lies where a claimant or objector has not availed himself of his opportunity, as provided by this section or the Rules, of being heard by the registration officer on the claim, application, objection or other representation.

(3) Any claimant, objector or other applicant desiring to appeal against a decision of a registration officer, shall give written notice of appeal to the registration officer when the decision is given, or within seven days thereafter, specifying the grounds of appeal.

(4) Upon receipt of a notice of appeal under subsection (3), the registration officer shall forthwith hear and determine the appeal.

(5) If the registration officer dismisses the appeal, he shall immediately forward such notice to the Supervisor of Elections, together with a statement of the material facts which, in his opinion, have been established in the case, and of his decision upon the whole case, and upon any point which maybe specified as a ground of appeal, he shall also furnish to the Supervisor of Elections, any further information which the Supervisor of Elections may require and which he is able to furnish.

(6) When it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the Supervisor of Elections of that fact for the purpose of enabling the Supervisor, if he thinks fit, to consolidate the appeals or to select a case as a test case.

(7) Every appeal under this section shall be heard and determined by the Supervisor of Elections, who may vary or confirm the decision of the registration officer.

(8) The Supervisor of Elections may adopt any procedure as he sees fit for the resolution of an appeal, subject to adequate notice and the provisions of this Act and the Rules”.

Insertion of new sections in Part III of principal Act.

6. Part III of the principal Act is hereby amended by inserting immediately after section 26, the following new sections—

“Appeals from the Supervisor of Elections to the Court.

26A.—(1) Subject to subsection (2), an appeal lies to a Judge in Chambers from any decision of the Supervisor of Elections on any claim, application, objection or other representation or matter which has been considered by him under section 26; or any claim, objection, application for registration, or other representation or matter heard by him on appeal from a registration officer, as provided for by the Rules.

(2) No appeal shall lie under this section, where a claimant, objector or other applicant has not availed himself of his opportunity, as provided by this Act or the Rules, of being heard by the registration officer and the Supervisor of Elections, on the claim, application, objection or other representation on the matter.

(3) Any claimant, objector or other applicant desiring to appeal under this section against the decision of the Supervisor of Elections, shall give written notice of appeal to the Registrar of the Supreme Court, the Supervisor of Elections and any other interested party, if any, when the decision is given by the Supervisor of Elections or within seven days thereafter, specifying the grounds of appeal.

(4) The Supervisor of Elections shall immediately forward to the Registrar of the Supreme Court, a statement of the material facts which, in his opinion, have been established in the case, and of his decision upon the whole case and upon any point which may be specified as a ground of appeal, and shall also furnish to the Court, any further information which the Court may require and which he is able to furnish.

(5) When it appears to the Supervisor of Elections that any notices of appeal given to him are based on similar grounds, he shall inform the Registrar of the Supreme Court of

the fact, for the purpose of enabling the Court, if it thinks fit, to consolidate the appeal or to elect a case as a test case.

(6) Every appeal under this section shall be heard and determined by the Court, in such manner as may be prescribed by rules of the Court, and the costs of every such appeal, shall be in the discretion of the Court hearing such appeal.

(7) Notice shall be sent to the Supervisor of Elections by the Registrar of the Supreme Court, of the decision of the Court on any appeal under this section, and the Supervisor of Elections shall make such alternation in the list as may be required to give effect to the decision”.

Offence to willfully omit qualified electors.

26B.—(1) A registration officer who willfully without reasonable excuse, omits to register the name of any person entitled to be registered, or enters in the list the name of any person who is not entitled to have his name entered therein, is guilty of an offence and liable, on summary conviction, to a fine of five hundred dollars or imprisonment for six months, or both.

(2) A registration officer who is convicted of an offence under subsection (1) shall, in addition to the penalty prescribed by that subsection, forfeit his right to payment for his services as a registration officer or an

enumerator, as the case may be, and, subject to subsection (3), shall be incapable, during a period of five years from the date of his conviction, of being qualified to be elected as a member of the House of Representatives.

(3) Notwithstanding that an appeal is made against a conviction for an offence under subsection (1), the incapacity prescribed by subsection (2) shall continue until the appeal is determined, and thereafter, unless the conviction is quashed, the incapacity shall remain in force for a period of five years from the determination of the appeal, unless the Court hearing the appeal, directs that the period of five years shall run from the date of conviction.

Vouching
information.

26C. A registration officer or any other person appointed to carry out the provisions of this Act, may require a person who has given information for the purposes of this Act, to furnish documentary or other evidence as to the truth of that information.

Enumeration.

26D.—(1) An enumeration shall only take place in the following circumstances—

- (a) during a period prescribed by Order by the Governor-General, where there is an alteration to the existing number or boundaries of constituencies by the constituency Boundaries Commission, as

established under section 55 of the Constitution; save and except that an enumeration shall only be conducted in the constituencies affected by such alteration; or

- (b) for any other period prescribed by Order, that may be determined by the Governor-General, acting upon the advice of the Supervisor of Elections.

(2) Where it appears to the Governor-General that the enumeration list cannot be completed during an enumeration provided for under subsection (1) within the prescribed period, the Governor-General may, by Order, extend the prescribed period to such further period as he deems necessary.

(3) An enumeration under this section shall be conducted in accordance with the Rules under Part II of Schedule I.

Preparation of enumeration list during enumeration period.

26E. Pursuant to section 26D, in an enumeration period, every enumerator shall, during such period, prepare, or cause to be prepared, in and for each polling division comprised in the constituency for which he is appointed as an enumerator, in accordance with the provisions of the Act, a list of all persons who are qualified as electors therein, and such list shall be called the enumeration list.

(2) At the end of the enumeration period, a person whose name appears on the enumeration list for a polling division comprised in a constituency, and who has been registered in accordance with the provisions of this Act, shall form part of the current list for the polling division in the constituency.

Verification of current list.

26F. The Supervisor of Elections may, at such times as he deems necessary, provide for the continuous verification of the current list for any polling division in any constituency.

False statements.

26G. Where a person giving information for the purposes of this Act makes a statement that he knows to be false, or does not believe to be true, he commits an offence, and is liable, on summary conviction, to a fine of five hundred dollars or imprisonment for six months.

Repeal and substitution of sub-section (2) of section 58 of principal Act.

7. Section 58 of the principal Act is amended, by repealing subsection (2) and substituting the following subsection—

“(2) Subject to subsection (5), a person who is qualified and registered to vote, shall on polling day, present his voter identification card to the presiding officer”.

Insertion of new section in Part IX of principal Act.

8. The principal Act is hereby amended by inserting immediately after section 110 the following new section—

“Transitional provision.

110A.—(1) Pursuant to the relevant Statutory Rules and Orders of 2011, the enumeration period prescribed shall also be used to allow for the establishment of a new registration process, which will facilitate the computerized voter registration system established pursuant to section 8.

(2) Section 26D (2) and (3) shall apply *mutatis mutandis* to this section.

(3) At the commencement of the enumeration period, the Supervisor of Elections shall prepare, or cause to be prepared in and for each constituency, in accordance with the provisions of this Act and the Rules, a current list of persons who are qualified and registered as electors in the polling division comprised therein.

(4) Where the Governor-General issues a writ for an election in a constituency within the enumeration period that is pending, the Supervisor of Elections shall, for the purposes of conducting such an election, use the current list that would have been in force immediately prior to the commencement of that enumeration period.

(5) This section shall expire at the end of the enumeration period, and thereafter, an enumeration shall only be conducted in accordance with section 26D of this Act”.

Repeal and
replacement of
the Schedule I
of principal Act.

9. The Schedule I of the principal Act is hereby repealed and replaced as follows—

“SCHEDULE I

REGISTRATION OF ELECTORS RULES

1. Citation. These Rules may be cited as the

REGISTRATION OF ELECTORS RULES, 2011

2. Definition. For the purpose of these Rules, terms and expressions used in these Rules shall have the same meaning in these Rules as they have in the Act, unless otherwise provided.

PART I

RESIDENTIAL QUALIFICATIONS

3. (1) The question whether a person is or was ordinarily resident in a polling division at any material period, shall, subject to sections 5, 6 and 7 of this Act and Rules 4, 5 and 6, be determined by reference to all the facts of the case.

(2) For the purposes of enumeration and registration under this Act, every person shall be deemed to reside in a polling division in which he was ordinarily resident on the date of his enumeration and registration.

4. Place of ordinary residence. The place of ordinary residence of a person is—

- (a) generally that place which has always been, or which that person has adopted as the place of his habitation or home, whereto when away from there, he intends to return; or
- (b) specifically, where a person usually sleeps in one place and has his meals or is employed in another place, the place of ordinary residence is where that person sleeps.

5. Ordinary residence where family is. The place of ordinary residence of a person is generally where his family is; if he is living apart from his family in another place, the place of ordinary residence of that person is the other place.

6. Temporary absence from place of ordinary residence.
(1) Subject to sub-rule (2), temporary absence from a place of ordinary residence, does not cause the loss or change of place of ordinary residence.

(2) A person who has more than one place of ordinary residence, may elect in respect of which place he desires to be registered.

PART II

ENUMERATION

7. Definition. In these Rules—

“enumeration” means in relation to the preparation of an enumeration list for a polling division in a constituency, the listing of persons in that polling division during the enumeration period or, as the case may be, who are qualified—

- (a) to be registered as electors in that polling division; and
- (b) to vote.

8. Appointment of enumerators. (1) The Supervisor of Elections shall, in writing, in the Form set out in Form 3 of the Schedule II, appoint a person to be an enumerator for each polling division in every constituency.

(2) The Supervisor of Elections may, at any time, revoke the appointment of an enumerator.

9. Qualification of enumerators. Each enumerator shall be required to be qualified as an elector in the Constituency in which he is appointed as an enumerator, and shall preferably be a resident in the polling division for which he has been appointed.

10. Removal of enumerators. The Supervisor of Elections may, at any time, replace any enumerator appointed by him, by appointing another enumerator to perform as such, in the place and stead of the person already appointed, and any enumerator so replaced shall, upon request in writing, signed by the Supervisor of Elections, deliver or give up to the person appointed in his place, or to any other authorized person, any document or information which he has obtained for the purpose of the performance of his duties.

11. Supervisor of Elections to supply documents to enumerators. (1) Each enumerator shall, at the beginning of each enumeration period proceed to ascertain the name, address, occupation and sex of every person entitled to vote in the election of a member of the House of Representatives, in the polling division for which he has been appointed. For this purpose, he shall visit every house within the polling division and shall issue enumeration certificates for registration.

(2) Each enumerator conducting a house-to-house enquiry, shall be supplied by the Supervisor of Elections with—

- (a) a Worksheet, in the prescribed form, incorporating the current list prepared by the Supervisor of Elections, for the polling division in which he is appointed;
- (b) certificates of enumeration; and
- (c) such other documents and materials as may be necessary for the performance of his duties.

(3) An enumerator shall keep an inventory of such forms and every certificate of enumeration used by him.

12. Publishing enumeration notice. An enumerator shall, not later than seven days before the first day of an enumeration period, publish a copy of an enumeration notice in the form set out in Form 5 of Schedule II, stating, that he is about to prepare an enumeration list for the polling division in the constituency to which he is appointed as an enumerator.

13. Procedure for enumeration. (1) In conducting the house-to-house enquiry, an enumerator shall record on the Worksheet, the following information in respect of each person listed thereon, who has been enumerated; namely, whether that person on the date of enumeration—

- (a) was not found at the address;
- (b) was ordinarily resident at a new address;
- (c) was ordinarily resident in the polling division at the address indicated in the Worksheet;
- (d) refused to be enumerated;
- (e) is qualified to be registered pursuant to section 6; or
- (f) has died.

(2) The enumerator shall sign the Worksheet in respect of the record made in relation to each person listed on such Worksheet.

(3) Where during the course of the house-to-house enquiry, the enumerator refuses the request of any person to be enumerated, in accordance with the provisions of these Rules, he shall issue a notice of refusal (original and copies), in the prescribed form, and leave with such person, the original of the notice, and inform him that he may appear before the registration officer if he wishes to justify his claim.

(4) The names of persons whose requests for enumeration have been refused by the enumerator, shall be recorded by the enumerator in a register supplied by the Supervisor of Elections, and after the enumeration period has been completed, such register shall be delivered by the enumerator to the registration officer.

14. Issue of certificate of enumeration. (1) During the course of such enumeration, the enumerator shall issue to a person whom he has enumerated and is satisfied to be qualified for registration, a certificate of enumeration, in the prescribed form.

(2) A certificate of enumeration shall be issued in duplicate form, and the enumerator shall record the required particulars obtained from information given to him by the person who is being enumerated, and subject to sub-rule (3), affix his signature in ink on the original of the certificate, and by means of carbon, on the duplicate, and shall deliver the original to the person enumerated.

(3) Before affixing his signature as provided for under sub-rule (2), and delivering the original to the person enumerated, the enumerator shall require that person, unless he is unable to do so by reason of illiteracy or physical disability, to read the certificate of enumeration, and after satisfying himself that the contents thereof are correct, request the person to sign the certificate of enumeration.

(4) Where a person in sub-rule (3) is unable to read or sign the certificate of enumeration or is unable to do both, due to illiteracy or physical disability, the enumerator shall read the certificate of enumeration to the person, obtain and confirm the consent of the person to the content of the certificate of enumeration make and sign a declaration to that effect, and such declaration shall be submitted to the Supervisor of Elections.

(5) If the enumerator has grounds for believing, that a person whose name appears on the current list incorporated in the enumerator's Worksheet, does not wish, or is not entitled to be enumerated, entries stating the grounds for such belief shall be made by the enumerator, in the prescribed form.

15. Care to be taken in conducting enumeration. The enumerator shall exercise the utmost care in conducting the house-to-house enquiry, during the enumeration period in the polling division for which he is appointed, and shall take all the necessary precautions to ensure, that he obtains accurate information regarding the name, occupation, address and other required particulars of persons in the polling division, and that he has not enumerated any person who is not qualified to vote or to be registered as an elector.

16. Refusal of enumeration. Where, in the course of a house-to-house enquiry during the enumeration period, any person whom the enumerator believes to be qualified to be registered as an elector refuses or declines to be enumerated, although afforded the opportunity to be so enumerated, the enumerator shall record in a register supplied by the Supervisor of Elections for that purpose, the name and address of such person, so far as these are known or can be ascertained.

17. Submission of particulars. Where the enumerator has completed his enumeration, the enumerator shall—

- (a) prepare the enumeration list, which shall contain the names of all persons whom he has enumerated and deemed qualified to be registered as electors, pursuant to the issuance of a certificate of enumeration, and such list shall be prepared using the format prescribed under these Rules in the preparation of the current list;
- (b) submit the enumeration list, the Worksheet, together with the copies of the certificates of enumeration and the register for which provision is made in rule 13 (4),

to the registration officer, together with the prescribed oath.

18. Power of registration officer to summon persons.

(1) If, in consequence of information received by him, the registration officer suspects that a person in respect of whom a certificate of enumeration has been issued by an enumerator for a polling division, is not qualified to be enumerated in respect of that polling division, he may summon that person to appear before him, and after a fair hearing, shall cancel the certificate of enumeration, if he is satisfied that such person is not qualified as aforesaid—

Provided that where a person who is summoned as aforesaid fails to appear, the hearing may take place in his absence.

(2) Where a certificate of enumeration has been cancelled pursuant to sub-rule (1), the registration officer shall forward to the Supervisor of Elections, a notice in the prescribed form, informing him of the cancellation of the certificate; and where the person in respect of whom the certificate was issued failed to appear at the hearing, a copy of the notice shall be sent to him by registered mail.

19. Power of registration officer to deal with refusal of enumeration by enumerator. The registration officer shall deal with the cases of persons whose requests for enumeration were refused by the enumerator, pursuant to Rule 13 (3), and if any such person appears before the registration officer, and satisfies him that he is entitled to be enumerated in respect of the relevant polling division within the constituency in accordance with these Rules, the registration officer shall, if the person so wishes, duly issue to that person, a certificate of enumeration.

20. Person enumerated to be registered. Every person in respect of whom a certificate of enumeration is issued shall, as soon as practicable, make a request to be registered in accordance with the provisions of the Act and these Rules, by the registration officer of the constituency for which he has been enumerated.

21. Misplacement or loss of certificate of enumeration.
(1) Where a certificate of enumeration is lost, misplaced or destroyed, before the person in respect of whom the certificate of enumeration was issued has been registered, that person may apply in the prescribed form, to the registration officer, for a copy of the certificate of enumeration.

(2) The registration officer shall, upon receipt of an application under this rule, make such investigations as he may think fit, and if he is satisfied that—

- (a) a certificate of enumeration was issued in respect of the applicant; and
- (b) the applicant has not been registered,

he shall issue to the applicant, a copy of that certificate of enumeration, after writing thereon the word, "copy", and thereafter the provisions of this Schedule shall apply to the copy of the certificate of enumeration, as they apply to the duplicate of that certificate of enumeration.

22. Powers of a registration officer. (1) Subject to the provisions of paragraph (2), the registration officer, when sitting for the purpose of hearing claims, objections, and other matters under the Rules in this Schedule, shall have all the powers of a Magistrate, in relation to the calling and the examining of any witness, and the administering or causing to be administered to any person, an oath.

(2) Every person who is required to take an oath in pursuance of the provisions of this Rule, may elect to make a solemn affirmation instead of taking such oath.

(3) The form of oath of any person, other than a person referred to in sub-rule (2), who appears before the registration officer to give evidence, shall be in the prescribed form.

23. Penalty. Every enumerator who willfully and without reasonable excuse omits from the enumeration list, the name of any person entitled to have his or her name entered therein, or enters in the said list, the name of any person who is not entitled to have his or her name entered therein, commits an offence, and is liable, on summary conviction, to a fine not exceeding five hundred dollars, and, in addition, to forfeiture of his right to payment for his services as an enumerator.

24. Enumeration documents to be kept safe. (1) An Enumerator shall keep all enumeration documents in safe keeping, and shall not permit any person to have unlawful access to such documents entrusted to him.

(2) An enumerator who contravenes sub-rule (1) commits an offence and is liable, on summary conviction to a fine not exceeding five hundred dollars, and, in addition, to forfeiture of his right to payment for his services as an enumerator.

25. Documents to be forwarded to the Supervisor of Elections. The enumerator, shall, at such times as the Supervisor of Elections may direct, deliver to him or any person authorized by him, any or all documents used by the enumerator in the performance of his duties.

26. Oath of enumerator on completion of work. On the completion of his work, the enumerator shall take an oath in the form set as Form No. 14 in the Second Schedule.

27. Enumeration at Parliamentary Elections Constituency Office. For the purposes of this Part, enumeration may be conducted at a Parliamentary Election Constituency Office, save, and except for where this is done, the provisions under the Rules relating to enumeration shall apply.

PART III

REGISTRATION OF ELECTORS

28. Form of current list. The names in each current list, shall be arranged primarily in alphabetical order, according to the initial letters of surnames, according to Form No. 1 in the Schedule II, or in strict order of house number according to Form No. 2 in the Schedule II as determined by the Supervisor of Elections, or according to such other form as may be prescribed, and shall be numbered consecutively beginning with the number one.

29. Continuous registration. The Supervisor of Elections shall prepare, or cause to be prepared for each polling division in every constituency, pursuant to the provisions of the Act, a current list of all persons who are qualified and registered as electors in the polling division in each constituency.

30. Supply of equipment to registration officers. Pursuant to section 8 of the Act, the Supervisor of Elections shall supply to each registration officer, a computer, a digital scanner, a digital camera, a digital signature pad, a digital fingerprint reader, and such other equipment or documents as may be necessary for the performance of his duties.

31. Access to System. (1) Subject to sub-rule (2), no person, save and except the Supervisor of Elections, the Assistant Supervisor of Elections, the Computer System Administrator, or any person acting in the capacity of the persons mentioned herein, shall have access to the System.

(2) A registration officer shall have limited access to the System, for the purpose of conducting registration at the Parliamentary Elections Constituency Office.

(3) All voter registration information and the necessary particulars that are required, pursuant to the provisions of this Act and the Rules, shall be electronically entered into the System by the registration officer, at the time the information is provided to him, by the person who makes a request to be registered as an elector.

(4) The Supervisor of Elections shall provide such equipment, documents, particulars and support to a registration officer as may be required, to ensure that the registration officer conducts his duties in relation to registration, in accordance with the provisions of the Act and these Rules.

32. Maintenance of information in System. The Supervisor of Elections shall be responsible for ensuring that the information in the System is maintained in the manner provided for in the Act and these Rules, and that the information in relation to a person, is only deleted in such manner as authorized by the provisions of this Act and these Rules.

33. Persons requesting registration. Subject to the provisions of the Act and these Rules, where a person makes a request for registration, and the registration officer is satisfied that such person is entitled to be registered as an elector, he shall proceed to register the applicant, in the manner prescribed in the Act and these Rules.

34. Registration officer to enter registration information and documents into System. (1) Pursuant to Rule 33, upon the acceptance of a request for registration, the

registration officer shall enter the personal information of the applicant, and such particulars provided for under section 8 of the Act, into the System.

(2) The particulars referred to under sub-rule (1), shall be scanned onto the System, and shall form part of the official record of such person in relation to his registration.

35. Taking of fingerprint. (1) The registration officer shall require a person who makes a request to be registered, to have his fingerprint taken digitally in the manner provided for in sub-rule (2), except where the person has no hands or has no fingers on either hand.

(2) The fingerprint of a person shall be taken as follows—

- (a) with his right and left index finger;
- (b) with any other finger in place of an index finger, should he not have an index finger; or
- (c) with any other two fingers in place of the index finger, should he not have an index finger.

(3) Where a person has no hand or finger on either hand, the registration officer must make and sign a declaration, in the prescribed manner, to that effect, and such declaration shall be submitted to the Supervisor of Elections, who shall then make the appropriate adjustments to the System to have the person registered.

(4) Where the fingerprints of a person cannot be read by the digital fingerprint pad, the registration officer shall make and sign a declaration, in the prescribed manner, to that effect, and such declaration shall be submitted to the Supervisor of Elections, who shall then make the appropriate adjustments to the System to have the person registered.

36. Taking a digital signature and digital photograph.

(1) The registration officer shall require the taking of the digital signature of a person, who makes a request to be registered.

(2) Where a person has no hands or is unable to effect a digital signature due to illiteracy or some form of physical disability, the registration officer must make and sign a declaration to that effect, and such declaration shall be submitted to the Supervisor of Elections, who shall then make the appropriate adjustments to the System to have the person registered.

37. Registration officer to issue record of registration.

(1) When having completed the registration process in accordance with Rules 33, 34, 35 and 36, the registration officer shall—

- (a) print a record of registration which shall be automatically generated from the System; and
- (b) require the person being registered, unless he is unable to do so by reason of illiteracy or physical disability, to read the record of registration and sign it, after satisfying himself that the contents thereof are correct.

(2) Where a person who is being registered is unable to read, the registration officer shall read to him, and where practicable, in the presence of another person, the contents of the record of registration, and the registration officer shall thereafter prepare a declaration, in the prescribed form, to that effect.

(3) The record of registration issued pursuant to this Rule, shall be presented by a person to the Registration Officer where the person, who has been registered, goes to the Parliamentary Constituency Elections Office where he was registered to collect his voter identification card.

38. Preparation of voter identification card. (1) On receipt of an electronic record of registration, digital photograph, digital signature and digital fingerprint of a person who has been registered, the Supervisor of Elections, shall cause to be prepared, a voter identification card, (which shall be prescribed), in accordance with the Act, in respect of such person, including his name and voter registration number.

(2) The Supervisor of Elections shall cause a voter identification card provided in accordance with sub-rule (1), to be laminated.

39. Issuance of card. Prior to the issuance of a voter identification card to a person who has been registered in accordance with these Rules, the Supervisor of Elections shall require or cause to be required the person to have his fingerprint taken in the manner prescribed in Rule 35.

40. Correction of clerical errors. The Supervisor of Elections may correct or cause to be corrected any clerical error on any registration record.

41. Address, occupation and sex to be inserted. (1) Opposite each name in the current list, shall be inserted, the occupation (if any) and sex of the person whose name appears therein, and the address at which the person was resident during the enumeration period or continuous registration period.

(2) The names, addresses, occupations and sex of all electors who are included in a current list, shall be written up according to Form No. 1 or Form No. 2 in the Schedule II.

(3) There shall be a separate letter or letters in the register of electors for each constituency.

(4) Subject to the provisions of Rule 29—

(a) the names of each polling division shall be arranged in alpha-numerical order;

(b) the names in the register of electors shall be numbered so far as reasonably practicable, consecutively, with a separate series of numbers of each polling division;

(c) in such other manner as may be considered expedient.

(5) The Governor-General may, by Order published in the *Gazette*, vary the provisions of sub-rule (4), in such manner as he deems expedient, for the purpose of ensuring that, so far as practicable, the dates by which any steps are to be taken or any work is to be completed to the Act, are adhered to.

42. Registration equipment to be kept safe. A registration officer shall not permit, or cause to permit, any person, to have unlawful access to his computer or any other equipment used for the purposes of registration.

43. Certified addendum lists to be sent to Supervisor of Elections. Five days before the appointed quarterly date, the registration officer shall certify the addendum list in the form set out as Form No. 13 in the Schedule II, and he shall transmit the list to the Supervisor of Elections not later than the following day.

44. Current lists to be checked. The Supervisor of Elections shall, on receipt of the current list from the Registration Officer, prepare and complete or cause to be prepared and completed, not later than thirty-five (35) days after the appointed day, four copies each of such lists in respect of each polling division.

45. Penalty. An employee of the Parliamentary Elections Office who wilfully and without reasonable excuse, omits from the current list, the name of any person entitled to have his name entered therein, or enters in the said list, the name of any person who is not entitled to have his name entered therein, commits an offence, and is liable, on summary conviction, to a fine not exceeding ten thousand dollars, or to a term of imprisonment not exceeding six months.

46. Publishing Addendum. (1) The Supervisor of Elections, on the appointed quarterly date, or as soon thereafter as can be reasonably done, shall cause a certification copy of the addendum in each constituency to be published.

(2) The Supervisor of Elections shall, cause at the time of publishing the addendum under sub-rule (1), a notice to be published specifying the places where the current list can be seen.

47. Inviting claims and objections regarding lists. (1)

The registration officer shall, at the time of publishing the current list referred to in Rule 46, publish a notice in the form set out as Form No. 15 in the Schedule II, inviting claims and objections regarding such list.

(2) The notice referred to in sub-rule (1), shall specify the manner by which claims and objections in respect of the current list may be made, and the address of the registration officer.

48. Addendum list to be published. The registration officer shall, at the same time as publishing the current list under Rule 46, and at the same places, publish the addendum list for each constituency.

49. Claims to be delivered or posted to registration officer. Any person who claims to be entitled to be registered as an elector, may make a claim to be registered as an elector, and who is not entered in the current list, may make a claim to be registered, by sending to the registration officer, a claim in the form set out as Form No. 16 in Schedule II. The Claimant shall deliver the form or transmit it to the registration officer.

50. Notice of objection to registration. (1) Any person whose name appears on any of the current lists for a constituency, may object to the registration of any person whose name is included in those lists, by sending to the registration officer, notice of objection in the form set out as Form No. 17 in the Schedule II.

(2) The registration officer shall immediately forward a copy of the notice of objection to the person objected to, by registered post.

(3) Form No. 17 in Schedule II shall consist of a postcard in duplicate.

51. Notice of objection to claims. Any person whose name appears on any of the current lists for a Constituency, may object to the registration of any person who claims under Rule 49, to be entitled to be registered, by sending notice of objection to the registration officer, in the form set out as Form No. 17 in the Schedule II.

52. A claim or objection at any time. A claim to be included in the lists, or an objection to any name in the list under Rule 49 or 50, may be made at anytime.

53. Names on more than one list. Any elector whose name appears on more than one current list, and who is aware of that or made aware of that, shall forthwith notify the registration officer, in the form set out as Form 18 in the Schedule II, of the polling division in which he elects to have his name retained.

54. Correcting name or particulars. Any person whose name appears on the lists in an incorrect manner or with other incorrect particulars, may claim to have his name registered correctly or those other particulars corrected, by sending or delivering to the registration officer, a claim in the form set out in Form No. 19 in the Schedule II.

55. Effecting change of address or name. After publication of the current list, a person whose name appears in any list for a constituency who has—

- (i) changed his name; or
- (ii) changed his address within the constituency, or changed his address to an address in another constituency;

may notify the registration officer, and claim to have the change effected, by sending or delivering to the registration officer, a claim in the form set out as Form No. 20 or Form No. 21 in Schedule II, as the case may be.

56. Notice to persons affected by objections. The registration officer shall, immediately after receiving any notice of objection, send a notice in the form set out as Form No. 22 in Schedule II, to the person, in respect of whose registration the notice of objection is given, and notice in the form set out as Form No. 23 in the Schedule II.

57. List of claims and objections. The registration officer shall keep separate lists of claims and objections, and shall, on receipt of a claim or objection, forthwith enter in the appropriate list, the name and address of the claimant or objector or the person, in respect of whom the objection is made.

58. Publication of claims to insertion. It shall be the duty of the registration officer to publish, not later (than 40 days after) the last past quarterly date, in the form set out as Form No. 24 in Schedule II, a list of persons living in the respective polling divisions, who claim that their names should be inserted in, or that other corrections should be made to, the lists. Such lists shall remain published until such claims are determined in accordance with these Rules.

59. Publication of claims to registration. It shall be the duty of the registration officer to publish, not later than 40 days after the last quarterly date, a list of the names of persons appearing in the lists in the respective polling divisions, to whose registration notice of objection has been given, in the form set out as Form No. 25 in Schedule II. Such list shall remain published until the publication of the next list and such objections are determined in accordance with these Rules.

60. Posting up list of objections to claims. It shall be the duty of the registration officer to publish, not later than 30 days after the last quarterly date, in the form set out as Form No. 25 in Schedule II, a list of the names of persons claiming under Rule 36 to be entitled to be registered in the respective polling divisions, to whose registration notice of objection has been given. Such list shall remain published until the publication of the next list, and such objections are determined in accordance with these Rules.

61. Consideration of objections. (1) The registration officer shall consider all objections of which notice has been given to him in accordance with these Rules, and for that purpose, give at least five clear days notice by registered post to the objector, and to the person in respect of whose registration the notice of objection has been given, of the time and place at which the objection will be considered by him.

(2) Where the registration officer is of the opinion that the particulars given in an objection are insufficient, he may ask the objector for further information, requiring that such further information be provided to him within seven days, and he may take no further action until such further information is supplied.

(3) Where further information asked for by the registration officer under sub-rule (2), is not received by him within seven days stipulated by that sub-rule, no further action needs to be taken by him in respect of the objection to which it relates.

(4) Where the registration officer is of the opinion that no further information need be asked for by him under sub-rule (2), he shall proceed to examine such objection as referred to sub-rule (2).

(5) Where the registration officer is thus determining an objection without asking for further information, or after receiving the further information asked for by him under sub-rule (2)–

- (i) if he considers that the objector is not entitled to object, he may disallow the objection, and shall so inform the objector and the person objected to;
- (ii) if he considers, that the objection should not be allowed, because the particulars given in support of the objection are not sufficient to sustain the objection, he may disallow the objection, and shall so inform the objector and the person objected to; and
- (iii) if he considers that the objector is entitled to object, and that particulars given in support of the objection are sufficient to sustain the objection, he may uphold the objection, and shall so inform the objector and the person objected to.

62. Consideration of claims. (1) The registration officer shall consider all claims of which notice has been given to him in accordance with these Rules, and for that purpose, give at least five clear days notice by registered post to the claimant, of the time and place at which the claim will be considered by him.

(2) The registration officer shall not refuse to deal with any claim, notice or objection, purely on the basis that the correct form has not been issued.

(3) When the registration officer is of the opinion that the particulars given as a claim are insufficient, he may ask the claimant for further information, requiring that such further information be supplied by the claimant within seven days of such further information being asked for by him, and he need not take any further action until such information is supplied.

(4) Where further information asked for by the registration officer under sub-rule (3), is not received by him within seven days stipulated by that sub-rule, no further action need be taken by him in respect of the claim.

(5) When notice of objection has been given in respect of a claim, Rule 41 shall apply to such notice of objection.

(6) Where the registration officer is of the opinion that no further information need be asked by him under sub-rule (3), he shall proceed to determine the claim without asking for further information, and when the registration officer is thus determining a claim, without asking for further information or after receiving the further information asked for by him, under sub-rule (3)–

- (i) if he considers that the claimant is not entitled to make the claim, he may disallow the claim and shall so inform the claimant, in the form set out as Form No. 26 in Schedule II, copying same to any person who objected to the claim;
- (ii) if he considers that the claim should not be allowed, because the particulars given in support of the claim are not sufficient to sustain the claim, he may disallow the claim and shall so inform the claimant, in the form set out as Form No. 26 in the Second Schedule, copying same to any person who objected to the claim;

- (iii) if he considers that the claimant is entitled to make the claim and that the particulars given in support of the claim are sufficient to sustain the claim, he may uphold the claim and shall so inform the claimant, in the form set out as Form No. 26 in the Second Schedule, copying same to any person who objected to the claim.

63. Principles regarding the hearing of applications, claims and objections. (1) On the hearing of an objection, claim, or application for registration under Rule 61 or 62, or other representation or matter—

- (a) the registration officer may summon such witnesses as he considers necessary, and may order the production of any document that he deems necessary;
- (b) the registration officer shall permit all persons who, in his opinion, are interested in the hearing, to appear before him and be heard;
- (c) a person appearing at the hearing, may appear either in person or may be represented by any other person;
- (d) the registration officer may, either at the request of any person interested in the hearing, or without such request, require that the evidence by any person at such hearing be given upon oath or affirmation, and may administer the necessary oath, or cause the necessary affirmation to be made in his presence; and
- (e) no person shall make any statement upon oath or affirmation that he knows to be false or does not believe to be true.

(2) A registration officer shall make and keep a record of all evidence taken and all documents produced during the hearing of an objection, claim, application for registration or other matter, and shall submit to the Supervisor of Elections, such records and all documents produced, together with his decision and his reasons thereof.

64. Corrections of lists by way of addendum list. (1) The registration officer shall, on a continuous basis, make such additions to and corrections of the lists as are required, in order to carry out his decisions regarding any objections, claims or applications for registration heard by him under Rule 61 or 62; remove duplicate entries subject to any expressions of choice by persons affected as to those entries, remove the names of persons who are dead or subject to any legal incapacity; rectify clerical errors, and otherwise ensure that those lists are complete and accurate as a register, in accordance with the requirements of the Act.

(2) Corrections shall be effective on the date of correction, and shall be contained in an addendum to the current list, and shall be merged with the current list and published as the current list on the next quarterly date, or as soon thereafter as can be reasonably done.

65. Objection to correction. Where the registration officer makes any correction in the lists otherwise than in pursuance of a claim, objection, application for registration or for the purpose of correcting a clerical error, he shall give notice in the form set out as Form No. 28 in Schedule II, to the person affected by the correction, and allow that person an opportunity of objection to the correction, and of being heard with respect thereto.

66. Correction of lists. The Supervisor of Elections shall make all the necessary corrections to the lists, and do everything necessary, in time to allow the publication of the lists so corrected, as required by these Rules.

67. Posting of Current List. (1) The Supervisor of Elections shall certify in the form set out, two current lists and addendum list prepared in accordance with these Rules, and shall, 10 days before the next quarterly date, deliver or cause to be delivered to the registration officer one set of lists, and retain the other set in the office of the Supervisor of Elections for inspection by the public. It shall be the duty of the Supervisor of Elections, on the application of any person during business hours and upon payment of the prescribed fee to furnish or cause to be furnished, such person with copies of the list at any time on, or after, the relevant quarterly date.

(2) The Supervisor of Elections shall cause the addendum list to be merged with the current list, and a new current list published and printed on the quarterly date, or as soon thereafter as can be reasonably done.

68. Description of polling division. On a date to be determined by the Supervisor of Elections, the Supervisor of Elections shall transmit to the returning officer, a description of the boundaries of each polling division for which the registration officer is responsible. On completion of his revision, the Supervisor of Elections shall transmit to the returning officer, the set of current lists for those polling divisions.

69. Insertion of names in printed lists. If after the current list has been printed and an election has been called, and the Supervisor of Elections has reasonable cause to believe that the name of any elector which has been included in the addendum or earlier current list for any polling division has, through inadvertence, been omitted from the current list for that division, the Supervisor of Elections shall ascertain, by reference to the relevant lists and the enumerators index book for that polling division, or the duplicate thereof, whether the omission of that name has in fact occurred. If the omission is verified, he shall insert copies of the printed list, the name, address and occupation of the elector concerned, and initial the corrections. He shall then return the corrected copies to the returning officer for the constituency concerned. He shall also notify the person whose name was omitted of the insertion.

70. Deletion of name from printed list. (1) If, during the period between publication of any list for use in elections and polling day, the Supervisor of Elections has reasonable cause to believe, that there appears upon any list, the name of any person who is not qualified for inclusion in such list, or that any insertion that has been made under Rule 69 of these Rules, is in respect of a person who is not entitled to be included in such list, he shall hold a special review to investigate such case.

(2) The Supervisor of Elections shall give at least 5 days notice, or such notice as is reasonably practicable to such persons, of the time and place at which the special revision will

take place, and at such time and place, consider the eligibility of such person to be included in the list. If he decides that the name of such person should not be included in the list, he shall delete such name therefore, and initial the deletion on all undistributed copies of the list. He shall notify the returning officer of all such deletions.

(3) If printed lists have already been distributed, the returning officer shall accordingly notify the persons whom he believes to be likely to be nominated as candidates for the relevant constituency, or who have actually been nominated, and the presiding officer of the polling division concerned.

71. Appeals from registration officer to Supervisor of Elections. (1) Any person aggrieved by the decision of a registration officer under Rule 61, 62, 63, 64 or 65, may appeal to the Supervisor of Elections within 7 days of being notified of the decision.

(2) The provision of Rule 63 shall apply to the hearing of such appeals by the Supervisor of Elections, as those provisions apply to the hearing before the registration officer.

(3) If the Supervisor of Elections grants or disallows an appeal, he shall accordingly notify the appellant, in a notice of decision in the form set out as in Schedule II, copying same to the registration officer and any other person whom he considers to be affected by his decision. He shall keep a duplicate copy of such notice, together with the other papers relative to the appeal.

(5) Where the decisions of the Supervisor of Elections requires an alteration to any list, he shall himself make such alteration, and give such directions as are necessary and shall, after making such alterations, notify same to the registration officer, the applicant, and any other person whom he considers to be affected by his decision.

72. Appeals from the Supervisor of Elections to the Court. (1) An appeal lies to the Judge in Chambers, (hereinafter referred to as "the Court"), from any decision of the Supervisor of Elections on any objection, claim, application

for registration or other matter heard by the Supervisor of Elections on appeal under Rule 71, or other matter done by him.

(2) Appeals from the Supervisor of Elections to the Court under sub-rule (1), shall be governed by section 25 of the Act.

(3) Any person appearing to the Court to have a sufficient interest in the matter, may appeal to the Court under Rule 53, against any decision reached or action taken by the Supervisor of Elections.

73. Alteration to list made or certified by the Supervisor of Elections. Any alteration required to any list which is required—

- (a) to carry out the registration officer's decision with respect to any claim or objection;
- (b) to carry out the decision of the Supervisor of Elections, or the decision of the Court with respect to any claim or objection;
- (c) to correct any clerical error;
- (d) to correct any misnomer or inaccurate description of any person, his occupation or address;
- (e) to delete the name of any person whom the Supervisor of Elections is satisfied is dead, may be made by the Supervisor of Elections; or if required to be made by another person, shall need to be certified by the Supervisor of Elections.

74. Further alteration to lists. (1) Where it appears to the Supervisor of Elections, that it is necessary to make any alteration other than an alteration under Rule 73, to a list, in order to ensure that no person shall be incorrectly or improperly registered, or registered in more than one list, or registered when not entitled, he shall send to the person to be

affected by the alteration, a notice stating the proposed alteration, and shall give him an opportunity within three days from the date of such notice of selecting, where entitled to do so, the qualifying address in respect of which he is registered, or of objecting to the alteration and, if necessary, of appearing before him and being heard in accordance with the provisions of Rule 63, and subject to Rule 72.

(2) At the expiry of the three days referred to in sub-rule (1), the Supervisor of Elections shall make such alteration as seems to him to be necessary.

75. Correction of current list. (1) Subject to Rule 72, if the Supervisor of Elections is satisfied that the names of electors have been inadvertently omitted or incorrectly recorded during the process of preparing the current list, he may add to such list, the names of the electors omitted or correct the errors, as the case may be, by means of a statement of changes duly certified by him. In like manner, he may remove from the current list for a particular polling division, the name of any person who is not registered as an elector for such polling division.

(2) Corrections to be made by addition and deletion on the addendum, are to be published at the next quarterly date, unless use of the addendum is not possible, in which case the Supervisor shall make amendments directly to the relevant list.

76. Notice. (1) When the Supervisor of Elections intends to proceed under Rule 74 or 75, he shall publish a notice of his intention to do so. Such notice shall give five clear days' notice, or such notice as is reasonably practicable, of the time and place at which he intends to proceed, and shall specify the nature of the alteration intended by him.

(2) Any person wishing to object to the making of any alteration by the Supervisor of Elections may object, in writing, to the Supervisor of Elections. If any person so objects, but the Supervisor of Elections still proceeds to make the alteration, that person may appeal to the Court, in accordance with Rule 72.

77. Publication of Register. (1) The Supervisor of Elections shall publish the register of electors, by making a copy available for inspection at his address, and at the address of the registration officer for the constituency to which it relates, and by making copies of the relevant part of the register of electors available for inspection as soon as practicable, on at least two public buildings within the polling division or constituency, and shall be responsible for ensuring that such copies are displayed therein, by posting in a prominent place.

(2) If there are no public buildings in the respective polling division or constituency, the Registration or Election Officer shall post-up, or affix the document or notice, on at least two other buildings within that polling division or constituency, but only after first obtaining permission from the occupants of such buildings to do so.

(3) Every register so published shall constitute the register of electors for the constituency to which it relates, and shall be used at the elections to which it relates.

(4) The register of electors shall be kept published until it is replaced by a revised register or, as the case may be, by a new register.

78. Posting of Register. A copy of the register or electors, shall on publication, be furnished by the Supervisor of Elections, to the Public Library, Court Houses, Post Offices, Police Stations, Medical Stations and Revenue Offices for inspection by the public.

79. Destroying or defacing documents. If any person without lawful authority destroys, defaces, removes or makes any alteration in, any notice published by a registration or election officer in connection with his registration duties, or any copies of a document which have been made available for inspection in pursuance of these Rules, he shall be liable, on summary conviction, to a fine of five hundred dollars or to imprisonment for six months, or to both such fine and imprisonment.

80. Duty of registration officer to supply forms. A registration officer shall, without fee, on the application of any person, supply forms of claims, applications, objections or notices thereof.

81. Supply of copies of claims, objections and lists. (1) A registration officer shall, on the application of any person, allow that person to inspect, and take extracts from, or on payment of the prescribed fee, supply to that person, copies of the lists for any registration unit in his constituency, and any claim, application or objection or notice thereof made under these Rules.

(2) The Supervisor of Elections shall, on request, supply to any person, copies of any part or parts of the register of electors, so long as there are sufficient copies available, allowing for the number which he considers may be required for official purposes, including the purposes of any election, on payment of a fee of one dollar for each polling division, together with an additional fee of five cents for each hundred, or part of a hundred, names in such copy.

(3) Where a document is made available for inspection, any person may make a copy of, or take extracts from that document.

82. Mode of notices. (1) Any claim, objection, application for registration, or other representation which is under these Rules to be sent to an election officer, shall be in writing, in the stipulated form where prescribed, and may be sent to the officer by registered post, addressed to him at his office or delivered by hand to him or at his office.

(2) Where an election officer is required by these Rules to notify any person of any thing, such notification shall be in writing, in the stipulated form where prescribed, and may be delivered by hand to him or sent him by registered post, at the address furnished by him for the purpose of such notification, or if there is no such address, at the last known place of abode of that person.

83. Computation of time. Where the last day of time allowed by these Rules for any matter falls on a Sunday, bank holiday or day appointed for public thanksgiving or mourning, that time shall be extended until the end of the following day which is not one of the days earlier mentioned.

84. Duty to give information. (1) The Supervisor of Elections, a registration officer, an assistant registration officer or an enumerator may require any employer, any householder, or any person owning or occupying any land or premises, in the case of a registration officer, assistant registration officer or enumerator within his constituency or polling division as the case may be, or the agent of such on person, to give information in his possession which the Supervisor of Elections, the registration officer, the assistant registration officer or enumerator may require for the performance of his respective duties.

(2) Any person who fails to give information required under sub-rule (1), or knowingly gives false information, commits an offence pursuant this Rule.

85. Power to request production of documents. (1) The Supervisor of Elections, an enumerator or a registration officer or an assistant registration officer, before registering any person as an elector may, if he thinks it necessary—

- (a) require that person to, either produce a birth certificate or, if that is not practicable, to make a statutory declaration as to the date of his birth; or
- (b) require that person to produce a certificate of naturalization, or to make a statutory declaration that he is a citizen of Grenada or otherwise a Commonwealth citizen.

(2) Where a declaration under sub-rule (1) is so required, no fee shall be paid thereon.

(3) The registration officer shall, during office hours, allow any person to inspect and take a copy of any declaration made pursuant to sub-rule (1).

86. False statement punishable. Any person who in the course of preparation of any list, makes before a registration officer, an assistant registration officer, an enumerator, or the Supervisor of Elections, any statement upon oath, or any solemn affirmation which he knows to be false, or does not believe to be true, commits an offence, and upon summary conviction thereof, shall be liable to be imprisoned for a term not exceeding twelve months.

87. Operation of document not be affected by a misnomer or inaccurate description. No misnomer or inaccurate description of any person or place in any register of electors list, list of claims or objections, or in any notice given under the Act or these Rules, shall affect the operation of that document with respect to that person or place, in any case where the description of that person or place is such as to be commonly understood.

88. Publication of documents and notices. Unless otherwise provided by these Rules, where an election officer is, by these Rules, required to publish any document or notice, he shall publish the document or notice by—

- (i) publishing the document or notice in the *Gazette*, and in at least one newspaper circulating regularly in the State;
- (ii) posting-up or affixing a copy of the document or notice on the prescribed buildings in his polling division or constituency as the case may be;
- (iii) making a copy of the document or notice available for inspection by the public in his office, or in the office of the registration officer; and
- (iv) if he thinks fit, using any additional means which is, in his opinion, desirable for the purpose of bringing the contents of the document to the attention of those for whom the information in the document or notice is intended.

(2) The prescribed buildings referred to in sub-rule (1) (ii), shall be Court Houses, Post Offices, Police Stations, Medical Stations, Revenue Offices, or such other public building as seem fit to the registration or election officer.

(3) Notwithstanding sub-rule (2), if there are no public buildings in the respective polling division or constituency, the registration or election officer shall post-up or affix the document or notice on other buildings, but only after first obtaining permission from the occupants of such buildings to do so.

89. Document not invalidated by failure to publish. Any failure to publish a document in accordance with these rules need not invalidate the document, but the provisions of this paragraph shall not relieve the relevant officer from any penalty for that failure.

90. Replacement of Voter Identification Card. (1) Where a voter identification card has been defaced, damaged, lost or destroyed, an application for the issue of a substitute identification card may be made by the person to whom it relates, in the prescribed form, and in the case of a defaced or damaged identification card, such identification card shall be attached to and submitted by the applicant with the application form, and every applicant shall submit a nominal fee of \$5.00.

(2) The application shall be delivered to either the Supervisor of Elections, or the registration officer of the constituency in which such person resides.

(3) The registration officer shall, on receipt of any application under sub-rule (2), forward such application to the Supervisor of Elections.

91. Re-issuance of Voter Identification Card. The Supervisor of Elections, on being satisfied that the application is genuine, and that all the requirements under these Rules have been fulfilled, and the prescribed fees have been paid, shall cause to be prepared for the applicant(s) registration record, another identification card in accordance with the Act and these Rules.

92. Failure to obey summons or order, unlawful destruction etc. of documents. (1) A person who fails to obey any summons issued or order made by virtue of Rule 63(a), or who contravenes that Rule, commits an offence.

(2) A person who, without lawful authority, destroys, defaces, removes or makes any alteration, in any documents published under these Rules, commits an offence.

93. Penalty. A person who commits an offence under these Rules, is liable, on summary conviction, to a fine of five hundred dollars or to imprisonment for six months, or to both such fine and imprisonment, unless some other penalty is provided for by a particular Rule.

94. Registration or election officer causing thing to be done. (1) Where an election officer is, by these Rules, required to do anything, it shall be sufficient compliance with these Rules for him to cause such thing to be done, unless otherwise provided

(2) Notwithstanding sub-rule (1), an election officer who arranges to be caused to be done under sub-rule (1), what thing he is required by these Rules to do, is himself personally responsible if that thing is not done or is not properly done, and as such, is himself liable to incur any penalty relating thereto”.

Passed by the House of Representatives this 20th day of October, 2011.

RAPHAEL DONALD
Acting Clerk to the House of Representatives.

Passed by the Senate this 3rd day of November, 2011.

RAPHAEL DONALD
Acting Clerk to the Senate.

GRENADA