

Unvalidated References:

National Research Institute Act 1975

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

.....
Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 165.

National Research Institute (Election of Staff Representative) Regulation
1980

ARRANGEMENT OF SECTIONS.

1. Interpretation.
 - “absent member”
 - “absolute majority of votes”
 - “election”
 - “member”
 - “Returning Officer”
2. Qualifications.
3. Nominations.
4. Candidate.
5. Method of election.
6. Returning Officer to preside.
7. Voting.
8. Informal ballot-papers.
9. Declaration of results.

National Research Institute (Election of Staff Representative) Regulation 1980

MADE under the *National Research Institute Act 1975*.

Dated 200 .

1. INTERPRETATION.

In this Regulation, unless the contrary intention appears—

“**absent member**” means a member who is away on field-work within Papua New Guinea;

“**absolute majority of votes**”, in relation to any court, means a greater number than one-half of the total number of ballot-papers (not including informal ballot-papers);

“**election**” means election for the purpose of Section 8(1)(e) of the Act;

“**member**” means a person, other than the Director, employed on the full-time research staff of the Institute as—

- (a) a senior research fellow, research fellow, senior research officer or research officer; or
- (b) a visiting research fellow—
 - (i) engaged under a contract of service with the Institute of or over 12 months duration; or

- (ii) engaged under a contract of service with the Institute of or over 24 months duration, through funding by a body other than the Institute,

and includes—

- (c) a graduate librarian whether engaged under a contract of service or otherwise; and
- (d) a person employed on the editorial staff;

“Returning Officer” means the Secretary of the Institute.

2. QUALIFICATIONS.

A person is not qualified to vote at the election or stand for election unless he is a member.

3. NOMINATIONS.

(1) The Returning Officer shall call for nominations for the election by placing a notice on the Institute noticeboard or other conspicuous place within the precincts of the Institute.

(2) The Returning Officer shall notify any absent member of the fact that nominations are being called.

(3) A notice under this section shall include—

- (a) the date on which the nominations are to close; and
- (b) the date or dates on which the voting shall take place; and
- (c) the date on which the voting shall close.

4. CANDIDATE.

(1) A member may by completing a form supplied by the Returning Officer for that purpose, nominate himself or another member to be a candidate for election.

(2) The Returning Officer shall place on the Institute noticeboard a list of names of candidates duly nominated.

(3) The Returning Officer shall furnish an absent member with—

- (a) a copy of the list of names under Subsection (2); and
- (b) a ballot-paper.

5. METHOD OF ELECTION.

(1) The method of election is by preferential system and the Returning Officer shall inform the voters accordingly.

(2) A voter has as many preferences as there are candidates whose names appear on the ballot-paper.

6. RETURNING OFFICER TO PRESIDE.

The Returning Officer shall preside at the voting and shall be assisted by one or more scrutineers appointed by him.

7. VOTING.

(1) Voting shall be by secret ballot and an absent member who desires to vote may record his vote by mail so as to reach the Returning Officer within the time limit specified for that purpose.

(2) A voter shall mark his vote on the ballot-paper by placing the numeral "1" in the square opposite the name of the candidate for whom he votes as his first preference, and shall give contingent votes for all the remaining candidates by placing the numerals "2", "3", "4" (and so on, as the case requires) in the square opposite their respective names so as to indicate the order of his preference for them.

8. INFORMAL BALLOT-PAPERS.

(1) Subject to Subsection (2), where a ballot-paper—

- (a) has no vote indicated on it; or
- (b) does not indicate the voter's preferences for one or more candidates,

the ballot-paper is informal, and the Returning Officer shall reject it.

(2) Where there are two candidates only and the voter has indicated his vote by placing the numeral "1" in the square opposite the name of one candidate and has left the other square blank, the voter shall be deemed to have indicated the order of his preference for those candidates.

9. DECLARATION OF RESULTS.

(1) Where at the close of nominations, one candidate only has been nominated, the Returning Officer shall declare him duly elected.

(2) Where at the close of voting two or more candidates have been nominated, the Returning Officer shall determine the result of the election by scrutiny in the following manner:—

- (a) the Returning officer shall ascertain the total number of first preference votes given for each candidate;
- (b) the candidate who has received the highest number of first preference votes shall, if that number constitutes an absolute majority of votes, be declared elected;
- (c) where no candidate has received an absolute majority of first preference votes—
 - (i) in the case of all the candidates receiving an equal number of first preference votes—the Returning Officer shall order a new round of voting; and

- (ii) in any other case—a second count shall be made;
 - (d) on the second count, the candidate who has received the least number of first preference votes shall be eliminated and each ballot-paper counted to him shall be counted to the candidate next in the order of the voter's preference;
 - (e) if a candidate then has an absolute majority of votes he shall be declared elected, but if no candidate then has an absolute majority of votes, the process of eliminating the candidate who has received the least number of votes and the counting of his ballot-papers to the candidate next in the order of the voter's preference shall be repeated until one candidate has received an absolute majority of votes;
 - (f) the candidate who has received an absolute majority of votes shall be declared elected;
 - (g) if, on the final count in accordance with Paragraph (e), no candidate has received an absolute majority of votes, the Returning Officer shall order a new round of voting at which only the two candidates who have received at that final count the highest number of preferences, shall be the contestants;
 - (h) if after the voting under either Paragraph (c)(i) or (g) the candidates have an equal number of votes, the Returning Officer shall order a new election.
- (3) For the purpose of Subsection (2)(c)(i) and (g), the Returning Officer shall—
- (a) inform the members of his decision to order a new round of voting; and
 - (b) give the names of the candidates; and
 - (c) furnish to each member a ballot-paper; and
 - (d) specify the date on which voting shall close,

and declared elected the candidate who, at the close of voting has received the majority of votes.

*National Research Institute (Election of Staff Representative)
Regulation 1980*