

SUPPLEMENT to the Solomon Islands Gazette

Friday 7th November, 2014

S.I. No.75

[Legal Notice No. 105]

HONIARA CITY ACT 1999

(NO.2 of 1999)

**THE HONIARA CITY COUNCIL (ELECTION) (AMENDMENT)
REGULATIONS 2014**

IN exercise of the powers conferred by section 18 of the Honiara City Act 1999, the Minister hereby makes the following regulations –

Citation and Commencement

1. These Regulations may be cited as the Honiara City Council (Election) (Amendment) Regulation 2014, and shall come into operation on the date of publication in the *Gazette*.

Principal Regulation is amended

2. The Honiara City Council (Election) Regulations 1999 is hereby amended in the following manner –
 - (a) Principal Regulation is amended in the interpretation section by deleting the definition of “register of votes” and substituting therein the words “register of vote’s means a register of voters duly prepared, registered and accepted for each ward in Honiara Constituencies by the National Electoral Commission”.
 - (b) Regulation 3 of the principal Regulation is amended by deleting these words “under the Local Government (Regulation of Voters) Regulations shall be the register of voters”, and substituting therein the words “and accepted for each ward in Honiara Constituencies by the National Electoral Commission”.

- (c) Regulation 4 of the principal Regulation is amended by deleting the words “under the Local Government (Registration of Voters) Regulations” and substituting therein the words “in any of the ward in Honiara Constituencies”.
- (d) Regulation 9 of the principal Regulation is amended by deleting the words “two hundred and fifty dollars” and substituting therein the words “five hundred dollars”.
- (e) Regulation 19 (1) of the principal Regulation is amended by deleting sub regulation (1) and substituted herein with the following new subregulation “(1) The presiding officer shall cause to be placed in each polling station a single ballot box and shall be shown to the meeting of voters before being placed in the polling station and before any voting commences. When in use for voting the single ballot box shall be screened from the observation by all persons other than the voter casting his vote and shall be so constructed that the ballot papers can be put therein by the voter but cannot by him be withdrawn”.
- (f) Regulation 19 (2) of the Principal Regulation is hereby deleted and substituted therein with the words “(2) Immediately before the commencement of the voting, the presiding officer at the polling station shall show a single ballot box empty to the meeting of voters so that they may see that the ballot box is empty and shall then close and seal the sign ballot box in such manner as to prevent them being opened without breaking”.
- (g) Regulation 21 (g) of the principal Regulation is hereby amended by deleting the words “of the candidates for whom the voter wishes to vote and adding thereafter a full stop”.
- (h) Regulation 28 of the principal Regulation is hereby deleted and substituted with a new Regulation 28 –

“Regulation 28 (1) The counting of votes shall commence, so far as is practicable, on such day and on such hours in that day as may be specified by the Assistant Returning Officer.

(2) All counting shall be completed within such number of days as may be specified by the Assistant Returning Officer.”.

- (i) Regulation 30 of the principal Regulation is hereby deleted and substituted with a new Regulation 30 –

“Regulation 30 The Returning Officer shall, in the presence of the counting agents, open each ballot box and, taking out the ballot papers, shall, with such assistant of Assistant Returning Officers as he may deem expedient, count and record the number thereof cast in favour of each candidate.”.

- (j) Regulation 31 of the principal Regulation is hereby deleted and substituted therein a new Regulation 31 –

“Regulation 31 The Returning Officer and any Assistant Returning Officers assisting the Assistant Returning Officer, while counting and recording the number of ballot papers, shall, keep the ballot papers with their faces upwards and take all precautions for preventing any person from seeing the numbers printed on the back of the ballot paper.”.

- (k) Regulation 32 of the principal Regulation is hereby deleted and substituted with a new Regulation 32 –

“Regulation 32 (1) A ballot paper shall counted if it is clear which candidate the voter intended to vote for.

(2) The determination of a ballot paper under sub regulation (1) shall be done in the presence of a police officer and counting agents for the candidates in that Ward.

(3) Notwithstanding subsection (1), the following ballot paper shall not be counted –

- (a) a ballot paper which does not bear an official mark; or
- (b) a ballot paper on which anything is written or marked by which an elector can be identified other than the printed matters.”.

- (l) Schedule of the principal regulation is hereby amended by deleting the Form therein and substituting with these new Forms respectively –

NOMINATION PAPER

**SCHEDULE
(Regulation 8, 9)**

Electoral Ward for which the candidate seeks election:

[Empty rounded rectangular box for Electoral Ward name]

Date of Election: / / 2014

[Empty rectangular box for Conditions for Nomination]

1. I, the undersigned, am the candidate to whom this nomination paper refers, and I hereby state that I am willing to stand for election to the Honiara City Council as a Member for the above Ward.
2. I also hereby state that I am qualified, and not disqualified for Honiara City Council in accordance with the law now in force in Honiara City Council, that is to say:
 - (a) I am registered voter in this particular ward
 - (b) I am a citizen of Solomon Islands;
 - (c) I have attained the age of 21 years;
 - (d) I am not, by virtue of my own act, under any acknowledgement of allegiance, obedience or adherence to a foreign power or state;
 - (e) I am not an undischarged bankrupt having been adjudged or otherwise declared bankrupt under any law for the time being in force in any part of the Commonwealth;
 - (f) I have not been certified insane or otherwise adjudged to be of unsound mind under any law for the time being in force in Solomon Islands;
 - (g) I am not under sentence of death imposed by a court in any part of the world, or under a sentence of imprisonment for a term of or exceeding six months other than a sentence in lieu of a fine but including a suspended sentence imposed by such a court or substituted by competent authority for some other sentence imposed on me by such a court;
 - (h) I am not disqualified from membership of the Honiara City Council or from registration as an elector or from voting at elections under any law for the time being in force in Solomon Islands relating to offences connected with elections;

- (i) I am not holding or acting in any office the functions of which involve any responsibility for, or in connection with, the conduct of any election to the Honiara City Council or the compilation or revision of any electoral register for that purpose.

Candidate details			
Full name:			
Address:	Phone No:		
Description (Occupation):	ID number:		
Political Party (where applicable):			
Date: / /	Signature:		
Nominator details and declaration			
<i>We, the undersigned, are the nominators of the candidate, and are electors for the Electoral Ward for which this candidate seeks election.</i>			
Nomination 1	Full name:		
	Address:	Phone No:	
	Description (Occupation):		
	I am registered as a voter in the Village in the Ward. Voter ID number		
	Date: / /	Signature:	
Nomination 2	Full name:		
	Address:	Phone No:	
	Description (occupation):		
	I am registered as a voter in the Village in the Ward. Voter ID number		
	Date: / /	Signature:	
Nomination 3	Full name:	Phone No:	
	Address:		
	Description (occupation):		
	I am registered as a voter in the Village in the Ward. Voter ID number		
	Date: / /	Signature:	
	Date Rec'd: / /	Time Rec'd: (am / pm)	Nomination number:
	Symbol:		Symbol colour:
	Receipt Number:	<input type="checkbox"/> RO signature:	

497

FORM B

NOMINATIONS CHECKLIST

(Attach checklist to completed Nomination Paper Form A in the Schedule)

CANDIDATE'S	
WARD:	
Candidates ID:	
DATE OF RECEIPT:	/ / TIME OF RECEIPT: : (am /

(Nomination period commences and ceases on the dates specified on the 'Section 25' notice)

Tick off each of the following check list dot points	(✓)
• Nomination deposit of \$500 received (banker's draft or cash only)	
• Receipt provided for the candidate's deposit of \$500	
• Not on the receipt either 'banker's draft or cash'	
• Symbol with a coloured background selected by Candidate or the Candidate's Nominator, or registered by the Political Party	

Symbol selected:	Symbol colour:
-------------------------	-----------------------

Only after receipt of **both the nomination paper and the deposit** should the Returning Officer proceed to check the validity of the nomination paper. Both Nomination Paper and deposit must be delivered before the close of nominations; otherwise the paper must be rejected (see "Rejected Nomination Papers" on following page).

Validity of nomination paper

As well as the requirement for the nomination paper and the deposit to have been delivered before the close of nominations, the following must apply for the nomination to be valid:

- ✓ The paper is in the form prescribed in the Schedule.
- ✓ All details have been properly completed on the nomination paper.
- ✓ The nomination paper has been signed by both the Candidate and the Candidate's nominators, and dated.
- ✓ The Returning Officer does not possess information which suggests that the Candidate stands nominated for another Constituency.
- ✓ The Returning Officer does not possess information which suggests that the Candidate is not qualified for election under s48 of the Constitution ie has attained the age of 21 years and is not a citizen of the Solomon Islands.
- ✓ The Returning Officer does not possess information which suggests that the Candidate is disqualified for election under s49 of the Constitution (*see previous dot point*);
- ✓ The Returning Officer does not possess information which suggests that the nominators are not eligible nominators. As a minimum, the Returning Officer must ensure that the nominators are on the List of Voters for the address claimed and that the nominators are registered for the Ward for which the Candidate is standing for election.

Rejected Nomination Papers

If the Returning Officer rejects the nomination paper for any of the reasons set out above the nomination paper must be endorsed by the Returning Officer with the words "Rejected". Write on the paper the reason for rejecting the nomination paper and sign and date the nomination paper. The Returning Officer must then advise the Candidate or one of the Candidate's nominators of the decision and the reasons immediately. The Election Manager must also be advised of the decision.

Processing of Valid Nomination Papers by Returning Officer (tick off/ check boxes)

The following procedures are to be adhered to when dealing with valid nominations:

- In the 'Returning Officer Use Only' box on the nomination paper,
 - Write the date and time the nomination paper was received by the Returning Officer.
 - Write the sequential number given to the nomination paper
 - Write the receipt number for the Candidate's deposit
 - Signed by the Returning Officer

- If you have access to a fax machine complete the fax header sheet (see next page) and fax both the header sheet and the nomination paper to your Election Manager.

- If you don't have access to a fax machine, you should phone or radio your Election Manager as soon as you have accepted the nomination and provide him or her with the details on the nomination paper. Once you have phoned or radio the details you must make a photocopy of the nomination paper and send / deliver the copy to your Election Manager by the fastest possible means.

- Make an alphabetical list of al nominators (three per nomination), including their Voter ID numbers and update the list after each nomination is received. This list will assist you in ensuring that individual electors do not nominate more than one candidate.

- Keep the nomination deposits secure until they can be banked.

- Keep al original nomination forms filed securely and return them to the Honiara City Council with the rest of your election material after Polling Day.

Honiara City Council
 P O Box 324
 Honiara, Solomon Islands

Fax	
To:	From:
Fax:	Pages: (including cover page)
Phone:	Date:
Re: Nomination Paper	cc:

500

The following Nomination Paper is attached:

Ward		
Candidate's name:		
Candidate's ID Number		
Description (occupation):	Political Party (if applicable):	
Symbol selected:	Symbol colour:	
Order / draw of Nomination (ie 1st, 2nd, 3rd, etc):		
Received date and time of Nomination:	/ /	: (am / pm)
Nomination deposit received? Tick (✓) Yes or No	Yes:	No:
How was Nomination deposit paid? tick (✓) correct	Cash:	Banker's Cheque:
Full Names of Nominators		
Nominator (1):		
Nominator (2):		
Nominator (3):		
Name of Returning Officer:		
Returning Officer Signature:	Date: / /	

Dated at Honiara this sixth day of November, 2014.

HON. MANASSEH MAELANGA
Minister for Home Affairs

Honiara, Solomon Islands
Printed under the authority of the
Solomon Islands Government
Printed by Pacific Printers Limited.