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NEW HEBRIDES

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ELECTION REGULATION

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NEW HEBRIDES CONDOMINIUMJOINT REGULATION

No. of

1979

To provide for registration of voters and elections

MADE by the Resident Commissioners under Article 2(2) and Article 7 of the Anglo-French Protocol of 1914 and the Exchange of Notes between the Governments of the French Republic and the United Kingdom of Great Britain and Northern Ireland on the _____ day of _____ 1979.

PART 1 - PRELIMINARY

1. In this Regulation unless the context otherwise requires

Interpre-
tation.

a person shall be related to a person if he is that persons spouse, or the brother, sister, uncle, aunt or lineal ancestor or descendant of that person or his spouse.

"Constituency" means one of the Constituencies into which the New Hebrides is divided by Joint Regulation for the purpose of elections.

"District Agent" means a person appointed to that office under Article 2:3 of the Anglo-French Protocol of 1914, or a person acting in such office, or a person carrying out the duties of such office.

"election" includes a by-election.

"election offence" means any offence provided for under this Regulation and includes an offence under section 54.

"electoral list" means the electoral list drawn up in accordance with Parts 5, 6 and 8 prior to the first

elections held in accordance with this Regulation and for later elections the existing electoral roll established in accordance with section 23.

"electoral officer" means the Clerk and officers of the Electoral Office, a District Agent, a registration officer, a presiding officer, a returning officer or a polling clerk.

"general election" means an election held to fill vacancies occurring after the end of a term of the Representative Assembly or on its dissolution.

"Minister" means the Minister appointed by the Chief Minister to be responsible for organising elections or any Minister acting on his behalf.

"New Hebridean" means a person of Pacific island origin who is not a citizen, subject or protected person of Britain, France or any foreign state.

"polling day" means the date fixed for an election or the commencement of an election in accordance with Section 21 of this Regulation, any other Joint Regulation or an Exchange of Notes between Britain and France amending the Anglo-French Protocol of 1914.

Words and expressions importing the masculine gender include the feminine and importing the singular include the plural and vice-versa.

PART 2 - ELECTORAL OFFICE AND COORDINATING COMMITTEE

Organisation and Administration of Elections by the Minister and Electoral Office.

2. (1) The Minister shall be responsible for the organisation and administration of elections subject to the powers of the Resident Commissioners under this Regulation.
- (2) For the purposes of subsection (1) the Minister shall establish an electoral office.
- (3) The Electoral Office shall be supervised by a Clerk who shall be appointed by the Minister after consultation with the Resident Commissioners and the Council of Ministers.
- (4) The Government shall second to the Electoral Office such staff as in the opinion of the Minister shall be required for the effective discharge of its functions.
- (5) The Electoral Office shall be in Port-Vila and the Minister may establish branch offices.
- (6) There shall be a Coordinating Committee consisting of the Chancellor of the French Residency, the Chief Secretary of the British Residency and the Clerk of the Electoral Office or such other representative as the Minister shall appoint.
- (7) The function of the Coordinating Committee shall be to ensure the efficient administration of elections.

Responsibilities of Electoral Office.

3. (1) Subject to section 2(1) the Electoral Office shall be responsible for the administrative matters relating to the registration of electors and the conduct of elections.
- (2) The Electoral Office shall in particular be responsible for:

- (a) control of electoral expenditure;
- (b) instruction, supervision and remuneration of Registration Officers;
- (c) transport, travel and equipment for Registration Officers;
- (d) the design and printing of electoral cards, forms and other material;
- (e) arrangements for New Hebridean voters resident overseas;
- (f) production, distribution and publication of electoral lists;
- (g) providing information to voters and the general public;
- (h) provision and distribution and security of ballot papers, ballot boxes and equipment for polling stations;
- (i) preparation and distribution of instructions for Returning Officers, Presiding Officers and Polling Clerks;
- (j) transport, travel and remuneration for Returning Officers, Presiding Officers and Polling Clerks;
- (k) liaison with Minister, Resident Commissioners and District Agents;
- (l) maintenance, preservation and security of all electoral records;
- (m) preparation of the Election Report required under Section 40(2);
- (n) such other duties as may from time to time be assigned by the Minister or the Resident Commissioners in accordance with their respective powers under this Regulation.

PART 3 - REGISTRATION AREAS

Division of New Hebrides into registration areas.

4. The Council of Ministers shall divide the Constituencies demarcated pursuant to the Exchange of Notes of 15th September 1977 into such number of registration areas as it shall deem fit.

PART 4 - ELECTORAL COMMITTEES

Establishment and Procedures of Electoral Committees.

- 5. (1) The Resident Commissioners shall by Joint Decision after consultation with the Council of Ministers establish such number of electoral committees and for such periods as it may deem fit.
- (2) Each electoral committee shall consist of six members. Two members shall be the District Agents ex officio. The other members shall be appointed by the Resident Commissioners by Joint Decision after consultation with the Council of Ministers.
- (3) The District Agents shall be co-Chairmen of the electoral committees. In the absence of a District Agent he shall be replaced by his Assistant District Agent.
- (4) The decisions of electoral committees shall not be valid unless ^{the} co-Chairmen and not less than two other members are present.
- (5) Decisions of electoral committees shall be taken by a majority vote.

Function of Electoral Committees.

- 6. (1) The function of electoral committees shall be to establish electoral rolls for each registration area.
- (2) Electoral committees shall, for the purpose of establishing electoral rolls, ascertain such information concerning persons as they may deem necessary or as the Minister may direct.

PART 5 - ELECTORAL LISTS

Registration Officers.

- 7. (1) Each electoral committee shall appoint such number of registration officers as it may consider necessary.
- (2) Each assistant district agent shall be ex officio a registration officer for each electoral committee within his administrative district.

- (3) Registration officers, who shall work in teams of not less than two selected by the co-Chairmen of Electoral Committees, shall draw up electoral lists for the purpose of compiling electoral rolls.
- (4) Registration officers shall refer any matter on which they cannot agree to the Electoral Committee of the registration area to which the matter in dispute relates.
- (5) Registration officers may call upon any two inhabitants in any place to assist them in determining the age or place of residence of any person or any other matter for the purpose of drawing up an electoral list.

Persons to give assistance and information.

8. Every person called upon to assist under section 7(5) or to give information concerning himself for determining whether or not his name should be included on an electoral roll shall give such assistance or information without undue delay and to the best of his knowledge and belief.

Declaration as to basis of claim to registration.

9. Any person may be required to furnish a declaration in the form contained in Part 1 of Schedule 1 made and signed by two persons of good standing not related to him as to the facts on which he bases his claim to be eligible for registration.

Qualifications for registration as a voter.

10. (1) A person shall be eligible for registration in the electoral list for the registration area in which he is a resident on 1 July 1979 if he :
- (a) will have attained 18 years on or before polling day and
- (b) (i) is a New Hebridean, or

(ii) is a person who will have resided for not less than one year in the New Hebrides preceding polling day and one of his parents is or was a New Hebridean, or

(iii) is a person who will have resided for not less than three consecutive years in the New Hebrides preceding polling day and was born in the New Hebrides, or

(iv) is a person who will have resided for not less than six consecutive years in the New Hebrides immediately preceding polling day and was not born in the New Hebrides.

(2) In reckoning periods of time for the purpose of subsection (1) periods spent overseas which come to not more than 120 days per year when averaged over the relevant period of residence shall not be taken into account.

(3) A person shall be resident in a registration area for the purposes of this section if his name is recorded as resident in that area in the demographic census of 1979.

(4) Where a person's name is not recorded in the demographic census of 1979 as resident in a registration area and he desires to be registered there the Registration Officers shall make such inquiry as to the residential status of that person as may be necessary.

(5) After making inquiry under subsection (4) the Registration Officers shall make a report and a recommendation to the Electoral Committee.

- (6) A report under subsection (5) shall be supported by such evidence as may be necessary and available.
- (7) Upon receipt of a report under subsection (6) an Electoral Committee shall after considering the report and evidence either enter the name of the voter on the electoral list or refuse to enter it and cause the voter to be informed of its decision.
- (8) An Electoral Committee shall not refuse to register a voter in a registration area other than the one he was recorded as being resident in under the census if that registration area and the one he wishes to be registered in are in the same constituency.
- (9) An Electoral Committee that refuses to register a person in an electoral list shall inform the Electoral Committee of the registration area in which it considers he is resident of its decision.
- (10) The Electoral Committee shall accept as proof of residence the following :
- (a) purchase or rent of accommodation subject to a municipal property tax; or
 - (b) a certificate of employment from an employer that the voter has been employed by him for not less than 3 months before 1 July 1979; or
 - (c) a certificate from a ^{recognised} educational institution that the person named is a student thereof; or
 - (d) an elector's identity card issued in 1975 or in 1977; or
 - (e) a declaration by two persons of good standing who are acceptable to the co-Chairmen.

Registration of person from outside registration area and of persons in their place of origin.

11. (1) When a registration officer is satisfied that a person was permanently resident ^{on 1st July 1979} in another registration area, has not been registered, and is otherwise eligible to vote, he shall provide him with an application to be registered in the registration area of his place of residence.

(2) When a registration officer is satisfied that the place of origin of a person who is otherwise eligible to vote is in another registration area he shall if so requested provide that person with an application to be registered in the registration area in which is his place of origin.

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- (3) An application under subsections (1) or (2) shall be in the form and contain the particulars provided for in Part 2 of Schedule 1.
- (4) A registration officer may require an application under subsections (1) or (2) to be accompanied by such evidence as may be reasonable.
- (5) A registration officer shall assist an applicant to complete his application form sign it as a witness and forward it to the Electoral Committee of the registration area nominated by the applicant and in which that officer is satisfied the applicant is entitled to be registered.
- (6) If an Electoral Committee on receiving an application under subsection (1) or (2) is also satisfied that the applicant named therein is entitled to be registered in the registration area nominated by him it shall register the applicant.
- (7) For the purpose of this section the place of origin of a person means the place where that person has customary rights.

PART 6 - REGISTRATION OF OVERSEAS VOTERS

Declaration
of overseas
'electoral'
area.

12. Where in the opinion of the Resident Commissioners there are sufficient numbers of New Hebrideans residing in any country and it is also possible for them to vote there the Resident Commissioners after consultation with the Council of Ministers shall by order declare that country to be an overseas electoral area.

Overseas
Registration
Committee.

13. (1) The Resident Commissioners whenever they have made a declaration under section 12 shall after consultation with the Council of Ministers ^{by Joint Decision} appoint an overseas Registration Committee consisting of 6 members.

13. (2) Two of the members of the Overseas Registration Committee shall be officers of the French and British National Services and they shall be its co-Chairmen.

(3) Subsections (4) and (5) of Section 5 shall apply to the Overseas Registration Committee.

(4) The function of the Overseas Registration Committee shall be to establish an electoral roll in respect of any overseas electoral area declared under Section 12.

Overseas
Registration
teams.

14. (1) The Overseas Registration Committee shall appoint such number of overseas registration teams, each consisting of not less than two registration officers for each overseas electoral area as it shall consider necessary.

(2) The Overseas Registration teams shall draw up an overseas electoral list in respect of any overseas electoral area declared under Section 12. An overseas electoral list shall be divided into one part for each constituency of the New Hebrides.

Registration of
overseas voters.

15. (1) A New Hebridean who has attained 18 years but who is unable to apply to a registration officer in the New Hebrides for registration in an electoral list by reason of being outside the New Hebrides may apply

(a) if he is in an overseas electoral area to an overseas registration team, or

(b) if he is not in an overseas electoral area to an Electoral Committee by completing and submitting to that Committee the form contained in Part 3 of Schedule 1.

(2) Where a registration officer is satisfied that a New Hebridean present in an overseas electoral area will be in the New Hebrides on polling day he shall apply the provisions of Section 11 to that person.

- (2) If an Electoral Committee after receiving a petition under subsection (1) considers it reasonable that the petitioner's name should be included it shall register his name in the electoral list and issue him with an electoral identity card.
- (3) A petitioner under subsection (1) may appeal to the Resident Commissioners if an Electoral Committee does not register his name in the electoral list.
- (4) Such appeal shall be made within 24 hours of notification to the petitioner of the Committee's decision.
- (5) The Resident Commissioners may either dismiss an appeal under subsection (3) or order the registration of the appellant's name in the electoral list. Their decision shall not be questioned in any court.
19. (1) An Electoral Committee may remove the name of any person from an electoral list if for any reason it considers that that person should not be registered therein.
- (2) An Electoral Committee may require a person whose name has been removed from an electoral list to surrender to the Committee any electoral identity card issued to him.
- (3) A person whose name has been removed from an electoral list pursuant to subsection (1) may appeal against such removal to the Resident Commissioners.
- (4) Such appeal shall be made within 24 hours of notification of such removal to the appellant.
- (5) The Resident Commissioners may either dismiss an appeal under subsection (3) or order the reinstatement of the appellant's name in the electoral list. Their decision shall not be questioned in any court.
20. When an Electoral Committee has completed the electoral lists for each of its registration areas it shall forward a copy of each list to the Electoral Office.
- Removal of names from electoral list and appeals to the Resident Commissioners.
- Electoral Committee to send copy of electoral list to Electoral Office.

PART 9 - FIXING OF ELECTION DATE AND ESTABLISHING
OF ELECTORAL ROLLS

Election
date.

21. The election date shall be:

- (a) in the case of an election following the dissolution of the Representative Assembly, such date as shall be fixed by a Joint Regulation made pursuant to Article 21 of the Exchange of Notes of the 15th September, 1977,
- (b) in all other cases, such date as shall be fixed by Order made by the Council of Ministers which shall specify a date, not earlier than two months nor later than three months after the date of the publication of the Order.

Making electoral list available for inspection and applications for changes thereto.

22. (1) As soon as practicable after the fixing of the date for an election the electoral list shall be made available for inspection by the public during a period of not less than 14 days the dates of which shall be decided by the Minister but which shall end not later than 7 days before polling day.
- (2) The electoral list shall be made available for inspection by:
- (a) each District Agent having a copy at his office,
 - (b) each registration officer having a copy available on request, and
 - (c) copies being lodged at such other places or with such other persons both in the New Hebrides and outside as the Resident Commissioners shall direct or cause to be lodged.

- (3) Before the end of the inspection period any person may make application to an Electoral Committee for:
 - (a) the inclusion or deletion of any name from an electoral list,
 - (b) the correction of any matter in a list,
 - (c) the addition or deletion of any matter in a list, or
 - (d) the correction of any matter or the addition or removal of any matter in any electoral identity card.

Establishment
of electoral
rolls.

23. (1) As soon as practicable after the end of the inspection period provided for in Section 22 each Electoral Committee shall meet and determine all outstanding applications made under Section 22(3) making such additions or deletions from the list as may be required as a result of such determinations.
- (2) Having determined all applications under subsection (1) a committee shall establish the electoral roll for each registration area for which it is responsible.
- (3) The co-Chairmen shall initial each page of two master copies of each roll.
- (4) The co-Chairmen shall endorse on each master copy roll a certificate countersigned by two other committee members stating the number of pages and entries in the roll.
- (5) One copy of each roll endorsed in the manner provided for in subsection (4) shall be sent to the Electoral Office and one copy retained by the Electoral Committee.

PART 10 - CANDIDATES FOR ELECTION

Disqualifi- 24. cations of candidates and incompatibility of functions of some officers.

(1) The following persons shall not be qualified as candidates for election to the Representative Assembly or as their alternates :

- (a) The Resident Commissioners;
- (b) Judges;
- (c) the Chancellor of the French Residency, the Chief Secretary of the British Residency;
- (d) Heads of departments in either the French or the British National Services;
- (e) District Agents;
- (f) members of the Police Forces; and
- (g) members of the Malfatumaauri.

(2) The following persons may not exercise the functions of members of the Representative Assembly whilst carrying out the duties of their office :

- (a) Directors of Government departments;
- (b) public accounting officers;
- (c) magistrates, the Procurator-General and Assistant Procurators-General;
- (d) all other public officers not referred to in subsection (1) or this subsection;
- (e) all teachers and administrative staff of educational institutions paid directly or indirectly out of funds provided by the New Hebrides Government or the French or British Governments.

(3) The Resident Commissioners may after consultation with the Council of Ministers add other persons or classes of persons to either subsection (1) or subsection (2).

Elegibility of 25. candidates.

(1) Subject to section 24 a person shall be eligible to stand as a candidate for election to the Representative Assembly or be, the alternate of such a candidate, if he -

- (a) is not disqualified from voting, and
- (b) has not received a sentence of a term or terms of imprisonment whether suspended or not and without complete remission totalling more than 12 months in length which has not ended three years or more before polling day;
- (c) is not an undischarged bankrupt;
- (d) has attained 25 years of age and either
- (e) is a New Hebridean, or
- (f) he shall have resided in the New Hebrides for a period of not less than 10 years preceding polling day.

(2) Section 10(2) shall apply to paragraph (f) of subsection (1).

Declaration of candidature.

26. (1) Not later than a date before polling day declared by the Resident Commissioners by Joint Decision every candidate for election shall lodge with a District Agent;
- (a) a declaration of candidature signed by him and his alternate in the form and containing the particulars provided for in Part 1 of Schedule 3 which shall include declarations that the candidate and his alternate are eligible as provided for in Section 25;
 - (b) a deposit of FNH 10,000;
 - (c) a full face photograph of himself and one of his alternate;
 - (d) except for a candidate sponsored by a political party having a symbol approved by the Minister on the advice of the Electoral Office, an illustration on paper of his personal electoral symbol;
- (2) A declaration of candidature shall also contain the signatures of not less than five sponsors being persons registered to vote in the constituency of the candidate and not being related to the candidate.

- (3) No person may lodge a declaration of his own candidature;
 - (a) for more than one constituency, or
 - (b) if he is a member of the Representative Assembly in the case of a by-election.
- (4) No person may be alternate for more than one candidate.
- (5) A deposit paid under subsection (1)(b) shall not be repaid unless a candidate:
 - (a) is elected;
 - (b) obtains 5 per centum or more of the votes cast in his constituency; or
 - (c) withdraws his candidature not less than 7 days before polling day.
- (6) A District Agent who receives a declaration of candidature shall give a receipt to the candidate in the form contained in Part 2 of Schedule 3 and forward the declaration immediately to the Electoral Committee.
- (7) Each Electoral Committee shall within 24 hours of the day declared by the Resident Commissioners under subsection (1) make a list of the candidates and alternates named in declarations of candidature received by it and send copies to the Resident Commissioners and the Electoral Office.
- (8) Each Electoral Committee shall send with the list referred to in subsection (7) such comments on the validity of the candidature of any person named in the list as it shall consider fit.

Declaration 27. (1) of invalidity of candidature by Resident Commissioners.

- (1) When a declaration of candidature has been delivered and a deposit paid in compliance with section 26 the candidate, and his alternate shall stand sponsored for election unless and until the Resident Commissioners declare the candidature invalid or evidence is given to the satisfaction of the Resident Commissioners that the candidate or his alternate has died, or the candidate withdraws.

- (2) The Resident Commissioners shall only declare a candidature invalid because,
- (a) the candidate, his alternate or his sponsors do not have the necessary qualifications or are disqualified; or
 - (b) the declaration of candidature is not sponsored as provided in section 26.(2).

(3) Where the Resident Commissioners decide that a candidature is invalid they shall so endorse the declaration of candidature giving reasons for the decision.

(4) The decision of the Resident Commissioners that a candidature is valid or invalid shall be final and not questioned in any proceedings whatsoever.

(5) Nothing in this section shall prevent the Election Disputes Committee declaring the election of a candidate void after the election on the grounds that he was not qualified or was disqualified for election.

Lodging of new declaration of candidature by candidate sponsored by a political party. 28.

When a candidature sponsored by a political party is declared invalid by the Resident Commissioners or a candidate or his alternate so sponsored dies more than 14 days before polling day another candidate or in the case of death of an alternate the same candidate but naming a new alternate sponsored by the same party may lodge a declaration of candidature provided that he does so within 72 hours of the declaration or death but notwithstanding that he does so within a shorter time before polling day than shall have been provided for by the Resident Commissioners under section 26.(1).

Publication
of lists of
candidates.

29. A list of candidates shall be displayed at :
- (a) the office of every District Agent;
 - (b) the Representative Assembly;
 - (c) the Electoral Office; and
 - (d) such other places in the New Hebrides as the Minister may direct and outside the New Hebrides as the Resident Commissioners may direct,

for not less than 14 days before polling day except in the case of new candidatures under section 28 where the period shall be not less than 9 days.

PART 11 - ELECTION OF MEMBERS OF THE
ASSEMBLY

Declaration
of election
without a poll
and notice of
a poll.

30. (1) If at the close of or at any time after the close of the period for declaration of candidates the number of candidates in any constituency is not more than the number of members to be elected the Electoral Committee responsible for the constituency shall so report to the Resident Commissioners who shall declare the candidates elected without a poll.
- (2) If the number of candidates is less than the number of members to be elected the Resident Commissioners shall when they declare the number of candidates elected declare the number of seats vacant.
- (3) The Resident Commissioners shall within 30 days after the declaration referred to in subsection (2) fix the date of an election for the seats declared vacant.
- (4) If the number of candidates exceeds the number of members to be elected a poll shall be taken in accordance with this Part and without undue delay after the closing of the list of candidates the District Agents shall publish a notice stating :

- (a) the names of the candidates and alternates;
- (b) the hours of polling;
- (c) the situation of each polling station;
- (d) sufficient information to enable voters to know which polling station they are required to vote at;
- (e) any other information that may be prescribed.

Presiding Officers. 31.

Every polling station shall be presided over by a presiding officer appointed for that purpose by the Electoral Committee.

Electoral Rolls to be in polling stations and voters only to vote if therein and have electoral identity cards. 32.

(1) During voting a copy of the electoral roll shall be kept in every polling station.

(2) No person may vote unless his name is contained in the roll of electors of the polling station at which he presents himself for voting, and he produces a valid electoral card issued to him.

Persons not entitled to vote. 33.

The following persons shall not be entitled to vote whether or not their names may be on an electoral roll :

(a) persons detained in the mental hospital in accordance with the provisions of the Joint Mental Hospital Regulation No 2 of 1955, and

(b) persons who have been convicted of an election offence within the four years immediately preceding polling day.

Polls to be secret and electors to vote once for one candidate. 34.

(1) A poll shall be taken by secret ballot.

(2) Subject to Section 35 no person shall have more than one vote nor vote for more than one candidate.

Proxy
votes

35. A person may vote by proxy in the circumstances and in the manner provided for in Schedule 4.

Suspension
and
stopping
of poll.

36. (1) Where polling is interrupted at a polling station in such circumstances that in the opinion of the presiding officer, it is temporarily impossible to continue he may suspend the poll and recommence it when he considers polling may continue undisturbed.

(2) Where there has been a suspension and reopening in accordance with subsection (1) polling shall continue after the time fixed for ending the poll for the period of the suspension unless the presiding officer is satisfied that every elector on the roll has cast his vote.

(3) When circumstances arise which in the opinion of a presiding officer make it impossible to continue with a poll within a reasonable time whether or not polling has already been suspended under subsection (1) he shall declare the poll stopped and inform the District Agents of the declaration who shall report thereon to the Electoral Committee which shall immediately forward the report with any comments it may have to the Resident Commissioners.

(4) When a poll has been stopped under subsection (3) all proceedings before the declaration shall by Joint Decision be annulled either:

(a) in every polling station in the relevant constituency if the result in the constituency as a whole could be materially affected by the addition of the votes of voters of the registration area where the poll has been stopped, or

(b) in the polling station where the poll has been stopped only if the results in the relevant constituency as a whole could not be materially affected by the addition of the votes of voters of the registration area where the poll has been stopped

and in either case the Resident Commissioners shall in their Joint Decision fix a new day and time for polling and a new poll shall be held.

(5) If in the opinion of the presiding officer and not less than one polling clerk not later than half an hour before the time fixed for polling to close the number of voters waiting will not be able to vote in that time he may extend the time to the close of the poll by one hour and shall record the extension in his report under Rule 20 of Schedule 5.

(6) The presiding officers may close the polling station when all the voters on the roll have voted but the counting of votes shall not start earlier than one hour before the time fixed for the end of polling.

Display and locking of ballot boxes.

37. Immediately before the commencement of a poll the presiding officer shall show the interior of the ballot box to those lawfully present in the polling station and then lock the box with two padlocks having different keys and shall retain the key of one and give the other to a polling clerk.

Method of
voting and
procedures

38. The method of voting, procedures to be observed during polls, and the manner of counting votes and declaring the election of candidates shall be in accordance with the provisions of Schedule 5.

Publication
of results.

39. As soon as practicable after an election the Resident Commissioners shall cause the results to be published in each constituency in such manner as appears appropriate to them and in the New Hebrides Gazette.

PART 12 - ELECTION REPORTS

Report by
Electoral
Committee
and Minister

40. (1) After an election an electoral committee shall make a report to the Electoral Office with regard to the conduct of the election in the registration areas for which it is responsible and shall forward with the report :
- (a) one copy of each report received by it in accordance with Rule 20 Schedule 5;
 - (b) its comments thereon, and
 - (c) all packets of counted and void ballot papers in its possession.
- (2) The Minister shall not more than three months after the end of the election make a report to the Council of Ministers concerning the conduct of the election which shall include a statement on the overall cost thereof, information on difficulties encountered and how they were dealt with and recommendations for improvements and changes in procedure for future elections.

PART 13 - ELECTION OFFENCESGeneral
Offences

41. (1) Any person who,
- (a) obstructs, hinders or prevents an electoral officer from carrying out duties under this Regulation;
 - (b) knowingly gives false information to any committee or person appointed hereunder either in making an application under this Regulation or in support of another person's application or at any other time, commits an offence and shall be liable on conviction to a fine not exceeding 20,000 FNH or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.
- (2) Any person who contravenes or fails to comply with any of the provisions of this Regulation or any order or any lawful request made hereunder commits an offence and except where any other penalty is specifically provided shall be liable on conviction to a fine not exceeding 20,000 FNH or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

Defacing
and
destruction
of cards,
documents
and notices.

42. Any person who without lawful excuse -
- (a) defaces or destroys any card or document issued to any person under this Regulation, or
 - (b) defaces, destroys or removes any notice exhibited under this Regulation or any document made available for inspection pursuant to this Regulation,

commits an offence and shall be liable on conviction to a fine not exceeding 20,000 FNH or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

Offences relating to declarations of candidature and ballot papers.

43.

Any person who,

- (a) forges or fraudulently defaces or destroys any declaration of candidature or delivers to a District Agent any declaration of candidature knowing the same to be forged, or
- (b) forges or counterfeits or fraudulently destroys any ballot paper or an official mark on any ballot paper, or
- (c) without due authority supplies any ballot paper to any person, or
- (d) sells or offers to sell any ballot paper to any person or purchases or offers to purchase any ballot paper from any person, or
- (e) not being a person entitled under this Regulation to be in possession of any ballot paper has any such ballot paper in his possession, or
- (f) knowingly or intentionally puts into any ballot box anything other than the ballot paper which he is authorised by law to put in, or
- (g) without due authority, takes out of the polling station any ballot paper or is found in possession of any ballot paper outside a polling station, or
- (h) without due authority, destroys, takes, opens or otherwise interferes with any ballot box, ballot paper or

packet of ballot papers in use or intended to be used for the purposes of an election, or

- (i) without due authority, prints any ballot paper
- (j) not being authorised to do so under this Regulation, uses a ballot paper issued to a person, other than himself, with intent that such ballot paper shall record the vote of such other person,

commits an offence and shall be liable on conviction to a fine not exceeding 20,000 FNH or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

Unauthorised voting. 44.

Any person who knowingly votes,

- (a) at an election at which he is not entitled to vote;
- (b) more than once at an election;
- (c) at a polling station where he is not entitled to vote;
- (d) as a proxy knowing the person for whom he votes has already voted or is no longer qualified to vote;

commits an offence and shall be liable on conviction to a fine not exceeding 40,000 FNH or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Personation. 45.

A person commits the offence of personation if he -

- (a) except when voting as a proxy, votes as some other person whether that other person is living or dead or is a fictitious person; or

- (b) votes as proxy for a person whom he knows or has reasonable grounds for supposing to be dead or a fictitious person.

Bribery

46. (1) A person commits the offence of bribery,
- (a) if he directly or indirectly by himself or by other person,
- (i) gives any money or procures any office to or for any voter or to or for any other 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;
- (ii) corruptly does any such act on account of any voter having voted or refrained from voting; or
- (iii) makes any such gift or procurement to or for any person in order to induce that person to procure, or endeavour to procure, the election of any candidate or the vote of any voter,

or if upon or in consequence of any such gift or procurement he procures or engages, promises or endeavours to procure the election of any candidate or the vote of any voter;

- (b) if he advances or pays any money or causes any money to be paid to or to the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election, or knowingly pays any money or causes any money to be paid to any person in discharge or repayment of any money wholly or in

part expended in bribery at any election;

- (c) if before or during an election he 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 or any office, place or employment for himself or for any other person for voting or agreeing to vote or from refraining or agreeing to refrain from voting;
- (d) if after an election he directly or indirectly by himself or by any other person on his behalf receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting.

(2) For the purposes of subsection (1) of this section,

- (a) references to giving money include references to giving, lending, agreeing to give or lend, offering, promising and promising to procure or to endeavour to procure any money or valuable consideration; and
- (b) references to procuring office include references to giving, procuring, agreeing to give or procure, offering, promising and promising to procure or to endeavour to procure any office, place or employment.

Treating. 47.

A person commits the offence of treating,

- (a) if he 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 or entertainment to or for any person,

(i) for the purpose of corruptly influencing that person or any other person to vote or refrain from voting; or

(ii) on account of that person or any other person having voted or refrained from voting or being about to vote or refrain from voting:

(b) if he corruptly accepts or takes food, drink or entertainment offered in the circumstances and for the purpose mentioned in paragraph (a) of this section.

Undue influence.

48. A person commits the offence of undue influence if

(a) he directly or indirectly by himself or by any other person on his behalf,

(i) makes use of or threatens to make use of any force, violence or restraint, or

(ii) 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 that person to vote or refrain from voting, or on account of that person having voted or refrained from voting; or

(b) by abduction, duress or any fraudulent device or contrivance he impedes or prevents the free exercise of the franchise of a voter, or thereby compels, induces or prevails upon a voter either to vote or to refrain from voting:

False
statements
about
candidates.

49. (1) Any person ^{who} before or during an election, for the purposes of affecting the election of any candidate, makes or publishes a false statement of fact in relation to the personal character or conduct of any candidate commits an offence unless he can show that he had reasonable grounds for believing and did believe that statement to be true.
- (2) Any person who before or during an election knowingly publishes a false statement of the withdrawal of a candidate for the purpose of promoting or procuring the return of another candidate commits an offence.
- (3) Any person who commits an offence under this section shall be liable on conviction to a fine not exceeding 40,000 FNH or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.
- (4) The provisions of this section shall not take away the right of any person to sue for defamation of character.

Penalty
for corrupt
practices.

50. (1) The offences of personation, bribery, treating and undue influence are corrupt practices for the purposes of this Regulation.
- (2) A person convicted of a corrupt practice shall be liable on conviction to a fine not exceeding 75,000 FNH or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

Certain activities prohibited on polling day.

51. (1) During the hours of polling no person shall within one hundred metres of any polling station:-
- (a) seek to influence any person to vote for any candidate;
 - (b) seek to ascertain for which candidate any voter intends to vote, or
 - (c) hold any deliberations or discussions.
- (2) During the hours of polling no person shall within one kilometre of a polling station sell any intoxicating liquor.
- (3) Any person who contravenes any of the provisions of this section commits an offence and shall be liable on conviction to a fine not exceeding 20,000 FNH.

Requirement of secrecy.

52. (1) Every election officer, candidate or authorised representative of a candidate attending at a polling station shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person any information as to,
- (a) the name of any voter who has not applied for a ballot paper or voted at a polling station; or
 - (b) the number on the register of any voter who has or has not applied for a ballot paper or voted at a polling station; or
 - (c) an official mark.
- (2) Every person attending at the counting of votes shall maintain and aid in maintaining the secrecy of voting and shall not without authority communicate any information in connection therewith.

- (3) No person shall,
- (a) interfere with or attempt to interfere with a voter when recording his vote;
 - (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted; or
 - (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station has voted or is about to vote;
 - (d) directly or indirectly induce a voter to display his ballot paper after he has selected it so as to make known to any person the name of the candidate for whom he has or has not voted.
- (4) No person who has undertaken to assist,
- (a) a blind voter, or
 - (b) a voter who is incapacitated from voting by other physical cause,
- to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted.
- (5) Any person who contravenes any provision of this section commits an offence and shall be liable on conviction to a fine not exceeding 40,000 FNH or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Offences
by
election
officers.

53.

Any election officer, having any duty to perform, under this Regulation, who

- (a) makes in any record, return or other document which he is required to keep or make under this Regulation any

entry which he knows or has reasonable cause to believe to be false, or does not believe to be true, or

- (b) permits any person whom he knows or has reasonable cause to believe not to be a person who is blind or incapacitated from voting by other physical cause to vote in a manner provided for such persons, or
- (c) refuses to permit any person whom he knows or has reasonable cause to believe to be a person who is blind or incapacitated from voting by other physical cause to vote in a manner provided for such persons, or
- (d) wilfully prevents any person from voting at the polling station at which he knows or has reasonable cause to believe such person is bound to vote, or
- (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, 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, or
- (g) without reasonable cause acts or omits to act, in breach of his official duty,

commits an offence and shall be liable on conviction to a fine not exceeding 60,000 FNH or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

54. (1) It shall be an offence to conspire with other persons to or to attempt to commit an offence provided for under this Regulation.

(2) A person convicted of an offence under subsection (1) shall be liable to the same penalty as is provided for the offence he is convicted of conspiring or attempting to commit.

PART 14 - ELECTION PETITIONS

55. (1) The Resident Commissioners shall within 7 days of the signing of the Joint Regulation or Order fixing the date of an election to the Assembly appoint an Election Disputes Committee.

(2) The Election Disputes Committee shall consist of not more than 6 members.

(3) The Resident Commissioners shall by Joint Decision appoint a Chairman or co-Chairmen of the Election Disputes Committee from among its members.

(4) A candidate in the election for which a committee is established shall not qualify to be a member of the committee.

(5) The Resident Commissioners may replace a member who is unable to carry out his duties or ceases to be qualified or fill any vacancy.

(6) When appointing the Election Disputes Committee the Resident Commissioners may make such

stipulations, not inconsistent with this Regulation, as they may consider appropriate concerning the work of the Committee.

(7) The names of the members of the Election Disputes Committee together with the address of the Committee for service of Petitions shall be published in the New Hebrides Gazette.

56. (1) The validity of any election to the Representative Assembly may be questioned by a petition brought for that purpose under this Regulation and not otherwise.

(2) Every election petition shall be heard by the Election Disputes Committee.

57. An election petition may be presented by one or more of the following:-

- (a) a person who is registered to vote at the election to which the petition relates;
- (b) a person claiming himself to have been a candidate at such election.

58. (1) The presentation of an election petition shall not be valid unless within the time limited by section 59 for presentation of the petition the person seeking to present the same lodges with the Election Disputes Committee a deposit of 10,000 FNH as security for costs.

Time for
presentation
of petitions.

- (2) Subject to subsection (3) a deposit made under subsection (1) shall be returned to the Petitioner after the petition has been heard.
- (3) The Election Disputes Committee may deduct from a deposit made under subsection (1), the amount of any costs ordered to be paid.
59. (1) Subject to sub-section (2) an election petition shall be presented within 21 days of the publication in the New Hebrides Gazette of the results of the election to which the petition relates.

- (2) If a petition alleges a specific payment of money or other reward after an election by or on the account of a person whose election is disputed, the petition may be presented within 21 days of the alleged payment.
- (3) The time limit provided for in this section shall not be extended.

Election
petitions to be
in writing
and copies to
be served on
affected
persons.

60. (1) An election petition shall be in writing and specify the ground or grounds upon which an election is disputed.
- (2) The Election Disputes Committee shall cause a copy of each election petition to be served on any person whose election may be affected by the petition and allow such person a reasonable time in which to make any submissions in writing on such petition and an opportunity to be heard on the hearing of the petition.

Proceedings of
Election
Disputes
Committee.

61. (1) The members of the Election Disputes Committee may make such rules or decisions not inconsistent with this Regulation and any stipulations made under section 55(6) concerning the conduct of proceedings before them, the times and places of their meetings and adjournment thereof as they shall consider proper.
- (2) The proceedings of the Committee shall be conducted in English, French or Bislama according to the choice of the petitioner and interpreters shall be provided by the Committee.
- (3) The proceedings of the Committee shall be recorded in writing.
- (4) The Committee shall have the powers of the Supreme Court to summon witnesses, call for documents and to examine persons appearing before it on oath.
- (5) A summons to a witness shall be in the form contained in Schedule 6.
- (6) Persons may be represented before the Committee by Counsel.
- (7) A person who without sufficient excuse,
- (a) disobeys a summons or reasonable direction of the Committee,
 - (b) hinders or obstructs the Committee,
 - (c) gives false evidence to the Committee, or
 - (d) insults the Committee by word of mouth, writing, radio broadcast or in any other manner,

commits an offence and shall be liable on conviction to a fine not exceeding 75,000 FNH or to imprisonment not exceeding five years or to both such fine and imprisonment.

- (8) No person appearing before the Committee shall be bound to incriminate himself and all such persons shall be entitled to the privileges accorded to a witness appearing before the Supreme Court.

Decisions of
Election
Disputes
Committee.

62. (1) On hearing a petition the Election Disputes Committee may;
- (a) declare the election to which the petition relates is void;
 - (b) declare a candidate other than the person whose election is questioned was duly elected;
 - or
 - (c) dismiss the petition and declare the person whose election is questioned was duly elected.

- (2) The Election Disputes Committee may make such orders as to the payment of costs by any person appearing before it as it may deem fit.

Grounds for
declaring
election void.

63. (1) The election of a candidate may be declared void on an election petition if it is proved to the satisfaction of the Election Disputes Committee, that
- (a) bribery, treating, undue influence or other misconduct or circumstances whether

similar to those hereinbefore enumerated or not, have so extensively prevailed that they may be reasonably supposed to have affected the result of the election;

- (b) there has been such non-compliance with the provisions of this Regulation, in the conduct of polling or in any other matter that such noncompliance affected the result of the election;
 - (c) the candidate was at the time of his election a person not qualified or disqualified for election; or
 - (d) there was such irregularity in the counting of the votes as may reasonably be supposed to have affected the result of the election.
- (2) The election of a candidate shall be declared void if he is convicted by a New Hebrides Court of committing a corrupt practice or of attempting or conspiring to commit a corrupt practice.
- (3) Notwithstanding the provisions of subsection (1) of this section,
- (a) where upon the hearing of an election petition the Election Disputes Committee finds that any agent of a candidate has been guilty of a corrupt practice and the Election Disputes Committee further finds that the candidate has proved to the Election Disputes Committee that
 - (i) no corrupt practice was committed by the

candidate himself or with his knowledge or consent or approval,

- (ii) the candidate took all reasonable means for preventing the commission of corrupt practices at such election, and
- (iii) in all other respects the election was free from any corrupt practice on the part of the candidate,
- (iv) such corrupt practices did not affect the result of the elections,

then, if the Election Disputes Committee so recommends, the election of such candidate shall not by reason of any such practice be void,

- (b) where upon the trial of an election petition the Election Disputes Committee finds that there has been failure to comply with any provision of this Regulation but the Election Disputes Committee further finds, that it is satisfied that the election was conducted in accordance with the principles laid down in this Regulation and that such failure did not affect the result of the election, the election of the successful candidate shall not, by reason of such failure, be void.

Examination 64. When on an election petition the election is of votes cast. claimed for an unsuccessful candidate on the

ground that he had a majority of lawful votes the Election Disputes Committee may direct an examination of the counted and void votes and of the counting of votes.

Communication
of Decision of
Election
Disputes
Committee and
Appeals.

65. (1) The Decision of the Election Disputes Committee shall be communicated without delay to the petitioner and all persons whose election is subject to such petition.
- (2) Any person referred to in subsection (1) may within 14 days of such decision or such further time as the Supreme Court may allow appeal to that Court in writing giving brief reasons for his appeal.
- (3) After consideration of the written appeal and of the record of the proceedings before the Election Disputes Committee the Supreme Court may either dismiss the appeal summarily or give the other persons affected by the appeal an opportunity to lodge replies to it and fix a date to hear the appeal.
- (4) Any decision of the Supreme Court on an appeal whether a summary dismissal or a decision after a hearing shall be final.
- (5) The Supreme Court shall make rules of procedure to be observed in relation to appeals to it under this section.
- (6) The Election Disputes Committee forthwith after the end of a period of fourteen days after its decision or in the case of an appeal the Supreme Court forthwith

after its decision shall inform the Resident Commissioners thereof who shall take all proper measures to effect it and shall inform the Council of Ministers of the decision.

Reports to
Procurator
General.

66. The Election Disputes Committee or if an appeal from its decision is made the Supreme Court shall if in its opinion anyone has committed an offence of a corrupt practice in connection with an election to which a petition heard by it relates, send a written report in respect thereof to the Procurator General.

No person
required to
reveal his
vote.

67. No person who has voted in an election shall in any proceedings be required to state for whom he has voted.

PART 15 - MISCELLANEOUS AND
SUPPLEMENTAL

Notification
to Minister
of
election
offences.

68. Any Court which convicts a person of an election offence shall inform the Minister.

Saving when
election
declared void.

69. Where on an election petition the election of a member of the Representative Assembly is declared void nothing done by him prior to such declaration either as a member of the Representative Assembly or in an office for which membership of the Assembly is a qualification shall be thereby invalidated,

Disposal of
Reports and
Documents.

70. (1) Subject to subsection (2) the Electoral Office shall retain for not less than one year all Reports sent to it in accordance with section 40 and all Documents sent therewith including packets of counted and void votes.
- (2) Documents relating to an election in respect of which an election petition or any legal proceedings have been commenced shall not be destroyed until the proceedings have ended.
- (3) The Election Disputes Committee or the Supreme Court when hearing an election petition or a Court trying an election offence may make an order that any document retained by the Electoral Office shall be inspected, copied or produced at such time and place and subject to such conditions as it thinks fit.
- (4) No order shall be made under subsection (3) unless the Court or the Election Disputes Committee is satisfied that the inspection, copying, or production is essential for the hearing of a charge of an election offence or the hearing of an election petition.
- (5) Except as provided by subsection (3) no person may inspect or copy any document retained by the Electoral Office under this Regulation.

Establishing
new Electoral
Rolls.

71.

The Resident Commissioners may for a general election, a by-election or at any other time when they consider it necessary direct the drawing up of new electoral lists in accordance with Parts 5, 6, 7 and 8 of this Regulation for the purpose of establishing new electoral rolls.

Municipal
and Community
Council
Elections.

72.

This Regulation shall apply to elections to Municipal and Community Councils with such modifications to allow for the difference in institutional structure and size of electorates between the Councils and the Representative Assembly, as may be prescribed by the Council of Ministers.

Powers to
make orders.

73.

- (1) The Resident Commissioners may by order not inconsistent with this Regulation :
- (a) provide for anything that may be prescribed or ordered by them;
 - (b) provide for the closing of premises licensed to sell liquor or the prohibition or restriction of the sale of liquor on the day before and on polling day in any constituency or part thereof;
 - (c) provide for the identification of electors in any constituency by a requirement to have a photograph attached to each electoral identity card;

- (d) provide for the control of electoral publicity;
- (e) provide for the retrospective approval of certain acts or procedures that have taken place prior to the coming into force of this Regulation;
- (f) make rules for the resignation and re-employment or the granting of special leave of absence to persons elected to the Representative Assembly but appointed to an office referred to in section 24(2);
- (g) modify or replace the Schedules of this Regulation, and
- (h) make other rules of a procedural or administrative nature to facilitate the operation of this Regulation which may include establishment of special polling stations in urban areas for voters registered in other constituencies.

(2) The Council of Ministers may by order not inconsistent with this Regulation :

- (a) provide for the remuneration and allowances of any persons employed to carry out duties under this Regulation;
- (b) provide for the release by employers of employees for the purpose of voting either generally or in such areas as it may specify;
- (c) declare public holidays in such areas as it may specify.

(3) Any person who contravenes any order made under subsection (1) or (2) shall be liable to a fine not exceeding 30,000 FNH or imprisonment for one year or both.

Transitional
and saving.

74. (1) Anything done prior to the coming into force of this Regulation under any Regulation repealed by this Regulation for the purpose of establishing electoral rolls and preparing for an election to the Representative Assembly after the coming into force of this Regulation shall be deemed to have been done and shall be as valid and effective as if done under the authority of this Regulation.
- (2) Subsection (1) shall apply to the establishment of any bodies and the making of appointments provided for under this Regulation. Any such bodies established or persons appointed shall remain established and so appointed as if established or appointed under this Regulation after its coming into force.
- (3) Any things done by the bodies or persons referred to in subsection (2) prior to the coming into force of this Regulation for the purposes referred to in subsection (1) shall be as valid and effective as if those bodies and persons had acted under the authority of this Regulation.

Repeals.

75. The Regulations set out in Schedule 7 and all orders made thereunder are hereby repealed and revoked.

Citation
and
commencement.

76. This Regulation may be cited as the Election Regulation 1979 and shall come into force on the date of its publication in the New Hebrides Gazette.

MADE at VILA this

day of September, 1979

Delegate Extraordinary
for the French Republic
in the New Hebrides

British Resident Commissioner

SCHEDULE 1

PART 1

The Elections Regulation Joint Regulation No. _____ of 1979

DECLARATION OF QUALIFICATION AS ELECTOR

To: The Electoral Committee forRegistration Area

We, the under-signed do hereby declare that to the best of our knowledge and belief

.....
(full name and address in CAPITALS of intended elector)

is entitled to be registered as an elector for the following reasons:

(write appropriate fact or facts giving rise to qualifications as elector, as appropriate, according to nature of elections concerned e.g. age, period of residence in the New Hebrides, length of residence in the New Hebrides, length of residence in any place, etc).

And we acknowledge that we are aware that the wilful making of a false declaration of qualification as an elector constitutes a punishable offence.

Dated at..... thisday of.....19.....

** NAME..... SIGNATURE.....

ADDRESS.....

.....

** NAME..... SIGNATURE.....

ADDRESS.....

.....

** Put full names in CAPITAL letters.

SCHEDULE 1

PART 2

(section 11)

The Election Regulation Joint Regulation No. of 1979

APPLICATION TO BE REGISTERED AS AN ELECTOR IN REGISTRATION AREA OTHER THAN WHERE APPLICANT IS AT THE TIME OF REGISTRATION

To: Electoral Committee

I, the undersigned, apply for registration as an elector in a registration area other than the registration area within which I am at present and declare that the information given below is true to the best of my knowledge and belief.

NAME:

FIRST NAMES:

SEX: DATE OF BIRTH:

FATHER'S NAME:

MOTHER'S NAME:

ADDRESS OF NORMAL RESIDENCE OR PLACE OF ORIGIN:
(State - Village, island & if Luganville or Vila part of town)

.

ADDRESS AT DATE OF THIS APPLICATION:

LENGTH OF RESIDENCE IN THE NEW HEBRIDES:

* I will be able to collect my electoral identity card from your office about (date), or

* My electoral identity card should be sent to me at:

* Delete whichever is not applicable.

I acknowledge that I am aware that the wilful making of a false declaration is a punishable offence.

DATED at this day of 1979

Signature of Applicant:

Signature of Witness (Registration Officer):

OFFICIAL USE ONLY

1) Application approved/rejected:
If rejected, reason for rejection.

2) Applicant registered to vote at Polling Station
(name and letter) in Constituency.

3) Electoral Identity Card sent/collected on 1979.

Signature of Officer:

NOTIFICATION TO APPLICANT OF REGISTRATION

The Election Regulation Joint Regulation No. of 1979.

To: Mr/Mrs/Miss:
.....
..... (address)

You have been registered as an elector in
the Constituency
and your Elector's Card is available for collection at the office
* of :Electoral Committee
(District HQ)

* and your Elector's Card and Proxy Form have been given to:
Mr/Mrs/Miss:
.....
of:
.....

Signed:
on behalf of:

ELECTORAL COMMITTEE

* delete whichever is not applicable

PART 3

(Section 15)

The Elections Regulation Joint Regulation Noof1979

APPLICATION TO BE REGISTERED AS AN ELECTOR BY A PERSON
OUTSIDE THE NEW HEBRIDES

To:

I, the undersigned, being at present outside the New Hebrides apply for registration as an elector and declare that the information given below is true to the best of my knowledge and belief and acknowledge that I am aware that the wilful making of a false declaration is a punishable offence.

NAME: FIRST NAMES:

PRESENT ADDRESS:

DATE OF BIRTH:

FATHER'S NAME: MOTHER'S NAME

PRESENT ADDRESS OF MOTHER OR FATHER OR BOTH:
(state island and village or if Luganville or Vila part of town)

.....

STATE YOUR OWN HOME ISLAND AND VILLAGE OR IF LUGANVILLE OR VILA PART OF TOWN

.....

STATEMENT OF INTENTION

- 1. I wish to be registered to vote in the registration area:
 - * a) Where my father or mother live OR
 - * b) The registration area in which is my village or part of town
- 2. * a) I will vote in person OR
 - * b) I shall be outside the New Hebrides at the time of the elections and wish to vote by proxy.

+ I nominate of (address)
.....
.....
to vote as my proxy. I understand he/she is also eligible to vote and is not proxy for more than one other person.

DATED: this day of 1979

Signature of applicant:

Witness:

* Delete whichever is not applicable.

+ Home island and village or part of town of proxy must be given. The address must be very close to that of either mother or father or of applicant's home depending on which alternative was chosen under Paragraph 1.

PART 4
ELECTORAL AND IDENTITY CARD
CARTE D'ELECTEUR ET D'IDENTITE

IDENTITY CARD

CARTE D'IDENTITE

Name/Nom	
First Name/Prénom	
Sex/Sexe	
Marital Status Situation de Famille	
Date of birth or age Date de naissance ou âge	
Father's name/Nom du père	
Mother's Name/Nom de la Mère	
Place of Birth Lieu de Naissance	
Place of Origin Lieu d'origine	
Occupation/Profession	
Nationality/Nationalité	
Special Marks/Signes Particuliers	

=====

PART 4 (continued)

ELECTOR'S CARD - CARTE D'ELECTEUR

PAGE 2

Year of Registration Année d'inscription	
Current Residence Residence Habituelle	
Resident there since Y reside depuis	
Resident in N.H. since Reside aux N.H. depuis	
Date of Registration Date d'inscription	
Signatures of Registration Officers Signatures des Agents Charges l'inscription	

PAGE 3

Year of Registration Année d'inscription	
Registration Area No. No. de la section electorale	
Registration Area Name Nom de la section electorale	
Polling Station Letter Indicatif du Bureau de vote	
Sheet No./Individual No. No. de Feuille/ No.Individual	
Dates of Voting Dates de Scrutins	

SCHEDULE 2
RULES FOR ISSUING OF
DUPLICATE ELECTORAL IDENTITY CARDS

Arrangement of Rules

PART 1

1. Report of lost, stolen or destroyed Electoral Identity card
2. Record of lost, stolen or destroyed cards and notification to Electoral Committee
3. Application for issue of duplicate card
4. Things to accompany applications
5. Declarations to support applications
6. Issue of duplicate cards
7. Form of cards
8. Validity of cards
9. Surrender and destruction of unserviceable cards
10. Penalties

PART 2

Application Form

SCHEDULE 2
RULES FOR ISSUING OF
DUPLICATE ELECTORAL IDENTITY CARDS

- | | | |
|--|----|---|
| Report of lost, stolen or destroyed electoral identity card. | 1. | Any person whose electoral identity card is stolen or destroyed shall report such loss, theft or destruction within 7 days to a District or Assistant District Agent. |
| Record of lost, stolen or destroyed cards and notification to Electoral Committee. | 2. | The officer to whom such loss, theft or destruction is reported shall record and notify the Electoral Committee which issued the card or its successor of if there is none the Electoral Office. |
| Application for issue of duplicate card.. | 3. | A person may apply to an Electoral Committee which issued his original card or its successor or if none the Electoral Office for a duplicate electoral identity card if :
(a) his original electoral identity card has been lost, stolen or destroyed;
or
(b) his card is in an unserviceable condition. |
| Things to accompany applications. | 4. | An application under Rule 3 shall be in the form and contain the particulars provided for in the form set out in Part 2 of this Schedule and shall be accompanied by :
(a) if such is required by the law or the applicant so desires a full-face passport size photograph of the applicant certified by a person who has known the applicant for not less than 2 years as a true likeness of the applicant;
(b) a replacement charge of 100 FNH, and
(c) where applicable the unserviceable card. |
| Declarations to support applications. | 5. | The Committee or Electoral Office may require an applicant to provide such declaration or evidence as may appear reasonable to it in order to establish a claim made by an applicant under Rule 3(a). |
| Issue of duplicate cards. | 6. | Upon being satisfied that an applicant under Rule 3 is entitled to be issued with a duplicate electoral identity card and having received the replacement fee the Committee or Elections Office shall issue an applicant with a duplicate electoral identity card. |
| Form of cards. | 7. | A card issued under Rule 6 shall be in the same form as the card provided for in Schedule 1 Part 4 except that the word DUPLICATE shall be clearly stamped in red on the first page. |

SCHEDULE 2

-2-

- Validity of cards. 8. A card issued in accordance with Rules 6 and 7 shall have the same validity as the original.
- Surrender and destruction of unserviceable cards. 9. All unserviceable cards surrendered under these Rules shall be promptly destroyed by the Committee or Electoral Office.
- Penalties. 10. (1) Any person who fails to comply with Rule 1 shall be liable on conviction to a fine of 1,000 FNH.
- (2) Any person who wilfully makes any false statement hereunder shall be liable on conviction to a fine not exceeding 10,000 FNH or to imprisonment for a term not exceeding 3 months or to both such fine and imprisonment.

PART 2

The Election Regulation Joint Regulation No. of 1979.

APPLICATION FOR THE ISSUE OF A DUPLICATE ELECTORAL IDENTITY CARD

To: Electoral Committee/Electoral Office

I, (all names)

of:

Hereby apply for the issue to me of a duplicate electoral identity card because the original card issued to me:

* (a) has been lost/stolen/destroyed on or about , such loss having been reported to District Agent on 1979;

* (b) is unserviceable;

and I lodge with this application:

(a) replacement charge of 100 FNH;

* (b) a full-face passport size photograph of myself certified on the back by a person not related to me, as a true likeness +++; and

* (c) my unserviceable electoral identity card.

The following are my particulars for inclusion in my duplicate card:

- Sex
Marital status
Date of birth, or Age
Father's name
Mother's name
Place of origin
Place of birth
Occupation
Nationality
Special marks

I acknowledge that I am aware that the wilful making of a false statement herein is an offence punishable by fine or imprisonment or both.

DATED the day of 1979.

Signature of Applicant:

Witness:

* delete whichever is not applicable

+++ the certificate should state, "I certify that this is a true likeness of, known to me for 2 years or more". and be signed and dated.

SCHEDULE 3

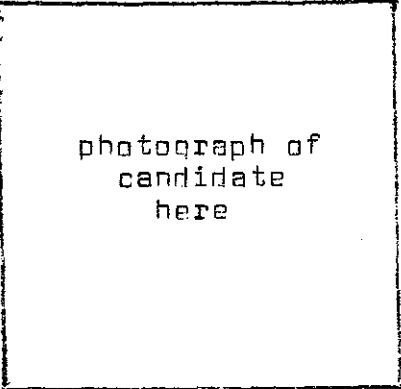
(section 26)

The Election Regulation Joint Regulation No of 1979

DECLARATION OF CANDIDATURE

To the District Agent
for District

I
of
being 25 years of age or more and eligible to
vote



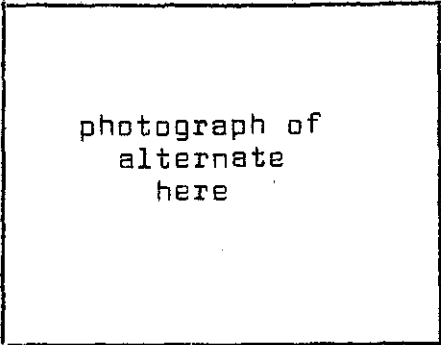
HEREBY DECLARE

- (1) myself as a candidate for election to the Representative Assembly for (Constituency),
- (2) that I have not received the sentence of imprisonment referred to in Section 25(1)(b) of the Election Regulation and am not an undischarged bankrupt,
- (3) that of is my alternate who will represent me and vote on my behalf in the Representative Assembly when I am unable to do so on such conditions and for such reasons as the Standing Orders of the Representative Assembly may provide.

DATED

.
Signature of Candidate

I
of
being 25 years of age or more and
eligible to vote



HEREBY DECLARE

(1) myself as the alternate for
..... on his
election to the Representative Assembly,

(2) that I have not received the sentence of imprisonment
referred to in section 25(1)(b) of the Election
Regulation and am not an undischarged bankrupt.

DATED

.....

Signature of Alternate

SPONSORSHIP OF CANDIDATE AND ALTERNATE *

<u>NAME</u>	<u>ADDRESS</u>	<u>OCCUPATION</u>
1
2
3
4
5

* To be signed by persons not related to candidate or
candidate's spouse and who are registered to vote in
the constituency in which the candidate intends to
stand for election.

PART 2

(section 26)

The Election Regulation Joint Regulation No. of 1979.

R E C E I P T

Received from Mr/Mrs/Miss:
this day of 19....

(1) Declaration of candidature for the election of
members of the Representative Assembly to be held
during the month of 1979.

(2) The sum of FNH 10,000 being a deposit made in
accordance with section 26.

New Hebrides Government Receipt No.
of

Signed:

British/French District Agent
for District

(section 35)

SCHEDULE 4RULES FOR VOTING BY PROXYARRANGEMENT OF RULESPART 1

1. Application to vote by proxy
2. Decisions of Electoral Committee and notification thereof
3. Revocation of proxies and further applications
4. Elector who has obtained issue of proxy may vote in person
5. Proxy nullified on death or cessation of eligibility of voter or his proxy
6. Limitations on voting by proxy
7. Manner of voting by proxy and casting of own vote

PART 2

FORM A.

FORM B.

(Section 35)

SCHEDULE 4
RULES FOR VOTING BY PROXY

PART 1

- Application to vote by proxy.
1. (1) A New Hebridean who is overseas and applies to an Electoral Committee for registration in accordance with section 15(1)(b) and wishes to vote by proxy shall nominate a proxy when completing the form contained in Part 3 of Schedule 1.
 - (2) Any other person who is entitled to vote may only vote by proxy if he can demonstrate that by reason of :-
 - (a) occupation;
 - (b) health, or,
 - (c) religion
 he is unable to vote at the polling station where he is registered to vote.
 - (3) A person referred to in sub Rule (2) shall apply to an Electoral Committee by the completion and submission thereof of FORM A in part 2 of these Rules accompanied by his electoral identity card.
 - (4) A person who is prevented from voting by reason of his occupation shall accompany his application with a certificate signed by his head of department, superior officer, manager or other person to whom he is responsible certifying as to his inability to vote in person and the reason therefor.
 - (5) A person who is prevented from voting in person by reason of health shall accompany his application with a certificate by a recognised medical practitioner, nurse, dresser or on the unavailability of any such persons a person of standing certifying as to his inability to vote in person and the reason therefor.
 - (6) A person who professes to be prevented from voting in person by reason of religious obligations shall accompany his application by a certificate of a Minister of his religion that confirms that he cannot vote for reasons of religion.
 - (7) Every application under sub Rule (3) hereof shall reach an Electoral Committee not less than 14 days before polling. A Committee may in its discretion accept applications which it is satisfied arise from unforeseeable circumstances less than 14 days before polling.

- Decisions of Electoral Committees and notification thereof. 2. (1) If the Electoral Committee which receives an application under Rule 1 (1) or Rule 1 (3) is satisfied that:-
- (a) an applicant is entitled to vote by proxy and
 - (b) the person named as proxy is registered on the same Roll as the applicant,
- it shall so inform the applicant using the detachable part of the application form and deliver by post or other means the completed proxy card in FORM B of these Rules and the applicant's electoral identity card to the proxy named by the applicant.
- (2) For the purposes of sub Rule (1) an Electoral Committee shall be deemed to have delivered a proxy card and electoral identity card if it makes known to a proxy that the cards are available for collection at the polling station on polling day.
- (3) If an Electoral Committee which receives an application under Rule 1 (3) is not satisfied that the applicant is entitled to vote by proxy it shall so inform the applicant.
- (4) If an Electoral Committee although being satisfied that an applicant under Rule 1 (1) or Rule 1 (3) is entitled to vote by proxy but that the person nominated as proxy is not eligible to be a proxy for the applicant it shall so inform the applicant and invite him to nominate another person provided that in its opinion the applicant will be able to make such nomination not less than 4 days before polling day.
- Revocation of proxies and further applications. 3. (1) A voter may revoke a proxy by notice in writing to an Electoral Committee.
- (2) A voter who has revoked a proxy may apply for the issue of another.
- Elector who has obtained issue of proxy may vote in person. 4. A voter who has obtained the issue of proxy may vote in person provided he obtains his electoral identity card from his proxy before that person votes on his behalf.
- Proxy nullified on death or cessation of eligibility of voter or his proxy. 5. (1) Where a voter or his proxy dies or ceases to be eligible to vote a proxy shall become null and void.
- (2) The Electoral Committee shall recover the proxy card.

Limitations
on voting
by proxy.

6. (1) No voter may cast a proxy vote for more than two voters.
- (2) If more than two proxies are made out in the name of the same voter the two earliest in date shall be valid.
- (3) If more than two proxies issued to a voter bear the same date the voter shall be required by the presiding officer at his polling station to choose those two under which he will cast votes and surrender any others.
- (4) The presiding officer will cause any voter whose proxy is invalid to be so informed without undue delay.

Manner of
voting by
proxy and
casting of
own vote.

7. (1) A proxy voter shall vote for the person for whom he is proxy in the same manner as he casts his own vote.
- (2) If a proxy voter wishes to cast his own vote he must do it at the same time as he votes as proxy.
- (3) When a person votes as proxy he must produce his own electoral identity card, the proxy card authorising him to vote as proxy and the electoral identity card of the person for whom he is voting.

The Election Regulation Joint Regulation No. _____ of 1979

APPLICATION TO VOTE BY PROXY

TO the Electoral Committee
I, of
being registered in the electoral roll to vote at
Polling Station hereby apply for the issue of a proxy to
..... of
who is entitled to vote at the same polling station by reasons of :-

- * my occupation
- * my health
- * my religion

2. I cannot attend at the Polling Station on polling day because
.....

(Insert short particulars stating how your occupation, health or religion prevent your attendance)

*3. I enclose a certificate from my -

- * head of department
- * superior officer
- * manager, etc
- * medical officer
- * nurse
- * dresser
- * other responsible person
- * Minister of Religion

certifying as to the reason for my inability to vote
in person * delete whichever is not applicable

DATED this _____ day of _____ 1979

Signed:

N.B: This application must be accompanied by the applicant's electoral identity card

The Election Regulation Joint Regulation No. _____ of 1979

NOTIFICATION TO APPLICANT TO VOTE BY PROXY

TO : a registered voter atPolling Station

* Your application by proxy has been rejected because:-

.....
(Give short reasons e.g. applicant appears able to vote in person or proxy nominated not on Roll and insufficient time to issue proxy to a new one.)

* Your application to vote by proxy has been accepted but the person nominated to vote is not named in the Roll for _____ and you are requested to nominate another person who is on that roll.

* Your application to vote by proxy has been approved and the proxy card and your electoral identity card have been delivered to/made available for collection by of

Signed for
ELECTORAL COMMITTEE

FORM B

The Election Regulation Joint Regulation No. of 1979.

NEW HEBRIDES GOVERNMENT
(Cover)

PROXY CARD

Registration Area Number

Polling Station Letter

Polling Station Name

VALID FOR THE 19_____ General/By-Election

Official Stamp and Date of Voting

Any fraudulent statement made to obtain a form of proxy and any fraudulent misuse of the proxy by the person to whom it is given is punishable by a fine not exceeding 20,000 FNH or imprisonment not exceeding six months or both.

PROXY CARD
(Inside Page)

SECTION TO BE HANDED TO PROXY BY
THE ELECTORAL OFFICE

Name:

First Name:

Sex:

Date of Birth or Age:

Address:

**Registered as a Voter at:

is hereby authorised to vote by proxy on behalf of:

Name:

First Name:

Sex:

Date of Birth

Address:

Registered as a Voter at:

GIVEN at: Date:

BY:

SIGNED FOR: ELECTORAL COMMITTEE

*** The proxy must be qualified as a Voter and registered on the same electoral roll as the Voter giving the proxy.

SCHEDULE 5

(section 38)

ELECTION OF CANDIDATES RULES

Arrangement of Rules

1. One polling station in each registration area
2. Polling clerks
3. Authorised representatives of candidates
4. Equipment at polling stations
5. Notices for guidance of voters
6. Opening of polling station
7. Resolution of difficulties and statement of objections and decisions
8. Regulation of admission to polling station
9. Keeping of order in polling station
10. Voting
11. Polling clerk's duties in respect of person who has voted
12. Replacement of spoilt ballot papers
13. Report on persons suspected of personation
14. Assistance to disabled voters
15. Returning officers
16. Members of public to be admitted to observe count
17. Counting of votes
18. Void ballot papers
19. Recounts
20. Declaration of votes and report on voting
21. Notification of votes cast for each candidate to Resident Commissioners by Electoral Committee
22. Declaration by Resident Commissioners of candidates elected
23. Application of rules in overseas registration areas

SCHEDULE 5

(section 38)

Election of Candidates Rules

- | | | |
|--|----|---|
| One polling station in each registration area. | 1. | <p>(1) The District Agents after consultation with the Electoral Office shall determine the location of one polling station in each registration area.</p> <p>(2) The Electoral Office shall be responsible for its installation.</p> |
| Polling clerks. | 2. | <p>(1) The co-Chairmen after consultation with the Electoral Committee where practicable shall appoint such number of polling clerks to assist the presiding officer as shall be necessary.</p> <p>(2) The oldest polling clerk shall act as presiding officer during the absence or incapacity of the presiding officer.</p> |
| Authorised representatives of candidates. | 3. | <p>(1) A candidate or political party may nominate in writing to the appropriate District Agents not less than twentyfour hours before polling an authorised representative for each polling station who may attend during voting and counting and who may require any comment, dispute or protest to be included in the report by the returning officer made under Rule 20(2).</p> <p>(2) Subject to sub Rule (3) the District Agents shall issue each authorised representative nominated under sub Rule (1) with a letter of authority.</p> <p>(3) No candidate shall have more than one authorised representative at one polling station but one representative may be authorised for more than one candidate and more than one polling station.</p> <p>(4) A presiding officer shall not permit to remain in a polling station any person who claims to be an authorised representative of a candidate but who cannot produce a letter of authority.</p> <p>(5) A list of all authorised representatives of candidates shall be displayed at all polling stations.</p> |
| Equipment at polling stations. | 4. | <p>(1) Each presiding officer shall be provided by the Electoral Office with such number of ballot boxes, ballot papers and envelopes bearing official markings as shall be necessary for them to carry out their duties.</p> <p>(2) Each ballot box shall have two padlocks with dissimilar keys and shall be so constructed that when locked ballot papers can be put therein but cannot be withdrawn.</p> <p>(3) The District Agents shall provide each polling station with :</p> |

- (a) the list of authorised representatives provided for in Rule 3(5);
 - (b) two copies of the electoral roll for the registration area in which the station is established;
 - (c) copies of the electoral laws;
 - (d) enough polling booths to enable voters to vote in secrecy;
 - (e) sufficient tally sheets for recording votes cast for each candidate, and
 - (f) any notices required by law to be displayed in polling stations.
- Notices for guidance of voters. 5. A notice in legible print giving descriptions in English, French and Bislama for the guidance of voters in voting shall be exhibited inside and outside each polling station.
- Opening of polling station. 6. The presiding officer shall open the polling station over which he presides at the date and on the time provided for in the notice referred to in section 30(4).
- Resolution of difficulties and statement of objections and decisions. 7. (1) A presiding officer shall endeavour to amicably resolve all difficulties that may arise during the poll giving reasons for his decisions.
(2) A written statement of all authorised representatives' objections and decisions thereon together with any relevant document initialled by the presiding officer and a polling clerk shall be included in the Report made by the returning officer under Rule 20(2).
- Regulation of admission to polling station. 8. The presiding officer shall regulate the number of voters to be admitted to a polling station at the same time and shall exclude all other persons except :
(a) the polling clerks;
(b) officials of the Electoral Office;
(c) District Agents;
(d) candidates and their authorised representatives nominated in accordance with Rule 3;
(e) police officers on duty;
(f) companions of disabled voters;
(g) press representatives authorised by the Electoral Office.
- Keeping of order in polling station. 9. (1) It shall be the duty of the presiding officer to keep order at his polling station.
(2) If a person misconducts himself at a polling station or fails to obey the lawful orders of the presiding officer he may by order of the presiding officer be removed.
(3) A person removed in accordance with subRule (2) shall not without the permission of the presiding officer re-enter the polling station.
(4) The power conferred by this Rule shall not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having the opportunity of voting at that polling station.

SCHEDULE 5
(section 38)

- Voting. 10. (1) Every voter desiring to vote shall present himself at his allotted polling station. The presiding officer or polling clerk shall satisfy himself that:
- (a) the voter is registered on the roll at the station;
 - (b) has not already voted and
 - (c) place his signature opposite the name of the voter on the margin of one of the electoral rolls; and
 - (d) deliver to the voter one ballot paper for each candidate and one envelope.
- (2) Immediately on receipt of the ballot papers and envelope a voter shall:
- (a) enter a polling booth;
 - (b) record his vote by placing the ballot paper bearing the name and symbol of his chosen candidate in the envelope;
 - (c) leave all other ballot papers in the booth;
 - (d) present himself to the presiding officer or polling clerk who without touching it shall verify that the voter tenders one envelope;
 - (e) place the envelope in the ballot box; and
 - (f) leave the polling station without undue delay after the completion of the formalities referred to in Rule 11.
- Polling clerk's duties in respect of person who has voted. 11. After each elector has voted a polling clerk shall:
- (a) place an indelible mark on the thumb of the voter which shall so far as possible be indelible for the period of the poll;
 - (b) stamp and endorse on the electoral card of the elector the date of the election;
 - (c) place his signature opposite the name of the elector in the margin of the second electoral roll; and
 - (d) return the card to the elector.
- Replacement of spoilt ballot papers. 12. A voter who satisfies the presiding officer that he has inadvertently spoilt a ballot paper may on surrendering it obtain another.
- Report on persons suspected of personation. 13. If before a voter leaves a polling station a candidate or his authorised representative or a polling clerk informs the presiding officer he has reasonable cause to believe that the voter has committed the offence of personation and agrees to substantiate the accusation in a Court the presiding officer shall report the matter to the District Agents.

- Assistance to disabled voters. 14. (1) Any person suffering from a physical disability may be granted permission by a presiding officer to be accompanied into a polling station by a person of his choice to assist him in voting.
- (2) The granting of permission under this Rule shall be recorded in the Report made by the returning officer under Rule 20(2).
- Returning officer. 15. (1) The District Agents shall appoint a returning officer for each polling station.
- (2) A presiding officer may be so appointed.
- (3) Every District Agent and Assistant District Agent may if necessary be a returning officer ex officio.
- Members of public to be admitted to observe count. 16. A returning officer shall allow as many members of the public to observe a count as can do so without hindering counting.
- Counting of votes. 17. (1) Immediately a poll is closed the returning officer shall supervise the counting of the votes which shall be done by:
- (a) opening the ballot box or boxes;
 - (b) the presiding officer removing all envelopes from each box;
 - (c) the presiding officer taking the ballot papers from the envelopes;
 - (d) the presiding officer reading out the name on each ballot paper;
 - (e) the polling clerks recording the number of votes cast for each candidate on two tally sheets provided for that purpose.
- (2) If the number of envelopes is found to be more or less than the marginal signatures or initials made in the Roll in accordance with Rule 11(c) the discrepancy shall be stated in the Report provided for in Rule 20(2).
- Void ballot papers. 18. Any ballot paper which:
- (a) by any writing or mark thereon identifies the voter;
 - (b) is not in an envelope or is in a non-official envelope; or
 - (c) is in an envelope containing more than one ballot paper
- shall be void and not counted.
- Recounts. 19. On the close of counting or on a recount a candidate or his authorised representative may request the returning officer to conduct a recount and further recounts but the returning officer may refuse to do so if in his opinion the request is unreasonable.

Declaration of votes and report on voting.

20. (1) When a returning officer is satisfied that the count or recounts are complete he shall declare counting of votes completed and formally announce the votes cast for each candidate.
- (2) Immediately after declaring the counting of votes completed the returning officer shall complete the official report on polling which shall state :
- (a) the number of registered voters;
 - (b) the number of voters who voted;
 - (c) the number of void ballot papers;
 - (d) the number of valid votes cast for each candidate;
 - (e) such other matters as these Rules provide shall be included, and
 - (f) such other matters as the Electoral Office shall direct may be included.
- (3) The report shall be made in duplicate in French, English or Bislama.
- (4) It shall be signed by the returning officer, the presiding officer and polling clerks. It shall be countersigned by such of the candidates as may be present at the count.
- (5) After it has been signed each copy of the report shall be placed in a sealed envelope.
- (6) The returning officer shall also seal in separate packets the counted and void ballot papers and endorse on each packet:
- (a) a description of its contents;
 - (b) the date of polling, and
 - (c) the name and number of the polling station.
- (7) The packets referred to in sub Rule (6) shall immediately they have been sealed and endorsed be signed on the outside by the persons referred to in sub Rule (4).
- (8) One copy of the report and the sealed packets referred to in sub Rule (6) shall be delivered to the Electoral Committee responsible for the constituency in which the poll was taken by the presiding officer, the returning officer or a person instructed by one of them.

Notific-
ation of
votes cast
for each
candidate to
Resident
Commissioners
by Electoral
Committee.

21. When an Electoral Committee has received all the reports provided for in Rule 20 including reports from any polling stations where a new poll has been held under the provisions of section 36 it shall notify the Resident Commissioners of the number of votes cast for each candidate in the constituencies for which it is responsible.

- Declaration by Resident Commissioners of candidates elected.
22. (1) The Resident Commissioners shall as soon as practicable after receiving notification in accordance with Rules 21 and 23(d) from all the Electoral Committees announce:
- (a) the number of votes cast for each candidate in each constituency, and
 - (b) the number of votes cast for each candidate in each Overseas Electoral Area.
- (2) Should two or more candidates in a constituency receive the same number of votes so that if one of them only had received that number of votes he would have been declared elected under sub Rule (3) the Resident Commissioners shall declare the eldest elected.
- (3) Subject to sub Rule (2) the number of candidates counting down from the candidate who obtains the highest number of votes in order of the votes obtained that equals the number of seats allocated to that constituency shall be declared elected.
- Application of Rules in Overseas Electoral Areas.
23. These Rules shall apply to elections in Overseas Electoral Areas as follows :
- (a) The Overseas Electoral Committee shall before polling day appoint a returning officer and such number of polling clerks as it may consider necessary for each Overseas Electoral Area;
 - (b) The returning officer shall carry out the duties of the presiding officer and returning officer;
 - (c) The co-Chairmen of the Overseas Electoral Committee shall perform the functions of District Agents for the purpose of polling in an Overseas Electoral Area;
 - (d) The report referred to in Rule 20(2) shall be delivered to the Resident Commissioners by the Overseas Returning Officer;
 - (e) Rules 8(e), 9(2) and 13(1) shall be applied by the returning officer as far as may be practical having regard to the laws of the country in which polling takes place.

SCHEDULE 6

(section 61)

The Election Regulation Joint Regulation No. 1 of 1979.

SUMMONS TO A WITNESS
TO APPEAR BEFORE THE ELECTION DISPUTES COMMITTEE

To:
of:
(address)
.....

YOU ARE HEREBY SUMMONED

to appear and give evidence before the ELECTION DISPUTES
COMMITTEE

inquiring into the PETITION of
(name)

.....
(address)

* a candidate/registered elector concerning the election
of to the Representative
(name)
Assembly on
(date of his election by announcement of
Resident Commissioners)

* AND to bring with you
(specify books, documents, etc.)

GIVEN under the hand of the Co-Chairmen of the Committee this
..... day of 1979.

.....
Co-Chairmen
Election Disputes Committee

* delete whichever is not applicable

SCHEDULE 7

(section 75)

REPEALS

Joint Electoral Committees Regulation No.8 of 1975
Joint Electoral Committees (Amendment of Regulation No.8)
Regulation No.18 of 1975
Joint Electoral (Proxy Voting) Regulation No.20 of 1975
Joint Elections (Closing of Premises) Regulation No.23 of 1975
Joint Electoral (Proxy Voting) (Amendment) Regulation No.24
of 1975
Joint Electoral Committees (Amendment) (No.2) Regulation No.25
of 1975
Joint Electoral (Proxy Voting) (Amendment) (No.2) Regulation
No.29 of 1975
Representative Assembly (Elections) Regulation No.30 of 1975 -
except for the purposes of election of the Council of
Chief under Joint Regulation No.33 of 1976
Representative Assembly (Election) (Amendments) Regulation No.35
of 1975
Joint Electoral (Proxy Voting) (Amendment) (No.2) Regulation
No.41 of 1975
Representative Assembly (Elections) (Amendment) (No.2) Regulation
No.42 of 1975
Joint Regulation No.43 of 1975
Representative Assembly (Special Provisions) Regulation No.44
of 1975
Representative Assembly (Elections) (Amendment) (No.3)
Regulation No.45 of 1975
Representative Assembly (Elections) (Amendment) (No.4)
Regulation No.46 of 1975
Elections (Voting by Employees) Regulation No.47 of 1975
Electoral (Proxy Voting) (Amendment) Regulation No.18 of 1976
Electoral (Proxy Voting) (Amendment) Regulation No.22 of 1976
Representative Assembly (Special Provisions) (Amendment)
Regulation No.23 of 1976
Joint Electoral Committees (Amendment) (No.2) Regulation
No.29 of 1976
Representative Assembly (Elections) (Amendment) Regulation
No.25 of 1976
Joint Electoral Committees (Amendment) (No.3) Regulation
No.26 of 1976
Joint Electoral Committees (Special Provisions) Regulation
No.28 of 1976
Joint Electoral (Proxy Voting) (Amendment) (No.2) Regulation
No.30 of 1976
Joint Elections (Public Holidays) Regulation No.31 of 1976
Representative Assembly (Elections) (Amendment) (No.2)
Regulation No.34 of 1976
Representative Assembly (Elections) (Amendment) (No.2)
Regulation No.38 of 1976
Joint Electoral Committees (Amendment) Regulation No.22 of 1977
Electoral Registration Regulation No.27 of 1977
Representative Assembly (Elections) Regulation No.33 of 1977
Representative Assembly (Amendment) (Elections) Regulation
No.35 of 1977