

REPRINT OF THE ELECTIONS ORDINANCE

In exercise of the power conferred on me under section 56 of the Interpretation Ordinance, I, **NIGEL DAKIN**, Governor of the Turks and Caicos Islands, hereby authorise the Elections Ordinance (Cap. 1.05) and subsidiary legislation made under it to be reprinted with all the necessary additions, omissions, substitutions and amendments effected by amending Ordinances as at 14 December 2020.

DATED this 21st day of December, 2020.

NIGEL DAKIN
GOVERNOR

Reprinted with the authority of the Governor under section 56 of the Interpretation Ordinance (Cap. 1.03)

REPRINT



TURKS AND CAICOS ISLANDS

CHAPTER 1.05 ELECTIONS ORDINANCE and Related Legislation

Reprint
showing the law as at 14 December 2020

This is a reprint of the law, prepared under the authority of the Governor under section 56 of the Interpretation Ordinance.

This reprint contains a consolidation of the following laws—

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ELECTORAL DISTRICTS (BOUNDARIES AMENDMENT) ORDINANCE	69
Ordinance 23 of 2012 .. in force 21 August 2012	

No Subsidiary Legislation has been made under this Ordinance



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**CHAPTER 1.05
ELECTIONS ORDINANCE**

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CHAPTER 1.05

ELECTIONS ORDINANCE

(Ordinances 14 of 2012, 3 of 2016, 18 of 2016, 31 of 2016 and 29 of 2020)

AN ORDINANCE TO REGULATE ELECTIONS, AND FOR CONNECTED PURPOSES.

Commencement

[18 May 2012]

PART I

PRELIMINARY

Short title

1. This Ordinance may be cited as the Elections Ordinance.

Interpretation

2. (1) In this Ordinance—

“all Islands district” means the single electoral district established by section 45(2)(a) of the Constitution; *(Amended by Ord. 29 of 2020)*

“by-election” means an election other than a general election;

“central location” means the place notified pursuant to section 31(2) for the recount of the votes in an election for the all Islands district;

“Constitution” means the Constitution of the Turks and Caicos Islands set out in Schedule 1 to The Turks and Caicos Islands Constitution Order 2011;

(S.I. 2011/1681);

“counting agent” means a counting agent appointed by a candidate under section 37(1);

(Inserted by Ord. 3 of 2016)

“election” means an election of a member or members to serve in the House of Assembly;

“election documents” means the documents which the returning officer is required by section 54(2) to transmit to the Supervisor after an election;

“election officer” includes the Supervisor, every returning officer, Presiding Officer, poll clerk or other person having any duty to perform pursuant to this Ordinance, to the faithful performance of which duty he may be sworn;

“electronic poll book” means the electronic device in which the name and other particulars of every person registered to vote are consecutively entered by the poll clerk as soon as the person’s right to vote at the polling station has been ascertained and before any such applicant is allowed to vote;

(Inserted by Ord. 29 of 2020)

“electronic tabulating system” means the use of a machine for casting, scanning and tabulating of ballots and reporting of voting results by electronic means; *(Inserted by Ord. 29 of 2020)*

“elector” means a person who votes or is entitled to vote at an election of members of the House of Assembly;

“electoral district”—

(a) means an electoral district as defined in the Electoral Districts (Boundaries) Ordinance;

(b) does not include, unless expressly so provided or the context so requires, the all Islands district;

“independent candidate” has the meaning given in section 27(7);

“manual voting system” means the method of casting and tabulating ballots by hand and the culmination and reporting of voting results by hand; *(Inserted by Ord. 29 of 2020)*

“official list of voters” means the list provided pursuant to section 36(2)(c);

“polling agent” means a polling agent appointed by a candidate under section 37(1); *(Inserted by Ord. 3 of 2016)*

“poll book” means the book in the form set out as Form No. 16 in Schedule 1 in which the name and other particulars of every person registered to vote are consecutively entered by the poll clerk as soon as the person’s right to vote at the polling station has been ascertained and before any such person is allowed to vote; *(Inserted by Ord. 29 of 2020)*

“poll clerk” means a polling clerk appointed by the Supervisor under section 34(1); *(Inserted by Ord. 3 of 2016)*

“polling day” means the day fixed for holding the poll at an election, or any other day to which the poll is adjourned;

“polling division” means a polling division constituted in accordance with section 5 and to which the whole or a part of the register of voters for a polling division is allotted;

“polling station” means a room secured by the returning officer for the taking of the votes on polling day and to which the whole or a part of the register of voters for a polling division is allotted;

“Presiding Officer” means a Presiding Officer appointed by the Supervisor under section 33(1); *(Inserted by Ord. 3 of 2016)*

“qualifying date” means the date appointed under section 9 as the date with reference to which the qualifications of persons for registration as electors for the purpose of the election of members of the House of Assembly are to be ascertained;

“rejected ballot paper (manual voting system)” when using the manual voting system, 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; *(Substituted by Ord. 29 of 2020)*

“rejected ballot paper (electronic tabulating system)” when using the electronic tabulating system, 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 the electronic tabulating system cannot count it as a valid vote;

(Substituted by Ord. 29 of 2020)

“relief agent” means a relief agent appointed by a candidate under section 37(1);

(Inserted by Ord. 3 of 2016)

“returning officer” means in relation to an electoral district, the officer appointed by the Governor in that behalf under section 6;

“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;

“Supervisor” means the Supervisor of Elections appointed under section 97 and 104 of the Constitution and any public officer authorised by the Supervisor to act on his behalf in the performance of his duties under this Ordinance;

“voter” means any person who votes or is entitled to vote at an election;

“voting symbol” means the voting symbol assigned to a political party or an independent candidate under section 28;

“writ” means the writ for an election.

(2) Where in this Ordinance—

(a) any notice, list or any other instrument is required to be published, then unless the contrary intention appears in any section, the publication of the notice, list or other instrument shall be made by posting the same on the door of any court house, church, chapel, schoolhouse 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 notice, list or other instrument may be posted in a conspicuous place; and

(b) any paper, list or report is required to be printed under this Ordinance, such paper, list or report may, instead of being so printed be represented or reproduced by means of a typewriter, photocopy, computer print-out or other similar apparatus or by any other method by which words, figures and signs may be represented or reproduced in visible form.

(3) In this Ordinance, any notice or other document required or authorised to be given or sent by the Supervisor is deemed to have been received by the

person to whom it is given or sent if it is sent to the person by registered post to the place where the person resides or to his last known residence.

Residence

3. (1) For the purposes of this Ordinance, a person is resident in a place if—
 - (a) for a period of more than six months in the period of twelve months immediately preceding the date of the person's application for registration as an elector the person used the place as a home (whether or not continuously); or
 - (b) in the case of a person who, in such a period of twelve months, uses two or more places as a home, the person uses the place as a home (whether or not continuously) for the greater part of that period.
- (2) A person who is detained in legal custody at a place is not by virtue of that resident at that place.
- (3) A person referred to under section 12(1)(b) shall for the purposes of this Ordinance be deemed to be resident at his last known address in the Islands.

PART II

ELECTORAL DISTRICTS AND REGISTRATION OF VOTERS

Supervisor of Elections

4. The Supervisor of Elections 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 this Ordinance;
 - (b) issue to election officers such instructions as may from time to time be deemed necessary to ensure effective execution of this Ordinance; and
 - (c) execute and perform all other powers and duties which by this Ordinance are conferred and imposed upon him.

Polling divisions

5. (1) Each electoral district shall be a polling division.
- (2) Notwithstanding subsection (1), the Supervisor, with the approval in writing 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. Every such notice shall be published in the *Gazette*.
- (3) The Supervisor may in like manner from time to time vary the number, descriptions and boundaries of any polling division so appointed.
- (4) In determining the boundaries of any polling division, the Supervisor 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 returning officers

6. (1) The Governor may on the recommendation of the Supervisor appoint a fit and proper person to be the returning officer for—

(a) the all Islands district; and

(b) each of the ten electoral districts mentioned in section 45(2)(b) of the Constitution. (*Amended by Ord. 29 of 2020*)

(2) The Governor may on the recommendation of the Supervisor appoint a fit and proper person to be an assistant returning officer for a polling station.

(3) On his appointment each returning officer or assistant returning officer must—

(a) take and subscribe an oath in the form set out as Form No. 12 in Schedule 1; and

(b) send the oath to the Supervisor.

(4) For the purpose of any provision of this Ordinance relating to the nomination of persons to be candidates for election for the all Islands district, a reference to the returning officer includes a reference to a returning officer appointed under subsection (1)(b) acting in the district for which he is so appointed as an assistant returning officer for the all Islands district.

Taking of oaths

7. (1) Every election officer and every person who is required by this Part or Part III to take an oath may take such oath either before a Magistrate, a Justice of the Peace, the Supervisor or before any returning officer or Presiding Officer or poll clerk appointed in accordance with this Ordinance and every such Magistrate, Justice of the Peace, returning officer, Presiding Officer, poll clerk and the Supervisor is hereby authorised and empowered to administer any oath required by this Part 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 this Part or Part III may elect to make a solemn affirmation instead of taking such oath.

Remuneration of officers

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

Qualifying date

9. (1) For the purposes of this Ordinance, the qualifying date for registration as an elector where the poll for an election is held in the period of twelve months following 1 March in any year is—

- (a) unless paragraph (b) or (c) applies, 30 November in the preceding year;
- (b) in the case of a person who, after 30 November but on or before the date of the poll, attains the age of eighteen, the date on which the person attains the age of eighteen; or
- (c) in the case of a person who, after 30 November but on or before the relevant date, is granted the status of Turks and Caicos Islander by virtue of section 132(2) of the Constitution, the relevant date.

(2) In subsection (1)(c), the relevant date is the date the person is granted the status of Turks and Caicos Islander, provided it is not less than thirty days before the date of the poll.

Preparation of Register of Electors

10. (1) As soon as practicable after the commencement of this section the Supervisor must, in accordance with this Part, prepare the Register of Electors containing the names of persons who are qualified to be registered as electors under section 55 of the Constitution.

(2) The Register of Electors is to be framed in separate parts for each electoral district.

(3) With a view to the preparation of the Register of Electors, the Supervisor shall—

- (a) receive and consider applications from persons entitled to be registered as electors;
- (b) have prepared and published electors lists showing the persons appearing to him to be entitled to be registered together with their qualifying addresses; and
- (c) determine all claims for registration made by any person, and all objections to a person's registration duly made by another person appearing from the elector's list in the same electoral district, including claims and objections asking for omission, insertion or alteration of a date on which a person will become eighteen years and entitled to be treated as a an elector. (*Substituted by Ord. 29 of 2020*)

Registration of electors

11. (1) A person who on the qualifying date is qualified to be an elector may apply to the Supervisor for registration.

(2) An application made under this section must—

- (a) be in the form set out as Form No. 1 in Schedule 1;
- (b) be accompanied by the following—
 - (i) proof of the residential address stated in the duly completed Form No. 1; and
 - (ii) proof of identification; and

(c) be signed by the applicant.

(Substituted by Ord. 29 of 2020)

(3) If the Supervisor is satisfied that the person is qualified as mentioned in subsection (1) the Supervisor must register the person in the electors list for the electoral district in which he is resident. *(Amended by Ord. 18 of 2016)*

(4) The Supervisor must not register a person in more than one electoral district.

(5) Before registering a person as an elector, the Supervisor may, if he thinks it necessary, require the person to produce documentary evidence relating to his entitlement to be registered.

(6) Any person who knowingly—

(a) makes a statement in an application form which is false in a material particular; or

(b) submits a document in support of the application which is false in a material particular or which has been altered without lawful authority,

commits an offence and is liable on summary conviction to a fine of \$1,000 and to imprisonment for a term of three months.

Registration of electors resident overseas

12. (1) This section applies to a person—

(a) who is qualified to be registered as an elector; and

(b) who, at the time when the person makes an application for registration, is resident outside the Islands for a reason mentioned in subsection (2).

(2) The reasons are—

(a) the person is a member of Her Majesty's Forces;

(b) the person is working abroad on Government business;

(c) the person is a student resident abroad.

(3) An application for registration must—

(a) be in the form set out in Form No. 1 in Schedule 1, and

(b) be signed by the applicant.

(4) The person must send the completed application to the Supervisor along with such documents as the Supervisor requires to establish the person's qualification to be registered.

(5) For the purpose of subsection (2)(b), a person is working abroad on government business if he is employed by or engaged pursuant to a contract with the Government to carry out duties in a place outside the Islands.

(6) For the purpose of subsection (2)(c), a person is a student resident abroad if he is engaged in a course of study which requires him to attend for not less than 10 hours per week at an educational establishment situated outside the Islands and—

- (a) if his attendance at the course is wholly or mainly paid out of public funds, he produces a letter from the Permanent Secretary responsible for education that the course is approved by the Government; or
- (b) in any other case, he produces—
 - (i) a current enrollment letter from an educational establishment;
 - (ii) receipts indicating payments of tuition fees;
 - (iii) an affidavit sworn before a Notary Public by a student, confirming attendance at the educational establishment; or
 - (iv) any other proof as may be required by the Supervisor.

(Substituted by Ord. 29 of 2020)

Notification of change of particulars

12A. (1) Where there is a change in the registered particulars of an elector, the elector shall within thirty days from the date of such change, give notice to the Supervisor in the form set out as Form. No. 1A in Schedule 1.

(2) On receipt of the notification under subsection (1), the Supervisor shall amend the register accordingly.

(Inserted by Ord. 29 of 2020)

Transfer of registration

12B. (1) Where an elector moves from an electoral district in which he is presently registered and the elector has resided in another electoral district for a period of more than six months, the elector shall notify the Supervisor and apply for transfer of his registration to the electoral district with which he has moved to, not later than 31 December of every year.

(2) An elector shall make an application to transfer his registration in the form set out as Form No. 1B in Schedule 1.

(3) Upon receipt of the notification and application referred to in subsection (1), the Supervisor shall transfer the elector's registration particulars to the register of the electoral district he has moved to, by the date of publication of the electors lists every year, but not later than the date of publication of the electors lists which is the final list published for an election year.

(Inserted by Ord. 29 of 2020)

Annual publication of lists

13. (1) The Supervisor shall publish not later than 31 January in every year the electors lists by making a copy available for inspection at his office and by making copies of the electors lists relating to each electoral district available for inspection in those districts at such times and places as the Supervisor specifies by notice published in such manner as the Supervisor thinks most likely to come to the attention of members of the public.

(2) The list published under subsection (1) is to include entries relating to the persons to whom section 9(1)(b) applies.

(3) This section does not apply in the case of a person to whom section 9(1)(c) applies.

Notice of claims and objections

14. (1) The Supervisor shall at the time of publishing the electors lists publish a notice in the form set out as Form No. 2 in Schedule 1 specifying the manner in which and the time within which claims and objections in respect of the electors lists may be made.

(2) The notice referred to in subsection (1) shall be published in the way the Supervisor thinks best calculated to bring it to the attention of the electors.

(3) A claim or objection shall be delivered to the Supervisor not later than fourteen days from the date of publication of the lists.

Forms of claims and objections

15. (1) A person who is qualified to be included in the electors lists whose name or particulars have been omitted or wrongly stated may make a claim for himself, or the claim may be made on his behalf by another person, in the form set out as Form No. 3 in Schedule 1. (*Substituted by Ord. 29 of 2020*)

(2) A person whose name appears in the electors list in the same electoral district may object to any other person whose name also appears therein as not being entitled to have his name therein, in the form set out as Form No. 4 in Schedule 1. (*Substituted by Ord. 29 of 2020*)

(3) Where an elector is likely to be temporarily absent from the Islands he may appoint in writing in the form set out as Form No. 5 in Schedule 1 and in the prescribed manner another person to act as agent on his behalf for the purpose of making a claim.

(4) The Supervisor shall make claims and objections available for inspection in his office and at a suitable location in each electoral district (in such manner and at such times as he thinks appropriate) until the completion of the hearing of claims and objections.

(5) Where a person is appointed to act as an agent under subsection (3), the person must submit to the Supervisor—

- (a) the completed Form No. 5 as mentioned in that subsection; and
- (b) an affidavit sworn before a Notary Public by the person who made the appointment.

(6) A person commits an offence if he knowingly—

- (a) makes a statement in a claims form or an objections form which is false in a material particular; or
- (b) submits a document in support of a claims form or objections form which is false in a material particular or which has been altered without lawful authority.

(7) A person who commits an offence under subsection (6) is liable on summary conviction—

- (a) to a fine of \$1,000; and

(b) to imprisonment for a term of three months.

Preliminary disposal of claims and objections

16. (1) If the Supervisor is of the opinion that —

- (a) the particulars given in a claim or objection are insufficient, he may ask for further information or take no further action until such information is supplied;
- (b) a claim may be allowed without a hearing, he may allow the claim, provided that no objection is made to it, and shall so inform the person making the claim;
- (c) the objector is not entitled to object, he may disallow the objection and shall so inform the objector; or
- (d) a claim or objection cannot be allowed because the particulars given in a claim or objection do not entitle the claimant or objector to succeed—
 - (i) he may send to the person making the claim or objection a notice stating his opinion, the grounds for it and that he intends to disallow the claim or objection unless the person gives the Supervisor notice within three days from the date of the Supervisor's notice that he requires the claim or objection to be heard; and
 - (ii) if the Supervisor receives no such notice within the time referred to in subparagraph (i), he may disallow the claim or objection.

(2) The Supervisor shall, unless he allows or disallows the claim or objection under subsection (1), send a notice in the case of a claim, to the person making the claim and, in the case of an objection, to the objector and the person objected to, stating the time and place at which he proposes to hear the claim or objection, and the notice sent to a person objected to shall also state the name and address of the objector and the grounds of the objection.

(3) The time fixed for the hearing of a claim or objection shall not be earlier than ten days after the date of the notice referred to in subsection (2).

(4) The Supervisor shall make available for inspection at his office and at a suitable location in each electoral district until completion of the hearing of claims and objections, the lists of claims and objections together with the time and place at which he proposes to hear any claim or objection.

Hearing of claims and objections

17. (1) Each of the following is entitled to appear and be heard—

- (a) on the hearing of a claim, the person making the claim and any person who has duly made an objection to it;
- (b) on the hearing of an objection, the objector and the person objected to; and
- (c) on the hearing of either, any other person who appears to the Supervisor to be interested.

(2) The right to appear and be heard includes the right to make written representations.

(3) Any person entitled to appear and be heard may do so either in person or by any other person on his behalf.

(4) The Supervisor may, at the request of a person entitled to appear and be heard, or if he thinks fit, without such a request, require that the evidence tendered by any person shall be given on oath and may administer an oath for the purpose.

(5) Unless the prior approval of the Supervisor is obtained, a person must not use any electronic communication equipment or device during a hearing under this section.

(6) Subject to this section, the Supervisor may regulate the proceedings at the hearings.

(7) A person commits an offence if, at a hearing under this section he conducts himself in such a manner as to disrupt the proceedings at the hearing.

(8) A person who commits an offence under subsection (5) or (7) is liable, on summary conviction, to a fine of \$1,000 or to imprisonment for a term of six months, or to both.

Appeals to the elections adjudicators

18. (1) An appeal lies to the elections adjudicators from any decision of the Supervisor on—

- (a) a claim for registration, or
- (b) an objection to a person's registration.

(2) An appeal does not lie if the person seeking to challenge the decision of the Supervisor has not availed himself of the right to be heard by or make representations to the Supervisor.

(3) Notice of the appeal must be given to the adjudicators not later than fourteen days after the making of the decision complained of, in the form set out as Form No. 5A in Schedule 1, and the adjudicators shall set down the appeal for hearing within fourteen days of receiving the notice of appeal. (*Amended by Ord. 29 of 2020*)

(4) Except as otherwise provided in this section, section 17 shall apply *mutatis mutandis* to the hearing of appeals as they apply to hearings of claims and objections.

(5) The decision of the adjudicators shall be final and conclusive.

(6) The Governor, acting in his discretion, shall appoint two elections adjudicators, one of whom must have local knowledge, provided that no person shall be qualified to be appointed if he is or has been within the preceding three years—

- (a) an elected or appointed member of the House of Assembly;
- (b) the holder of any office in any political party; or
- (c) a political activist.

Corrections to the electors lists

19. The Supervisor shall make any alteration to the electors lists which is required—

- (a) to carry out his decision with respect to any claim or objection;
- (b) to carry out the decision of the elections adjudicators with respect to an appeal;
- (c) to correct any clerical error;
- (d) to correct any misnomer or inaccurate description; or
- (e) to delete the name of any person who he is satisfied to be dead.

Pre-registration

20. In the case of a person who qualifies for registration by virtue of section 9(1)(b)—

- (a) the person's entry in the Register shall give the date on which he attains the age of eighteen; and
- (b) until the date given in the entry, the person is not by virtue of the entry to be treated as an elector for any purposes other than the purposes of an election at which the day fixed for the poll is on or after that date.

Publication of the Register

21. (1) The Governor must publish the Register of Electors—

- (a) as soon as possible after the conclusion of hearings of claims and objections; and
- (b) in any event, not later than 31 March in each year.

(2) The Register is published—

- (a) by making a copy of the Register available at the Governor's office for inspection; and
- (b) by making copies of the part of the Register relating to each electoral district available for inspection as soon as practicable at the place at which copies of the part of the electors list were made available for inspection under section 13. (*Amended by Ord. 29 of 2020*)

(3) If an appeal against the decision of the Supervisor is pending before the elections adjudicators, the Governor must not publish the part of the Register affected by the appeal.

(4) Where subsection (3) applies—

- (a) until the day following that on which that part of the Register is published, the corresponding part of the Register published in the preceding year continues to have effect, and
- (b) this Ordinance has effect in relation to the election and the district to which the corresponding part relates as if the qualifying date by

reference to which that part was prepared were the qualifying date for the registration of electors for the election.

(5) The Register of Electors must continue to be published until the publication of the next Register.

(6) Except as provided in subsection (4), the Register of Electors published in any year is to be used for elections at which the date fixed for the poll falls within the period of twelve months starting on 1 April in that year.

Correction of Register

22. (1) Subsection (2) applies if the Register of Electors as published does not carry out the Supervisor's intentions—

- (a) to include the name of a person shown in the electors lists as a person entitled to be registered; or
- (b) to give effect to a decision on a claim or objection made with respect to the electors lists.

(2) The Supervisor must, on becoming aware of a fact referred to in subsection (1)—

- (a) make the necessary correction in the Register; and
- (b) inform the Governor accordingly.

Adaption of electors lists, etc.

23. Where, consequent upon a review of the electoral district boundaries, an alteration is made to the electoral district boundaries—

- (a) the Governor may direct that the Register of Electors be adapted to the alterations; and
- (b) if the alteration takes place between the publication of the electors lists and the publication of the Register of Electors prepared from those lists, the form of the Register of Electors shall be framed in accordance with the alterations.

Duty of officials to furnish information

24. (1) The Registrar of Births, Deaths and Marriages shall provide to the Supervisor every month a list containing the name, address, date of birth and sex of each deceased person aged seventeen years or older.

(2) The Chief Medical Officer shall within thirty days of the event provide to the Supervisor the name, address, date of birth and sex of every person who has been certified to be insane or who has otherwise been judged to be of unsound mind under any law in force in the Islands.

(3) The Superintendent of Prisons must, on the first day of each month provide to the Supervisor a list of all persons on that day serving a sentence of imprisonment for twelve months or more.

(4) In the case of a person who is disqualified by or under any law in force in the Islands from being registered as an elector by reason of having been convicted of an offence relating to elections, each of the following must, not less

than thirty days after the date of the disqualification, send to the Supervisor the name of the person—

- (a) the Clerk of the Magistrate's Court, if the disqualification is imposed by that court;
- (b) the Registrar of the Supreme Court, if the disqualification is imposed by that court; and
- (c) the Commissioner of Police, in every case.

Electoral registration cards

25. (1) The Supervisor must issue to each elector registered in the Register of Electors an electoral registration card.

(2) The electoral registration card must contain the following particulars—

- (a) the elector's registration number;
- (b) date of registration;
- (c) full name;
- (d) place and date of birth;
- (e) sex of elector;
- (f) home address;
- (g) signature of elector;
- (h) signature of Supervisor.

(3) The electoral registration card may also contain a chip or other device for storing information electronically or digitally.

(4) The information stored electronically or digitally may include information capable of recording (when used with a device at a polling station) when a voter has voted at an election.

(5) If the Supervisor is notified by an elector of a change of name or address, he shall (on the return to him of the currently valid registration card) issue a new registration card containing the amended particulars.

(6) Without prejudice to subsection (1), the Governor may by regulations authorise the use of a card issued for another purpose to be used as an electoral registration card.

(7) A card which is so authorised—

- (a) must contain the information specified in subsection (1);
- (b) may contain a chip or other device as mentioned in subsection (2);
and
- (c) may have the capability mentioned in subsection (4).

(8) This section does not have effect until such day as the Governor appoints by proclamation published in the *Gazette*.

PART III

ARRANGEMENTS FOR ELECTIONS

Issue of writs for holding elections

26. (1) For the purpose of every election of members of the House of Assembly, the Governor must issue writs under the Public Seal addressed to the returning officers of the respective electoral districts for which members are to be returned.

(2) The writs are to be forwarded to the Supervisor for transmission to the returning officers.

(3) Every writ must be in the form set out as Form No. 6 in Schedule 1 and must specify—

- (a) the day (being not less than fourteen working days from the date of receipt of the writ) and place of nomination of candidates;
- (b) the day on which, if necessary, the poll is to be held (being not less than twenty-one days after the date of nomination); and
- (c) the day on or before which the writ is to be returned to the Governor.

(4) Upon receipt of the writ, the returning officer must hold the election in the manner provided by or under this Ordinance.

Notice of place and time of nomination

27. (1) On receiving the writ, every returning officer shall publish a notice in the form set out as Form No. 7 in Schedule 1 of the day and place fixed for the nomination of candidates.

(2) The notice shall be published at least five working days before the day fixed for the nomination.

(3) Nomination papers shall be provided by the returning officer and shall be in the form set out as Form No. 8 in Schedule 1.

(4) On the day and at the place so fixed for the nomination of candidates every returning officer shall attend between the hours of 10 a.m. and 1 p.m. and between the hours of 2 p.m. and 4 p.m. and receive the nomination of any duly qualified candidate for the seat to be filled.

(5) Each 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 the 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 Electors relating to the relevant electoral district.

(6) Where a candidate is endorsed by a political party and wishes to have the name of that party shown in the election documents relating to him, there shall be delivered to the returning officer along with his nomination paper a

letter from or on behalf of the chairman of the party stating that the candidate is endorsed by the party.

(7) A candidate in respect of whom subsection (6) is not satisfied (in this Ordinance referred to as an “independent candidate”) shall be described in the election document relating to him by the word “independent”.

(8) If at 4 p.m. in an electoral district on the day fixed for nomination of candidates only one candidate has been nominated for the seat to be filled the returning officer shall declare the nominated candidate elected and shall thereafter certify by endorsement on the writ the return of such candidate in the form set out as Form No. 9 in Schedule 1 and shall return the writ so endorsed to the Supervisor for transmission to the Governor within the time specified for that purpose.

(9) If at 4 p.m. in the all Islands district on the day fixed for nomination of candidates the number of candidates nominated equals the number of seats to be filled, the returning officer shall declare the nominated candidates elected and shall thereafter certify by endorsement on the writ the return of the candidates in the form set out as Form No. 10 in Schedule 1 and shall return the writ so endorsed to the Supervisor for transmission to the Governor within the time specified for that purpose.

(10) A candidate duly nominated may, not less than three clear days after the close of nominations, withdraw from his candidature by giving notice to that effect, signed by him, to the returning officer, and any votes cast for the candidate who has so withdrawn shall be null and void:

Provided that no candidate may withdraw if on such withdrawal there is not at least one other duly nominated candidate in the electoral district for which he is to be returned.

(11) Subject to subsection (13) when a candidate has withdrawn, is disqualified by a Court or dies after the ballots are printed, the returning officer shall advise by letter, fax or email each Presiding Officer of his constituency of such withdrawal or death and, when time permits, shall distribute to each Presiding Officer a printed notice of the withdrawal or death; and on polling day each Presiding Officer shall post up a copy of the printed notice of withdrawal or death in a conspicuous place in his polling station.

(12) If time does not permit for the printing and the distribution of a notice referred to in subsection (11), the Presiding Officer, upon being advised by a letter, fax or email by the returning officer of the withdrawal, disqualification or death of a candidate, shall himself prepare by hand a notice to that effect and post it up in a conspicuous place in his polling station; and in either case the Presiding Officer shall, when delivering a ballot to each voter, inform such voter of the withdrawal, disqualification or death of the candidate.

(13) If, after the withdrawal, disqualification or death of a candidate, there remains—

- (a) in the case of an electoral district other than the all Islands district, only one candidate, the returning officer shall return as duly elected the candidate so remaining without waiting for the day fixed for holding the poll; and

(b) in the case of the all Islands district, fewer candidates than there are vacancies, the returning officer shall return as duly elected the candidates so remaining without waiting for the day fixed for holding the poll.

(14) A by-election must be held if, following the death, disqualification or withdrawal of a candidate—

(a) in the case of an electoral district other than the all Islands district, no candidates remain; and

(b) in the case of the all Islands district, fewer candidates remain than there are vacancies.

(15) A person commits an offence who in a nomination paper knowingly makes a statement which is false in a material particular and is liable, on summary conviction, to a fine of \$1,000 and to imprisonment for three months.

Voting symbols

28. (1) On or before the day fixed for nomination of candidates under section 27, the secretary or other officer of a political party or an independent candidate may certify and file with the Supervisor a notice of request to use a particular voting symbol, which notice shall be in the form prescribed in Schedule 2.

(2) Within forty-eight hours after the close of nominations the Supervisor may allot a voting symbol to each candidate in such election:

Provided that the same symbol shall be allotted to each candidate of the same political party.

(3) The allocation of voting symbols to each candidate shall be at the discretion of the Supervisor, but in exercising such discretion due cognizance shall be taken of the duly notified desire of a political party or independent candidate to use a political symbol.

Deposit

29. (1) A candidate for election, or someone on his behalf, shall deposit with the Treasury, on or before the day of his nomination, the sum of \$500 and, if he fails to do so, the nomination of such candidate shall not have effect.

(2) The full amount of every deposit made under subsection (1) shall forthwith after its receipt be transmitted by the returning officer to the Permanent Secretary, Finance.

(3) If the deposit is made on behalf of the candidate the person making the deposit must satisfy the returning officer as to his identity and provide the returning officer with his full name and address.

(4) If after the deposit is made the candidature is withdrawn in accordance with section 27(11) the deposit shall be returned by the Permanent Secretary, Finance to the person by whom it was made; and if the candidate dies after the deposit is made and before the taking of 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. (*Amended by Ord. 29 of 2020*)

When deposit forfeited or returned

30. (1) If a candidate who has made a deposit referred to in section 29 is not elected and the number of votes polled by him does not exceed 1/8 of the total number of votes polled, the amount deposited shall be forfeited to the Crown; and in any other case the deposit shall be returned by the Permanent Secretary, Finance 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 purposes 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.

31. (1) A poll must be taken on the day specified in the writ if—

- (a) in an electoral district (other than the all Islands district) there is more than one candidate duly nominated; or
- (b) in the all Islands district there are more candidates duly nominated than the number of vacancies to be filled.

(2) The returning officer shall publish a notice in the form set out as Form No. 11 in Schedule 1 specifying—

- (a) the day and time on which and the locations of the polling stations in the electoral district at which the poll will be taken;
- (b) the names, addresses and occupations of the candidates nominated for election;
- (c) the place where and the date and time when the number of votes given to the several candidates for the electoral district will be counted; and
- (d) in the case of the all Islands district, the name and place of the central location for the purpose of a recount of the votes.

Polling stations

32. (1) On the day named in the notice published under section 31(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 determines.

(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.

(2A) Every polling station shall have a standard layout as may be determined by the Supervisor from time to time, and this layout shall provide for one entrance and one exit, where a voter shall have a one-way progression through the voting area. (*Inserted by Ord. 29 of 2020*)

(3) Unless the writ otherwise directs, polling stations shall be opened at 7 a.m. and shall be closed at 7 p.m.

(4) If there is more than one polling station in an electoral district the Supervisor must specify in writing to the Presiding Officer persons who are to vote at each polling station in the district by reference to the alphabetical order of their family names.

(5) At the poll for the election of members for the all Islands district and for the election of a member for another electoral district—

- (a) a polling station opened in that district is also a polling station for the all Islands district;
- (b) subsection (2) applies as if the returning officer for the other electoral district were the returning officer for the all Islands district; and
- (c) a voter must vote in the election for the all Islands district in the polling station in which, pursuant to subsection (4), the voter is required to vote in the election for the member for the other electoral district.

Presiding officers

33. (1) The Supervisor must, subject to the approval of the Governor, appoint a Presiding Officer to attend at each polling station—

- (a) to receive the votes; and
- (b) to regulate the voting process in the polling station.

(2) No person shall be appointed as a Presiding Officer who has been employed by or on behalf of a candidate in or about the election or who is or has been within the preceding four years—

- (a) an elected or appointed member of the House of Assembly; or
- (b) the holder of any office in any political party.

(3) Forthwith upon his appointment, every Presiding Officer shall take and subscribe an oath in the form set out as Form No. 13 in Schedule 1 and shall transmit such oath to the Supervisor.

Poll clerks

34. (1) The Supervisor shall, subject to the approval of the Governor, appoint a poll clerk for every polling station.

(2) No person shall be appointed as a poll clerk who has been employed by or on behalf of a candidate in or about the election or who is or has been within the preceding four years—

- (a) an elected or appointed member of the House of Assembly; or
- (b) the holder of any office in any political party.

(3) Forthwith upon his appointment, every poll clerk or person appointed to act as a poll clerk shall take and subscribe an oath in the form set out as Form No. 14 in Schedule 1 and shall transmit such oath to the Supervisor.

(4) If a 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.

(5) If a 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.

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

Ballot boxes: manual voting system (*Substituted by Ord. 29 of 2020*)

35. (1) Where the manual voting system is used, the Supervisor shall supply to each returning officer a number of ballot boxes not less than the number of polling stations in his electoral district. (*Amended by Ord. 29 of 2020*)

(2) Every ballot box—

(a) must be made of durable material;

(b) must have a lock and key or some other device to ensure that it can be kept securely closed;

(c) must have a slit or narrow opening in the top; and

(d) must be so constructed that the ballot papers may be inserted in it but cannot be withdrawn from it unless the box is unlocked or the other securing device is removed.

(3) The ballot boxes supplied for use in relation to the election of members for the all Islands district must be of a different colour from those supplied for use in the election of members for the other electoral districts.

(4) The ballot boxes supplied for use in relation to the election of members for the all Islands district and for use in the election of members for the other electoral districts must not be of a colour associated with a political party.

(5) The ballot boxes supplied for use in relation to the election of members for the other electoral districts must be labelled for each electoral district.

Electronic tabulating machines

35A. (1) The Supervisor shall supply to each returning officer a number of electronic tabulating machines not less than the number of polling stations in his electoral district.

(2) Each machine shall have a ballot box attached to it, which ballot box must have a lock and key or some other device to ensure that it can be kept securely closed.

(3) Every machine must have a slit or narrow opening on the top through which ballot papers may be inserted into the machine.

(4) Every machine must be constructed that—

(a) the contents of the attached ballot box cannot be removed without detaching the ballot box from the machine; and

- (b) a seal can be used to seal the opening to prevent any person inserting any ballot papers into the ballot box following the close of poll.

(Inserted by Ord. 29 of 2020)

Supplies of election material

36. (1) Where the manual voting system is used, the returning officer shall provide each Presiding Officer with a ballot box and such number of ballot papers as in the opinion of the returning officer may be necessary. *(Amended by Ord. 29 of 2020)*

(1A) Where the electronic tabulating system is used, the returning officer shall provide each Presiding Officer with an electronic tabulating machine and such number of ballot papers as in the opinion of the returning officer may be necessary. *(Inserted by Ord. 29 of 2020)*

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

- (a) a statement showing the number of ballot boxes provided with their serial numbers;
- (b) the necessary materials to enable voters to mark the ballot papers;
- (c) one copy of the Register of Electors (certified by the returning officer, hereinafter called “the official list of voters”) relating to the electoral district to which he is appointed; *(Amended by Ord. 29 of 2020)*
- (d) a blank poll book or where the electronic tabulating system is used, an electronic poll book, in the form set out in Form No. 16 of Schedule 1, showing only the names, occupation, addresses and date of birth of the voters; *(Substituted by Ord. 29 of 2020)*
- (e) at least five copies of the directions for the guidance of voters—
- (i) for the manual voting system, in the form set out as Form No. 15 in Schedule 1; and
- (ii) for the electronic tabulating system, in the form set out as Form No. 15A in Schedule 1. *(Substituted by Ord. 29 of 2020)*
- (f) the several forms of oaths to be administered to voters or other persons; and
- (g) such other things as may be necessary for conducting the election in the manner provided by this Ordinance.

Polling and counting agent

37. (1) Each candidate may, before the commencement of the poll, appoint—

- (a) a polling agent and up to two relief agents to attend to a polling station; and
- (b) one counting agent to attend at the counting of the votes.

(Substituted by Ord. 3 of 2016)

(2) An agent may be appointed on behalf of more than one candidate.

(3) In the application of subsection (1) to the election of members for the all Islands district, if more than one candidate is standing for election in the name of a political party only one polling agent and counting agent may be appointed for all of the candidates standing in the name of the same party.

(4) 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, not less than five clear days before the taking of the poll.

(5) The Supervisor, acting in his discretion, may declare an agent so appointed not to be a suitable person to exercise the responsibilities of a candidate's agent whereupon the said appointment shall become null and void.

(6) Any candidate whose appointment of an agent has become null and void in accordance with subsection (5) is entitled to appoint a new agent in accordance with this section.

Where relief agent appointed

38. (1) A relief agent may take the place of the polling agent when the polling agent leaves the polling station, however only one agent can remain present inside the polling station at a time.

(2) Of the agents appointed under section 37(1)(a), whoever is inside the polling station is the polling agent of the candidate for the time being, and shall have the same rights and responsibilities as given to a polling agent.

(3) A polling agent shall not be allowed to be substituted by his relief agent after 6 p.m.

(Inserted by Ord. 3 of 2016)

Taking of poll and the ballot

39. (1) The poll shall be taken in each electoral district by secret ballot in accordance with sections 43 to 49.

(2) Where the manual voting system is used, the ballot of each voter, in the case of election of members for the electoral districts, is to be a printed paper in the form set out as Form No. 17 in Schedule 1 (in this Ordinance called a ballot paper) in which the names, occupations, residences and voting symbols (if any) of the candidates alphabetically arranged in the order of their surnames and numbered accordingly must be printed exactly as they are set out in the nomination paper.

(Substituted by Ord. 31 of 2016 and Amended by Ord. 29 of 2020)

(3) Where the manual voting system is used, the ballot of each voter, in the case of election of members for the all Islands district, is to be a printed paper in the form set out as Form No. 18 in Schedule 1 (in this Ordinance called a ballot paper) in which the names of the political parties in alphabetical order, followed by the independent candidates and the names, occupations and voting symbols (if any) of the candidates alphabetically arranged in the order of their surnames and numbered accordingly must be printed exactly as they are set out

in the nomination paper. (*Inserted by Ord. 31 of 2016 and Amended by Ord. 29 of 2020*)

(3A) Where the electronic tabulating system is used, the ballot of each voter shall be a printed paper in the form set out as Form No. 18A (in this Ordinance called “a ballot paper”)—

- (a) in the case of election of members for the electoral districts, the electoral district, in which the names, occupations, residences and voting symbols (if any) 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; and
- (b) in the case of election of members for the all Islands district, in which the names of the political parties in alphabetical order, followed by the independent candidates and the names, occupations and voting symbols (if any) of the candidates alphabetically arranged in the order of their surnames and numbered accordingly must be printed exactly as they are set out in the nomination paper.

(Inserted by Ord. 29 of 2020)

(4) Each ballot paper is to have a number printed on the back and is to have attached to it a counterfoil with the same number printed on the back, and there is to be a line of perforations between the ballot paper and the counterfoil.

(5) The Supervisor shall, by notice published in the *Gazette*, designate the colour on which the ballot paper is to be printed.

(Inserted by Ord. 3 of 2016)

(6) The ballot papers for the all Islands district must be printed on paper of a different colour from that used for ballot papers for the other electoral districts.

(7) The paper on which the ballot paper is printed must also contain a security marking or device, such as a watermark.

(8) The paper on which the ballot paper is printed must not be of a colour associated with a political party.

(9) No political party or independent candidate may associate itself or himself with a colour designated by the Supervisor as the colour of the paper on which the ballot paper is to be printed.

(10) A voting symbol allotted by the Supervisor under section 28 shall be inserted in the appropriate place on Form No. 17 and Form No. 18:

Provided that where no symbol is allotted for an independent candidate, the word “Independent” or “IND” shall be inserted in the place opposite the candidate’s name. (*Amended by Ord. 31 of 2016*)

Priority voting at general election

39A. (1) The Supervisor may, on the day of taking a poll, give the following persons priority in voting—

- (a) if the voter is 70 years or older;

- (b) if the voter has a physical incapacity or blindness;
- (c) if the voter being a police officer, doctor, nurse or emergency medical technician is required to be working on polling day;
- (d) if the voter is a person serving a sentence of imprisonment who is qualified to vote;
- (e) in the midst of a pandemic, if the voter has tested positive to a disease or has been placed under quarantine by order of the Chief Medical Officer; or
- (f) if a voter is a candidate in the election.

(2) For the avoidance of doubt, “priority” means affording the persons listed at subsection (1) to vote without entering a queue, or allocating a certain time, on polling day, when these persons may vote, as the Supervisor may determine.

(Inserted by Ord. 29 of 2020)

Inspection of polling station

40. Each Presiding Officer shall, on or before the day fixed for taking the poll, visit the polling station and see that it is provided with proper conveniences as aforesaid for taking the poll.

Where voter shall vote

41. (1) A person is not entitled to vote in a polling division unless his name appears on the official list of voters for the electoral district in which the polling division is situated.

(2) Every person whose name appears upon the official list of voters for an electoral district is 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 may 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.

(3) In a case where there is on the same day an election for the all Islands district and an election for another district, the proviso to subsection (2) applies separately in respect of each election.

(4) A person who contravenes this section commits an offence and is liable on summary conviction in respect of each contravention to a fine of \$2,000 or to imprisonment for a term of six months, or to both.

Restriction of voting

42. (1) In an election for a member of the House of Assembly to represent one of the ten electoral districts established by section 45(2)(b) of the Constitution a person must vote for only one candidate. *(Amended by Ord. 29 of 2020)*

(2) In an election for a member or members of the House of Assembly to represent the all Islands district, a person may vote—

- (a) in a general election, for not more than five candidates; and
- (b) in a by-election, for not more than the number of candidates that equals the number of vacancies.

Use of Manual and electronic tabulating system

42A. The manual voting system or electronic tabulating system may be used for general elections or in any other election under this Ordinance.

(Inserted by Ord. 29 of 2020)

Testing of electronic tabulating system

42B. (1) Where the electronic tabulating system is to be used for general elections, on any day not more than ten days prior to the advance poll of an election day, the Supervisor shall conduct the testing of the electronic tabulating system to ascertain that the machine will be without error and count the votes cast for each candidate and on all measures.

(2) A public notice of the time and place for the testing of the electronic tabulating system under subsection (1) shall be provided by the Supervisor at least forty-eight hours prior to such testing, by publication or announcement in designated media services of general circulation in the Islands.

(3) Upon testing of the electronic tabulating system the Supervisor shall certify the accuracy of the test and such test shall be open to representatives of political parties, members of the press and the general public.

(4) Where any error is detected upon the testing of the electronic tabulating system, the cause for such error shall be ascertained and corrected, and an errorless count shall be made before the electronic tabulating system is approved for use in the election.

(5) For the purposes of this section the electronic tabulating system shall be tested with or without the use of electricity.

(Inserted by Ord. 29 of 2020)

Proceedings at general poll: manual voting system *(Substituted by Ord. 29 of 2020)*

43. (1) At the time fixed for the opening of the poll the Presiding Officer and the poll clerk must, in the presence of such of the candidates, their agents and the voters as are present—

- (a) open the ballot box; and
- (b) ascertain that there are no ballot papers or other papers in it.

(2) Having done so, the Presiding Officer must—

- (a) secure the ballot box either by locking it and keeping safe the key or attaching to the box such other device as is mentioned in section 35(2); and
- (b) place the box on a table in full view of all present.

(3) The ballot box must be kept in that place until the close of the poll.

(4) Immediately after the ballot box is locked or otherwise secured closed and placed on the table, the Presiding Officer must call on the voters to vote.

(5) The Presiding Officer must—

- (a) secure the admittance of every voter to the polling station (subject to section 44(1)); and
- (b) ensure that they are not impeded or molested at or about the polling station.

Proceedings at general poll: electronic tabulating system

43A. (1) Where the electronic tabulating system is used, the process under section 43 shall apply, subject to the necessary modifications as set out in this section.

(2) At the time fixed for the opening of the poll the Presiding Officer and the poll clerk must, in the presence of such candidates, their agents and the voters as are present, unlock the electronic tabulating machine to confirm that there are no ballot papers or other papers inside the ballot box attached to the machine.

(3) After the Presiding officer and poll clerk have confirmed that there are no ballot papers or other papers under subsection (2), the Presiding Officer shall in the view of the candidates, their agents and the voters present—

- (a) lock the machine and ensure the machine shall remain locked and in full view of all present until the close of the poll;
- (b) secure the ballot box attached to the machine either by locking it and keeping safe the key or attaching to the box such other device as is mentioned in section 35(2);
- (c) verify and record the serial number of the machine delivered to the polling station on a form supplied by the returning officer;
- (d) verify that the public count is zero on each machine;
- (e) verify the accuracy of the date and time on the machine;
- (f) confirm that each machine is open for voting or counting, as applicable; and
- (g) correctly insert the media stick into the machine;
- (h) record the serial number of the media stick referred to in paragraph (g) on the form supplied by the returning officer in paragraph (c), which form shall be dated and initialled by the Presiding Officer and the agents present;
- (i) at a minimum, cause each machine to generate a report for written confirmation that the public count on each machine is zero and the Presiding Officer, poll clerk and candidates or agents present shall sign the report; and
- (j) insert the report into a designated pouch and store in a secure location to be returned with elections materials.

(4) The Presiding Officer must—

- (a) secure the admittance of every voter to the polling station (subject to section 44(1)); and
- (b) ensure that they are not impeded or molested at or about the polling station.

(Inserted by Ord. 29 of 2020)

Persons who are to be admitted within polling stations

44. (1) The Presiding Officer shall—

- (a) keep order at his polling station and regulate the number of voters to be admitted at a time; and
- (b) exclude all other persons except the persons permitted to remain in the polling station by section 50.

(2) The agents for the candidates 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 in by him, but so that they cannot see how any voter votes; and they shall not interfere in the proceedings save in so far as they may be allowed by this Ordinance.

(3) If a person persists, after being warned, in disobeying the directions 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 ballot: manual voting system

45. (1) Where the manual voting system is used, when a voter enters the polling station the following procedure applies—

- (a) the voter must declare his name, address, occupation and date of birth;
- (b) the poll clerk must ascertain if the name of the voter appears on the official list of voters used at the polling station;
- (c) the voter must present his electoral registration card;
- (d) if the polling station is equipped with a device for reading the electoral registration card, the poll clerk must use the device to verify the authenticity of the card and record on the card that the voter is voting at the election;
- (e) the voter is to be allowed to vote unless an election officer or agent of a candidate present at the polling station asks for the voter first to be sworn;
- (f) if paragraph (e) applies the voter must be allowed to vote on taking the oath or affirming (as the case may be).

(2) The poll clerk must proceed to enter information in the poll book in the appropriate column as follows—

- (a) the voter's name, address, occupation, date of birth and a number corresponding to the number allotted to the voter on the official list of voters;

- (b) as soon as the voter has placed his ballot paper in the ballot box, mark that the voter has voted;
 - (c) if an oath or affirmation has been administered to the voter, record the nature of the oath or affirmation;
 - (d) if the voter has refused to take an oath or affirm when lawfully required to do so, record that fact;
 - (e) if the voter has refused to answer any question lawfully required of the voter, record that fact.
- (3) Each voter shall receive from the Presiding Officer a ballot paper.
- (4) The Presiding Officer shall—
 - (a) instruct the voter how to make his mark;
 - (b) properly fold the voter's ballot paper; and
 - (c) direct him to return it, when marked, folded as shown.
- (5) The Presiding Officer must not enquire or see for whom the voter intends to vote.
- (6) When the voter receives the ballot paper—
 - (a) he shall 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;
 - (b) he shall then fold the ballot paper as directed and show the paper to the Presiding Officer (without handing it to him), so as to show the numbers appearing on the ballot paper; and
 - (c) the Presiding Officer shall, without taking the ballot paper, ascertain by looking at the numbers appearing on the ballot paper, that it is the same paper as that delivered to the voter and, if it is the same, the voter shall place the ballot so folded in the ballot box.
- (7) A voter who has inadvertently dealt with the ballot paper delivered to him such that it cannot conveniently be used shall return it to the Presiding Officer who shall—
 - (a) cancel it by writing or stamping the word "Spoiled" across its face; and
 - (b) deliver another ballot paper to the voter.
- (8) Every voter shall vote without undue delay and shall leave the polling station as soon as his ballot paper has been put into the ballot box.
- (9) Before the coming into force of section 25, for paragraphs (c) and (d) of subsection (1) substitute—
 - "(c) the voter must produce his passport, driver's licence or such other official form of picture identification as will enable the Presiding Officer to confirm the voter's identity;

- (d) the Presiding Officer shall require the voter to have his finger to be marked with ink or a dye and shall not allow the voter to vote if the voter refuses to have his finger so marked;”.

(Substituted by Ord. 29 of 2020)

General mode of taking ballot: electronic tabulating system

45A. (1) Where the electronic tabulating system is used, the process under section 45 shall apply, subject to the necessary modifications as set out in this section.

(2) Each voter shall receive from the Presiding Officer a ballot paper in the form set out as Form No. 18A set out in Schedule 1.

(3) The Presiding Officer shall—

- (a) instruct the voter how to make his mark which shall be by shading the designated oval sign; and
- (b) direct the voter to insert the ballot paper in the electronic tabulating system.

(4) When the voter receives the ballot paper—

- (a) he shall enter one of the polling compartments in the polling station and there secretly mark his ballot paper by shading the oval sign with a pen provided for that purpose, within the space opposite the name of the candidate for whom he intends to vote; and
- (b) as directed by the Presiding Officer insert the ballot paper in the electronic tabulating system.

(5) A voter who has inadvertently dealt with the ballot paper delivered to him such that it cannot conveniently be used shall return it to the Presiding Officer who shall—

- (a) cancel it by writing or stamping the word “Spoiled” across its face; and
- (b) deliver another ballot paper to the voter.

(6) Every voter shall vote without undue delay and shall leave the polling station as soon as his ballot paper has been put into the electronic tabulating system.

(7) An electronic poll book shall be used to enter the voter’s details as specified in section 45.

(Inserted by Ord. 29 of 2020)

Close of poll: voters still to vote

46. (1) Subsection (2) applies if at the closing of the poll there are voters who are qualified to vote and have not been able to do so since their arrival at the polling station and who—

- (a) are inside the polling station; or

(b) having presented themselves at the polling station, are outside it in accordance with the Presiding Officer's decision to regulate the number of voters admitted under section 44(1).

(2) The poll must be kept open a sufficient time to enable voters described in subsection (1), and only such voters, to vote.

Questions which may be put to a voter

47. (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 the polling division?";

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

(2) The Presiding Officer must not give a ballot paper to a person who—

(a) refuses to answer either question;

(b) answers question (a) in the negative;

(c) answers question (b) in the positive.

(3) If a person knowingly makes a false statement in answer to any such question, he commits an offence and is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months, or to both.

Mode of taking ballot in special cases

48. (1) Subject to the provisions of this Ordinance 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 the form set out in Form No. 19 in Schedule 1 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, a number corresponding to the number allotted to the voter on the official list of voters and entered in the poll book or electronic poll book opposite to the name of such voter, and the poll clerk shall enter in the poll book or electronic poll book in the appropriate column of the entry relating to the voter—

(a) a note of the person having voted on a second ballot paper issued under the same name;

(b) the fact of the oath of identity having been required and taken and the fact of any other oaths being so required and taken; and

(c) any objections made on behalf of any candidate, and of which candidate.

(3) The Presiding Officer, on the request of a voter who is unable to mark his ballot by reason of incapacity from a physical cause, blindness or by reason of illiteracy, or who is unable from voting in the manner prescribed by this Ordinance, may on the request of the voter who is accompanied by a friend who

is a voter in the same electoral district as the voter, permit the friend to accompany the voter into the voting compartment and mark the voter's ballot paper for him.

(4) In a case where subsection (3) applies—

- (a) the Presiding Officer must satisfy himself as to the identity of the friend;
- (b) before accompanying the voter into the voting compartment, the friend must take an oath in the form set out in Form No. 20 in Schedule 1; and
- (c) a person must not act as a friend to more than one voter.

(5) Whenever a voter has had his ballot paper marked as provided in subsection (3), the poll clerk (in addition to any other requisite entry) shall enter in the poll book or electronic poll book in the appropriate column of the entry relating to the voter—

- (a) the reason why such ballot paper was so marked; and
- (b) record the name, occupation and address of the friend.

(Substituted by Ord. 29 of 2020)

Who may vote

49. (1) This section applies if the official list of voters contains a name, address, occupation and date of birth which corresponds so closely with the name, address, occupation and date of birth 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. *(Amended by Ord. 29 of 2020)*

(2) The person shall, upon taking the oath in the form set out as Form No. 21 in Schedule 1 and complying in all other respects with this Ordinance be entitled to receive a ballot paper and to vote.

(3) The name, address, occupation and date of birth shall be correctly entered in the poll book or electronic poll book, and the fact that the oath has been taken shall be entered in the appropriate column of the entry relating to the voter in that poll book or electronic poll book. *(Substituted by Ord. 29 of 2020)*

Who may be present

50. (1) Each of the following is entitled to remain in the polling station during the time the poll remains open—

- (a) the Presiding Officer and the poll clerk;
- (b) the Supervisor;
- (c) the returning officer of the electoral district;
- (d) the candidates;
- (e) one agent for each candidate;
- (f) a person to whom subsection (7) applies.

(2) Despite subsection (1), a candidate and his agent must not remain in the same polling station at the same time.

(3) A police officer on duty is not permitted to enter a polling station unless—

- (a) a breach of the peace or other violent disorder breaks out; or
- (b) he is requested to do so by the Presiding Officer.

(4) The agent of each candidate, on being admitted to the polling station, shall take an oath in the form set out as Form No. 22 in Schedule 1 to keep secret the name of the candidate for whom any of the voters has marked his ballot paper in his presence.

(5) 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.

(6) In the application of this section to an election for members to represent the all Islands district, references to the agent of a candidate are to be construed as references to the agent for all candidates standing in the name of the same political party.

(7) This subsection applies to a person if the Supervisor, in writing addressed to the Presiding Officer, permits the person to visit and remain in the polling station, namely—

- (a) a person appointed as an election observer; or
- (b) such other person as the Supervisor thinks fit.

Maintenance of order at polling station

51. (1) During the hours when the poll is open, a person who is not within subsection (2) must not assemble or congregate with others in the area having a radius of 150 yards from the outer walls of any building in which a polling station is situated.

(2) A person is within this subsection if he is—

- (a) a voter waiting to poll his vote at the polling station and who obeys any instructions which may be given by the Presiding Officer or poll clerk or a police officer for the purpose of forming a queue with the other voters also waiting; or
- (b) a person who may by virtue of this Ordinance lawfully enter or remain in the polling station.

(3) Subsection (2)(b) does not apply to—

- (a) a candidate, unless the candidate is waiting to vote or to relieve his agent; or
- (b) an agent, unless the agent is waiting to vote or to relieve the candidate whose agent he is.

(4) During the hours when the poll is open, a person must not enter or remain in a polling station with any electronic communication equipment or device.

(5) Subsection (4) does not apply to an official mentioned in section 50(1)(a) to (c).

(6) During the hours when the poll is open, a person must not, while within the area mentioned in subsection (1) wear or exhibit on his person any symbol or device which promotes or is associated with a political party.

(7) If a person posts or causes to be posted a sign which advertises or promotes a political party or individual candidate within view of a polling station, the person must remove the sign not later than midnight on the day before the poll.

(8) During the hours when the poll is open, an election official must not wear or exhibit on his person any colour which is associated with a political party.

(9) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months, or to both.

Interrupted elections

52. (1) Where the proceedings at a polling station are interrupted or obstructed by riot or open violence, flood, fire, outbreak of pestilence or other calamity, the Presiding Officer shall adjourn the proceedings until the following day and shall forthwith give notice to the returning officer.

(2) Where the poll is adjourned at a polling station the hours of polling on the day to which it is adjourned shall be the same as for the original day.

Influencing of voters to vote for any candidate

53. (1) During the hours that the poll is open no person shall upon any public road or in any public place 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) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of \$2,000 or to imprisonment for a term of six months, or to both.

Proceedings after poll: manual voting system (*Substituted by Ord. 29 of 2020*)

54. (1) Where the manual voting system is used, after the last voter has voted, the Presiding Officer shall forthwith act in the following order—

(Substituted by Ord. 29 of 2020)

- (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 thereof on the line immediately below the name of the voter who voted last, thus “The number of voters who voted at this election in this polling station is” (stating the number), and sign his name thereto; (*Substituted by Ord. 29 of 2020*)
- (c) count the spoiled ballot papers, if any, place them in the special envelope supplied for the purpose and indicate thereon the number of such spoiled ballot papers and seal it;

- (d) 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;
- (e) check the number of ballot papers supplied by the returning officer against the number of spoiled ballot papers, if any, the number of unused ballot papers and the number of voters who by reference to the poll book, have voted, in order to ascertain that all ballot papers are accounted for; and *(Amended by Ord. 29 of 2020)*
- (f) record the number of ballot boxes in his possession, the number of ballot papers issued to voters, the number of unused ballot papers, the number of spoiled ballot papers and all other information required in the form set out as Form. No. 21A in Schedule 1. *(Inserted by Ord. 29 of 2020)*

(2) The ballot boxes, envelopes containing the spoiled or unused ballot papers, official lists of voters, poll books and other documents used at the poll shall be delivered to the returning officer. *(Amended by Ord. 29 of 2020)*

(3) The Presiding Officer shall, with the ballot boxes and papers aforesaid, deliver to the returning officer, in the envelope provided for that purpose, the keys of such ballot boxes.

(4) In this section references to a returning officer include references to an assistant returning officer referred to in section 6(2) or (4).

Proceedings after poll: electronic tabulating system

54A. (1) Where the electronic tabulating system is used, after the last voter has voted, the Presiding Officer shall forthwith act in the following order—

- (a) seal the ballot boxes with the seal provided by the Supervisor;
- (b) close the poll on the electronic tabulating system and run the paper tape;
- (c) remove the media stick placing it with the printed report in a designated pouch;
- (d) seal the designated pouch and place it in a second pouch which shall be sealed and thereafter with other elections materials in the designated carrying case;
- (e) verify and document the public count on the relevant machine by verifying that the public counts match the number of votes on the electronic poll book;
- (f) lock and secure the machine and election materials from any physical access to prepare for transportation;
- (g) count the spoiled ballot papers, if any, place them in the special envelope supplied for that purpose and indicate thereon in words the number of such spoiled ballot papers and seal the envelope and initial it;

- (h) count the unused ballot papers, place them in the special envelope supplied for that purpose and indicate thereon in words the number of such unused ballot papers, then seal the envelope and initial it;
- (i) check the number of ballot papers supplied by the returning officer against the number of spoiled ballot papers, if any, the number of unused ballot papers and the number of voters whose names appear in the electronic poll book as having voted in order to ascertain that all ballot papers are accounted for; and
- (j) record the number of ballot boxes in his possession, the number of ballot papers issued to voters, the number of unused ballot papers, the number of spoiled ballot papers and all other information required in the form set out in Form No. 21A in Schedule 1 and attach his signature thereto.

(2) The ballot boxes, electronic poll books, envelopes containing the spoiled and unused ballot papers, official list of voters, pouches containing media sticks, reports and other documents used at a polling station shall be delivered to the returning officer.

(3) The Presiding Officer shall, with the ballot boxes and papers aforesaid, deliver to the returning officer, in the envelope provided for that purpose, the keys of such ballot boxes.

(4) In this section references to a returning officer include references to an assistant returning officer referred to in section 6(2) or (4).

(Inserted by Ord. 29 of 2020)

Counting votes: manual voting system *(Substituted by Ord. 29 of 2020)*

55. (1) The votes cast at a polling station must be counted at that polling station.

(2) On receipt by him of a ballot box, the returning officer, must—

- (a) take every precaution for its safe keeping and for preventing any person other than himself from having access to it; and
- (b) seal it under his own seal so that it cannot be opened without the seal being broken, but without effacing or covering any other seals affixed to it.

(3) After the ballot boxes have been received by the returning officer, they must be opened by him for the counting of votes in the presence of—

- (a) such of the candidates or their agents as are present or if none of the candidates are present or represented, at least two voters; and
- (b) such persons to whom section 50(7) applies as are present.

(4) The returning officer must—

- (a) record and count the number of votes given to each candidate (allowing the persons mentioned in subsection (3) full opportunity to see the votes but not the official number on the back of the ballot paper); and

(b) reject all ballot papers—

- (i) which do not contain the security mark;
- (ii) *(Repealed by Ord. 29 of 2020)*
- (iii) which have not been marked for any candidate;
- (iv) on which, in the case of an electoral district which is not the all Islands district, votes have been given for more than one candidate;
- (v) on which, in the case of the all Islands district, votes have been given for more candidates than there are vacancies to be filled; and
- (vi) on which there is any writing or mark by which the voter could be identified.

(5) The returning officer must also reject a ballot paper if the markings made by the elector do not make the elector's intentions clear.

(6) A poll clerk and not less than two witnesses are to be supplied with tally sheets upon which they may keep their own scores as each vote is called out by the returning officer.

(7) 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 (manual voting system). *(Amended by Ord. 29 of 2020)*

(8) In the case of an electoral district where there is more than one polling station, the returning officer must record the number of votes cast for each candidate at that polling station.

(9) In the case of an election for the all Islands district, the assistant returning officer must record the number of votes cast for each candidate at the polling station for which he is appointed.

(10) All ballot papers which have been counted shall be put into an envelope and all rejected ballot papers (manual voting system) shall be put in a separate envelope and all such envelopes shall be sealed by the returning officer and by such agents as may desire to seal them or sign their names thereon in addition. *(Amended by Ord. 29 of 2020)*

(11) In the case of an election in an electoral district where there is more than one polling station, the following must be transmitted to the returning officer at the polling station designated for the purpose by the returning officer as the principal polling station—

- (a) the envelopes containing the counted ballot papers and rejected ballot papers (manual voting system); *(Amended by Ord. 29 of 2020)*
- (b) the official lists of voters, poll books and other documents used at the poll; and *(Amended by Ord. 29 of 2020)*
- (c) the returning officer's record of the number of votes cast for each candidate.

(12) In the case of an election in the all Islands electoral district, the following must be transmitted to the returning officer at the central location or such other place as the returning officer may specify in writing—

- (a) the envelopes containing the counted ballot papers and rejected ballot papers (manual voting system); (*Amended by Ord. 29 of 2020*)
- (b) the official lists of voters, poll books and other documents used at the poll; and (*Amended by Ord. 29 of 2020*)
- (c) the assistant returning officer's record of the number of votes cast for each candidate.

(13) Any of the candidates or their agent who is not satisfied with the accuracy of the count may, on completion of the count—

- (a) in the case of an election for an electoral district where there is only one polling station, immediately demand a recount which shall thereupon be carried out in the same manner as the original count;
- (b) in the case of an election for an electoral district where there is more than one polling station, at the polling station designated pursuant to subsection (11) as the principal polling station, demand a recount which shall thereupon be carried out in the same manner as the original count; or
- (c) in the case of an election for the all Islands district, at the central location, 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.

(13A) A request for a recount made under subsection (13) may be made in the form set out as Form No. 22A in Schedule 1. (*Inserted by Ord. 29 of 2020*)

(14) In the case of an election for the all Islands district in which there is more than one vacancy, the several candidates equalling the number of vacancies who on completion of the count are found each to have a larger number of votes than the other candidates shall then be declared by the returning officer to be elected as the members for the all Islands district.

(15) In the case of—

- (a) an election for an electoral district which is not the all Islands district; or
- (b) a by-election for the all Islands district in which there is only one vacancy,

the candidate who on 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.

(15A) A declaration of the outcome of the poll made by the returning officer in subsections (14) and (15) shall be made publicly and the results thereof shall be displayed at each polling station. (*Inserted by Ord. 29 of 2020*)

(16) Whenever after counting (including a recount) there is an equality of votes between two or more candidates and the addition of one vote would entitle one of the candidates to be declared elected, the returning officer must decide between the candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote.

(17) A recount demanded by an agent binds the candidate.

(18) In subsections (2) to (7) and (10) a reference to the returning officer includes a reference to an assistant returning officer referred to in section 6(2) or (4).

Counting of votes: electronic tabulating system

55A. (1) Where the electronic tabulating system is used, the votes cast at a polling station must be counted at that polling station.

(2) As soon as the ballot boxes from the polling stations have been received—

(a) the returning officer shall, in the presence of the candidates or their agents that are present, and if the candidates or any of them are absent, then in the presence of those present, and of at least two voters if none of the candidates is represented—

(i) examine the ballot boxes, and envelopes received from each polling station one at a time, ensuring that the seals thereon are securely affixed;

(ii) count and record the number of ballot boxes and envelopes received from each polling station, ensuring that all ballot boxes and envelopes are accounted for in accordance with the form set out as Form No. 21A in Schedule 1;

(iii) record the number of votes, including in the case of the all islands district, those blanks contained in ballot papers that reflect unmarked ballots in accordance with the form set out as Form No. 21A in Schedule 1; and

(b) in the presence of the candidates or their agents that are present, and if the candidates or any of them are absent, then in the presence of those present, and of at least two voters if none of the candidates is represented, the electronic tabulating system will reject all ballot papers—

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

(ii) on which votes have been given for more than the number of candidates to be selected for the electoral district and the all islands district; or

(iii) on which more than one vote has been cast for any one candidate.

(3) In the case of an electoral district where there is more than one polling station, the returning officer must record the number of votes cast for each candidate at that polling station.

(4) In the case of an election for the all Islands district, the assistant returning officer must record the number of votes cast for each candidate at the polling station for which he is appointed.

(5) All ballot papers which have been counted shall be put into an envelope and all rejected ballot papers shall be put in a separate envelope and all such envelopes shall be sealed by the returning officer and by such agents as may desire to seal them or sign their names thereon in addition.

(6) In the case of an election in an electoral district where there is more than one polling station, or in the case of an election in the all Islands electoral district, the following must be transmitted to the returning officer at the central location designated for counting—

- (a) the envelopes containing the counted ballot papers and rejected ballot papers;
- (b) the official lists of voters, electronic poll books and other documents used at the poll; and
- (c) the returning officer's record of the number of votes cast for each candidate.

(7) Any of the candidates or their agent who is not satisfied with the accuracy of the count may, on completion of the count, by completing the form set out as Form No. 22A in Schedule 1, immediately demand a recount at the following places—

- (a) in the case of an election for an electoral district where there is only one polling station, at that polling station;
- (b) in the case of an election in an electoral district where there is more than one polling station, or in the case of an election in the all Islands electoral district, at the central location designated for counting.

(8) No candidate may demand a recount more than once at any election.

(9) Where a recount has been demanded in terms of subsection (7), the returning officer shall proceed to recount the votes to ascertain the result of the poll by use of manual recount of the votes.

(10) Section 55(14), (15), (16) and (17) shall apply to this section.

(11) In subsection (5) a reference to the returning officer includes a reference to an assistant returning officer referred to in section 6(2) or (4).

(Inserted by Ord. 29 of 2020)

The count: ballot paper irregularities

56. (1) A ballot paper must not be rejected under section 55(4)(b)(iii) on account of any writing, number or mark placed on it by a Presiding Officer.

(2) A ballot paper must not be rejected only because a vote is marked as mentioned in any of paragraphs (a) to (d) if it is clear that the vote is intended to be for one of the candidates, namely—

- (a) elsewhere than in the proper place;
- (b) otherwise than with a black lead pencil;

(c) otherwise than by means of a cross;

(d) by more than one mark.

(3) Subsection (2) does not apply if the way the paper is marked identifies the voter or enables him to be identified.

(4) *(Repealed by Ord. 29 of 2020)*

(5) *(Repealed by Ord. 29 of 2020)*

(6) The returning officer shall keep a record of every objection made by a 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.

(7) The decision of the returning officer is final, subject to reversal on petition questioning the election return; and every such objection shall be numbered, and a corresponding number placed on the back of the ballot paper .

(Amended by Ord. 29 of 2020)

Election Return

57. (1) This section shall apply to an election where either the manual voting system or electronic tabulating system has been used.

(2) The returning officer, within the time specified for the return of any writ, shall forward to the Supervisor—

(a) the writ with his return, in the form set out as Form No. 23 in Schedule 1, endorsed thereon with the name of the candidate declared to be elected in accordance with section 55(14) to (16) or section 55A(10).

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

(c) where a manual voting system is used, the number of persons to whom it appears from the counterfoils that ballot papers have been supplied in the electoral district;

(d) where an electronic tabulating system is used, a statement of the number of persons to whom, it appears from the electronic poll book and electronic tabulating system have been supplied in the electoral district;

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

(f) where a manual voting system is used—

(i) the poll book used at each polling station;

(ii) a packet containing the counterfoils and unused ballot papers;

(iii) a packet containing the ballot papers cast for the several candidates;

(iv) a packet containing the spoiled ballot papers;

- (v) a packet containing the rejected ballot papers (manual voting system);
 - (g) where the electronic tabulating system is used—
 - (i) the electronic poll book used at each polling station;
 - (ii) a packet containing the unused ballot papers;
 - (iii) a packet containing the spoiled ballot papers; and
 - (iv) a packet containing the rejected ballot papers (electronic tabulated system); and
 - (h) the written appointments of candidates' agents and all other documents used for the election.
- (2) The Supervisor shall, on receiving the return of any member elected to serve in the House of 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 purposes.
- (3) The Supervisor shall cause to be published in the *Gazette* a notice of the names of the candidates elected at the election.
- (4) The Supervisor shall, on receiving the return of any member elected to serve in the House of Assembly, transmit the writ with the return endorsed thereon to the Governor within the time specified in such writ.
- (5) The Governor shall on receipt of the writ in terms of subsection (4), within seven days of receipt of the said writ, return the same to the Supervisor for safe custody in accordance with section 58.
- (6) The Supervisor shall immediately after each general election cause to be printed a report giving, by polling divisions—
- (a) the number of votes polled for each candidate;
 - (b) the number of rejected ballot papers for both the manual voting system and the electronic tabulating system; and
 - (c) the number of names on the official list of voters together with any other information that he may deem fit to include.
- (7) The Supervisor shall before the end of each year, cause to be printed a similar report to that in subsection (6) on the by-elections held during the year.
- (8) A returning officer shall forfeit to the person aggrieved the sum of \$500 and costs in addition to all damages sustained if—
- (a) the returning officer wilfully delays, neglects or refuses duly to return a person who ought to be returned to serve in the House of Assembly for an electoral district; and
 - (b) it has been determined on the hearing of an election petition respecting the election for such electoral district that the person was entitled to have been returned.

(Substituted by Ord. 29 of 2020)

Custody of election documents

58. (1) The Supervisor shall keep the election documents referred to in section 57(1) in safe custody and shall allow no person to have access to them:

Provided that—

- (a) if an election petition has been presented questioning the validity of any election or return, the Supervisor shall, on the order of a Judge of the Supreme Court, deliver to the proper officer of that court the documents relating to the election that is in dispute; and
- (b) after the expiration of twelve months from the day of any election, it shall be lawful for the Supervisor to cause the said documents used at such election to be destroyed.

(2) No such election documents in the custody of the Supervisor shall be inspected or produced except on the order of a Judge of the Supreme Court. An order under this section 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

59. Forthwith upon making the return of the writ in accordance with section 57, 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.

PART IV

ELECTION PETITIONS

Petitions against elections

60. A petition complaining of the undue election or undue return of a member of the House of Assembly (in this Ordinance called an election petition) may be presented to the Supreme Court in accordance with section 53 of the Constitution.

Presentation of election petition and security costs

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

- (a) the petition shall, subject to paragraph (b), be presented within seven days after the return made by the returning officer of the member to whose election the petition relates;
- (b) a petition that 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 of or in furtherance of such corrupt practices, may be presented at any time within fourteen days after the date of the petitioner having become aware of the making of such payment;

(c) at the time of 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

(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 by or on behalf of the petitioner;

(d) the security shall be to an amount of \$1,000 and shall be given by recognizance to be entered into by such sureties not exceeding four in number as the Registrar of the Supreme Court may approve, or by deposit of money in the Supreme Court, or partly in one way and partly in the other.

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

62. 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.

63. 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 Judge shall certify that 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

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

(2) At the conclusion of the trial the Judge shall determine whether the member of the House of Assembly whose return of 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. 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.

(3) If the Judge determines that an election was void and a writ for a new election is issued, that election is deemed to be held as a part of the last general election held preceding the issue of the writ.

Powers of Judge

65. At the trial of an election petition the Judge shall, subject to this Ordinance, 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 Supreme 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 on polling day or at political meetings

66. (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 Ordinance applies, at any time between the opening and the closing of the poll.

(2) No intoxicating liquor shall be sold, offered for sale, or given away at a political meeting.

(3) Subsection (2) applies to a political meeting held in any electoral district between the date of the issue of a writ for the return of a member of the House of Assembly for the electoral district and the date at which a return to the writ is made.

(4) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months, or to both.

Employers to allow employees time

67. (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 exact 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, commits an offence and is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months, or to both.

Offences by election officers

68. Every election officer who—

(a) makes, in any record, return or other document which he is required to keep or make under this Ordinance, 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 blind person, an illiterate person or an

incapacitated person to vote in the manner provided for blind persons, illiterate persons or incapacitated persons, as the case may be;

- (c) refuses to permit any person whom he knows or has reasonable cause to believe to be a blind person, an illiterate person or an incapacitated person to vote in the manner provided for blind persons, illiterate persons or incapacitated 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 rejects or refuses to count any ballot paper which he knows or has reasonable cause to believe is validly cast for any candidate in accordance with this Ordinance; 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,

commits an offence and is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both.

Loudspeakers prohibited on polling day

69. (1) A person commits an offence if, on polling day, he carries or uses on a motor car, truck or other vehicle a loudspeaker with the intent that it is used for political propaganda.

(2) A person who commits an offence under this section is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months, or to both.

Definition of bribery

70. (1) The following persons commit bribery within the meaning of this Ordinance—

- (a) every person who, directly or indirectly by himself or by any other person on his behalf, gives, 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 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 House of Assembly, or the vote of 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 House of Assembly or the vote of any voter at any election;
 - (e) every person who advances, or pays or causes to be paid, any money to or to the use of any other person with the intent that such money, or any part of such money, shall be expended in bribery at any election, or knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly 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 person to vote or refrain from voting at any such election.
- (2) Nothing in subsection (1) shall 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” include—
- (a) the payment of the agents, clerks and canvassers 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; and
 - (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

71. The following persons commit treating within the meaning of this Ordinance—

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

72. A person commits undue influence within the meaning of this Ordinance who, directly or indirectly, by himself or by any other person or 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 or any fraudulent contrivance, impedes or prevents the free exercise of 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.

Penalty for bribery, treating or undue influence

73. (1) A person who commits bribery, treating or undue influence under this Ordinance is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both.

(2) The expression “to vote or refrain from voting” and derivatives of that expression in sections 70 to 72 includes voting or refraining from voting for a particular candidate or particular candidates or for candidates of a particular party or particular parties.

Definition of personation

74. (1) A 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 commits personation within the meaning of this Ordinance.

(2) A person who commits personation or who aids, abets, counsels or procures the commission of the offence of personation is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both.

Disqualification for bribery, etc.

75. (1) This section applies to a person who is convicted of—
- (a) bribery, treating or undue influence;
 - (b) personation;
 - (c) an offence under section 41 (2) and (4); or

(d) aiding, abetting, counselling or procuring the commission of the offence of personation or an offence under section 41 (2) and (4).

(2) A person to whom this section applies, in addition to any other punishment is, during the period of eight years from the date of the conviction —

- (a) disqualified for being registered as an elector;
- (b) not entitled to vote at an election; and
- (c) disqualified for being a member of the House of Assembly.

(3) If a person appeals against his conviction for an offence referred to in subsection (1), subsection (2) continues to have effect until the appeal is determined.

(4) Unless the conviction is quashed, subsection (2) has effect and the period of eight years must be counted from—

- (a) the date the appeal is determined; or
- (b) if the Court which hears the appeal so directs, the date of conviction.

Penalty for certain illegal practices at elections

76. (1) A 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 Ordinance 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; or
- (c) between the date of the publication by the returning officer of a notice in accordance with section 27(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 House of Assembly,

commits an illegal practice and is liable on summary conviction to a fine of \$2,000 and is incapable, during a period of five years from the date of conviction, of being registered as a voter or of voting at any election.

(2) A person who, between the date of the publication by the returning officer of a notice in accordance with section 27(1) and the day after polling at the election, whether in a general election or in a by-election, incites, combines with 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 House of Assembly—

- (a) commits an illegal practice and is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of one year, or to both; and

- (b) is incapable during a period of five years from the date of conviction, of being registered as a voter or of voting at any election.

Offences in respect of ballot papers

77. (1) A 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 authorised by this Ordinance 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 or ballot papers then in use for the purposes of any election; or
- (f) not being duly registered as a voter, votes at an election,

commits an offence and is liable on summary conviction if he is an election officer, to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both and, if he is not an election officer, to a fine of \$2,500 or to imprisonment for a term of six months, or to both.

(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 custody of the returning officer at such election.

Secrecy of voting

78. (1) Every election officer and every agent appointed under section 37 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 authorised by law, to any person any information as to the name or number on the official list of voters of any voter who has or has not applied for a ballot paper or voted at that polling station.

(2) 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 candidates for whom any voter in such station is about to vote or has voted.

(3) Every election officer and every agent appointed under section 37 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 candidates for whom any vote is given in any particular ballot paper.

(4) 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 against whose name he has marked his vote.

(5) A person who acts in contravention of this section commits an offence and is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months, or to both.

False statement on oath

79. (1) A person commits an offence if, having been lawfully sworn under this Ordinance he wilfully makes a statement—
- (a) which he knows to be false in a material particular; or
 - (b) which he does not believe to be true.
- (2) A person who commits an offence under this section is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both.

PART VI

MISCELLANEOUS PROVISIONS

No obligation on voter to disclose vote

80. No voter who has voted at an election shall, in any legal proceedings to question the election or return, be required to state for whom he voted.

Conclusiveness of Register of Electors *(Amended by Ord. 29 of 2020)*

81. At any election a person shall not be entitled to vote unless his name is on the Register of Electors for any electoral district for the time being in force by virtue of this Ordinance; and every person whose name is on the Register shall, subject to this Ordinance, be entitled to demand and receive a ballot paper and to vote: *(Amended by Ord. 29 of 2020)*

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

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

Computation of time

83. (1) In reckoning time for the purposes of this Ordinance, Saturday and Sunday shall be included (except where the words “working days” are used), but Christmas Day, Good Friday and any public holiday shall be excluded.

(2) Where anything required by this Ordinance to be done on any day falls to be done on Saturday or 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.

(3) Section 8 of the Interpretation Ordinance does not apply for the purpose of reckoning time under this Ordinance.

Regulations

84. (1) The Governor may make regulations generally for giving effect to this Ordinance, and may make regulations—

(a) prescribing anything that may be prescribed;

(b) adding to, rescinding, varying or amending any form.

(2) Regulations under this Ordinance may make different provision for different purposes.

SCHEDULE 1

FORMS

FORM NO. 1

(Section 11(2))

“Date received by officer

Time

Officer signature

APPLICATION FOR REGISTRATION AS AN ELECTOR

To the Supervisor of Elections Grand Turk

I

(Given and family names in block capitals)

of.....

(Street address)

Whose occupation is being of the
male/female sex do hereby apply to be registered as an elector for the electoral district of
..... and do declare that the following particulars are,
to the best of my knowledge and belief, true and correct in all respects.

1. My date of birth is
(Day/month/year)

(I attach documentary evidence to support my claim)

2. My place of birth is
(Place and Country)

3. My proof of identification:
National Turks and Caicos Islands Status Card No
National Health Insurance Card No
National Insurance Card No
Any other form of identification

- 4. I have been resident in the Turks and Caicos Islands since the.....day of20..... for a period or periods amounting to not less than 12 months in aggregate out of the last two (2) years immediately preceding the qualifying date of November 30.
- 5. Postal Address:
- 6. E-mail
- 7. Home Telephone
- 8. Cell
- 9. Place of Employment
- 10. Telephone No.
- 11. Do any of the following apply to you, if so, state which one:
 - (a) Member of Her Majesty’s Forces Yes/No
 - (b) Working abroad on Government business Yes/No
 - (c) Student resident abroad in the prescribed circumstances Yes/No
- 12. Were you serving a sentence of imprisonment for a term of 12 months on the qualifying date Yes/No

Date.....

Signature of applicant

WARNING

The applicant’s attention is drawn to Section 11(6) of the Elections Ordinance which makes it an offence to make a false statement or to submit a document which is false in a material particular or which has been unlawfully altered.

FOR OFFICIAL USE ONLY

Applicant is qualified for registration and his/her name has been placed on the List.

Applicant is not qualified because

.....
.....
.....

Supervisor of Elections

(Substituted by Ord. 29 of 2020)

FORM NO. 1A
(section 12A)

NOTIFICATION OF CHANGE OF PARTICULARS

To the Supervisor of Elections, Grand Turk

I

(Insert full first and surnames in block capitals)

Whose address is

Solemnly and sincerely declare that:

Contact No. Home work other

NAME *(a) on or about the day of 20*delete as applicable

I changed my name from

(Insert full previous names)

to

(Insert new full first name and surnames)

and change of name occurred by reason of – marriage/divorce/a deed poll (other reasons)

namely

(Complete as appropriate)

OR

OCCUPATION *(b) on or about the day of, 20

I changed my occupation from

(Insert previous occupation)

To

(Insert new occupation)

OR

RESIDENCE *(c) on or about the day of, 20

I ceased to reside at

(Insert full street address of previous residence)

In the said electoral district and now reside at

.....

(Insert full street address of new residence)

In the said electoral district

And I hereby apply for such change to be made and entered on the Register of Electors.

Dated this day of, 20

(Month)

(Year)

Signature of Applicant

Signature of Witness

Name of Witness

WARNING

The applicant's attention is drawn to Section 11(6) of the Elections Ordinance which makes it an offence to make a false statement or to submit a document which is false in a material particular or which has been unlawfully altered.

FOR OFFICIAL USE ONLY

Applicant name, occupation and place of residence has been placed on the Register of Electors in accordance with the application.

.....

Supervisor of Elections

(Inserted by Ord. 29 of 2020)

FORM NO. 1B
(Section 12B(2))

APPLICATION FOR TRANSFER OF ELECTORAL DISTRICT

To the Supervisor of Elections, Grand Turk

I [name]

(Insert full first and surnames in block capitals)

of [address]

[occupation]

hereby make application to the Supervisor to have my registration transferred from the
..... electoral district to the
..... electoral district and subscribe my name to the Statement below
in certification of the truth of the content thereof.

STATEMENT

I [name] do

solemnly and sincerely declare that—

1. My name appears on the Register of Electors for the
electoral district.

2. I have moved my place of residence from [former address]
..... to

[present address] which to the best of my
knowledge, information and belief is within the electoral district as the same
is defined by the Electoral Districts (Boundaries) Ordinance.

3. I have attached hereto documentation confirming my change of address.

.....

Signature of Applicant

.....

Date

WARNING

The applicant's attention is drawn to Section 11(6) of the Elections Ordinance which makes it an offence to make a false statement or to submit a document which is false in a material particular or which has been unlawfully altered.

FOR OFFICIAL USE ONLY

Applicant name, occupation and place of residence has been placed on the Register of Electors in accordance with the application.

Supervisor of Elections

(Inserted by Ord. 29 of 2020)

FORM NO. 2

(Section 14(1))

OBJECTIONS TO OR ALTERATION OF ENTRIES

A request for the inclusion of any name or the alteration of any entry, or an objection to the inclusion of any other person's name should be submitted to the Supervisor of Elections beforeon a form which he will provide to you.

.....
Supervisor of Elections

FORM NO. 3

(Section 15(1))

NOTICE OF CLAIM

To the Supervisor of Elections

TAKE NOTICE that I

of.....
(Place of residence)

.....
(Occupation)

am qualified for inclusion in the electors list 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:

Dated this day of..... 20

.....
Signature of Claimant

* Strike out bracketed words if not applicable

FORM NO. 4

(Section 15 (2))

(1) NOTICE OF OBJECTION

To the Supervisor of Elections

TAKE NOTICE that I
(Name of Objector)

of (Place of residence)

.....
(Occupation)

am qualified for inclusion in the electors list 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 20

.....
Signature of Objector

(2) NOTICE TO PERSON OBJECTED TO

TO (name of person objected to)
.....

of (address)

I, of being a
person whose name is included in the electors list for the
electoral district hereby give you notice that I object to your name being retained
on the electors list for the electoral district above mentioned
on the grounds that

.....
(state grounds)

and that you will be required to prove your qualifications.

.....
Signature of Objector

.....
Date

FORM NO. 5

Section 15(3)

FORM OF APPOINTMENT OF AGENT

I, (name)
of (address)
say this—

1. I am qualified to be registered as an elector in the electoral district of
(Give name of electoral district)
.....

2. I expect to be absent from the Islands during the following period of
time (Give dates of absence)

In accordance with section 15(3) of the Elections Ordinance, I appoint—
(Give name of agent and address)
.....
..... to
act for me as my agent for the purpose of making a claim.

Signed :

Witnessed by :

Dated :

FORM NO. 5A

(Section 18(3))

NOTICE OF APPEAL TO ADJUDICATORS

APPEAL #.....

Ibeing registered in
the electoral district for, hereby appeal
against the decision of the Supervisor of Elections made on
....., on a claim of registration or objection* made
against, who is registered in the
electoral district for

The grounds of appeal are:

Appellant's signature

Date

*Select as appropriate

(Inserted by Ord. 29 of 2020)

FORM NO. 6

Section 26(3)

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 26(1) of the Elections Ordinance it is provided that for the purpose of every general election of members of the House of 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 to the returning officers of the respective electoral districts for which members are to be returned:

*(**AND WHEREAS** I think it expedient that writs should be issued for the election of members to serve in the House of 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 Turks

and Caicos Islands do hereby require that you proceed to the nomination of candidates on the day of 20 at and thereafter, if necessary, you do on the day of20 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 House of Assembly of the Islands for the said electoral district and that you do cause the name of such member when so elected to be certified to me not later than the day of 20

GIVEN under my hand and Public Seal of the Islands this day of 20

.....
Governor

**Strike out bracketed words not applicable.*

FORM NO. 7

Section 27(1)

NOTICE OF NOMINATION

The Governor having issued his Writ of Election for the Election of a member of the House of Assembly for electoral district, the returning officer for the said electoral district will on the day of 20 now next ensuing between the hours of ten o'clock in the forenoon and one o'clock in the afternoon and between the hours of two o'clock and four o'clock in the afternoon at, proceed to the nomination of a member for the electoral district.

Dated this day of20.....

.....
Returning Officer for the
Electoral District

FORM NO. 8

Section 27(3)

NOMINATION PAPER

We, the undersigned voters for the electoral district do hereby nominate the following person as a proper person to serve as a 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 House of Assembly.

Surname	Other Name	Address	Occupation	Description (if any) ^(a)

.....
Signatures

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

Witness my hand this day of 20.....

.....
Signature of Candidate

Signed by the said nominee in the presence of:

.....
Signature of Witness

I.....nominated in the foregoing nomination paper do swear that I am qualified for election.

.....
Signature of Candidate

Dated this.....day of.....20.....

(a) The description may be either the name of the political party in whose name the nominee intends to stand or the word "Independent"

FORM NO. 9

Section 27(8)

RETURN OF UNCONTESTED ELECTION

I hereby certify that the member elected for 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 candidates having been nominated.

Dated atthis.....day of.....20.....

.....
Returning Officer

FORM NO. 10

Section 27(9)

RETURN OF UNCONTESTED ELECTION (ALL ISLANDS DISTRICT)

I hereby certify that the members elected for electoral district established under section 45(2)(a) of the Constitution in pursuance of the within Writ are (*insert names, addresses and occupations of members elected as stated on the nomination paper*) no other candidates having been nominated.

Dated atthis.....day of.....20.....

.....
Returning Officer

FORM NO. 11

Section 31(2)

NOTIFICATION OF ELECTION

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

The poll will be opened on the day of 20 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:

.....

Place of Central location:

The Candidates in the above electoral district are as follows:

Candidates:

.....

.....

The number of votes given to the several candidates will be counted on the day of 20 at o'clock in the noon at at which all persons are hereby required to take notice and govern themselves accordingly.

Dated thisday of.....20.....

.....

Returning Officer for the

Electoral District

FORM NO. 12

Section 6(3)

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 Elections Ordinance, to the best of my ability.

.....

Returning Officer

Sworn before me

Date

FORM NO. 13

Section 33(3)

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 above-mentioned 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 20

FORM NO. 14

Section 34(3)

OATH OF POLL CLERK

I, the undersigned, appointed as Poll Clerk for the Polling Station at in the electoral district swear that I will act faithfully in my said capacity of 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 above-mentioned 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 20

FORM NO. 15

Section 36(2)(e)

DIRECTIONS FOR THE GUIDANCE OF VOTERS, FOR MANUAL VOTING SYSTEM

1. Each voter may vote only at one polling station.
2. In an election in an electoral district which is not the all Islands district, each voter may vote for one candidate.
(Repealed by Ord. 29 of 2020)
3. In an election for the all islands district—
 - (a) in a general election, each voter may not vote for not more than five candidates; and
 - (b) in a by-election, each voter may not vote for as many candidates as there are vacancies in that district *(Substituted by Ord. 29 of 2020)*
4. 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 in the case of the electoral district, and on the left hand side, in the case of the All Islands District, opposite the name of each candidate for whom he votes, thus X.*(Amended by Ord. 31 of 2016)*

For example: Supposing John Jones, George Smith, Peter Brown and Mark Green are the candidates for election and the voter wishes to vote for John Jones, he must place a cross opposite Jones' name as follows—

BROWN, Peter Fisherman Sandy Point	
GREEN, Martha Lawyer Major Hill	
JONES, John Shopkeeper Bottle Creek	X
SMITH, George Carpenter Kew	

5. *(Repealed by Ord. 29 of 2020)*

5. The voter shall then fold his ballot paper so that the numbers on the counterfoil can be seen, he shall show the paper to the Presiding Officer (without handing it to the Presiding Officer) so as to show the numbers appearing on the ballot paper and the voter shall then place the ballot paper in the box. The voter shall forthwith exit the polling station. *(Substituted by Ord. 29 of 2020)*

6. 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.

7. If the voter places any mark on the paper by which he may afterwards be identified or if he votes for more than one candidate then his ballot paper will be void and will not be counted.

8. 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 commits an offence and is liable on summary conviction to be fined or imprisoned or to both punishments.

FORM NO. 15A

(sections 36(2)(e)(ii))

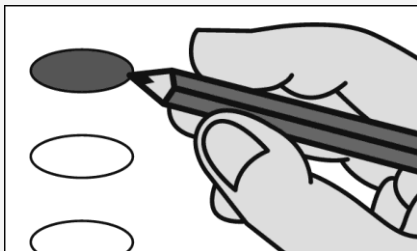
DIRECTION FOR VOTING BY ELECTRONIC TABULATING SYSTEM

1. Each voter may vote only at one polling station.
2. In an election in an electoral district which is not the all Islands district, each voter may vote for only one candidate.
3. In an election for the all islands district—
 - (a) in a general election, each voter may not vote for not more than five candidates; and
 - (b) in a by-election, each voter may vote for as many candidates as there are vacancies in that district.
4. Each voter will go into one of the compartments and, with the pencil provided shade the oval sign
5. The voter shall then insert the ballot paper in the electronic tabulating system and follow the instructions on the machine until completion, thereupon the vote shall leave the polling station.
6. 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.
7. If the voter places any mark on the paper by which he may afterwards be identified or if he votes for more than one candidate than his ballot paper will be void.
8. 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 commits an offence and is liable on summary conviction to a fine or imprisonment or to both punishments.

EXAMPLE OF SINGLE BALLOT FOR ELECTORAL DISTRICT AND ALL ISLANDS DISTRICT (VOTING SHADING THE OVAL)

Instructions

Making Selections



Fill in the oval to the right of the name of your choice. You must blacken the oval completely, and do not make any marks outside of the oval.

Do not cross out or erase, or your vote may not count. If you make a mistake or a stray mark, ask for a new ballot from the Presiding Officer.

(Inserted by Ord. 29 of 2020)

FORM NO. 16

(Sections 36(2)(d))

POLL BOOK (MANUAL OR ELECTRONIC)

<i>Particulars of voter</i>						<i>Particulars of persons applying for Ballot papers after another person has voted as such person</i>					
<i>Voter No. on List of Voters</i>	<i>Name of voter</i>	<i>Occupation</i>	<i>Postal Address</i>	<i>Date of Birth</i>	<i>(a) Record that oath sworn or refused</i>	<i>(b) Record that voter had voted</i>	<i>Name</i>	<i>Consecutive number of voter on list of voters</i>	<i>Record that oath sworn</i>	<i>Objections if any made on behalf of any candidate</i>	<i>Remarks</i>

(Substituted by Ord. 29 of 2020)

FORM NO. 17

Sections 39(2) and 45

BALLOT PAPER

GENERAL ELECTION <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px;">No. 6700</div> <div style="text-align: right;"> Electoral District/(Amended By Ord. 31 of 2016) </div> </div> <p style="text-align: center; margin-top: 10px;">Consecutive number given voter in Official List of Voters.....</p> <p style="text-align: center; margin-top: 5px;">Counterfoil</p> <p style="text-align: center; margin-top: 10px;">.....</p> <p style="text-align: center; margin-top: 5px;">Ballot Paper</p> <p style="margin-top: 10px;">Polling Day.....</p> <div style="display: flex; justify-content: flex-end; align-items: center; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px; margin-right: 20px;">Space for initial of P.O.</div> </div> <p style="text-align: center; margin-top: 10px;">_____ Do not fold beyond this line _____</p>			
1.	Voting Symbol	GREEN, Martha Lawyer, Major Hill	
2.	Voting Symbol	JAMES, John P. Shopkeeper, Bottle Creek	
3.	Voting Symbol	ROBINSON, Peter F. Carpenter, Kew	
4.	Voting Symbol	SMITH, George R. Mechanic, Grand Turk	

FORM NO. 18

Sections 39(3) and 45

BALLOT PAPER

GENERAL ELECTIONS -----

No. 00000

All Islands District

Consecutive number given voter in Official List of Voters -----

Counterfoil

Ballot Paper

Space for initial of P. O.

Polling Day -----

Do Not fold beyond this line -----

ALPHA POLITICAL PARTY				BETA POLITICAL PARTY				OMEGA POLITICAL PARTY				INDEPENDENT CANDIDATES			
1	Voting Symbol		BROWN, John <i>(Lawyer)</i>	1	Voting Symbol		ARTHUR, Sarah <i>(Shopkeeper)</i>	1	Voting Symbol		APPLES, Larissa <i>(Accountant)</i>	1	Voting Symbol		CHEESE, Clinton <i>(Businessman)</i>
2	Voting Symbol		GRAY, Sandra <i>(Businesswoman)</i>	2	Voting Symbol		BROWN, Max <i>(Businessman)</i>	2	Voting Symbol		CARTER, Ali <i>(Taxi Driver)</i>	2	Voting Symbol		FOXX, Blythe <i>(Businesswoman)</i>
3	Voting Symbol		PIERRE, Jean <i>(Doctor)</i>	3	Voting Symbol		CAMPBELL, Sam <i>(Businessman)</i>	3	Voting Symbol		DIXY, John <i>(Carpenter)</i>	3	Voting Symbol		KERRY, Thelma <i>(Shopkeeper)</i>
4	Voting Symbol		SANDS, Susan <i>(Businesswoman)</i>	4	Voting Symbol		MOSES, Mabel <i>(Nurse)</i>	4	Voting Symbol		SMITH, Owen <i>(Economist)</i>	4	Voting Symbol		MOORE, Joel <i>(Mechanic)</i>

(Inserted by Ord. 31 of 2016)

FORM NO. 18A

(Sections 39(3A), 45A(2))

BALLOT PAPER: ELECTRONIC TABULATING SYSTEM

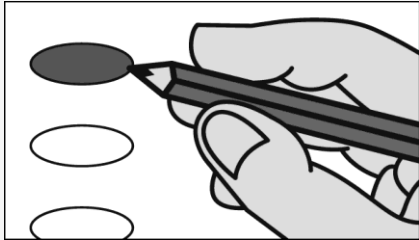
GENERAL ELECTIONS.....
.....Electoral District

Consecutive number given voter in Official List of
Voters.....

No.00000
Turks and Caicos General Election
Electoral District Ballot and All Islands District
Ballot
Polling Day:

Instructions

Making Selections



Fill in the oval to the right of the name of your choice. You must blacken the oval completely, and do not make any marks outside of the oval.

Do not cross out or erase, or your vote may not count. If you make a mistake or a stray mark, ask for a new ballot from the Presiding Officer.

Electoral District Vote for One			
1.	GREEN, Martha (Occupation)	Voting Symbol	<input type="radio"/>
2.	JAMES, John P. (Occupation)	Voting Symbol	<input type="radio"/>
3.	ROBINSON, Peter (Occupation)	Voting Symbol	<input type="radio"/>
4.	SMITH, George (Occupation)	Voting Symbol	<input type="radio"/>

All Islands District Vote for NO MORE than Five candidates.			
1.	ARTHUR, Sarah (Occupation)	Voting Symbol	<input type="radio"/>
2.	BROWN, Max (Occupation)	Voting Symbol	<input type="radio"/>
3.	CAMPBELL, Sam (Occupation)	Voting Symbol	<input type="radio"/>
4.	MOSES, Mable (Occupation)	Voting Symbol	<input type="radio"/>
5.	NELSON, June (Occupation)	Voting Symbol	<input type="radio"/>
1	APPLES, Larissa (Occupation)	Voting Symbol	<input type="radio"/>
2.	CARTER, Ali (Occupation)	Voting Symbol	<input type="radio"/>
3.	DIXY, John (Occupation)	Voting Symbol	<input type="radio"/>
4.	FARMER, Louis (Occupation)	Voting Symbol	<input type="radio"/>
5.	SMITH, Owen (Occupation)	Voting Symbol	<input type="radio"/>
1.	BROWN, John (Occupation)	Voting Symbol	<input type="radio"/>
2.	CHEESE, Clinton (Occupation)	Voting Symbol	<input type="radio"/>
3.	GRAY, Sandra (Occupation)	Voting Symbol	<input type="radio"/>
4.	PIERRE, Jean (Occupation)	Voting Symbol	<input type="radio"/>
5	SANDS, Susan (Occupation)	Voting Symbol	<input type="radio"/>

1	CHIEF , Owen (Occupation)	Voting Symbol	<input type="radio"/>
2.	FOXX , Blythe (Occupation)	Voting Symbol	<input type="radio"/>
3.	KERRY , Thelma (Occupation)	Voting Symbol	<input type="radio"/>
4.	MOORE , James (Occupation)	Voting Symbol	<input type="radio"/>
5.	MOORE , Joel (Occupation)	Voting Symbol	<input type="radio"/>
6.	POWERS , Lorne (Occupation)	Voting Symbol	<input type="radio"/>
7.	RICHARDSON , Simone (Occupation)	Voting Symbol	<input type="radio"/>

(Inserted by Ord. 29 of 2020)

FORM NO. 19

Section 48(1)

**OATH OF IDENTITY OF A VOTER RECEIVING A BALLOT PAPER
AFTER ANOTHER 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. 20

Section 48(5)

OATH OF FRIEND OF BLIND OR ILLITERATE VOTER

1. You swear that you will keep secret the name of the candidates for whom you mark the ballot paper of another voter on whose behalf you act.
2. You swear that you have not already acted as a friend of a blind or illiterate voter for the purpose of marking his ballot paper at this election.

SO HELP YOU GOD!

FORM NO. 21

Section 49(2)

**OATH THAT THE VOTER IS THE PERSON INTENDED
TO BE REFERRED TO IN THE POLL BOOK OR ELECTRONIC POLL BOOK**

You swear that you are entitled to vote at this election of a member to serve in the House of 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 Poll book or electronic poll book used at the Polling Station of the name whose occupation is given as and whose address is given as

SO HELP ME GOD!

(Amended by Ord. 29 of 2020)

FORM NO. 21A

(Sections 49B(2) & (3)(c), 49C(3) & (6)(k), 54(1)(f), 54A(1)(j) and 55A(2)(a))

BALLOT PAPER AND BALLOT BOX ACCOUNT

General Election or other Election:

Polling Station:

Place:

BEFORE POLL

<u>Number</u>	<u>Total</u>
1. Ballot papers received
Electoral District
All Island
2. Ballot boxes received
Electoral District
All Island

AFTER POLL

- 3. Ballot boxes in possession
- 4. Ballot papers unused
- 5. Ballot papers issued to electors
- 6. Ballot papers spoiled
- 7. Ballot papers which should be in ballot boxes

.....
Signature of Returning Officer/Presiding Officer

Date

(Inserted by Ord. 29 of 2020)

FORM NO. 22

Section 50(4)

OATH OF AGENT OF A CANDIDATE

I, the undersigned agent for one of the candidates at the election of a member of the House of 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 voting at this polling station marks his ballot paper in my presence at this election.

SO HELP ME GOD!

.....
Signature

Sworn before me atthisday of..... 20

FORM NO. 22A
(Sections 55(13A) and 55A(7))

REQUEST FOR RECOUNT

I,

One of the Candidates/a Counting Agent* for
.....

At the election of member/members* to serve in the House of Assembly for Electoral District/All
Island District

held on the.....day of ,..... 20....., being dissatisfied with
the accuracy of the count HEREBY DEMAND a recount and set forth below the reasons for my
demand.

REASONS

Signature of Candidate or Agent

Date:

*Delete as appropriate

(Inserted by Ord. 29 of 2020)

FORM NO. 23

Section 57(1)(a)

RETURN AFTER POLL HAS BEEN TAKEN

I hereby certify that the member(s) elected for the electoral district in
pursuance of the within Writ as having received the larger number/largest
number of votes lawfully given is
.....
..... (Name,
address and occupation as stated in Nomination Paper).

.....
Returning Officer

SCHEDULE 2

Section 28(1)

**NOTIFICATION OF VOTING SYMBOL BY A POLITICAL PARTY/INDEPENDENT
CANDIDATE**

To: The Supervisor of Elections—

We, the undersigned persons hereby give notice that we are members of the party called and that we desire to use the voting symbol*

and that we are contesting the election immediately forthcoming in the relevant electoral district appearing opposite our names.

Name of Candidate	Address	Occupation	No. of Electoral District	Signature
-------------------	---------	------------	---------------------------	-----------

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

I certify that the above statement is true and correct.

Date Secretary to Party

**Give full description of voting symbol.*

**ELECTORAL DISTRICTS (BOUNDARIES AMENDMENT)
ORDINANCE**

AN ORDINANCE TO GIVE EFFECT TO THE RECOMMENDATIONS OF THE ELECTORAL DISTRICT BOUNDARY COMMISSION REVIEWING THE ELECTORAL DISTRICT BOUNDARIES INTO WHICH THE ISLANDS ARE DIVIDED.

Commencement

[21 August 2012]

Short title

1. This Ordinance may be cited as the Electoral Districts (Boundaries Amendment) Ordinance.

First Election

2. For the purposes of the first election to be held in the Islands after the commencement of the 2011 Constitution, the ten electoral districts shall be as defined in the Schedule.

SCHEDULE

(Section 2)

TURKS AND CAICOS ISLANDS ELECTORIAL DISTRICTS**Electoral District 1: Grand Turk, North**

Comprising all that area to the north of the Island of Grand Turk bounded on the south by a line commencing from a point on the western seacoast, which is defined by the prolongation of the northern wall of the old prison to the point where it meets the western sea coast; thence due east along the northern wall of the old prison and its prolongation across the Salina to the point of intersection with the common boundary between Blocks 10402 and 10403; thence in a northerly direction along that common boundary to the point of its intersection with the common boundary of Blocks 10401 and 10403; thence due east along the latter common boundary to its intersection with a point on the eastern seacoast of Grand Turk.

Electoral District 2: Grand Turk, South

Comprising all that area to the south of the Island of Grand Turk bounded on the north by a line commencing from a point on the western seacoast, which is defined by the prolongation of the northern wall of the old prison to the point where it meets the western sea coast; thence due east along the northern wall of the old prison and its prolongation across the Salina to the point of intersection with the common boundary between Blocks 10402 and 10403; thence in a northerly direction along that common boundary to the point of its intersection with the common boundary

of Blocks 10401 and 10403; thence due east along the latter common boundary to its intersection with a point on the eastern seacoast of Grand Turk; and the island of Salt Cay.

Electoral District 3: South Caicos

Comprising of the Islands of South Caicos and East Caicos, and Big Ambergris Cay and Little Ambergris Cay.

Electoral District 4: Middle Caicos and North Caicos

Comprising of the Islands of North Caicos and Middle (or Grand) Caicos; and Parrot Cay and other neighbouring Cays.

Electoral District 5: Leeward, Providenciales

Comprising that part of Providenciales bounded by the line commencing from the point on the eastern coastline of Providenciales where the Leeward Highway meets with the coastline; then due north west along the eastern coastline of Providenciales, and continuing in that general direction to the extreme north easterly point on the coastline of Providenciales, called the Leeward Going Through Point; then due south west along the northern coastline of Providenciales, and continuing in that general direction to the point of intersection with the common boundary between Blocks 60906 and 60907; then due south east along the common boundary between Blocks 60906 and 60907, and continuing in that general direction along the said common boundary to the point of intersection with the northern boundary of Block 60810; then due north east along the common boundary between Blocks 60907 and 60810 to the point where the boundaries of Blocks 60810, 60907 and 60900 converge; then due south along the common boundary between Blocks 60810 and 60900 to its intersection with the Leeward Highway; then due north east along the centre line of the Leeward Highway to the point of intersection with the common boundary between Blocks 60811 and 61112; thence continuing in a general southerly direction along the latter common boundary, and continuing in that general direction along the common boundary between Blocks 61110 and 61112, and Blocks 61109 and 61112 to the point of intersection with the southern coastline of Providenciales; then due north east along the southern coastline, and continuing in that general direction along the southern coastline of Providenciales to Crist Point (the north eastern most point of Providenciales); then due north west along the eastern coastline of Providenciales, and continuing in that general direction to the point of commencement; and the Islands of Pine Cay, Water Cay and the East Cays, including Dellis Cay.

Electoral District 6: The Bight, Providenciales

Comprising that part of Providenciales bounded by the line commencing from the point of intersection of the common boundary between Blocks 60906 and 60907 with the northern coastline of Providenciales; then due south east along the common boundary between Blocks 60906 and 60907, and continuing in that general direction along the said common boundary to the point of intersection with the northern boundary of Block 60810; then due north east along the common boundary between Blocks 60907 and 60810 to the point where the boundaries of Blocks 60810, 60907 and 60900 converge; then due south along the common boundary between Blocks 60810 and 60900 to its intersection with the Leeward Highway; then due north east along the centre line of the Leeward Highway to the point of intersection with the common boundary between Blocks 60811 and 61112; thence continuing in a general southerly direction along the latter common boundary, and continuing in that general direction along the common boundary

between Blocks 61110 and 61112, and Blocks 61109 and 61112 to the point of intersection with the southern coastline of Providenciales; then due south west along the southern coastline of Providenciales, and continuing in that general direction along the southern coastline to the point of intersection of the common boundary between Blocks 61002 and 61101 and the southern coastline; and continuing in a general westerly direction along the entire seaward boundary of Block 61002 to the point on the southern coastline, where the common boundary between Blocks 61005 and 61002 meets at Sugar Loaf Hill; then continuing due west along the southern coastline of Providenciales to a point at Cooper Jack Bight where the seaward boundary of Block 60721 intersects the boundary of Block 61003 at a point along the southern coastline; then due north, then east and continuing in a general northerly direction along the common boundary between Blocks 60721 and 61003 to its intersection with Turtle Tail Drive; thence due west along the centerline of Turtle Tail Drive to the point of intersection with Venetian Road and Brook Close; thence in a general northerly direction along the centerline of Venetian Road to the point of intersection with the Leeward Highway; then due east along the centerline of the Leeward Highway to its intersection with Pratt Road; thence in a general northerly direction along the centerline of Pratt Road to the point where it intersects with the Lower Bight Road and the common boundary between Blocks 60714 and 60812; thence due north along the latter common boundary to the point of intersection with the northern coastline of Providenciales; thence in a north easterly direction along the northern coastline of Providenciales to the point of commencement.

Electoral District 7: Cheshire Hall and Richmond Hill, Providenciales

Comprising that part of Providenciales bounded by the line commencing at the south eastern most point on the common boundary between Blocks 60514 and 60513, thence due north north east along the common boundary between Blocks 60512 and 60513; then due east, then north and then east along the common boundary between Blocks 60510 and 60601; and continuing in that general direction along the common boundary between Blocks 60510 and 60602; and continuing in a general northerly direction along the common boundary between Blocks 60510 and 60505 to the point of intersection with Spring Water Street; then due east along the centre line of Spring Water Street to the point of intersection with Fresh Water Avenue; then due north along Fresh Water Avenue to its intersection with the Millennium Highway; then due west along the centre line of the Millennium Highway to the point of intersection with Bay Road, Blue Hills; then due north east along the centre line of Bay Road to the point of intersection with the common boundary between Blocks 60505 and 60506; then due north along the latter common boundary to the point of intersection with the northern coastline of Providenciales; then due east along the northern coastline and continuing in that general direction to its intersection with the common boundary between Blocks 60714 and 60812; then due south along the latter common boundary to the point of intersection with the Lower Bight Road and Pratt Road; and continuing in a general southerly direction along the centre line of Pratt Road to the point of intersection with the Leeward Highway; thence due west along the centerline of the Leeward Highway to its intersection with Venetian Road; thence in a general southerly direction along the centerline of Venetian Road to the point of intersection with Brook Close and Turtle Tail Drive; and continuing in a general easterly direction along the centre line of Turtle Tail Drive to the point of intersection with a road leading south, at the point where the common boundary between Blocks 60721 and 61003 meets at the road junction; and continuing in a general southerly direction along the common boundary between Blocks 60721 and 61003 to its intersection with the southern coastline of Providenciales; thence in a general south westerly direction along the southern coastline to Cooper Jack Point; then continuing in a general north easterly direction along the southern coastline of Providenciales to its intersection with a point at the mouth of Cheshire Hall Creek; then due north, and then north east along the western shoreline of Cheshire Hall Creek to a

point where the boundary lines of three Blocks – Blocks 60602, 60706 and 60700, converge at Aviation Drive; and continuing in a general north westerly direction along the centre line of Aviation Drive to the point of intersection with old Airport Road; then due north along the centerline of Old Airport Road to its intersection with Airport Road; then due west along the centerline of Airport Road to the point of intersection with the eastern boundary of Parcel 60601/9; then due south along the eastern boundary of the latter parcel, and then due west along the southern boundary of the said Parcel 60601/9, and continuing in that general direction to the point of commencement.

Electoral District 8: Blue Hills, Providenciales

Comprising that part of Providenciales bounded by the line commencing at a point where the common boundary between Blocks 60001 and 60514 meets the northern shoreline of Chalk Sound; then due east along the northern shoreline of Chalk Sound, and continuing in that general direction along the common boundary between Blocks 60514 and 60513; then due north along the latter common boundary to the point of intersection with the boundary of Block 60512; thence in a general easterly direction along the common boundary between Blocks 60512 and 60513, and 60510 and 60601, and continuing in that general direction along the common boundary between Blocks 60510 and 60602; thence in a general northerly direction along the common boundary between Blocks 60510 and 60505 to the point of intersection Spring Water Street; then due east along the centre line of Spring Water Street to the point of intersection with Fresh Water Avenue; then due north along Fresh Water Avenue to the centre line of the Millennium Highway; then due West along the centre line of the Millennium Highway to the point of intersection with Bay Road, Blue Hills; then due north east along the centre line of Bay Road to the point of intersection with the common boundary between Blocks 60505 and 60506; then due north along that common boundary to the point of intersection with the northern coastline; then due west along the northern coastline and continuing in that general direction to its intersection with the common boundary between Blocks 60502 and 60503; then due south west along the latter common boundary, thence due north west, then south west again, along the said common boundary, and continuing in that general direction along the common boundary between Blocks 60507 and 60508 to the point of intersection with the boundary of Block 60002; then due south west along the common boundary between Blocks 60002 and 60508; and continuing in that general direction along the straight line representing the common boundaries between Blocks 60001 and 60511, and 60001 and 60514 to the point of commencement.

Electoral District 9: Five Cays, Providenciales

Comprising that part of the Island of Providenciales bounded by the line commencing at a point at the mouth of Cheshire Hall Creek on the southern coastline of Providenciales; then due north along the western coastline of Cheshire Hall Creek to a point where the boundary lines of three Blocks – Blocks 60602, 60706 and 60700, converge at Aviation Drive; then continuing in a general westerly direction along the centre line of Aviation Drive to the point of intersection with old Airport Road; then due north along Old Airport Road to its intersection with Airport Road; then due west along the centre line of Airport Road to the point of intersection with the eastern boundary of Parcel 60601/9; then due south along the eastern boundary of the latter parcel, and then due west along the southern boundary of the said parcel 60601/9, and continuing in that general direction along the common boundary between Blocks 60514 and 60513 to the point of intersection with the northern shoreline of Chalk Sound then due west along the northern shoreline of Chalk Sound, and continuing along the shoreline of Chalk Sound immediately adjacent to Block 60000, and then Block 60300, until it meets the southern coastline of Providenciales at the point of West Mouth; and continuing in a general south easterly direction

along the southern coastline of Providenciales to Sapodilla Hill Point; then due east along the southern coastline, and continuing in that general direction along the seaward boundary of Block 60608; and continuing northwards along the southern coastline of Providenciales to the point of commencement.

Electoral District 10: Wheeland, Providenciales

Comprising that part of the Island of Providenciales bounded by the line commencing at the point where the common boundary between Blocks 60502 and 60503; then due south west along the latter common boundary, thence due north west, then south west again, along the said common boundary, and continuing in that general direction along the common boundary between Blocks 60507 and 60508 to the point of intersection with the boundary of Block 60002; then due south west along the common boundary between Blocks 60002 and 60508; and continuing in that general direction along the straight line representing the common boundaries between Blocks 60001 and 60511, and 60001 and 60514 to the point of intersection with the northern shoreline of Chalk Sound; then due west along the northern shoreline of Chalk Sound, and continuing along the shoreline of Chalk Sound immediately adjacent to Block 60000, and then Block 60300, until it meets the southern coastline of Providenciales at the point of West Mouth; then due west south west along the coastline through Proggin Bay to West Harbour Bluff; then due north west along the coastline to a point near Pelican Point; then due north along the western coastline of Providenciales to North West Point; and continuing in a general south easterly direction along the northern coastline of Providenciales to the point of commencement; and the Island of West Caicos.
