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SPECIAL COMMITTEE ON THE SITUATION  
WITH REGARD TO THE IMPLEMENTATION  
OF THE DECLARATION ON THE GRANTING  
OF INDEPENDENCE TO COLONIAL COUNTRIES  
AND PEOPLES

REPORT OF THE UNITED NATIONS VISITING MISSION TO OBSERVE THE  
GENERAL ELECTIONS IN THE TURKS AND CAICOS ISLANDS, 1980

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ANNEX I

Itinerary of the Visiting Mission

1. The Visiting Mission arrived at Grand Turk, the capital, on 31 October 1980 and was met by Mr. John C. Strong, Governor of the Turks and Caicos Islands. It remained in the Territory until 7 November and visited the islands of Grand Turk, South Caicos, Salt Cay, North Caicos, Middle Caicos and Providenciales. The Mission returned to New York on 7 November.

A. Grand Turk, 31 October 1980

2. The Mission paid a courtesy call on the Governor and held discussions with him, the Chief Secretary and the Supervisor of Elections. The Clerk of the Executive and Legislative Councils and a senior official in the Office of the Chief Minister were also present.

B. Grand Turk, 1 November 1980

3. The Mission held consultations with candidates and officials of the People's Democratic Movement (PDM) and the Progressive National Party (PNP) at their respective party headquarters.

C. 2 November 1980

4. The Mission went to South Caicos in the afternoon and consulted with the leader of the PNP. On its return to Grand Turk it held consultations with the leader and executive members of PDM.

D. 3 November 1980

5. The Mission separated into two teams (Team A and Team B), which held informal consultations with political groups and members of the general public, visited polling stations and attended the final political campaign meetings of both parties. Altogether the two teams covered six islands: Team A went to South Caicos and Salt Cay before returning to Grand Turk, while Team B visited Middle Caicos, North Caicos and Providenciales, where it spent the night.

E. 4 November 1980 (Election Day)

6. Team A observed the polling in the seven electoral districts of Grand Turk, South Caicos and Salt Cay and witnessed the counting of votes on Grand Turk.

7. Team B observed the polling in the four electoral districts of Providenciales, Middle Caicos and North Caicos. It witnessed the counting of the votes in the two electoral districts on North Caicos (Bottle Creek and Kew) and returned to Grand Turk in the evening.

F. Grand Turk, 5 November 1980

8. On the occasion of the departure of the Chairman and the representative of India for United Nations Headquarters in New York, the Mission paid a brief call on the Governor.

G. Grand Turk, 6 November 1980

9. The remaining members of the Mission attended the first meeting of the new Legislative Council. At the invitation of the Speaker, Mr. Zagajac made a statement on behalf of the Mission.

10. The Mission held a meeting with Mr. Oswald O. Skippings, the new Leader of the Opposition, at his request.

H. Grand Turk, 7 November 1980

11. The Mission paid a courtesy call on Mr. Norman B. Saunders, the newly appointed Chief Minister, at the headquarters of PNP. The Mission also paid a courtesy call on the Governor and departed for New York in the afternoon.

ANNEX II

Statement made by the Chairman of the Visiting Mission  
on 31 October 1980

1. Turks and Caicos Islanders, I greet you on behalf of the United Nations Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. This United Nations Visiting Mission has been sent here by the Special Committee. The members of the Mission are Mr. Sreenivasan of India, Mr. Zagajac of Yugoslavia and myself, Mr. Yere, of the Ivory Coast. We are accompanied by five staff members of the United Nations.
2. You will recall that earlier this year, a United Nations Mission visited your islands from 16 to 26 April, a Mission in which some of us had the honour to be included. The purpose then, as explained by the Chairman of that Mission, Ambassador Nava-Carrillo of Venezuela, was to obtain an accurate and first-hand impression of conditions in the Turks and Caicos Islands and to ascertain the views and aspirations of the people as to their future. The purpose of this Mission is rather different, as I will explain.
3. On 15 August, the Permanent Representative of the United Kingdom to the United Nations, Sir Anthony Parsons, on behalf of Her Majesty's Government, extended an invitation to the Special Committee to send a visiting mission to observe the general elections on 4 November in the Turks and Caicos Islands. The Special Committee accepted the invitation and announced that the Mission would be composed of the Ivory Coast, as Chairman, India and Yugoslavia. The term of reference of this Mission is to observe the elections; this includes observing the political campaigning, polling arrangements, the casting of votes and the counting of the ballots.
4. The task of the Mission, therefore, is to see how the elections are conducted and to report back to the Special Committee. We shall want to satisfy ourselves and the United Nations that:
  - (a) The political parties and independent candidates, if any, are able to put their programmes before the people, without any obstructions;
  - (b) The voters are not subject to intimidation or other unfair pressures to vote in a particular way, or not to vote at all;
  - (c) The act of voting is kept secret so that only the voter knows how he or she has voted; and
  - (d) The counting of the votes is carried out according to the electoral regulations.

In short, we are to observe that the elections are held under "free and fair" conditions.

5. In order to carry out this mandate, the Mission wishes to meet anyone who has a problem or any irregularities to bring to the attention of the Mission as to how the elections are being conducted. On Monday, 3 November, the Mission will divide into two teams. One team will cover Grand Turk, South Caicos and Salt Cay and the other Providenciales, North Caicos and Middle Caicos.

6. We hope to attend some political campaign meetings. We shall also try to have a room or hall available on each of these islands for individuals and groups who wish to come to see us. On the day of the election, 4 November, both teams will visit as many polling stations as possible to see how the voting is being conducted and later we will watch the counting of the ballots on two islands.

7. It is necessary to emphasize at this point that the presence of the United Nations Visiting Mission in the Turks and Caicos Islands must not be confused with its support for any political party. How you vote is your right and your choice.

8. We are here only to observe your act of voting and to see that the elections are free and fair.

9. In concluding, I should like once more to thank you on behalf of the United Nations Special Committee for your co-operation with the Mission and for the warm welcome you extend to us. We are all very happy to be here among you, and look forward to a mutually fruitful visit. Thank you.

ANNEX III

Statement made by the representative of Yugoslavia  
at the opening meeting of the Legislative Council  
on 6 November 1980

1. On behalf of the Mission of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, that is, the Committee of 24 on Decolonization, I wish to express to you our gratitude for giving me the opportunity to say some words at this solemn moment.
2. As you know, the Special Committee on Decolonization keeps under constant evaluation the situation with regard to the implementation of the Declaration, which embodies the rights of colonial countries and peoples to self-determination and independence.
3. The Mission of the Committee on Decolonization, of which I, as the representative of my country, Yugoslavia, have the honour of being a member, has come to the Turks and Caicos Islands with the purpose of acquainting itself with the situation in the Territory and has come to ascertain that the wishes of the people were taken into account.
4. The result of our work here and our observations and conclusions will be contained in our report to the Special Committee on Decolonization.
5. I can assure you that the observing Mission made its best efforts to be totally impartial and fully devoted to its duties. We hope that our presence here was useful and has contributed to the positive atmosphere during the elections.
6. I wish to thank the Government of the United Kingdom for the invitation which enabled us to observe the elections.
7. I also wish to thank His Excellency the Governor and his administration for their hospitality, help and co-operation extended to the Mission during its stay on the islands.
8. In conclusion, I would like to thank the people of the Turks and Caicos Islands for the warm welcome and hospitality extended to our Mission and to congratulate them on the highly dignified manner in which they have exercised their right to vote.
9. Finally, I wish to express our congratulations to the candidates and newly elected members of the Legislative Council for their highly dignified and praiseworthy conduct during the elections. We were impressed by the way in which they have accepted the results of the elections and the expressed wish of the people.

10. To the new Legislative Council, to the new Chief Minister, and to the new Government of the Turks and Caicos Islands, we wish success in their endeavour to improve the standards of living and the general conditions in the Territory.

11. I wish you all the best. Thank you.

ANNEX IV

THE TURKS AND CAICOS ISLANDS  
(ELECTORAL PROVISIONS)  
ORDER IN COUNCIL, 1976

THE VOTERS REGISTRATION AND ELECTION REGULATIONS, 1976.

In exercise of the powers conferred upon the Governor by section 2 of the Turks and Caicos Islands (Electoral Provisions) Order in Council, 1976, the following Regulations are hereby made—

1. These Regulations may be cited as the Voters Registration and Election Regulations, 1976. Short title

PART I—*Preliminary*

2. (1) In these Regulations unless the context otherwise requires—

**Interpre-**  
**tation.**

"by-election" means an election other than a general election;

"election" means an election of a member or members to serve in the Legislative Council;

"election documents" means the documents which the returning officer is required by paragraph (1) of regulation 43 to transmit to the Supervisor of Elections after an election;

"election officer" includes the Supervisor of Elections, every registering officer, returning officer, presiding officer, poll clerk or other person having any duty to perform pursuant to these Regulations, to the faithful performance of which duty he may be sworn;

"electoral district" means an electoral district as constituted under regulation 4 of these Regulations;

"poll book" means the book in the form set out as Form No. 16 in the Second Schedule in which the name and other particulars of every person applying to vote are consecutively entered by the poll clerk as soon as the applicant's right to vote at the polling station has been ascertained and before any such applicant is allowed to vote;

**Form No.**  
**16.**

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

"polling division" means any polling division constituted in accordance with the provisions of regulation 5 and to which the whole or a part of the register of voters for a polling division is allotted;

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

"regulation" means regulation of these Regulations;

"rejected ballot paper" means a ballot paper which has been handed by the presiding officer to a voter to cast his vote but which at the close of the poll has been found in the ballot box unmarked or so improperly marked that in the opinion of the returning officer it cannot be counted;

"returning officer" means in relation to an electoral district, the officer appointed by the Governor in that behalf under regulation 7;

"revising officer" means the person appointed under regulation 14 for the purpose of revising and setting the list of voters mentioned in regulation 10;

"Schedule" means Schedule to these Regulations;

"Spoiled ballot paper" means a ballot paper which, on polling day, has not been deposited in the ballot box but has been found by the presiding officer to be soiled or improperly printed, or which has been handed by the presiding officer to a voter to cast his vote, and

(a) has been spoiled in marking by the voter, and

(b) has been handed back to the presiding officer and exchanged for another;

"the specified day" means the day specified by the Governor under regulation 11 (1);

"the preliminary list" means the list of voters mentioned in regulation 10 (1);

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

"writ" means the writ for an election.

**Mode of publication.**

2: Where in these Regulations—

(a) any notice, list or any other instrument is required to be published, then, unless the contrary intention appears in any regulation, the publication thereof shall be made by posting the same on the door of any Court House, Church; Chapel, School-house or such other building in the Islands as in the opinion of the Governor is suitable for the purpose: Provided that in places where there is no such building as aforesaid, such instrument may be posted in a conspicuous place; and

**Mode of Printing.**

(b) any paper, list or report required to be printed under these Regulations such paper, list or report may, instead of being so printed be represented or reproduced by means of a typewriter, roneo, cyclostyle or other similar apparatus or by any other method by which words, figures and signs may be represented or reproduced in visible form.

**PART II—Electoral Districts and Registration of Voters**

**Appointment, powers and duties of Supervisor of Elections.**

The Governor shall appoint a Supervisor of Elections who shall—

(a) exercise general direction and supervision over the administrative conduct of elections and enforce on the part of all election officers, fairness, impartiality and compliance with the provisions of these Regulations;

- (b) issue to election officers such instructions as may from time to time be deemed necessary to ensure effective execution of the provisions of these Regulations; and
- (c) execute and perform all other powers and duties which by these Regulations are conferred and imposed upon him.

4 (1) For the purposes of the election of members of the Legislative Council and of compiling and revising the lists of persons entitled to vote at such elections, the Islands shall be divided into electoral districts as defined in the First Schedule. **Electoral districts.**

(2) Each electoral district shall be represented on the Legislative Council by one elected member. **Representations on Assembly.**

5. (1) Each electoral district shall be a polling division. **Polling divisions.**

(2) Notwithstanding the provisions of paragraph (1) of this regulation the Supervisor of Elections with the approval of the Governor may divide any electoral district into so many polling divisions and with such boundaries and descriptions as he may by notice appoint. Every such notice shall be published.

(3) The Supervisor of Elections may in like manner from time to time vary the number, descriptions and boundaries of any polling division so appointed.

(4) In determining the boundaries of any polling division, the Supervisor of Elections shall have regard to geographical and population considerations and such other factors as may effect the facility of communication between various places within the polling division.

6. (1) The Supervisor of Elections shall from time to time appoint a registering officer for each electoral district who shall be qualified as a voter in that electoral district and who shall preferably be resident therein. **Appointment of registering officers, etc.**

(2) The Supervisor of Elections may from time to time appoint persons qualified in regulation 6 (1) as assistant registering officers in the performance of their duties under these Regulations.

(3) Subject to the authority, directions and control of the registering officer, an assistant registering officer shall have all the powers and may perform any of the duties of a registering officer under these Regulations.

(4) A registering officer shall have such powers and be charged with such duties as hereinafter appearing.

(5) Every registering officer shall, before entering on his duties as such take and subscribe an oath in the form set out in Form No. 11 in the Second Schedule and shall transmit such oath to the Supervisor of Elections. **Form No. 11.**

Appoint-  
ment of  
returning  
officer.

7. (1) The Governor may on the recommendation of the Supervisor of Elections from time to time appoint a fit and proper person to be the returning officer for each electoral district.

Form No.12.

(2) Forthwith upon his appointment each returning officer shall take and subscribe an oath in the form set out as Form No. 12 in the Second Schedule and shall transmit such oath to the Supervisor of Elections.

Taking of  
oaths

8. (1) Every election officer and every person who is required by any of the provisions of Part II or Part III of these Regulations to take an oath may take such oath either before the Magistrate, a Justice of the Peace, the Supervisor of Elections or before any returning officer or presiding officer or poll clerk appointed in accordance with the provisions of these Regulations and every such Magistrate, Justice of the Peace, returning officer, presiding officer, poll clerk and the Supervisor of Elections is hereby authorised and empowered to administer any oath required by the said provisions of Part II or Part III of these Regulations to be made or taken by any election officer or other person.

(2) Every person who is required to take an oath in pursuance of any of the provisions of Part II or Part III of these Regulations may elect to make a solemn affirmation instead of taking such oath.

Remunera-  
tion of  
officer.

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

Compiling  
list of  
voters.

10. (1) As soon as possible after the commencement of these Regulations and thereafter in such years as the Governor may by proclamation appoint, in no case being more than three years after the date of the return of the first writ at the last preceding general election or more than three years after the last occasion on which the revised preliminary list for that electoral district was certified by the revising officer under regulation 16 (2), a list of voters (hereafter in these Regulations referred to as "the preliminary list") shall be compiled for each electoral district of all persons entitled to vote at the election of a member or members of the Legislative Council for that electoral district.

(2) If for any cause the registering officer fails to compile the preliminary list for his electoral district so that by reason thereof the Register of Voters (as described in regulation 16 (3)) for that electoral district cannot be brought into force, the Register of Voters in force immediately before the new Register of Voters should have come into force shall continue in operation and be deemed to be the Register of Voters for such electoral district.

Commence-  
ment of  
enumeration.

11. (1) It shall be the duty of every registering officer with effect from such day (hereinafter called "the specified day") as the Governor may by proclamation specify in respect of an electoral district to proceed to compile the preliminary list for the electoral district for which he is appointed.

(2. Every registering officer shall—

- (a) immediately after his appointment affix on two public buildings in each polling division comprised in the electoral district or, if there be no public buildings in any such division, on two other buildings therein, with the prior permission of the occupants, a copy of a registration notice in the form set out as Form No. 1 in the Second Schedule;
- (b) within the period specified in regulation 12 (1) ascertain the name, address and occupation of every person qualified to be registered as a voter for the election of a member or members of the Legislative Council in the electoral district for which he has been appointed and shall obtain the information he may require by a house to house enquiry.

The names, addresses and occupations of all voters who are included in the enumeration in the preliminary list shall be written down in the manner and form specified in regulation 12 with the names of the voters grouped according to the initial letters of their surnames, and with the surname, given names and occupation of each being fully stated;

- (c) exercise the utmost care in preparing the preliminary list for the electoral district for which he has been appointed, taking all necessary precautions to ensure that the list when completed contains the name, address and occupation of every qualified voter in the said electoral district and that it does not contain the name of any person who is not so qualified.

(3) Any registering officer who wilfully and without reasonable excuse—

- (a) refuses to prepare the preliminary list as provided in regulation 11 (2) (b); or
- (b) omits from the preliminary list the name of any person entitled to have his name entered thereon; or
- (c) enters on the preliminary list the name of any person who is not entitled to have his name entered thereon,

shall be guilty of an offence and shall be liable on summary conviction before the Magistrate to a fine of one hundred dollars and in addition forfeiture of the right to all or part of the payment for his services as a registering officer.

12. (1) A registering officer shall within the space of fourteen days from the specified day write down in alphabetical order of their surnames on the preliminary list in the form set out as form No. 2 in the Second Schedule, the names of all persons ordinarily resident on the specified day in the electoral district for which he is appointed who are entitled to be registered as voters, and shall cause a copy of such list dated and signed by him to be published. Preliminary list.  
Form No. 2.

(2) Every preliminary list shall during the hours of business in each day for a period of ten working days after the publication thereof be open to inspection of the public free of charge at such places as the Supervisor of Elections may direct in the electoral district to which such list applies.

**Procedure as to omissions and objections.**

**Form No. 3.**

13. (1) Every person whose name has been omitted from or wrongly stated in the preliminary list and who claims to have his name inserted therein or the mistake rectified, as the case may be, shall within the period specified in Regulation 12 (2) give notice in writing to the registering officer of the electoral district in which he was ordinarily resident on the specified day in the form set out as Form No.3 in the Second Schedule.

**Forms No. 4 (1) and No. 4 (2).**

(2) Every person whose name appears in any such list may object to any other person whose name also appears therein as not being entitled to have his name therein, and shall within the period specified in Regulation 12 (2) give notice in the forms set out as Form No. 4 (1) and Form No. 4 (2) in the Second Schedule to the registering officer of the electoral district in which he was ordinarily resident on the specified day and to the person objected to by delivering the same to him personally or by leaving the same at his usual place of abode.

(3) Within five days after the expiration of the ten days mentioned in paragraph (2) of this regulation each registering officer shall prepare a list of all such claims and objections and the names of the persons who have made the same. Such list shall be published and shall be open to the inspection of the public free of charge during the hours of business in each day for a period of five working days after the preparation of such list at such places as the Governor may direct in the electoral district to which such list applies.

**Appointment of revising officer and revision of preliminary list.**

**Form No. 5.**

14. (1) The Governor shall appoint a revising officer for the purpose of revising and settling the preliminary list in the manner hereinafter provided. Such revising officer may be paid such remuneration for his services and such allowances in respect of travelling and other expenses incurred by him as the Governor may approve.

(2) The place or room in which the revising officer sits for the purpose of revising the preliminary lists shall be deemed an open court.

(3) The revising officer shall sit on such day as may be appointed by him being within twenty-one days after the expiry of the period of five days allowed for the public inspection of the list of claims and objections referred to in paragraph (3) of regulation 13; and six days notice in the form set out as Form No. 5 in the Second Schedule of the revision of such lists and of the place at which such revision will take place shall be published.

**Procedure for revising preliminary list.**

15. (1) The registering officer shall produce to the revising officer on the day fixed under regulation 14 (3) the list of claims and objections received by him and the revising officer shall thereupon consider such list and shall insert in the preliminary list the name of every person who is proved to his satisfaction to be entitled to have his name inserted therein, rectify any mistake in such preliminary list of which he is satisfied, and strike out of the said list the name of every person who, upon the application of the objector, is proved to the satisfaction of the revising officer to be disentitled to have his name retained in the said list.

(2) If the objector appears neither in person, nor by counsel, nor by some voter duly authorised to act in that behalf, the objection shall be overruled.

(3) A revising officer sitting to revise the preliminary lists under these Regulations shall have power to adjourn the same to such time and as often as may be necessary and shall have the same powers for the keeping of order in his court as are given to a Magistrate under the Magistrates Ordinance. **Cap. 4.**

(4) The revising officer sitting as aforesaid shall determine all claims or objections, and shall write his initials against any name struck out of the preliminary list or inserted therein and against any mistake or omission corrected, and shall sign his name to every page of each preliminary list when the same is finally settled.

(5) If the revising officer is of the opinion that the claim or objection of any person is without foundation or is frivolous, he may order such person to pay the actual costs of the enquiry including the costs of witness, and such costs shall be recoverable by an action before any court of competent jurisdiction.

(6) Any person aggrieved by a decision of the revising officer may appeal in like manner as an appeal from the Magistrate under the provisions of the Magistrates Ordinance.

16. (1) On completion of the revision of the preliminary list for each electoral district the revising officer shall number the names on the list consecutively and shall after signing such lists cause them to be printed and bound separately in respect of each electoral district. **Revised preliminary list to be certified and deemed Register of Voters.**

(2) The revising officer shall certify such bound lists and shall thereupon transmit one copy thereof to the returning officer for the electoral district to which it relates and one copy to the Supervisor of Elections.

(3) The copy of the lists transmitted to the Supervisor of Elections shall be deemed to be the Register of Voters for that electoral district and shall come into force on such date as the Governor may by proclamation appoint and shall remain in force until the next Register of Voters is compiled and comes into force in accordance with the provisions of these Regulations.

(4) If as the result of an appeal from a decision of the revising officer the insertion of any name in the Register of Voters or the deletion of any name therefrom shall be necessary, such insertion or deletion shall be made by the Supervisor of Elections who shall number any name inserted with the same number as the preceding name in the Register of Voters followed by a letter or letters.

### PART III—*Arrangements for Elections.*

17. (1) For the purpose of every general election of members of the Legislative Council, and for the purpose of the election of members to supply vacancies caused by death, resignation or otherwise, the Governor shall issue writs under the Public Seal, addressed to the returning officers of the respective electoral districts for which members are to be returned. Such writs shall be forwarded to the Supervisor of Elections for transmission to the several returning officers. **Issue of writs for holding elections.**

**Form No. 6.** (2) Every such writ shall be in the form set out as Form No. 6 in the Second Schedule, and shall specify the day (being not less than seven clear days from the date of the receipt of the writ), and place of nomination of candidates, the day on which, if necessary, the poll shall be taken, being not less than fourteen clear days after the day of such nomination, and the day on or before which such writ shall be returnable to the Governor.

(3) Upon receipt of such writ every returning officer shall proceed to hold the election in the manner hereinafter provided.

**Notice of place and time of Nomination.** 18. (1) On receiving such writ, every returning officer shall publish a notice in the form set out as Form No. 7 in the Second Schedule of the day and place fixed for the nomination of candidates.

**Form No. 7.** (2) Such notice shall be published at least seven clear days before the day fixed for such nomination.

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

**Form No. 8.** (4) On the day and at the place so fixed for the nomination of candidates every returning officer shall attend between the hours of ten o'clock in the forenoon and one o'clock in the afternoon and between the hours of two o'clock and four o'clock in the afternoon and receive the nomination of any duly qualified candidate for the seat to be filled.

(5) Each candidate for election shall be nominated on one nomination paper by at least two registered voters of the electoral district for which such candidate seeks election and his consent to the nomination shall be given in writing on such nomination paper and attested by one witness:

Provided that no candidate shall be deemed not to have been validly nominated by reason only of the fact that subsequent to nomination day any person by whom his nomination paper was signed is struck off the Register of Voters for the relevant electoral district.

(6) If at four o'clock in the afternoon on the day fixed for the nomination of candidates only one candidate has been nominated for the seat to be filled, the returning officer shall declare that candidate elected and shall immediately thereafter certify by endorsement on the writ the return of such candidate in the form set out as Form No. 9 in the Second Schedule and shall return the writ so endorsed to the Supervisor of Elections for transmission to the Governor within the time specified for that purpose therein.

**Form No. 9.** (7) Any candidate duly nominated may, not less than three clear days before the day fixed for taking the poll, withdraw from his candidature by giving notice to the effect, signed by him, to the returning officer, and any votes cast for the candidate who has so withdrawn shall be null and void.

**Withdrawal of candidature.**

(8) When a candidate has withdrawn after the ballots are printed the returning officer shall advise, by letter or telegram, each presiding officer of his constituency of such withdrawal, and, when time permits, shall distribute to each presiding officer a printed notice of the withdrawal. On polling day each presiding officer shall post up a copy of the printed notice of withdrawal in a conspicuous place in his polling station. If time does not permit of the printing and the distribution of such notice, the presiding officer, upon being advised by letter or telegram by the returning officer of the withdrawal of any candidate, shall himself prepare by hand a notice to that effect and post it up in a conspicuous place in his polling station. In either case the presiding officer shall, when delivering a ballot to each voter, inform such voter of the withdrawal of the candidate.

(9) If, after the withdrawal, there remains only one candidate the returning officer shall return as duly elected the candidate so remaining without waiting for the day fixed for holding the poll.

19. (1) A candidate for election, or someone on his behalf, shall deposit with the returning officer, on or before the day of his nomination, the sum of one hundred dollars and, if he fails to do so, the nomination of such candidate shall not have effect. Deposit.

(2) The deposit may be made in any legal tender.

(3) The full amount of every deposit made under paragraph (1) of this regulation shall forthwith after its receipt be transmitted by the returning officer to the Treasurer of the Islands.

(4) If after the deposit is made the candidature is withdrawn in accordance with the provisions of paragraph (7) of regulation 18 the deposit shall be returned by the Treasurer of the Islands to the person by whom it was made; and if the candidate dies after the deposit is made and before the taking of the poll, the deposit, if made by him, shall be returned to his legal personal representative, or, if not made by him shall be returned to the person by whom it was made.

20. (1) If a candidate who has made such deposit is not elected and the number of votes polled by him does not exceed one tenth of the total number of votes polled, the amount deposited shall be forfeited to the Crown; in any other case the deposit shall be returned by the Treasurer of the Islands as soon as practicable after the result of the election is declared, to the candidate, his legal personal representative, or the person by whom the deposit was made, as the case may be. When deposit forfeited or returned.

(2) For the purposes of this regulation the number of votes polled shall be deemed to be the number of the ballot papers (other than rejected ballot papers) counted.

21. (1) If in an electoral district there shall be more than one candidate duly nominated, a poll shall be taken, and in such case the returning officer shall adjourn the election to the day specified in the writ, and the poll shall be taken on such day in the manner hereinafter provided. Contested elections, publication of date and place, etc.

**Form No.10.** (2) The returning officer shall, as soon as practicable after adjourning the election, publish a notice in the form set out as Form No. 10 in the Second Schedule specifying the day and time on which and the locations of the polling stations in the electoral district at which the poll will be taken and of the names of the candidates nominated for election and of the place where and the day and time when the number of votes given to the several candidates for such electoral district will be counted.

**Polling stations.** 22. (1) On the day named in the notice published under the provisions of paragraph (2) of regulation 21 for the taking of the poll the returning officer shall cause to be opened in the electoral district to which he is appointed such number of polling stations as the Supervisor of Elections shall determine.

(2) The returning officer shall provide each polling station with such number of compartments as he may consider necessary to enable voters to record their votes screened from observation.

(3) Unless the writ otherwise directs polling stations shall be opened at seven o'clock in the forenoon and shall be closed at six o'clock in the afternoon.

**Presiding officers.** 23. (1) The Supervisor of Elections shall, subject to the approval of the Governor, appoint a presiding officer to attend at each polling station to receive the votes, but he shall not so appoint any person who has been employed by or on behalf of a candidate in or about the election. The Supervisor of Elections may himself, if he thinks fit, preside at any polling station.

**Form No.13.** (2) Forthwith upon appointment every presiding officer shall take and subscribe an oath in the form set out as Form No. 13 in the Second Schedule and shall transmit such oath to the Supervisor of Elections.

**Poll clerks.** 24. (1) The Supervisor of Elections shall, subject to the approval of the Governor, appoint a poll clerk for every polling station in an electoral district.

**Form No.14.** (2) Forthwith upon his appointment every poll clerk or person appointed to act as poll clerk shall take and subscribe an oath in the form set out as Form No 14 in the Second Schedule and shall transmit such oath to the Supervisor of Elections.

(3) If any presiding officer dies or becomes incapable of performing his duties during the taking of the poll, the poll clerk shall forthwith assume the office of presiding officer and shall appoint some other person to act as poll clerk.

(4) If any poll clerk dies or becomes incapable of performing his duties during the taking of the poll, the presiding officer shall forthwith appoint some other person to act as poll clerk.

(5) Every appointment made under paragraph (3) or paragraph (4) of this regulation shall be immediately reported to the Supervisor of elections by the person making the appointment.

**Ballot Boxes.** 25. (1) The Supervisor of Elections shall supply to each returning officer a number of ballot boxes equal to the number of polling stations in his electoral district.

(2) Every ballot box shall be made of some durable material, with one lock and one key and a slit or narrow opening in the top and so constructed that the ballot papers may be introduced therein but cannot be withdrawn therefrom unless the box is unlocked.

26. (1) The returning officer shall provide each presiding officer with a ballot box and such number of ballot papers as in the opinion of the returning officer may be necessary. **Supplies of election material**

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

- (a) a statement showing the number of ballot boxes so provided with their serial numbers;
- (b) the necessary materials to enable voters to mark the ballot papers;
- (c) the necessary materials for putting the official mark on the ballot papers;
- (d) at least two copies, which he shall certify, of the Register of Voters hereinafter called "the official list of voters" relating to the electoral district to which he is appointed;
- (e) at least five copies of the directions for the guidance of voters in the form set out as Form No. 15 in the Second Schedule;
- (f) a blank poll book;
- (g) the several forms of oaths to be administered to voters or other persons;
- (h) such other things as may be necessary for conducting the election in the manner provided by these Regulations.

Form No. 15

27. (1) Each candidate may, before the commencement of the poll, appoint a polling agent to attend to a polling station and one counting agent to attend at the counting of the votes. **Polling and counting agent.**

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

(3) Every appointment of an agent shall be in writing and shall state the name and address of the person appointed and shall be given, duly signed by the candidate, to the presiding officer or the returning officer as the case may be.

28. (1) The poll shall be taken in each electoral district by secret ballot in accordance with the provisions of regulation 34, 35 and 36. **Taking of poll and the ballot.**

(2) The ballot of each voter shall be a printed paper in the form set out as Form No. 17 in the Second Schedule (in these Regulations called a ballot paper) in which the names, descriptions and residences of the candidates alphabetically arranged in the order of their surnames and numbered accordingly shall be printed exactly as they are set out in the nomination paper. Each ballot paper shall have a number printed on the back and shall have attached to it a counterfoil with the same number printed on the face and there shall be a line of perforations between the ballot paper and the counterfoil. **Form No.17.**

**Inspection of polling station.** 29. Each presiding officer shall on or before the day fixed for taking the poll, visit the polling station and see that it is provided with proper conveniences as aforesaid for taking the poll.

**Where voter shall vote.** 30. (1) No person shall be entitled to vote in any polling division unless his name appears on the official list of voters for the electoral district in which that polling division is situated.

(2) Every person whose name appears upon the official list of voters for an electoral district shall be entitled to vote in that electoral district notwithstanding that he is not resident in that electoral district upon polling day:

Provided, however, that no person shall vote in more than one electoral district or at more than one polling station in the same electoral district or more than once in the same electoral district on the same day.

(3) Any person contravening any of the provisions of the preceding paragraphs shall be guilty of an offence and shall be liable on summary conviction before the Magistrate to a fine of five hundred dollars or imprisonment for six months.

**Restriction of voting.** 31. No person shall vote for the election of more candidates than there are seats to be filled.

**Proceedings at poll.** 32. (1) At the hour fixed for opening the poll the presiding officer and the poll clerk shall, in the presence of such of the candidates, their agents, and voters as are present, open the ballot box and ascertain that there are no ballot papers or other papers therein, after which the box shall be locked, and the presiding officer shall keep the key thereof; the box shall be placed on a table in full view of all present and shall be maintained there until the close of the poll.

(2) Immediately after the ballot box is so locked, the presiding officer shall call on the voters to vote.

(3) The presiding officer shall secure the admittance of every voter in the polling station and shall see that they are not impeded or molested at or about the polling station.

(4) Every voter, upon entering the polling station, shall declare his name, residence and occupation. The poll clerk shall then ascertain if the name of the voter appears on the official list of voters used at the polling station. When it has been ascertained that the applicant voter is qualified to vote at the polling station, his name, address and occupation shall be entered in the poll book to be kept by the poll clerk in the form set out as Form No. 16 in the Second Schedule a number corresponding to the consecutive number allotted to the voter on the official list of voters being prefixed to the voter's name in the appropriate column of the poll book and the voter shall be immediately allowed to vote, unless an election officer or any agent of a candidate present at the polling station desires that he be first sworn.

Form No.16.

(5) The poll clerk shall—

- (a) make such entries in the poll book opposite the name of each voter as the presiding officer pursuant to the provisions of these Regulations directs; and
- (b) enter in the poll book opposite the name of each voter as soon as the voter's ballot paper has been deposited in the ballot box, the word "voted"; and
- (c) enter in the poll book the word "Sworn" or "Affirmed" opposite the name of each voter to whom any oath or affirmation has been administered, indicating the nature of the oath or affirmation; and
- (d) enter in the poll book the words "Refused to be sworn" or "Refused to affirm" or "Refused to answer" opposite the name of each voter who has refused to take an oath or to affirm, when he has been legally required so to do, or has refused to answer questions which he has been legally required to answer.

33. (1) The presiding officer shall keep order at his polling station and shall regulate the number of voters to be admitted at a time, and shall exclude all other persons except the persons permitted to remain in the polling station by regulation 33.

Persons who are to be admitted within polling stations.

(2) The agents for the candidates shall be posted in such a place that they can see each person who presents himself as a voter and hear his name as given in by him, but so that they cannot see how any voter votes. They shall not interfere in the proceedings save in so far as they may be allowed by these Regulations.

Agents, how to be placed.

(3) If any person persists, after being warned in disobeying the directions of the presiding officer given with a view to keeping order at the polling station or in acting in contravention of this regulation it shall be lawful for the presiding officer to cause him to be removed from the polling station.

Preservation of order.

34. (1) Each voter shall receive from the presiding officer a ballot paper on which such officer has previously put his initials so placed as indicated in the form set out as Form No. 17 in the Second Schedule that when the ballot paper is folded the said initials can be seen without opening it, and on the counterfoil of which he has placed a number corresponding to the consecutive number on the official list of voters and entered in the poll book.

General mode of taking ballot. Form No.17.

(2) The presiding officer shall instruct the voter how to make his mark, and shall properly fold the voter's ballot paper, directing him to return it, when marked, folded as shown, but without enquiring or seeing for whom the voter intends to vote, except when the voter is unable to vote in the manner prescribed by these Regulations on account of illiteracy, blindness or other physical incapacity.

(3) The voter on receiving the ballot paper shall forthwith enter one of the polling compartments in the polling station and there mark his ballot paper by marking with a black lead pencil and not otherwise a cross within the space opposite the name of the candidate for whom he intends to vote, and he shall then fold the ballot paper as directed so that the initials and the numbers on the counterfoil can be seen

without opening it, and hand the paper to the presiding officer who shall, without unfolding it, ascertain by examination of the initials and numbers appearing thereon that it is the same paper as that delivered to the voter and, if the same, he shall in full view of the voter and of all others present remove the counterfoil and deposit the ballot in the ballot box.

(4) A voter who has inadvertently so dealt with the ballot paper delivered to him that it cannot conveniently be used shall restore it to the presiding officer who shall cancel it by writing the word "Spoiled" across the face of the same. The presiding officer shall then deliver another ballot paper to the voter.

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

(6) If at the closing of the poll there are any voters inside the polling station who are qualified to vote and have not been able to do so since their arrival at the polling station, the poll shall be kept open a sufficient time to enable them to vote, but no one not actually present within the polling station at the hour of closing shall be allowed to vote.

Questions  
which may  
be put to a  
voter.

35. (1) The presiding officer may, and shall if requested by a candidate or his agent, put to the voter the following questions—

(a) are you the same person whose name appears as *A. B.* on the official list of voters now in force for this polling division?

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

(2) If any person refuses to answer any question put to him as in this section provided, the presiding officer shall refuse to give him a ballot paper.

(3) If any person knowingly makes a false answer to any such question he shall be guilty of an offence and be liable, on summary conviction before the Magistrate to a fine of five hundred dollars or imprisonment for six months or both.

Mode of  
taking ballot  
in special  
cases.

Form No. 18.

36. (1) Subject to all other provisions of these Regulations as to proof of qualifications as a voter, and as to the administration of oaths, if a person representing himself to be a particular voter applies for a ballot paper after another person has voted as such person, he shall be entitled to receive a ballot paper and to vote after taking the oath of identity in the form set out as Form No. 18 in the Second Schedule and otherwise establishing his identity to the satisfaction of the presiding officer.

(2) In such case, the presiding officer shall put on the ballot paper his initials together with a number corresponding to the number allotted to the voter on the official list of voters and entered in the poll book opposite the name of such voter, and the poll clerk shall enter in the poll book—

(a) the name of such voter;

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

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

(d) any objections made on behalf of any, and of which, of the candidates.

(3) The presiding officer, on the application of any voter who is incapacitated from any physical cause other than blindness or by reason of illiteracy from voting in the manner prescribed by these Regulations, shall require the voter making such application to make oath in the form set out as Form No. 19 in the Second Schedule of his incapacity to vote without assistance, and shall thereafter assist such voter by marking his ballot paper in the manner directed by such voter in the presence of the poll clerk and of the sworn agents of the candidates and of no other person, and shall place such ballot in the ballot box. Form No.19.

(4) The presiding officer shall either deal with a blind voter and a voter who is unable to mark his ballot paper by reason of illiteracy in the same manner as with an otherwise incapacitated voter, or, at the request of any blind voter or a voter who is unable to mark his ballot paper by reason of illiteracy and who has taken the oath in the form set out as Form No. 20 in the Second Schedule and is accompanied by a friend who is a voter in the electoral district, shall permit such friend to accompany the blind or illiterate voter, as the case may be, into the voting compartment and mark the voter's ballot paper for him. No person shall at any election be allowed to act as such friend to more than one voter. Form No.20.

(5) Any friend who in accordance with the provisions of paragraph (4) of this regulation is permitted to mark the ballot paper of a blind voter or a voter who is unable to mark his ballot paper by reason of illiteracy shall first be required to take an oath in the form set out as Form No. 21 in the Second Schedule that he will keep secret the name of the candidate for whom the ballot of such voter is marked by him, and that he has not already acted as the friend of any other voter for the purpose of marking his ballot paper at the election. Form No.21.

(6) Whenever any voter has had his ballot paper marked as provided in paragraph (3) or paragraph (4) of this regulation, the poll clerk shall enter in the poll book opposite the voter's name in addition to any other requisite entry, the reason why such ballot paper was so marked.

37. (1) Where there is contained in the official list of voters a name, address and occupation which correspond so closely with the name, address and occupation of a person by whom a ballot paper is demanded as to suggest that the entry in such list of voters was intended to refer to him, such person shall, upon taking the oath in the form set out as Form No. 22 in the Second Schedule and complying in all other respects with the provisions of these Regulations be entitled to receive a ballot paper and to vote. In any such case the name, address and occupation shall be correctly entered in the poll book and the fact that the oath has been taken shall be entered in the proper column of the poll book. Who may vote. Form No.22.

(2) A voter, if required by the presiding officer, the poll clerk, one of the candidates or an agent of a candidate, or by a voter present, shall before receiving his ballot paper take an oath in the form set out as Form No. 23 in the Second Schedule and if he refuse to take such oath, erasing lines shall be drawn through his name on the official list of voters and in the poll book, if such name has been entered in the said book, and the words "Refused to be sworn" shall be written thereafter. Form No.23.

Who may  
be present.

38. (1) In addition to the presiding officer and the poll clerk, the Supervisor of Elections, the returning officer of the electoral district, the candidates, one agent for each candidate in each polling station, and the police officers on duty, and no others shall be permitted to remain in the polling station during the time the poll remains open:

Provided that no candidate and his agent shall be in the same polling station at the same time for more than fifteen consecutive minutes.

Form No.24.

(2) The agent of each candidate, on being admitted to the polling station, shall take an oath in the form set out as Form No. 24 in the Second Schedule to keep secret the name of the candidate for whom any of the voters has marked his ballot paper in his presence.

(3) Agents of candidates may, with the permission of the presiding officer, absent themselves from and return to the polling station at any time before one hour prior to the close of the poll.

Proceedings  
after poll.

39. (1) Forthwith upon the close of the poll the presiding officer shall in the following order

- (a) seal the ballot boxes;
- (b) count the number of voters whose names appear in the poll book as having voted and make an entry thereof on the line immediately below the name of the voter, who voted last, thus "The number of voters who voted at this election in this polling station is ..... " (stating the number), and sign his name thereto;
- (c) count the spoiled ballot papers, if any, place them in the special envelope supplied for that purpose and indicate thereon the number of such spoiled ballot papers and seal it up;
- (d) count the unused ballot papers, place them with all the stubs of all used ballot papers in the special envelope supplied for that purpose and indicate thereon the number of such unused ballot papers; and
- (e) check the number of ballot papers supplied by the returning officer against the number of spoiled ballot papers, if any, the number of unused ballot papers and the number of voters whose names appear in the poll book as having voted, in order to ascertain that all ballot papers are accounted for.

Form No.24.

(2) The ballot boxes, poll book, envelopes containing the spoiled or unused ballot papers, official lists of voters and other documents used at the poll shall be transmitted to the place notified for the counting of the votes or delivered to the returning officer. The returning officer may specially appoint one or more persons for the purpose of collecting the ballot boxes and papers aforesaid from a given number of polling stations, and such person or persons shall, on delivering the ballot boxes and papers to the returning officer, take the oath in the form set out as Form No. 25 in the Second Schedule.

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

40. (1) Each returning officer, upon receipt by him of each of the ballot boxes, shall take every precaution for its safe keeping and for preventing any person other than himself from having access thereto, sealing it under his own seal so that it cannot be opened without the seal being broken but without effacing or covering any other seals thereto affixed. **The Count.**

(2) After all the ballot boxes have been received they shall be opened by the returning officer for the count of votes in the presence of such of the candidates or their agents as are present, and of at least two voters if none of the candidates is present or represented, and the returning officer shall—

- (a) record and count the number of votes given to each candidate (allowing the candidates or their agents, or in the absence of the candidates and their agents the two voters present, full opportunity to see such votes but not the official number on the back of the ballot paper) and a poll clerk and not less than two witnesses shall be supplied with tally sheets upon which they may keep their own scores as each vote is called out by the returning officer;
- (b) reject all ballot papers—
  - (i) which have not been marked for any candidate;
  - (ii) on which votes have been given for more than one candidate;
  - (iii) upon which there is any writing or mark by which the voter could be identified, but no ballot paper shall be rejected on account of any writing, number or mark placed thereon by any presiding officer.

(3) If in the course of counting the votes any ballot paper is found with the counterfoil still attached thereto, the returning officer shall (carefully concealing the numbers thereon from all persons present and without examining them himself) remove such counterfoil. He shall not reject the ballot paper merely by reason of the failure of the presiding officer to remove the counterfoil.

(4) If in the course of counting the votes the returning officer discovers that the presiding officer has omitted to affix his initials to any ballot paper as provided by paragraph (1) of regulation 34, he shall in the presence of the poll clerk and such of the candidates or their counting agents as are present or in the absence of the candidates and their agents in the presence of the two voters, affix his initials to such ballot paper and shall count such ballot paper as if it had been initialled by the presiding officer in the first place, provided that he is satisfied that the ballot paper is one that has been supplied by the presiding officer, and also that every ballot paper supplied to such presiding officer has been accounted for as provided by paragraph (1) (e) of regulation 39.

(5) The returning officer shall keep a record on the special form printed in the poll book of every objection made by any candidate or his counting agent or any voter present, to any ballot paper found in a ballot box, and shall decide every question arising out of the objection. The decision of the returning officer shall be final, subject to reversal on petition questioning the election or return; and every such objection shall be numbered, and a corresponding number placed on the back of the ballot paper and initialled by the returning officer.

(6) All the ballot papers not rejected by the returning officer shall be counted and a list shall be kept of the number of votes given to each candidate and of the number of rejected ballot papers. The ballot papers which respectively indicate the votes given for each candidate shall be put into separate envelopes; and all rejected ballot papers shall be put into a special envelope and all such envelopes shall be sealed by the returning officer and by such agents or witnesses as may desire to seal them or sign their names thereon in addition or instead.

**Declaration of the poll.** (7) The candidate who on the completion of the count is found to have the largest number of votes shall then be declared by the returning officer to be elected as the member for the electoral district.

**Equality of votes.** (8) Whenever there is an equality of votes between two or more candidates and the addition of a vote would entitle one of such candidates to be declared elected, then the returning officer shall give such additional vote.

**Maintenance of order at polling station.** 41 (1). Subject to the provisions of paragraph (2) of this regulation, during the hours when the poll is open upon polling day, no persons shall assemble or congregate within one hundred yards of any building in which is situate any polling station.

(2) This section shall not apply—

(a) to any voters who are waiting to poll their votes at such polling station and who obey any instructions which may be given by the presiding officer or poll clerk or any police officer for the purpose of forming a queue with other voters also waiting; or

(b) to any person who may under the provisions of these Regulations lawfully enter or remain in such polling station.

(3) Every person who contravenes any of the provisions of this regulation shall be guilty of an offence and be liable to summary conviction before the Magistrate to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

**Influencing of voters to vote for any candidate.** 42. (1) During the hours that the poll is open upon polling day no person shall upon any public road or in any public place within one hundred yards of any building in which a polling station is situate seek to influence any voter to vote for any candidate or to ascertain for what candidate any voter intends to vote or has voted.

(2) Every person who contravenes any of the provisions of paragraph (1) of this regulation shall be guilty of an offence and liable on summary conviction before the Magistrate to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

43. (1) The returning officer within the time specified for the return of any writ shall forward to the Supervisor of Elections— **Election return.**

- (a) the writ with his return in the form set out as Form No. 26 in the Second Schedule endorsed thereon of the candidate declared to be elected in accordance with regulation 40 (7); **Form No.26.**
- (b) a report of his proceedings showing the number of votes cast for each candidate at each polling station, and making such observations as the returning officer may think proper as to the state of the election papers as received from the presiding officer;
- (c) the number of persons to whom, it appears from the counterfoils, ballot papers have been supplied in the electoral district;
- (d) the reserve supply of undistributed blank ballot papers;
- (e) the poll book used at each polling station, a packet containing the counterfoils and unused ballot papers, packets containing the ballot papers cast for the several candidates, a packet containing the spoiled ballot papers, a packet containing the rejected ballot papers and a packet containing the official lists of voters used at the polling stations, and the written appointments of candidates' agents; and
- (f) all other documents used for the election.

(2) The Supervisor of Elections shall, on receiving the return of any member elected to serve in the Legislative Council, cause it to be entered, in the order in which such return is received by him, in a book to be kept by him for such purposes and thereupon immediately cause a notice to be published in the *Gazette* of the name of the candidate so elected and in the order in which it was received.

(3) The Supervisor of Elections shall, on receiving the return of any member elected to serve in the Legislative Council transmit the writ with the return endorsed thereon to the Governor within the time specified in such writ. The Governor shall within seven days of the receipt of the said writ return the same to the Supervisor of Elections for safe custody in accordance with the provisions of regulation 44.

(4) The Supervisor of Elections shall, immediately after each general election, cause to be printed a report giving, by polling divisions, the number of votes polled for each candidate, the number of rejected ballot papers, the number of names on the official lists of voters, together with any other information that he may deem fit to include; and shall also at the end of each year, cause to be printed a similar report on the by-elections held during the year.

(5) If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the Legislative Council for any electoral district, and if it has been determined on the hearing of an election petition respecting the election for such electoral district that such person was entitled to have been returned, the returning officer who has so wilfully delayed, neglected or refused duly to make such return of his election shall forfeit to the person aggrieved the sum of two hundred dollars and costs in addition to all damages sustained.

44. (1) The Supervisor of Elections shall keep the election documents referred to in regulation 43 (1) in safe custody and shall allow no person to have access to them: **Custody of election documents.**

Provided that, if an election petition has been presented questioning the validity of any election or return, the Supervisor of Elections shall, on the order of the Judge of the Supreme Court, deliver to the proper officer of that Court the documents relating to the election that is in dispute:

Provided also that after the expiration of twelve months from the day of any election it shall be lawful for the Supervisor of Elections to cause the said documents used at such election to be burnt.

(2) No such election documents in the custody of the Supervisor of Elections shall be inspected or produced except on the order of the Judge of the Supreme Court; and an order under this paragraph may be made by the Judge upon his being satisfied by evidence on oath that the inspection or production of such election documents is required for the purpose of instituting or maintaining a prosecution for an offence in relation to an election or for the purpose of a petition which has been filed questioning an offence in relation to an election or for the purpose of a petition which has been filed questioning an election or return.

(3) Any such order for the inspection or production of election documents may be made subject to such conditions as to persons, time, place and mode of inspection or production as the Judge deems expedient.

45. Forthwith upon making the return to the writ in accordance with the provisions of regulation 43 the returning officer shall cause the ballot boxes used at such election, with their locks and keys and the screens and other appliances used in the polling station to be transmitted or delivered to the Supervisor of Elections. **Custody of ballot boxes.**

#### PART IV—*Election Petitions*

46. A petition complaining of the undue election or undue return of a member of the Legislative Council (in these Regulations called an election petition) may be presented to the Supreme Court by any one or more of the following persons, that is to say— **Petitions against elections.**

- (a) a person who voted or had a right to vote at the election to which the petition relates;
- (b) a person claiming to have had a right to be returned at such election;
- (c) a person alleging himself to have been a candidate at such election.

47. The following provisions shall apply with respect to the presentation of an election petition— **Presenta-tion of elec-tion petition and security for costs.**

- (a) the petition shall be presented within seven days after the return made by the returning officer of the member to whose election the petition relates, unless it questions the return or election upon an allegation of corrupt practices and specifically alleges a payment of money or other reward to have

been made by any member, or on his account, or with his privity, since the time of such return, in pursuance or in furtherance of such corrupt practices, in which case the petition may be presented at any time within fourteen days after the date of such payment;

- (b) at the time of presentation of the petition, or within three days afterwards, security for the payment of all costs, charges and expenses that may become payable by the petitioner—
- (i) to any person summoned as a witness on his behalf, or
  - (ii) to the member whose election or return is complained of, or to any other person named as a respondent in the petition shall be given by or on behalf of the petitioner;
- (c) the security shall be to an amount of one thousand dollars and shall be given by recognizance to be entered into by such sureties not exceeding four in number as the Registrar of the Supreme Court may approve, or by deposit of money in the Supreme Court, or partly in one way and partly in the other.

48. If a candidate who has been elected is certified by the Judge who tried the election petition questioning the return or election of such candidate to have been personally guilty or guilty by his agents of any corrupt or illegal practice his election shall be void.

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

49. Where on an election petition it is shown that corrupt or illegal practices or illegal payments or employments committed in reference to the election for the purpose of promoting or procuring the election of any person thereat have so extensively prevailed that they may be reasonably supposed to have effected the result, the election of that person, if he has been elected, shall be void and he shall be incapable of being elected to fill the vacancy or any of the vacancies for which the election was held.

Avoidance of election for general corruption. etc.

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

Trial of election petitions.

(2) At the conclusion of the trial the Judge shall determine whether the member of the Legislative Council whose return or election is complained of or any, and what, other person was duly returned and elected, or whether the election was void, and shall certify such determination to the Governor, and, upon his certificate being given, such determination shall be final; and the return shall be confirmed or altered, or a writ for a new election issued, as the case may require, in accordance with such determination.

51. At the trial of an election petition the Judge shall, subject to the provision of these Regulations have the same powers, jurisdiction and authority, and witnesses shall be subpoenaed and sworn in the same manner, as nearly as circumstances admit, as in the trial of a civil action in the Supreme Court, and such witnesses shall be subject to the same penalties for perjury.

Powers of Judge.

**PART V Election Offences**

**Intoxicating liquor not to be sold or given on polling day Law 13 of 1975.**

52. (1) No intoxicating liquor shall be sold, offered for sale, or given away at any premises situate in any electoral district in which an election is being held, to which a licence issued under the Licensing Ordinance, 1975, applies, at any time between the opening and the closing of the poll on polling day.

(2) Any person who contravenes the provisions of this Regulation shall be guilty of an offence and liable on summary conviction before the Magistrate to a fine of two hundred dollars or to imprisonment for six months.

**Employers to allow employees time.**

53. (1) Every employer shall, on polling day, allow to every voter in his employ a reasonable period for voting, and no employer shall make any deduction from the pay or other remuneration of any such voter or impose upon or exact from him any penalty by reason of his absence during such period.

(2) Any employer who, directly or indirectly refuses, or by intimidation, undue influence, or in any other way, interferes with the granting to any voter in his employ of such period for voting, as is in this Regulation provided, shall be guilty of an offence and liable on summary conviction before the Magistrate to a fine of two hundred dollars or to imprisonment for six months.

**Offences election officers.**

54. Every election officer who

- (a) makes, in any record, return or other document which he is required to keep or make under these Regulations, 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 blind person, an illiterate person or an incapacitated person to vote in the manner provided for blind persons, illiterate persons or incapacitated persons, as the case may be; or
- (c) refuses to permit any person whom he knows or has reasonable cause to believe to be a blind person, an illiterate person or an incapacitated person to vote in the manner provided for blind persons, illiterate or incapacitated persons, as the case may be; 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 entitled 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 in accordance with the provisions of these Regulations; 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,

shall be guilty of an offence against this regulation and liable on summary conviction before the Magistrate to a fine of one thousand dollars or to imprisonment for six months.

55. (1) No person shall furnish or supply any loudspeaker, to any person with intent that it shall be carried or used on motor cars, trucks or other vehicles, as political propaganda, on polling day, and no person shall, with any such intent, carry or use, on motor cars, trucks or other vehicles, any such loudspeaker, on polling day. **Loudspeakers prohibited on polling day.**

(2) Any person who contravenes any of the provisions of this regulation shall be guilty of an offence and liable on summary conviction before the Magistrate to a fine of five hundred dollars or to imprisonment for six months.

56. (1) The following persons shall be deemed guilty of bribery within the meaning of these Regulations **Definition of bribery.**

- (a) every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election;
- (b) every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or to procure, or offers, promises, or promises to procure or to endeavour to procure any office, place or employment to or for any voter, or to or for any other person in order to induce such voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election;

- (e) every person who directly or indirectly by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person, in order to induce such person to procure, or endeavour to procure, the return of any person as an elected member of the Legislative Council, or the vote of any voter at any election;
- (d) every person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, promises or endeavours to procure the return of any person as an elected member of the Legislative Council or the vote of any voter at any election;
- (c) every person who advances, or pays or causes to be paid, any money to or to the use of any other person with the intent that such money, or any part thereof, shall be expended in bribery at any election, or knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election;
- (f) every voter who, before or during any election, directly or indirectly, by himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting, at any election;
- (g) every person who, after any election, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any person to vote or refrain from voting at any such election.

(2) The foregoing provisions of this regulation shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any lawful expenses incurred in good faith at or concerning an election.

(3) For the purpose of this regulation "lawful expenses" include—

- (a) the payment of the agents, clerks, canvassers and messengers of candidates;
- (b) payments made for the purpose of hiring vehicles for the conveyance of voters to or from a polling station;
- (c) payments made for the use of any premises for a public meeting in furtherance of the candidature of any person or for the use of any committee room or office for the purpose of promoting or procuring the election of a candidate;
- (d) payments made in respect of postage, stationery, printing, advertising, the distribution of advertising material and the use of any public address system.

57. The following persons shall be deemed guilty of treating within the meaning of these Regulations— **Definition of treating.**

- (a) every person who corruptly, by himself or by any other person, either before, during or after an election, directly or indirectly, gives or provides or pays, wholly or in part, the expenses of giving or providing any food, drink, entertainment, or provision to or for any person for the purpose of corruptly influencing that person or any other person, to vote or to refrain from voting at such election, or on account of such person or any other person having voted or refrained from voting at such election;
- (b) every voter who corruptly accepts or takes any such food, drink, entertainment or provision.

58. Every person who, directly or indirectly by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence, or restraint or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting or on account of such person having voted or refrained from voting at any election, or who by abduction, duress or any fraudulent contrivance, impedes or prevents the free exercise of the franchise of any voter, or thereby compels, induces or prevails upon any voter, either to give or refrain from giving his vote at any election, shall be guilty of undue influence within the meaning of these Regulations. **Definition of undue influence.**

59. Every person who is guilty of bribery, treating or undue influence under the provisions of these Regulations shall on summary conviction before the Magistrate be liable to imprisonment for six months or to a fine of one thousand dollars. **Penalty for bribery, treating or undue influence.**

60. (1) Every person who at an election applies for a ballot paper in the name of another person, whether that name be the name of a person living or dead, or of a fictitious person, or who, having voted once at any election applies at the same election for a ballot paper in his own name, shall be guilty of personation within the meaning of these Regulations. **Definition of personation.**

(2) Every person who is guilty of personation or of aiding, abetting, counselling or procuring the commission of the offence of personation shall be liable on summary conviction before the Magistrate to a fine of one thousand dollars or to imprisonment for six months. **Penalty for personation.**

61. Every person who is convicted of bribery, treating, undue influence or personation, or of aiding, abetting, counselling or procuring the commission of the offence of personation shall (in addition to any other punishment)— **Disqualification for bribery, etc.**

- (a) be incapable during a period of seven years from the date of conviction of being registered as a voter or voting at any election;
- (b) be incapable during the said period of seven years of being elected a member of the Legislative Council or, if elected before his conviction, of retaining his seat as such member

Provided that in the event of any appeal the incapacity shall continue until the appeal is determined and thereafter, unless the conviction is quashed, remain in force for a period of seven years from the determination of the appeal except the Court hearing the appeal shall direct that the period of seven years shall run from the date of conviction.

Penalty for certain illegal practices at elections.

62. (1) Every person who—

- (a) votes, or induces or procures any person to vote, at any election, knowing that he or such other person is prohibited by these Regulations, or by any law in force in the Islands, from voting at such election;
- (b) before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or or procuring the election of another candidate;
- (c) between the date of the publication by the returning officer of a notice in accordance with the provisions of paragraph (1) of regulation 18 of these Regulations and the day after polling at the election, whether in a general election or in a by-election, acts in a disorderly manner, with intent to prevent the transaction of the business of a public meeting called for the purpose of promoting the election of a candidate as a member to serve in the Legislative Council,

shall be guilty of an illegal practice, and shall, on summary conviction before the Magistrate be liable to a fine of two hundred dollars and be incapable, during a period of five years from the date of conviction of being registered as a voter or of voting at any election.

Offences to incite or conspire to disrupt meetings of candidates.

(2) Every person who, between the date of the publication by the returning officer of a notice in accordance with the provisions of paragraph (1) of regulation 18 and the day after polling at the election, whether in a general election or in a by election, incites, combines with or conspires with others to act in a disorderly manner with intent to prevent the transaction of the business of a public meeting called for the purpose of promoting the election of a candidate as a member to serve in the Legislative Council, shall be guilty of an illegal practice and shall on summary conviction before the Magistrate be liable to a fine of one thousand dollars or to imprisonment for one year or to both such fine and imprisonment, and be incapable, during a period of five years from the date of conviction, of being registered as a voter or of voting at any election.

Offences in respect of ballot papers.

63. (1) Every person who—

- (a) forges or counterfeits, or fraudulently defaces or destroys, any ballot paper; or
- (b) without due authority supplies a ballot paper to any person; or
- (c) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by Ordinance to put in; or
- (d) fraudulently takes out of the polling station any ballot paper; or
- (e) without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet or ballot papers then in use for the purposes of any election; or

(f) not being duly registered as a voter, votes at an election, shall be guilty of an offence and liable on summary conviction before the Magistrate, if he is an election officer, to imprisonment for six months or to a fine of one thousand dollars and, if he is not an election officer, to imprisonment for three months or to a fine of two hundred dollars.

(2) In any information or prosecution for an offence in relation to the ballot boxes, ballot papers, and other things in use at an election, the property in such ballot boxes, ballot papers, or things may be stated to be in the custody of the returning officer at such election.

64. (1) Every election officer and every agent appointed under the provision of regulation 27 in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate except for some purpose authorised by law, to any person any information as to the name or number on the official list of voters of any voter who has or has not applied for a ballot paper or voted at that polling station, and no person shall interfere with or attempt to interfere with a voter when marking his vote or otherwise attempt to obtain in the polling station any information as to the candidate for whom any voter in such station is about to vote or has voted. **Secrecy of voting.**

(2) Every election officer and every such agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting and shall not attempt to communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

(3) No person shall, directly or indirectly, induce any voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate against whose name he has so marked his vote.

(4) Every person who acts in contravention of any of the provisions of this regulation shall be guilty of an offence and liable on summary conviction before the Magistrate to imprisonment for six months or to a fine of five hundred dollars.

#### PART VI—*Miscellaneous Provisions*

65. No voter who has voted at an election shall, in any legal proceedings to question the election or return, be required to state for whom he voted. **No obligation on voter to disclose vote.**

66. At any election a person shall not be entitled to vote unless his name is on the Register of Voters for any electoral district for the time being in force by virtue of these Regulations, and every person whose name is on such Register shall, subject to the provisions of these Regulations, be entitled to demand and receive a ballot paper and to vote: **Conclusiveness of register of voters.**

Provided that nothing in this regulation shall entitle any person to vote who is prohibited from voting by any law in force in the Islands, or relieve such person from any penalties to which he may be liable for voting.

**Expenses of elections.** 67. All expenses properly incurred by, and all remuneration and travelling allowances payable to officers under these Regulations shall be defrayed out of the general revenue of the Islands.

**Computation of Time.** 68. (1) In reckoning time for the purposes of these Regulations Sunday shall be included (except where the words "working days" are used) but Christmas Day, Good Friday and any public holiday shall be excluded.

(2) Where anything required by these Regulations to be done on any day falls to be done on Sunday or on any day excluded by paragraph (1) of this regulation, that thing may be done on the next day, not being one of such excluded days.

69. The Voters Registration and Election Regulations, 1959, are hereby revoked.

## SCHEDULES

### FIRST SCHEDULE

<u>Electoral District</u>	<u>Extent.</u>
The First District (Grand Turk — West Road)	Comprising that part of Grand Turk bounded on the South by a line drawn from West to East across the Island at the Prison and on the East by a line drawn along Hospital Road, and continuing along the traditional road through the North Wells northwards to the sea.
The Second District (Grand Turk — Over Back)	Comprising that part of Grand Turk bounded on the South and West by the same line as the First District.
The Third District (Grand Turk — North Back Salina)	Comprising that part of Grand Turk bounded on the North by a line drawn from West to East across the Island at the Prison and on the South by a line from the West shore along Doctor's Alley, Moxey Road, Clarke's Alley, Wynns Street and Murray Road and thence due East to the East shore.
The Fourth District (Grand Turk — Grand Turk South)	Comprising that part of Grand Turk bounded on the North by the Third District.
The Fifth District (Salt Cay)	Comprising the Island of Salt Cay.
The Sixth District (South Caicos — South Caicos North)	Comprising that part of South Caicos bounded on the South by a line drawn from the West shore along Swann Street and Basden Street, and thence due East to the East shore.
The Seventh District (South Caicos — South Caicos South)	Comprising that part of South Caicos bounded on the North by the Sixth District.
The Eighth District (Bottle Creek, North Caicos)	Comprising the settlements of Ready Money, Belmont, Laughlands, Kerr Mount, Richmond, Windsor, Belview, Major Hill, Smith and Greenwich.

The Ninth District (Kew, North Caicos)	Comprising the settlements of Kew, Whitby and Sandy Point, and the Island of Parrot Cay.
The Tenth District (Providenciales)	Comprising the Islands of Providenciales, Pine Cay and West Caicos.
The Eleventh District (Middle Caicos)	Comprising the Island of Middle (or Grand) Caicos.

Where a line is to be drawn along a street or other thoroughfare, the line shall be drawn along the centre line of such street or thoroughfare.

## SECOND SCHEDULE

### FORM NO. 1

### REGISTRATION NOTICE

Regulation  
11 (2) (a).

TAKE NOTICE that—

- (a) the enumeration of all persons qualified as voters in (the..... polling division of) the.....electoral district will begin on the.....day of.....19.....and will be completed on the... ..day of.....19.....
- (b) the registering officer for the(.....polling division in the said).....electoral district is.....
- (c) every person not disqualified on any of the grounds set out in paragraph (d) of this Notice is qualified to be registered as a voter in the said electoral district if he or she—
  - (i) is a British subject of the age of eighteen years or upwards; and
  - (ii) was born in the Islands or has one of his or her parents born in the Islands, or has been ordinarily resident in the Islands for at least five out of the seven years preceding the specified day; and
  - (iii) has been resident in the Islands for twelve months out of the twenty-four months immediately preceding the specified day and is resident therein on the specified day.
- (d) no person shall be entitled to be registered as a voter in the said electoral district who—
  - (i) has been sentenced by a Court in Her Majesty's dominions to death, or is serving a sentence of imprisonment for a term exceeding twelve months imposed on him by such a Court or substituted by competent authority for some other sentence imposed on him by such a Court, or is under such a sentence of imprisonment the execution of which has been suspended; or
  - (ii) is a person certified to be insane or otherwise adjudged to be of unsound mind under any law in force in the Islands; or
  - (iii) is disqualified for registration as a voter by any law in force in the Islands relating to offences connected with elections;

(e) the preliminary list of qualified persons for the above electoral district will be posted up in the said district for a period of ten working days beginning on the .....day of.....19.....

.....  
*Registering Officer.*

Date.....

Regulation  
13 (1).

FORM NO. 2  
PRELIMINARY LIST OF VOTERS  
*Electoral District*

Consecutive No.	Location of Residence	Name of Voter (family name first)	Occupation	Remarks

Regulation  
13 (1).

FORM NO. 3  
NOTICE OF CLAIM

To the registering officer of the.....electoral district.

TAKE NOTICE that I.....  
of.....  
*(Place of residence)*

.....  
*(Occupation)*

am qualified for inclusion in the preliminary list of voters for the..... electoral district and that my name, address and occupation have been (omitted from) (wrongly stated in) such list and that I hereby claim that such list be amended (by the insertion of my name, address and occupation therein) (by the correction of the particulars therein relating to my name, address and occupation), as follows, (Strike out bracketed words not applicable.)

Dated this.....day of.....19.....

.....  
*Signature of Claimant.*

Regulation  
13 (2).

FORM NO. 4  
(1) NOTICE OF OBJECTION

To the registering officer of the.....electoral district.

TAKE NOTICE that I.....  
(Name of objector)  
of.....  
(Place of residence)  
.....  
(Occupation)

am qualified for inclusion in the preliminary list of voters for the.....  
electoral district and am so included:

And that I object to the inclusion therein of.....on the  
ground that such person is disqualified for inclusion therein by reason of.....

Dated this.....day of.....19.....

.....  
*Signature of Objector*

(2) NOTICE TO PERSON OBJECTED TO

To C. D. of.....

I.....of.....being a person whose  
name is included in the preliminary list of voters for the.....electoral  
district hereby give you notice that I object to your name being retained on the list  
of voters for the.....electoral district above mentioned on the grounds  
that.....and that you will be required to prove your qualification  
at the time of the revision of the said list.

Dated this.....day of.....19.....

.....  
*Signature of Objector*

FORM NO. 5  
REVISION NOTICE

Regulation  
14 (3).

TAKE NOTICE that the preliminary lists of voters for the.....  
electoral district will be revised by me the undersigned on the.....  
day of .....19.....at.....at.....o'clock.

Dated this.....day of.....19.....

.....  
*Revising Officer*

FORM NO. 6  
WRIT OF ELECTION

Regulation  
17 (2).

Elizabeth the Second, by the Grace of God of the United Kingdom of Great  
Britain and Northern Ireland and of Her other Realms and Territories, Queen, Head  
of the Commonwealth, Defender of the Faith.

To.....the returning officer of.....electoral  
district.

WHEREAS by paragraph (1) of Regulation 17 of the Voters Registration and Election Regulations 1976, it is provided that for the purpose of every general election of members of the Legislative Council and for the purpose of the election of members to supply vacancies caused by death, resignation or otherwise, the Governor shall issue writs of election under the Public Seal addressed to the returning officers of the respective electoral districts for which members are to be returned:

\*(AND WHEREAS I think it expedient that writs should be issued for the election of members to serve in the Legislative Council:)

(AND WHEREAS the seat of the elected member for the electoral district has become vacant in consequence of.....)

NOW, THEREFORE, I.....Governor of the Turks and Caicos Islands do hereby require that you proceed to the nomination of candidates on the .....day of.....19....., at..... and thereafter, if necessary, you do on the.....day of..... 19.....between the hours of.....o'clock in the forenoon and..... o'clock in the afternoon, cause election to be made according to law of (a) member(s) to serve in the Legislative Council of the Islands for the said electoral district(s) and that you do cause the name of such member(s) when so elected to be certified to me not later than the.....day of 19.....

GIVEN under my hand and the Public Seal of the Islands this.....day of.....19.....

..... Governor.

\*Strike out bracketed words not applicable.

Regulation 18 (1).

FORM NO. 7

NOTICE OF NOMINATION

The Governor having issued his Writ of Election for the election of a member of the Legislative Council for.....electoral district the returning officer for the said.....electoral district will on the..... day of.....19.....now next ensuing between the hours of ten o'clock in the forenoon and one o'clock in the afternoon and between the hours of two o'clock and four o'clock in the afternoon at.....proceed to the nomination of a member for the.....electoral district.

Dated this.....day of.....19.....

..... Returning Officer for the Electoral District

Regulation 18 (5).

FORM NO. 8

NOMINATION PAPER

We, the undersigned voters for the.....electoral district do hereby nominate the following person as a proper person to serve as a member of the .....electoral district and we certify that to the best of our belief he is qualified for election as a member of the Legislative Council.

Surname	Other Name	Address	Occupation

Signatures { .....

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

Witness my hand this.....day of.....19.....

.....  
*Signature of Candidate*

Signed by the said nominee in the presence of:

.....  
*Signature of Witness*

FORM NO. 9

Regulation  
 18 (6)

RETURN OF UNCONTESTED ELECTION

I hereby certify that the member elected for the.....electoral district in pursuance of the within Writ is.....

(Insert name, address and occupation of member elected as stated on the nomination paper)

no other candidate having been nominated.

(Strike out bracketed words not applicable.)

Dated at.....this.....day of.....  
 19.....

.....  
*Returning Officer*

Regulation  
21 (2).

FORM NO. 10

NOTIFICATION OF ELECTION

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

The poll will be opened on the.....day of.....19.....  
at the hour of.....in the forenoon and kept open till the hour of  
.....in the afternoon in the following polling stations established in  
the said electoral district, that is to say:

Location of Polling Stations:

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

The Candidates in the above electoral district are as follows:  
Candidates:

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

The number of votes given to the several candidates will be counted on the  
.....day of.....19.....at.....o'clock  
in the.....noon at.....at which all persons are hereby  
required to take notice and govern themselves accordingly.

Dated this.....day of.....19.....

.....  
*Returning Officer for the Electoral District*

Regulation  
6 (6).

FORM NO. 11

OATH OF REGISTERING OFFICER

I,.....do swear that I will faithfully perform all the duties  
of registering officer of the.....electoral district in accordance  
with the provision of the Voters Registration and Election Regulations, 1976, to the  
best of my ability.

.....  
*Registering Officer*

Sworn before me.....

Date.. ..

FORM NO. 12

Regulation  
7 (2).

OATH OF RETURNING OFFICER

I,.....  
having been appointed returning officer for the electoral district do swear that I will faithfully perform all the duties of such returning officer in accordance with the provisions of the Voters Registration and Election Regulations, 1976, to the best of my ability.

.....  
*Returning Officer.*

Sworn before me.....

Date.....

FORM NO. 13

OATH OF PRESIDING OFFICER

Regulation  
23 (2)

I,.....the undersigned, appointed Presiding Officer for the Polling Station at.....in the.....electoral district swear that I will act faithfully in my said capacity of Presiding Officer, according to law, without partiality, fear, favour or affection, and that I will keep secret the names of the candidates for whom any of the voters in the above-mentioned Polling Stations marks his ballot paper in my presence at this election.

SO HELP ME GOD!

.....  
*Presiding Officer.*

Sworn before me at.....this.....day of.....  
19.....

FORM NO. 14

OATH OF POLL CLERK

Regulation  
24 (2)

I,.....the undersigned, appointed as Poll Clerk for the Polling Station at.....in the.....electoral district swear that I will act faithfully in my capacity of Poll Clerk and also in that of Presiding Officer if required to act as such, according to law, without partiality, fear, favour or affection, and that I will keep secret the names of the candidates for whom any of the voters in the above-mentioned Polling Station marks his ballot paper in my presence at this election.

SO HELP ME GOD!

.....  
*Poll Clerk.*

Sworn before me at.....this.....day of.....  
19.....

Regulation  
26 (2) (e)

FORM No. 15

DIRECTIONS FOR THE GUIDANCE OF VOTERS

1. Each voter may vote only at one polling station, Each voter may vote for only one candidate.

2. The voters will go into one of the compartments and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of the candidate for whom he votes, thus X

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

JONES, John Shopkeeper, Bottle Creek	X
SMITH, George Carpenter, Kew	

3. The voter shall then fold his ballot paper so that the initials of the presiding officer and the numbers on the counterfoil can be seen and the counterfoil detached without opening the ballot paper; he shall then return the ballot paper so folded to the presiding officer who shall in full view of those present including the voter remove the counterfoil and place the ballot paper in the ballot box. The voter shall then forthwith quit the polling station.

4. If the voter inadvertently spoils a ballot paper, he can return to the presiding officer who will, if satisfied of such inadvertence, give him another paper.

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

6. If the voter takes a ballot paper out of the polling station or deposits in the ballot box any other paper than the one given him by the presiding officer, he shall be liable on summary conviction to imprisonment for three months or to a fine of one hundred dollars.

FORM No. 1b  
 POLL BOOK

Regulation  
 32(4).

Consecutive number given each voter as he applies for ballot	Particulars of Voter						Particulars of persons applying for Ballot papers after another person has voted as such person			Remarks		
	Name of voter	Occupation	Postal Address	Consecutive number of voter on list of voters	Form number of oaths if any voter is required to swear	(a) Record that sworn or refused	(b) Record that voter had voted	Name	Consecutive number of voter on list of voters		Record that oath sworn	

(a) If sworn insert "sworn", and number of the Oath: if refused insert "refused to be sworn".  
 (b) When Ballot put into Ballot Box insert "voted".

Regulation  
 24 (3) and 34.

FORM NO. 17  
 BALLOT PAPER

No. 6700	<div style="border: 1px solid black; padding: 5px; display: inline-block;">No. 6700</div>	GENERAL ELECTION..... ..... Electoral District
Consecutive number given voter in Poll Book..... Counterfoil		
..... Ballot Paper		
Polling Day.....		<div style="border: 1px solid black; padding: 5px; display: inline-block;">           Space for initial            of P.O.         </div>
_____ Do not fold beyond this line _____		
1. JAMES, John P. Shopkeeper, Bottle Creek.		
2. ROBINSON, Peter F. Carpenter, Kew.		
3. SMITH, George R, Mechanic, Grand Turk.		

FORM NO. 18

Regulation  
 28 (1).

OATH OF IDENTITY OF A VOTER RECEIVING A BALLOT PAPER AFTER  
 ANOTHER HAS VOTED IN HIS NAME

You swear that you are.....  
 (Name as on official list of voters.)

of.....  
(Address as on official list of voters)

whose name is entered on the official list of voters now shown you.

SO HELP YOU GOD!

FORM NO. 19

Regulation  
86 (8).

OATH OF INCAPACITATED VOTER

You swear that you are incapable of voting without assistance by reason of physical incapacity.

SO HELP YOU GOD!

FORM NO. 20

Regulation  
86 (4).

OATH OF BLIND OR ILLITERATE VOTER

You .....of.....swear that you are incapable of voting without assistance by reason of your (inability to see) (illiteracy).

SO HELP YOU GOD!

FORM NO. 21

Regulation  
86 (6).

OATH OF FRIEND OF BLIND OR ILLITERATE VOTER

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

SO HELP YOU GOD!

FORM NO. 22

Regulation  
87 (1).

OATH THAT THE VOTER IS THE PERSON INTENDED TO BE REFERRED TO IN THE OFFICIAL LIST OF VOTERS

You swear that you are entitled to vote at this election of a member to serve in the Legislative Council and are not disqualified from voting thereat and that you verily believe that you are the person intended to be referred to by the entry in the Official List of Voters used at the Polling Station of the name..... whose occupation is given as .....and whose address is given as .....

SO HELP YOU GOD!

Regulation  
37 (2)

**FORM NO. 23**  
**OATH OF QUALIFICATION**

You swear--

1. That you are a British Subject of the full age of eighteen years.
  2. That you have resided in the Islands for twelve months out of the twenty-four months immediately prior to the date of your registration as a voter and were so resident on that date.
  - 3 (a) That you were born in the Islands; or  
(b) That you have a parent who was born in the Islands; or  
(c) That you have been ordinarily resident in the Islands for at least five out of the seven years prior to your registration as a voter.
  4. That you are not within any of the classes of persons who lack qualifications or are disqualified by reason of crime or mental incapacity.
  5. That you are not disqualified under the provisions of the Voters Registration and Election Regulations, 1976.
  6. That you are not the returning officer for this electoral district.
- SO HELP YOU GOD!**

Regulation  
38(2)

**FORM NO. 24**  
**OATH OF AGENT OF A CANDIDATE**

I,.....the undersigned agent for:.....one of the candidates at the election of a member of the Legislative Council held on this .....day in the.....electoral district do swear that I will keep secret the names of the candidates for whom any voter voting at this polling station marks his ballot paper in my presence at this election.

**SO HELP ME GOD!**

.....  
*Signature*

Sworn before me at.....this.....day of.....  
.....19.....

Regulation  
39 (2)

**FORM NO. 25**  
**OATH OF MESSENGER SENT TO COLLECT BALLOT BOXES**

I,.....Messenger appointed by.....Returning Officer for the.....electoral district do swear that the several boxes to the number of.....which were used at the Polling Station at .....of this electoral district on polling day now delivered by me to

.....were handed to me by.....that they have not  
been opened by me or any other person and that they are in the same state as they  
were in when they came into my possession.

.....  
*Signature*

Sworn before me at.....this.....day of.....

.....19.....  
.....

FORM NO. 26

Regulation  
43 (1) (e)

RETURN AFTER POLL HAS BEEN TAKEN

I hereby certify that the member elected for the electoral district in pursuance  
of the within Writ as having received the majority of votes lawfully given is.....

.....  
*Name, address and occupation as stated in Nomination Paper*

.....  
*Returning Officer*

Dated this 12th day of May, 1976.

A. C. WATSON,  
*Governor.*



ANNEX V  
Election results, 1976

Electoral district	Potential voters	Pollled	Spoiled	Total count	Percentage of potential voters	People's Democratic Movement (PDM)		Independent candidates		Progressive National Organisation (PNO)		Candidate elected to Legislative Council
						Count	Percentage of total count	Count	Percentage of total count	Count	Percentage of total count	
1. West Road, Grand Turk	297	248	6	242	81.5	157	64.9	36	11.3	85	35.1	Oswald O. Skippings (PDM)
2. Overback, Grand Turk	367	323	5	318	86.6	137	43.1	36	11.3	145	45.6	Methaniel S.J. Francis (PNO)
3. North Back Saline, Grand Turk	289	217	2	215	74.4	193	89.8	61	27.5	22	10.2	James A.G.S. McCartney (PDM)
4. South, Grand Turk	329	256	14	242	73.6	146	60.3	61	27.5	96	39.7	Lewis E. Astwood (PDM)
5. Salt Cay	132	110	-	110	83.3	61	55.5	121	61.4	49	44.5	Henry L. Wilson (PDM)
6. South Caicos North	250	224	2	222	88.8	2	0.9	61	27.5	161	72.5	Norman B. Saunders (PNO)
7. South Caicos South	226	198	1	197	87.2	1	0.4	121	61.4	76	33.6	Charles W. Maguire (Independent) <u>a/</u>
8. North Caicos, Bottle Creek	359	294	4	290	80.8	200	69.0	64	32.0	90	31.0	Daniel A. Williams (Independent) <u>a/</u>
9. North Caicos, Key	211	204	4	200	94.8	4	1.9	64	32.0	136	68.0	Arthur Butterfield (PNO)
10. Providenciales	325	287	2	285	87.7	149	52.3	77	27.0	136	47.7	Walter E. Cox (PDM) <u>b/</u>
11. Middle Caicos	210	189	-	189	90.0	-	0.0	77	40.7	112	59.3	Daniel M. Malcolm (PNO)
<b>Total</b>	<b>2,995</b>	<b>2,550</b>	<b>40</b>	<b>2,510</b>	<b>83.8</b>	<b>843</b>	<b>33.6</b>	<b>559</b>	<b>22.3</b>	<b>1,108</b>	<b>44.1</b>	

a/ Later joined PDM.

b/ Later switched to PNO



ANNEX VI

General elections, 1980:  
electoral districts, polling stations and election officers

Electoral districts	Location of polling stations	Returning officers	Presiding officers	Poll clerks
Grand Turk				
1st West Road	North Primary School	Mr. Sterlin Garland	Mr. Lewis Hall	Mr. Earle Fulford
2nd Overback	Women's Federation Building	Mr. James Fulford	Mr. Carl Gardiner	Miss Mahala Wynns
3rd North Back Salina	High School - Science Block	Mr. Hugh Fulford	Mrs. Julia Williams	Miss Monica Swann
4th Grand Turk South	Early Rose Lodge	Mr. Thomas Saunders	Mr. John Taylor	Mr. Franklyn Moore
Salt Cay				
5th	Salt Cay Primary School	Mr. Stanley Brooks	Mr. Kingsley Been	Miss Leathe Wilson
South Caicos				
6th North	South Caicos Primary School	Mr. Allen Knight	Rev. Peter Hall	Mr. Noel Higgs
7th South	Court Room	Mr. Albert Malcolm	Mr. George Fulford	Mr. Walter Hanchell
North Caicos				
8th Bottle Creek	Primary School - Bottle Creek	Mr. Herman Handfield	Mrs. Gwendolyn Williams	Mrs. Henrietta Delancy
9th Kew/Whitty	Primary School - Kew	Mr. Alpheus Gardiner	Mrs. Manless Taylor	Mrs. Lillian Forbes
Sandy Point	Primary School - Sandy Point		Mr. Emmanuel Campbell	Mrs. Jessie Campbell
Providenciales				
10th The Bight	Bight Primary School	Mr. Maurice Hanchell	Mrs. Ianthe Pratt	Miss Susan Delancy
Five Cays	Five Cays Primary School		Mr. Livingston Swann	Mrs. Thelma Lightbourne
Blue Hills	Blue Hills Community Centre		Mrs. Cecily Ewing	Mr. Carlton Ewing
Middle Caicos				
11th Lorimers	Lorimers Primary School	Mr. John Robinson	Miss Wealthy Hall	Mrs. Caramanda Forbes
Bambarra	Bambarra Primary School		Miss Valerie Hamilton	Mr. Gustavas Outten
Conch Bar	Conch Bar Primary School		Mrs. Dottis Arthur	Miss Colmada Taylor



## Election results, 1980

Electoral districts and candidates	Potential voters	Polled	Spoiled	Total count	Percentage of potential voters	People's Democratic Movement (PDM)		Independent candidates		Progressive Nation National Party (PNP)	
						Count	Percentage of total count	Count	Percentage of total count	Count	Percentage of total count
1. West Road, Grand Turk COALBROOKE, Larry A. (PDM)* DURHAM, Headley D. (PNP)	330	272	1	271	82.1	158	58.3	113	41.7		
2. Overback, Grand Turk BEEN, Herbert P. (PDM) CLARKE, Glenn (Independent) FRANCIS, Nathaniel (PNP)*	374	319	1	318	85.0	132	41.5	36	11.3	150	47.2
3. North Back Salina, Grand Turk SKIPPINGS, Oswald O. (PDM)* WILLIAMS, Richard N. (PNP)	330	265	3	262	79.4	188	71.8	74	28.2		
4. South, Grand Turk ASTWOOD, Lewis E. (PDM)* BROOKS, Carol E. (PNP)	329	278	4	274	83.3	160	58.4	114	41.6		
5. Salt Cay WILSON, Henry L. (PDM) SMITH, Algen L. (PNP)*	156	146	1	145	92.9	68	46.9	77	53.1		
6. South Caicos North COX, Lewis (PDM) SAUNDERS, Norman B. (PNP)*	331	280	2	278	84.0	43	15.5	235	84.5		
7. South Caicos South LEWIS, Brenett R. (PDM) DURHAM, Alden C. (PNP)*	304	247	1	246	80.9	52	21.1	194	78.9		
8. North Caicos, Bottle Creek WILLIAMS, Daniel N. (PDM) KERR, Albert V. (Independent) MISSICK, Stafford A. (PNP)*	399	327	-	327	82.0	70	21.4	3	0.9	254	77.7
9. North Caicos, Kew COX, Peter (PDM) BUTTERFIELD, Albreay V. (PNP)*	236	211	1	210	89.0	72	34.3	138	65.7		
10. Providenciales STUBBS, Sherlin J. (PDM) COX, Walter E. (PNP)*	406	371	4	367	90.4	138	37.6	229	62.4		
11. Middle Caicos HARVEY, Samuel (PDM)* HALL, Robert S. (PNP)	225	200	1	199	88.4	53	26.6	146	73.4		
Total	3,420	2,916	19	2,897	84.7	1,134	39.1	39	1.4	1,724	59.5

\* Denotes candidate elected to Legislative Council.