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CHAPTER 146

REPRESENTATION OF THE PEOPLE

Act 13 of 1982
Act 32 of 1983
Order 64 of 1983
Act 1 of 1987
Act 27 of 1988
Act 20 of 2001
Act 28 of 2007
Act 10 of 2012
Act 35 of 2017

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REPRESENTATION OF THE PEOPLE

To provide for registration of voters and elections to Parliament.

PART 1 – PRELIMINARY

1. Interpretation

In this Act unless the context otherwise requires –

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

"constituency" means one of the constituencies into which Vanuatu is divided by Order made by the President acting on the advice of the Electoral Commission;

"election" includes a by-election;

"election offence" means any offence provided for under this Act and includes an offence under section 53;

"Electoral Commission" means the Electoral Commission established by article 18 of the Constitution;

"electoral list" means the electoral list drawn up in accordance with Parts 5, 6 and 7;

"electoral officer" means the Principal Electoral Officer and officers of the Electoral Office, a registration officer, an assistant registration officer, a returning officer or a polling clerk;

"island of origin" in relation to a person means the person's island of origin determined in accordance with the rules of custom;

"polling day" means the day fixed for an election or the commencement of an election in accordance with section 21;

"Principal Electoral Officer" means the Principal Electoral Officer established by article 19 of the Constitution and includes a deputy principal electoral officer;

"registration officer" means a registration officer appointed under section 6(1) and includes an assistant registration officer.

PART 2 – PRINCIPAL ELECTORAL OFFICER

2. Organisation and administration of elections by the Principal Electoral Officer

(1) The Principal Electoral Officer shall be responsible for the Organisation and administration of elections subject to the powers of the Electoral Commission under the Constitution and this Act.

(2) There shall continue to be an Electoral Office which shall be a public office and which shall be supervised by the Principal Electoral Officer.

(3) There shall be one or more deputy Principal Electoral Officers responsible to the Principal Electoral Officer, who shall be public servants.

(4) The Public Service Commission shall second to the Electoral Office such staff as in the opinion of the Principal Electoral Officer may be required for the effective discharge of his functions.

(5) The Electoral Office shall be in Port Vila and the Principal Electoral Officer may establish branch offices.

3. Responsibilities of Principal Electoral Officer

(1) The Principal Electoral Officer shall be responsible for the registration of electors and the conduct of elections.

(2) The Principal Electoral Officer shall in particular be responsible for –

(a) control of electoral expenditure;

(b) dividing Vanuatu into registration areas for the purpose of registering voters;

(c) instruction and supervision of registration officers;

(d) transport, travel and equipment for registration officers;

(e) the design and printing of electoral cards, forms and other materials;

(f) arrangements for voters resident overseas;

(g) production, distribution and publication of electoral lists;

(h) providing information to voters and the general public;

(i) provision and distribution and security of ballot papers, ballot boxes and equipment for polling stations;

(j) preparation and distribution of instructions for returning officers, and polling clerks;

(k) maintenance, preservation and security of all electoral records;

(l) preparation of the electoral report required under section 39(1);

(m) such other duties as may from time to time be assigned by the Electoral Commission in accordance with its powers under the Constitution and this Act.

PART 3 – POLLING DISTRICTS

4. Division of Vanuatu into polling districts

The Electoral Commission shall divide the constituencies into such number of polling districts as it shall consider fit.

PART 4 – OVERSEAS POLLING STATIONS

5. Designation of overseas polling stations

Notwithstanding the provisions of Parts 3 and 5, the Electoral Commission acting on the advice of the Principal Electoral Officer given after consultation with both the Prime Minister and the Minister responsible for foreign affairs, and subject to the agreement of the foreign Government concerned, may designate 1 or more polling stations in a foreign country.

PART 5 – ELECTORAL LISTS

6. Registration officers

(1) The Principal Electoral Officer shall appoint a registration officer for each constituency.

(2) Registration officers shall each year draw up electoral lists for the purpose of compiling electoral rolls.

(3) Registration officers may employ assistant registration officers to assist them in carrying out their duties under this Act.

(4) A registration officer may call upon any two inhabitants in any place to assist him in determining the age or place of residence of any person or any other matter for the purpose of drawing up an electoral list.

7. Persons to give assistance and information

Every person called upon to assist under section 6(4) or to give information concerning himself for determining whether or not his name should be included on an electoral list shall give such assistance or information without undue delay and to the best of his knowledge and belief.

8. Declaration as to basis of claim to registration

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

9. Qualifications for registration as a voter

(1) Subject to sections 9A and 9B, a person shall be eligible for registration in the electoral list for the polling district in which he is a resident at the time of the preparation of the electoral list if he –

(a) is a citizen; and

(b) will have attained 18 years on or before the closing date.

(2) Where there is doubt as to whether or not a person is resident in a polling district the registration officer shall make such inquiry as to the residential status of that person as he may consider necessary.

(3) After making inquiry under subsection (2) the registration officer shall make a report and a recommendation to the Principal Electoral Officer.

(4) A report under subsection (3) shall be supported by such evidence as may be necessary and available and which may include –

(a) a declaration under section 8;

(b) an electoral card;

(c) a certificate from an employer that the applicant for registration has been employed by him for not less than 3 months before the inquiry of the registration officer;

(d) a certificate from an educational institution that the person named is a student thereof.

(5) Upon receipt of a report under subsection (3) the Principal Electoral Officer shall, after considering the report and evidence, either enter the name of the voter on the electoral list or refuse to enter it and cause the voter to be informed of his decision.

(6) For the purposes of this section and subject to subjection (7), the registration is open throughout the year to a person who wishes to apply for registration in the electoral list.

(7) The closing date for registration in the electoral list is 6 weeks prior to a polling date.

9A. Registration of persons residing in the areas listed in Schedule 7

(1) If a person resides outside the constituencies of Port Vila and Luganville in the areas listed in Schedule 7, the person may choose to be registered in the electoral list for a polling district in the constituencies of Port Vila or Luganville if:

(a) the person is employed within the constituencies of Port Vila or Luganville and the person's island of origin is not Efate or Santo; or

(b) the person is not employed within the constituencies of Port Vila or Luganville or is unemployed, and the person's island of origin is not Efate or Santo.

(2) The registration officer must not register a person in the electoral list for a polling district in the constituencies of Port Vila or Luganville if he or she is satisfied that the person has some kind of relationship with the land owners of that particular area that would not enable the person to vote in a polling district in the constituencies of Port Vila or Luganville.

(3) Where there is doubt as to whether or not, a person satisfies the criteria in subsection (1) or there is uncertainty over the situation referred to in subsection (2), the registration officer must make an inquiry into such matter as he or she may consider necessary.

(4) After making inquiry under subsection (3) the registration officer is to make a report and a recommendation to the Principal Electoral Officer.

(5) Upon receipt of a report under subsection (4), the Principal Electoral Officer must, after considering the report, either:

(a) enter the name of the voter on the electoral list; or

(b) refuse to enter it and cause the voter to be informed of his or her decision.

(6) The Principal Electoral Officer may only refuse to enter a person's name on the electoral list under subsection (5) if the person does not satisfy the criteria in subsection (1).

(7) To avoid doubt, a person referred to under paragraph (1)(a) or (b), may either choose to:

(a) be registered in the electoral list for a polling district in the constituency of:

(i) Port Vila - if the person is a resident in an area of Efate listed in Schedule 7 at the time of the preparation of the electoral list; or

(ii) Luganville – if the person is a resident in an area of Santo listed in Schedule 7 at the time of the preparation of the electoral list; or

(b) be registered in the electoral list for a polling district in the constituency in which he or she is a resident at the time of the preparation of the electoral list.

(8) For the purposes of this section and subject to subsection (9), the registration is open throughout the year to a person who wishes to apply for registration in the electoral list for a polling district.

(9) The closing date for registration in the electoral list for a polling district is 6 weeks prior to a polling date.

9B. Exceptions to qualification for registration as a voter

(1) Despite section 9, a Minister, his or her immediate family or political advisor and support staff who originates or resides in a constituency but are by reason of their occupation required to attend Ministerial or official duties in Port Vila or Luganville, are eligible for registration in the electoral list for the polling district of the constituency of which they originate or reside at the time of the preparation of the electoral list.

(2) A person referred to under subsection (1) must be:

(a) a citizen; and

(b) will have attained 18 years on or before the closing date in the year of preparation of the electoral list.

10. Registration of person from outside polling district

(1) When a registration officer is satisfied that a person is resident in a polling district which is outside the registration area for which he is carrying out a registration and that that person has not been registered, and is otherwise eligible to vote, he shall provide him with an application to be registered in the polling district of his place of residence.

(2) An application under subsection (1) shall be in the form and contain the particulars provided for in Part 2 of Schedule 1.

(3) A registration officer may require an application under subsection (1) to be accompanied by such evidence as may be reasonable.

(4) A registration officer shall assist an applicant to complete his application form, sign it as a witness and forward it to the registration officer of the polling district nominated by the applicant and in which that officer is satisfied the applicant is entitled to be registered.

(5) If a registration officer on receiving an application under subsection (1) is also satisfied that the applicant named therein is entitled to be registered in the polling district nominated by him he shall register the applicant and inform the applicant accordingly.

PART 6 – REGISTRATION OF OVERSEAS VOTERS

11. Registration of overseas voters

(1) A citizen who has attained 18 years but who is unable to apply to a registration officer in Vanuatu for registration in an electoral list by reason of being outside Vanuatu may apply to the Principal Electoral Officer by completing and submitting to the Officer the form contained in Part 3 of Schedule 1.

(2) Where the Principal Electoral Officer is satisfied that a citizen who has made an application under subsection (1) is resident overseas and is eligible for registration he shall register him in the overseas electoral list and inform him accordingly.

(3) The Principal Electoral Officer when he registers a person in accordance with subsection (2) shall register him in the part of the overseas electoral list relating to the constituency in which in his opinion he would have voted had he not been overseas.

PART 7 – ELECTORAL CARDS

12. Issue of electoral cards

(1) When a person is registered in an electoral list or the overseas electoral list he shall be issued with an electoral card in the form and containing the particulars set out in Part 4 of Schedule 1.

(2) Duplicate electoral cards may be issued in accordance with the rules set out in Schedule 2.

PART 8 – CHANGES TO AND COMPLETION OF ELECTORAL LISTS

13. Special interpretation of "electoral lists"

In this Part "electoral list" shall include an overseas electoral list.

14. Petitions to Principal Electoral Officer and appeals to the Electoral Commission

(1) Any person may petition the Principal Electoral Officer if he considers that his name has been wrongly omitted from an Electoral List and may submit such evidence and declarations to the Principal Electoral Officer as he considers appropriate.

(2) If the Principal Electoral Officer after receiving a petition under subsection (1) considers it reasonable that the petitioner's name should be included he shall register his name in the electoral list and issue him with an electoral card.

(3) The Principal Electoral Officer shall notify a petitioner without delay if he does not register his name in the electoral list.

(4) A petitioner under subsection (1) may appeal to the Electoral Commission if the Principal Electoral Officer does not register his name in the electoral list.

(5) Such appeal shall be made within 48 hours of notification to the petitioner of the Principal Electoral Officer's decision by lodging it with a registration officer.

(6) The officer who receives an appeal under subsection (5) shall forward it without delay to the Electoral Commission.

(7) The Electoral Commission may either dismiss an appeal under subsection (4) or order the registration of the appellant's name in the electoral list. Its decision shall not be questioned in any court.

15. Removal of names from electoral list and appeals to Electoral Commission

(1) The Principal Electoral Officer may remove the name of any person from an electoral list if for any reason he considers that that person should not be registered therein and shall notify such person of such removal without delay.

(2) The Principal Electoral Officer may require a person whose name has been removed from an electoral list to surrender to him any electoral card issued to him.

(3) A person whose name has been removed from an electoral list pursuant to subsection (1) may appeal against such removal to the Electoral Commission.

(4) Such appeal shall be made within 48 hours of notification of such removal to the appellant by lodging it with a registration officer.

(5) The officer who receives an appeal under subsection (4) shall forward it without delay to the Electoral Commission.

(6) The Electoral Commission may either dismiss an appeal under subsection (3) or order the reinstatement of the appellant's name in the electoral list. Its decision shall not be questioned in any court.

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

(1) Subject to subsection (1A), the electoral list is available for inspection by the public throughout the year.

(1A) The electoral list is not available for inspection by the public one week before polling date.

(2) The electoral list shall be made available for inspection by –

(a) each registration officer having a copy available on request; and

(b) copies being lodged at such places or with such other persons both in Vanuatu and outside as the Electoral Commission shall direct or cause to be lodged.

(3) Any person who is eligible for registration in the electoral list but whose name has not been included in the list may make an application before the closing date for inspection for the inclusion of his name in the list.

(4) Before the closing date for inspection any person may make application to the Principal Electoral Officer for –

(a) the inclusion or deletion of any names from an electoral list;

(b) the correction of any matter in an electoral list;

(c) the addition or deletion of any matter in a list; or

(d) the correction of any matter or the addition or removal of any matter in any electoral card.

PART 9 – *(Repealed)*

PART 10 – ESTABLISHING ELECTORAL ROLLS

20. Establishment of electoral rolls

(1) As soon as practicable after the closing date for inspection provided for in section 16(1A) the Principal Electoral Officer shall determine all outstanding applications made under section 16(4) making such additions or deletions from the list as may be required as a result of such determinations.

(2) Subject to subsection (2A), having determined all applications under subsection (1) the Principal Electoral Officer shall establish the electoral roll for each polling district before polling date.

(2A) The Principal Electoral Officer must establish the electoral roll for each polling district for the general election in 2002 on the 26th day of November 2001.

(3) The Principal Electoral Officer shall endorse 2 master copies of each roll established under subsection (2) with a certificate countersigned by another electoral officer stating the number of pages and entries in the roll.

(4) One copy of each roll endorsed in the manner provided for in subsection (3) shall be sent to the Electoral Commission and 1 copy shall be retained by the Principal Electoral Officer.

PART 11 – ELECTIONS

21. Polling day

Subject to article 28(4) of the Constitution polling day shall be a day fixed for an election or the commencement of an election by the President acting on the advice of the Prime Minister given after consultation with the Electoral Commission and the Principal Electoral Officer.

22. By-elections

When a Parliamentary seat becomes vacant in a constituency for any reason except dissolution of Parliament a by-election shall be held to fill that vacancy and no by-election shall be held for any other seat in that constituency by reason of such vacancy.

PART 12 – CANDIDATES FOR ELECTION

23. Persons disqualified from being Parliamentary candidates

(1) The following persons shall not be qualified as candidates for election to Parliament –

(a) the President of the Republic;

(b) judges and magistrates;

(c) members of the police force;

(d) members of the National Council of Chiefs, any member of the District Council of Chiefs, Island Council of Chiefs and Area Council of Chiefs, who holds the position of chairman, vice-chairman, secretary or treasurer of these councils;

(e) public servants;

(f) members of the teaching service; and

(g) members of the Citizenship Commission.

(2) The Electoral Commission may after consultation with the Council of Ministers add other persons or classes of persons to subsection (1).

24. Eligibility of candidates

(1) Subject to section 23 a person shall be eligible to stand as a candidate for election to Parliament if he –

(a) is not disqualified from voting;

(b) has not received a sentence including a suspended sentence of a term or terms of imprisonment which has not ended;

(c) is not an undischarged bankrupt;

(ca) is a person who is not in default of payment of any rates, charges or other debts due to the Government or a Government agency as defined in the Public Finance and Economic Management Act [CAP 244], for a period exceeding 2 months after the same becomes due;

(d) has attained 25 years of age; and

(e) is a citizen.

24A. Arrangement for payment of any rates, charges or other debts due to the Government or Government agency

(1) For the purposes of paragraph 24(1)(ca), an arrangement with a candidate for payment of any rates, charges or other debts due to the Government or a Government agency after the period set out in that paragraph does not qualify a person for election to Parliament.

(2) A person must provide to the Electoral Commission, an original copy of the receipt certifying that the Government or Government agency has received such payment referred to in paragraph 24(1)(ca).

25. Declaration of candidature

(1) Not later than a date declared by the Electoral Commission by Order every candidate for election shall lodge with the Electoral Office –

(a) a declaration of candidature signed by him in the form and containing the particulars provided for in Part 1 of Schedule 3 which shall include a declaration that the candidate is eligible as provided for in section 24;

(b) a deposit 100,000;

(c) 2 full face photographs of himself;

(d) except for a candidate sponsored by a political party having a symbol approved by the Electoral Commission, an illustration on paper of his personal electoral symbol.

(2) A declaration of candidature shall also contain the signatures of not less than five sponsors being persons registered to vote in the constituency of the candidate and not being related to the candidate.

(2A) A person must pay a fee of VT2, 000 to the Electoral Office, in order to obtain a declaration of candidature form.

(3) No person may lodge a declaration of his own candidature –

(a) for more than 1 constituency; or

(b) if he is a member of Parliament in the case of a by-election.

(4) A deposit paid under subsection (1)(b) shall not be refunded.

(5) The Principal Electoral Officer when receiving a declaration of candidature shall give a receipt to the candidate in the form contained in Part 2 of Schedule 3.

(6) The Principal Electoral Officer shall within 24 hours of the day declared by the Electoral Commission under subsection (1) make a list of the candidates named in the declarations of candidature received by him and send copies to the Electoral Commission.

(7) The Principal Electoral Officer shall send with the list referred to in subsection (6) such comments on the validity of the candidature of any person named in the list as he shall consider fit.

26. Declaration of invalidity of candidature by Electoral Commission

(1) When a declaration of candidature has been delivered and a deposit paid in compliance with section 25 the candidate shall stand sponsored for election unless and until the Electoral Commission declares the candidature invalid or evidence is given to the satisfaction of the Electoral Commission that the candidate has died, or the candidate withdraws by notice in writing given to the Principal Electoral Officer.

(2) The Electoral Commission shall only declare a candidature invalid if –

(a) the candidate or his sponsors do not have the necessary qualifications or are disqualified; or

(b) the declaration of candidature is not sponsored as provided in section 25(2); or

(3) Where the Electoral Commission decides that a candidature is invalid it shall so endorse the declaration of candidature giving reasons for the decision.

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

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

27. Correction of technical defects and late candidatures

(1) Notwithstanding the provisions of section 26 the Electoral Commission shall where it considers that a declaration of candidature is invalid by reason of a bona fide error not less than 14 days before polling day request the candidate to resubmit a valid declaration not less than 72 hours after such request.

(2) Where a declaration of candidature sponsored by a political party is declared invalid by the Electoral Commission or a candidate dies not less than 14 days before polling day another candidate sponsored by the same party may lodge a declaration of candidature provided that he does so within 72 hours of the declaration or death but notwithstanding that he does so within a shorter time before polling day than shall have been provided by the Electoral Commission under section 25(1).

28. Publication of lists of candidates

A list of candidates shall be displayed at –

(a) the office of every Local Government Council;

(b) the Parliament Building;

(c) the Electoral Office; and

(d) such other places in Vanuatu as the Electoral Commission may direct,

for not less than 14 days before polling day except in the case of new candidatures under section 27 where the period shall be not less than 9 days.

PART 13 – ELECTION OF MEMBERS OF PARLIAMENT

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

(1) If at the close of or at any time after the close of the period for declaration of candidatures the number of candidates in any constituency is not more than the number of members to be elected the Principal Electoral Officer shall so report to the Electoral Commission which shall declare the candidates elected without a poll.

(2) If the number of candidates is less than the number of members to be elected the Electoral Commission shall when it declares the number of candidates elected declare the number of seats vacant.

(3) The Electoral Commission shall within 30 days after the declaration referred to in subsection (2) and after consultation with the Prime Minister fix the date of an election for the seats declared vacant.

(4) If the number of candidates exceeds the number of members to be elected a poll shall be taken in accordance with this Part and without undue delay. After the closing of the list of candidates the Principal Electoral Officer shall publish a notice stating –

(a) the names of the candidates;

(b) the hours of polling;

(c) the situation of each polling station;

(d) sufficient information to enable voters to know which polling station they are required to vote at;

(e) any other information that may be prescribed.

30. Returning officers

Every polling station shall be presided over by a returning officer appointed for that purpose by the registration officer.

31. Electoral rolls to be in polling stations and voters only to vote if therein and have electoral cards

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

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

32. Persons not entitled to vote

Persons detained in a mental institution in accordance with the law shall not be entitled to vote whether or not their names may be on an electoral roll.

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

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

(2) Subject to section 34 no person shall have more than 1 vote nor vote for more than one candidate.

34. Proxy votes

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

35. Suspension and stopping of poll

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

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

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

(4) When a poll has been stopped under subsection (3) all proceedings before the declaration shall be annulled by the Electoral Commission by order either –

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

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

and in either case the Electoral Commission shall in its order fix a new day and time for polling and a new poll shall be held.

(5) If in the opinion of the returning officer and not less than one polling clerk not later than half an hour before the time faced for polling to close the number of voters waiting will not be able to vote in that time he may extend the time to the close of the poll by 1 hour and shall record the extension in his report under Rule 19 of Schedule 5.

(6) The returning officer may close the polling station when all the voters on the roll have voted but the counting of votes shall not start earlier than 1 hour before the time fixed for the end of polling.

36. Display and locking of ballot boxes

Immediately before the commencement of a poll the returning officer shall show the interior of the ballot box to those lawfully present in the polling station and then lock the box with 2 padlocks having different keys and shall retain the key of one and give the other to a polling clerk.

37. Method of voting and procedures

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

38. Publication of results

As soon as practicable after an election the Electoral Commission shall cause the results to be published in each constituency in such manner as it considers appropriate and in the Gazette.

PART 14 – ELECTION REPORTS

39. Report by Principal Electoral Officer and Electoral Commission

(1) Not later than 3 months after an election is held, the Principal Electoral Officer shall submit a report about the election to the Electoral Commission.

(2) The Electoral Commission shall not more than 3 months after receiving the report of the Principal Electoral Officer make a report to Parliament concerning the conduct of the election which shall include a statement on the overall cost thereof, information on difficulties encountered and how they were dealt with and recommendations for improvements and changes in procedure for future elections.

PART 15 – ELECTION OFFENCES

40. General offences

(1) Any person who –

(a) obstructs, hinders or prevents an electoral officer from carrying out duties under this Act;

(b) knowingly gives false information to the Electoral Commission, the Principal Electoral Officer or any person appointed hereunder in making an application under this Act or in support of another person's application or at any other time,

commits an offence and shall be liable on conviction to a fine not exceeding VT 20,000 or to imprisonment for a term not exceeding 12 months or to both such fine and imprisonment.

(2) Any person who contravenes or fails to comply with any of the provisions of this Act or any order or any lawful request made thereunder commits an offence and except where any other penalty is specifically provided shall be liable on conviction to a fine not exceeding VT 20,000 or to imprisonment for a term not exceeding 12 months or to both such fine and imprisonment.

41. Defacing and destruction of cards, documents and notices

Any person who without lawful excuse –

(a) defaces or destroys any card or document issued to any person under this Act; or

(b) defaces, destroys or removes any notice exhibited under this Act or any document made available for inspection pursuant to this Act,

commits an offence and shall be liable on conviction to a fine not exceeding VT 20,000 or to imprisonment for a term not exceeding 12 months or to both such fine and imprisonment.

42. Offences relating to declarations of candidature and ballot papers

Any person who –

(a) forges or fraudulently defaces or destroys any declaration of candidature or lodges with the Electoral Office any declaration of candidature knowing the same to be forged; or

(b) forges or counterfeits or fraudulently destroys any ballot paper or an official mark on any ballot paper;

(c) without due authority supplies any ballot paper to any person; or

(d) sells or offers to sell any ballot paper to any person or purchases or offers to purchase any ballot paper from any person; or

(e) not being a person entitled under this Act to be in possession of any ballot paper has any such ballot paper in his possession; or

(f) knowingly or intentionally puts into any ballot box anything other than the ballot paper which he is authorised by law to put in; or

(g) without due authority, takes out of a polling station any ballot paper or is found in possession of any ballot paper outside a polling station; or

(h) without due authority, destroys, takes, opens or otherwise interferes with any ballot box, ballot paper or packet of ballot papers in use or intended to be used for the purposes of an election; or

(i) without due authority, prints any ballot paper; or

(j) not being authorised to do so under this Act, uses a ballot paper issued to a person, other than himself, with intent that such ballot paper shall record the vote of such other person,

commits an offence and shall be liable on convection to a fine not exceeding VT 20,000 or to imprisonment for a term not exceeding 12 months or to both such fine and imprisonment.

43. Unauthorised voting

Any person who knowingly votes –

(a) at an election at which he is not entitled to vote;

(b) more than once at an election;

(c) at a polling station where he is not entitled to vote; or

(d) as a proxy knowing the person for whom he votes has already voted or is no longer qualified to vote,

commits an offence and shall be liable on conviction to a fine not exceeding VT 50,000 or to imprisonment for a term not exceeding 2 years or to both such fine and imprisonment.

44. Personation

A person commits the offence of personation if he –

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

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

45. Bribery

(1) A person commits the offence of bribery –

(a) if he directly or indirectly by himself or by any other person –

(i) gives any money or procures any office to or for any voter or to or for any other person on behalf of any voter or to or for any other person in order to induce any voter to vote or refrain from voting;

(ii) corruptly does any such act on account of any voter having voted or refrained from voting; or

(iii) makes any such gift or procurement to or for any person in order to induce that person to procure, or endeavour to procure, the election of any candidate or the vote of any voter;

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

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

(c) if he directly or indirectly, by himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration or any office, place or employment for himself or for any other person for voting or agreeing to vote or from refraining or agreeing to refrain from voting;

(d) if he directly or indirectly by himself or by any other person on his behalf receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting.

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

(a) references to giving money include references to giving, lending, agreeing to give or lend, offering, promising and promising to procure or to endeavour to procure any money or valuable consideration; and

(b) references to procuring office include references to giving, procuring, agreeing to give or procure, offering, promising and promising to procure or to endeavour to procure any office, place or employment.

46. Treating

A person commits the offence of treating –

(a) if he corruptly by himself or by any other person directly or indirectly gives or provides or pays wholly or in part the expenses of giving or providing any food, drink or entertainment to or for any person –

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

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

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

46A. Application of sections 45 and 46

Sections 45 and 46 are applicable only from the period commencing at the end of the life of Parliament or at the date of the dissolution of Parliament under subarticle 28(2) or (3) of the Constitution, to and including, the polling day.

47. Undue influence

A person commits the offence of undue influence if –

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

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

(ii) inflicts or threatens to inflict by himself or by any other person any temporal or spiritual injury, damage, harm or loss upon or against any person,

in order to induce or compel that person to vote or refrain from voting, or on account of that person having voted or refrained from voting; or

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

48. Penalty for corrupt practices

(1) The offences of personation, bribery, treating and undue influence are corrupt practices for the purposes of this Act.

(2) A person convicted of a corrupt practice shall be liable on conviction to a fine not exceeding VT 100,000 or to imprisonment for a term not exceeding 5 years or to both such fine and imprisonment.

49. False statements about candidates

(1) Any person who before or during an election, for the purposes of affecting the election of any candidate, makes or publishes a false statement of fact in relation to the personal character or conduct of any candidate commits an offence unless he can show that he had reasonable grounds for believing and did believe that statement to be true.

(2) Any person who before or during an election knowingly publishes a false statement of the withdrawal of a candidate for the purpose of promoting or procuring the return of another candidate commits an offence.

(3) Any person who commits an offence under this section shall be liable on conviction to a fine not exceeding VT 40,000 or to imprisonment for a term not exceeding 2 years or to both such fine and imprisonment.

(4) The provisions of this section shall not take away the right of any person to sue for defamation of character.

50. Certain activities prohibited on polling day

(1) During the hours of polling no person shall within 100 metres of any polling station –

(a) seek to influence any person to vote for any candidate;

(b) seek to ascertain for which candidate any voter intends to vote; or

(c) hold any deliberations or discussions.

(2) During the hours of polling no person shall within 1 kilometre of a polling station sell any intoxicating liquor.

(3) Any person who contravenes any of the provisions of this section commits an offence and shall be liable on conviction to a fine not exceeding VT 20,000.

51. Requirements of secrecy

(1) Every election officer, candidate, authorised representative of a candidate or other person lawfully attending at a polling station shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person any information as to –

(a) the name of any voter who has not applied for a ballot paper or voted at a polling station; or

(b) the number on the register of any voter who has or has not applied for a ballot paper or voted at a polling station; or

(c) an official mark.

(2) Every person attending at the counting of votes shall maintain and aid in maintaining the secrecy of voting and shall not without authority communicate any information in connection therewith.

(3) No person shall –

(a) interfere with or attempt to interfere with a voter when recording his vote;

(b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted; or

(c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station has voted or is about to vote;

(d) directly or indirectly induce a voter to display his ballot paper after he has selected it or marked it, as the case may be, so as to make known to any person the name of the candidate for whom he intends to vote or not to vote.

(4) No person who has undertaken to assist –

(a) a blind voter; or

(b) a voter who is incapacitated from voting by other physical cause to vote,

shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted.

(5) Any person who contravenes any provision of this section commits an offence and shall be liable on conviction to a fine not exceeding VT 40,000 or to imprisonment for a term not exceeding 2 years or to both such fine and imprisonment.

52. Offences by election officers

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

(a) makes in any record, return or other document which he is required to keep or make under this Act, any entry which he knows or has reasonable cause to believe to be false, or does not believe to be true; or

(b) permits any person whom he knows or has reasonable cause to believe not to be a person who is blind or incapacitated from voting by other physical cause to vote in a manner provided for such persons; or

(c) refuses to permit any person whom he knows or has reasonable cause to believe to be a person who is blind or incapacitated from voting by other physical cause to vote in a manner provided for such persons; or

(d) wilfully prevents any person from voting at a polling station at which he knows or has reasonable cause to believe such person is bound to vote; or

(e) wilfully rejects or refuses to count any ballot paper which he knows or has reasonable cause to believe is validly cast for any candidate; or

(f) wilfully counts any ballot paper as being cast for any candidate which he knows or has reasonable cause to believe was not validly cast for such candidate; or

(g) without reasonable cause acts or omits to act, in breach of his official duty,

commits an offence and shall be liable on conviction to a fine not exceeding VT 60,000 or to imprisonment for a term not exceeding 3 years or to both such fine and imprisonment.

53. Offence of conspiring to or attempting to commit an election offence

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

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

PART 16 – ELECTION PETITIONS

54. Elections only to be challenged under this Act

(1) The validity of any election to Parliament may be questioned by a petition brought for that purpose under this Act and not otherwise.

(2) Every election petition shall be heard by the Supreme Court.

55. Persons who may present election petitions

An election petition may be presented by one or more of the following –

(a) a person who is registered to vote at the election to which the petition relates;

(b) a person claiming himself to have been a candidate at such election.

56. Petition only valid if deposit made

(1) The presentation of an election petition shall not be valid unless within the time limited by section 57 for presentation of the petition the person seeking to present the same lodges with the Supreme Court a deposit of VT 20,000 as security for costs.

(2) Subject to subsection (3) a deposit made under subsection (1) shall be returned to the petitioner after the petition has been heard.

(3) The Supreme Court may deduct from a deposit made under subsection (1) the amount of any costs ordered to be paid.

57. Time for presentation of petitions

(1) Subject to subsection (2) an election petition shall be presented within 21 days of the publication in the Gazette of the results of the election to which the petition relates.

(2) If a petition alleges a specific payment of money or other reward after an election by or on the account of a person whose election is disputed, the petition may be presented within 21 days of the alleged payment.

(3) The time limit provided for in this section shall not be extended.

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

(1) An election petition shall be in writing and shall specify the ground or grounds upon which an election is disputed.

(2) The Supreme Court shall cause a copy of each election petition to be served on any person whose election may be affected by the petition and allow such person a reasonable time in which to make any submissions in writing on such petition and an opportunity to be heard on the hearing of the petition.

59. Rules for election disputes

(1) The Chief Justice may make such rules not inconsistent with this Act concerning the conduct of proceedings before the Supreme Court under this Part, the times and places of hearings and adjournment thereof as he shall consider proper.

(2) The proceedings of the Court shall be conducted in English, French or Bislama according to the choice of the petitioner and interpreters shall be provided by the Supreme Court.

(3) The proceedings of the Court shall be recorded in writing.

(4) A summons to a witness shall be in the form contained in Schedule 6.

(5) A person who without sufficient excuse –

(a) disobeys a summons or reasonable direction of the court;

(b) hinders or obstructs the court;

(c) gives false evidence to the court; or

(d) insults the court by word of mouth, writing, radio broadcast or in any other manner,

commits an offence and shall be liable on conviction to a fine not exceeding VT 75,000 or to imprisonment not exceeding 5 years or to both such fine and imprisonment.

(6) No person appearing before the Court during the hearing of an election petition shall be bound to incriminate himself and all such persons shall be entitled to the privileges accorded to a witness appearing before the Supreme Court when exercising its normal jurisdiction.

60. Decisions of Court in election disputes

(1) On hearing a petition the Supreme Court may -

(a) declare the election to which the petition relates is void;

(b) declare a candidate other than the person whose election is questioned was duly elected; or

(c) dismiss the petition and declare that the person whose election is questioned was duly elected.

(2) The Supreme Court may make such orders as to the payment of costs by any person appearing before it as it may deem fit.

61. Grounds for declaring election void

(1) The election of a candidate may be declared void on an election petition if it is proved to the satisfaction of the Supreme Court, that –

(a) the candidate or any agent of the candidate has contravened section 61A, 61B or 61C;

(b) there has been such non-compliance with the provisions of this Act, in the conduct of polling or in any other matter that such non-compliance affected the result of the election;

(c) the candidate was at the time of his election a person not qualified or disqualified for election; or

(d) there was such irregularity in the counting of the votes as may reasonably be supposed to have affected the result of the election.

(2) Despite subsection (1), if on an election petition, the Supreme Court finds that there has been failure to comply with any provision of this Act, but the Court further finds that:

(a) it is satisfied that the election was conducted in accordance with the principles laid down in this Act; and

(b) such failure did not affect the result of the election,

the election of the successful candidate is not to be declared void.

61A. Cut-off date for using representation allowance, any money or donations in kind

(1) A candidate for election must not spend, allocate or otherwise disburse to the constituency in which he or she is a candidate, any money, whether in the form of:

(a) his or her representation allowance – if the candidate is a member of Parliament; or

(b) any money obtained from any other source of funding, whether in the form of:

(i) cash donations; or

(ii) donations in kind,

from the period commencing at the end of the life of Parliament or at the date of the dissolution of Parliament under subarticle 28(2) or (3) of the Constitution, to and including, the polling day.

(2) For the purposes of this section,

"donations in kind" includes, but is not limited to, food or food products, transport, transport fares, machinery, cooking utensils, building materials and furniture.

61B. Exceptions on polling day

Despite section 61A and subject to paragraphs 46(a) and (b), a candidate may, without the intention of corruptly influencing any person, provide food, drink, transport and accommodation to any person on the polling day.

61C. Exception during the campaign period

(1) Despite section 61A and subject to paragraphs 46(a) and (b), a candidate may during the campaign period:

(a) present a gift of a custom mat or an amount not exceeding VT1,000, or both, to a chief or any person of similar authority in an area or village for the purposes of holding a campaign in that chiefs or persons village or area; or

(b) provide food, drink, entertainment, transport or accommodation only to his or her agents; or

(c) provide entertainment to the public for the purposes of entertaining the public during his or her campaign rally.

(2) For the purposes of this section, an "agent" of a candidate is a person approved by a candidate as a member of that candidate's campaign team.

(3) To avoid doubt, this section applies only during the campaign period declared by the Electoral Commission for purposes of this Act.

62. Examination of votes cast

When on an election petition the election is claimed for an unsuccessful candidate on the ground that he had a majority of lawful votes the Supreme Court may direct an examination of the counted and void votes and of the counting of votes.

63. Communication of decision of Court concerning election disputes

(1) The decision of the Supreme Court shall be communicated without delay to the petitioner and to all persons whose election is subject to such petition.

(2) There shall be no appeal from a decision of the Supreme Court under this Part.

64. Reports to Public Prosecutor

The Supreme Court shall if in its opinion anyone has committed an offence of a corrupt practice in connection with an election to which a petition heard by it relates, send a written report in respect thereof to the Public Prosecutor.

65. No person required to reveal his vote

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

PART 17 – MISCELLANEOUS AND SUPPLEMENTAL

66. Notification to Electoral Commission and Principal Electoral Officer of election offences

Any Court which convicts a person of an election offence shall inform the Electoral Commission and the Principal Electoral Officer.

67. Saving when election declared void

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

68. Disposal of reports and documents

(1) Subject to subsection (2) the Principal Electoral Officer shall retain for not less than 1 year all reports sent to him in accordance with this Act and all documents sent therewith including packets of counted and void votes.

(2) Documents relating to an election in respect of which an election petition or any legal proceedings have been commenced shall not be destroyed until the proceedings have ended.

(3) The Supreme Court when hearing an election petition or a court trying an election offence may make an order that any document retained by the Electoral Commission or the Principal Electoral Officer shall be inspected, copied or produced at such time and place and subject to such conditions as it thinks fit.

(4) No order shall be made under subsection (3) unless the court is satisfied that the inspection, copying, or production is essential for the hearing of a charge of an election offence or the hearing of an election petition.

(5) Except as provided by subsection (3) no person may inspect or copy any document retained by the Electoral Commission or the Principal Electoral Officer under this Act.

69. Power of Electoral Commission to make orders

(1) The Electoral Commission may by Order not inconsistent with this Act provide for –

(a) anything that may be prescribed or ordered by it;

(b) the closing of premises licensed to sell liquor or the prohibition or restriction of the sale of liquor on the day before and on polling day in any constituency or part thereof;

(c) the placing of an indelible mark on the thumbnail of each person who votes in any polling district;

(d) the modification or replacement of any Schedule except Schedule 5.

70. Saving of seats and constituencies and change of registration areas in polling districts

(1) The parliamentary seats and constituencies established by the Representative Assembly (Constituencies and Membership) Regulation No. 22 of 1979 shall remain the parliamentary seats and constituencies of Vanuatu until changed or replaced by an Order made by the President acting on the advice of the Electoral Commission.

(2) The registration areas established under section 4 of the Election Regulation No. 19 of 1979 shall be the polling districts for the purposes of section 4 of this Act until changed or replaced by the Electoral Commission.

71. Regulations

The Minister may make regulations prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

SCHEDULE 1

PART 1

(Section 8)

The Representation of the People Act, Cap. 146

DECLARATION OF QUALIFICATION AS ELECTOR

To: Registration Officer for constituency of .....

We, the undersigned, do hereby declare that to the best of our knowledge and belief

.....
*(full name and address in **capital letters** of intended elector)*

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

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

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

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

*Name ..... Signature .....

Address .....

Occupation .....

*Name ..... Signature .....

Address .....

Occupation .....

Put full names in **capital letters.*

PART 2

(Section 10(2))

Representation of the People Act, Cap. 146

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

To: The Registration Officer for the constituency of .....

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

Name ..... First Name .....

Sex ..... Marital Status ..... Date of Birth .....

Father's Name ..... Mother's Name .....

Place of Birth .....

Place of Origin .....

Occupation .....

Usual Residence ..... Since .....

Citizenship No. .....

Address at date of this application .....

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

*My electoral card should be sent to me at .....

.....

**Delete whichever is not applicable.*

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

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

Signature of applicant .....

Signature of witness (registration officer) .....

OFFICIAL USE ONLY

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

.....

2) Applicant registered to vote at .....
polling station (name and letter) in ..... constituency.

3) Electoral card sent/collected on ..... 20 .....

Signature of officer: .....

PART 3

(Section 11(1))

The Representation of the People Act, Cap. 146

APPLICATION TO BE REGISTERED AS AN ELECTOR BY A PERSON OUTSIDE VANUATU

To: Principal Electoral Officer

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

Name ..... First Name .....

Sex ..... Marital Status ..... Date of Birth .....

Father's Name ..... Mother's Name .....

Place of Birth .....

Place of Origin .....

Occupation .....

Present Address .....

Present address of mother or father or both:
(State island and village or, if Luganville or Port Vila, part of town)

.....

State your own home island and village or, if Luganville or Port Vila, part of town

.....

.....

STATEMENT OF INTENTION

1. I wish to be registered to vote in the polling district
   - *a) Where my father or mother live OR
   - *b) The polling district in which is my village or part of town

2. *a) I will vote in person OR
   *b) I shall be outside Vanuatu at the time of the elections and wish to vote by proxy.

   \+ I nominate ..... of (address) .....

   .....

   to vote as my proxy. I understand he/she is also eligible to vote and is not proxy for more than one other person.

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

   Signature of applicant .....

   Witness .....

**Delete whichever is not applicable.*

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

PART 4

(Sections 12(1), 17)

The Representation of the People Act, Cap. 146

ELECTORAL CARD
CARTE D'ELECTEUR

PAGE 1

IDENTITY/IDENTITE

Name Nom		
First name Prènom		
Sex/Marital Status Sexe/Situation de famille		
Date of birth Date de naissance		
Father's name Nom du Père		
Mother's name Nom de la Mère		
Place of birth Lieu de naissance		
Place of origin Lieu d'origine		
Occupation Profession		
Usual residence Residence habituelle		
Resident there since Y reside depuis		
Citizenship no. No. de citoyennete		

PAGE 2

REGISTRATION/INSCRIPTION

Registration area no. No. du secteur d'inscription	
Registration area name Nom du secteur d'inscription	
Polling station letter/name Indicatif/nom du bureau de vote	
Sheet no./individual no. No. de feuille/no. individuel	
Date of registration Date d'inscription	
Signature: Registration officer/Agent de l'inscription	

VOTING DATES/DATES DES SCRUTINS

1	4
2	5
3	6

NOTES
(to be in Bislama)

1. This card is important. Take care of it - you will not be allowed to vote without it.
2. This card may be used **only** by the person named (unless a proxy vote has been authorised).
3. Remember to take this card with you if you go to live in another area. You must show it to the Registration Officer when you apply for a new card.
4. A charge will be made for a replacement if this card is lost, stolen, or destroyed.

SCHEDULE 2

(Section 12(2))

RULES FOR ISSUING OF DUPLICATE ELECTORAL CARDS

ARRANGEMENT OF RULES

PART 1
1. Application for issue of duplicate card
2. Things to accompany applications
3. Declarations to support applications
4. Issue of duplicate cards
5. Form of cards
6. Validity of cards
7. Surrender and destruction of unserviceable cards
8. Penalties

PART 2
Application for issue of a duplicate electoral card

PART 1

1. Application for issue of duplicate card
A person may apply to the registration officer who issued his original card or his successor or if none the Principal Electoral Officer for a duplicate card if –

(a) his original electoral card has been lost, stolen or destroyed or;

(b) his card is in an unserviceable condition.

2. Things to accompany applications
An application under rule 1 shall be in the form and contain the particulars provided for in the form set out in Part 2 of these rules and shall be accompanied by –

(a) a replacement charge of VT 50, and

(b) where applicable, the unserviceable card.

3. Declarations to support applications
The registration officer or Principal Electoral Officer may require an applicant to provide such declaration or evidence as may appear reasonable to him in order to establish a claim made by an applicant under rule 1(a).

4. Issue of duplicate cards
Upon being satisfied that an applicant under rule 1 is entitled to be issued with a duplicate card and having received the replacement fee the registration officer or Principal Electoral Officer shall issue an applicant with a duplicate electoral card.

5. Form of cards
A card issued under rule 4 shall be in the same form as the card provided for in Schedule 1 Part 4 except that the word “duplicate” shall be clearly stamped in red on the first page.

6. Validity of cards
A card issued in accordance with rules 4 and 5 shall have the same validity as the original.

7. Surrender and destruction of unserviceable cards

All unserviceable cards surrendered under these rules shall be promptly destroyed by the registration officer or Principal Electoral Officer.

8. Penalties

Any person who wilfully makes any false statement hereunder shall be liable on conviction to a fine not exceeding VT 20,000 or to imprisonment for a term not exceeding 12 months or to both such fine and imprisonment.

PART 2

The Representation of the People Act Cap. 146

APPLICATION FOR ISSUE OF A DUPLICATE ELECTORAL CARD

To: Registration officer for ..... constituency/Principal Electoral Officer.

I, ……..(all names)

of ……..... hereby apply for the issue to me of a duplicate electoral card because the original card issued to me –

*(a) has been lost/stolen/destroyed on or about .....

*(b) is unserviceable.

And I lodge with this application:

(a) replacement charge of VT5O;

*(b) my unserviceable electoral card.

The following are my particulars for inclusion in my duplicate card

Name .....

First name .....

Sex ..... Marital status .....

Date of birth .....

Father's name .....

Mother's name .....

Place of birth .....

Place of origin .....

Occupation .....

Usual residence .....

Resident there since .....

Citizenship no. .....

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

Dated the ..... day of ..... 20.....

Signature of applicant .....

Witness (registration officer) .....

**Delete whichever is not applicable.*

SCHEDULE 3

PART 1

(Section 25(1))

The Representation of the People Act, Cap. 146

DECLARATION OF CANDIDATURE

To the registration officer for the constituency of .....

I, ... (name in capitals)
of ..... being a Citizen of Vanuatu
and aged ..... years and my occupation being
.....

Photograph
of candidate

HEREBY DECLARE

1. Myself as a candidate for election to Parliament is a representative for the constituency of .....;

2. That I am registered as a voter in the electoral roll for ……..... ……. polling district, electoral card no. ……..... ;

3. That I am not disqualified from voting;

4. That I am not serving a sentence of imprisonment or have not received a suspended sentence of imprisonment where the period of suspension has not ended;

5. That I am not an undischarged bankrupt.

Date: ..... Signature: .....

SPONSORS OF CANDIDATE

1. NAME: ..... ADDRESS: .....
   OCCUPATION: ..... ELECTORAL CARD NO.: .....
   SIGNATURE .....

2. NAME: ..... ADDRESS: .....
   OCCUPATION: ..... ELECTORAL CARD NO.: .....
   SIGNATURE .....

3. NAME: ..... ADDRESS: .....
   OCCUPATION: ..... ELECTORAL CARD NO.: .....
   SIGNATURE .....

4. NAME: ..... ADDRESS: .....
OCCUPATION: ..... ELECTORAL CARD NO.: .....
SIGNATURE .....

5. NAME: ..... ADDRESS: .....
OCCUPATION: ..... ELECTORAL CARD NO.: .....
SIGNATURE .....

NOTES

1. The signatures of five sponsors (who must be registered voters in the constituency of the candidate and *not* related to him) are required. See overleaf.

2. When this form is completed (including sponsorship details) it must be handed to the registration officer for the constituency, for which the person named as the candidate in his declaration is declaring himself a candidate together with –

   (a) a deposit of VT50,000;

   (b) 2 passport sized photographs of the candidate (preferably *not* colour photographs); and

   (c) a drawing on paper of the candidate's personal electoral symbol, unless he is sponsored by a political party with an approved symbol. The symbol should be a simple design in black and white and must not include any words.

PART 2

(Section 25(5))

The Representation of the People Act, Cap. 146

RECEIPT

Received from Mr/Mrs/Miss .....…

this ..... day of .....

(a) Declaration of candidature for the election of members of Parliament to he held during the month of ..... 20 .....

(b) The sum of VT 50,000 being a deposit made in accordance with section 22(l)(b).
Vanuatu Government receipt no. ..... of .....

Signed .....
Principal Electoral Officer

SCHEDULE 4

PART 1

(Section 34)

The Representation of the People Act, Cap. 146

RULES FOR VOTING BY PROXY

ARRANGEMENT OF RULES

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

PART 2
FORM A. Application to vote by proxy
FORM B. Proxy form

PART 1

1. Application to vote by proxy

(1) A person who applies in accordance with section 11(1) to be registered as an overseas voter and wishes to vote by proxy shall nominate a proxy when completing the form contained in Part 3 of Schedule 1.

(2) Any other person who is entitled to vote may only vote by proxy if he can demonstrate that by reason of–

(a) occupation;

(b) health;

(c) religion; or

(d) his presence outside his constituency because of –

(i) the serious illness or death of a member of his family;

(ii) his health;

(iii) his occupation;

(iv) his holidays;

(v) his involvement in a conference connected with his occupation;

(vi) his involvement in a national or international amateur sports tournament

he is unable to vote at the polling station where he is registered to vote.

(3) A person referred to in subrule (2) shall apply to the registration officer for the constituency in which he is entitled to vote by the completion and submission thereof of Form A in Part 2 of these rules accompanied by his electoral card.

(4) A person who is prevented from voting by reason of his occupation or by reason of his presence outside his constituency because of his occupation or involvement in a conference connected with his occupation shall accompany his application with a certificate signed by his head of department, superior officer, manager or other person to whom he is responsible, certifying as to his inability to vote in person and the reason therefor.

(5) A person who is prevented from voting in person by reason of health or by reason of his presence outside his constituency because of his health shall accompany his application with a certificate by a recognised medical practitioner, nurse, dresser, or on the unavailability of any such persons, a person of standing certifying as to his inability to vote in person and the reason therefor.

(6) A person who professed to be prevented from voting in person by reason of religious obligations shall accompany his application by a certificate of a minister of his religion that confirms that he cannot vote for reasons of religion.

(7) A person who is unable to vote by reason of his presence outside his constituency because of the serious illness or death of a member of his family shall accompany his application with a certificate signed by a

person of standing in his community certifying that such person is related to the sick or deceased person and is unable to vote in person.

(8) A person who is unable to vote by reason of his presence outside his constituency because of his being on holiday shall accompany his application with a certificate signed by his head of department, superior officer, manager or other person to whom he is responsible certifying that such person is unable to vote in person.

(9) A person who is unable to vote by reason of his presence outside his constituency because of his involvement in a national or international amateur sports tournament shall accompany his application with a certificate signed by the head of the appropriate Vanuatu body certifying that he is unable to vote in person.

(10) Every application under subrule (3) hereof shall reach the registration officer not less than 72 hours before polling.

2. Decisions of registration officer and notification thereof

(1) If the registration officer who receives an application under rule 1(1) or rule 1(3) is satisfied that –

(a) an applicant is entitled to vote by proxy; and

(b) the person named as proxy is registered in the same roll as the applicant,

he shall so inform the applicant using the detachable part of the application form and deliver by post or other means the completed proxy form in Form B of these rules and the applicant's electoral card to the proxy named by the applicant.

(2) For the purposes of subrule (1) the registration officer shall be deemed to have delivered a proxy form and electoral card if he makes known to a proxy that the cards are available for collection at the polling station on polling day.

(3) If a registration officer who receives an application under rule 1(3) is not satisfied that the applicant is entitled to vote by proxy he shall so inform the applicant.

(4) If a registration officer although being satisfied that an applicant under rule 1(1) or rule 1(3) is entitled to vote by proxy but that person nominated as proxy is not eligible to be a proxy for the applicant he shall so inform the applicant and invite him to nominate another person provided that in his opinion the applicant will be able to make such nomination not less than 72 hours before polling.

3. Revocation of proxies and further applications

(1) A voter may revoke a proxy by notice in writing to a registration officer.

(2) A voter who has revoked a proxy may apply for the issue of another.

4. Elector who has obtained issue of proxy may vote in person

A voter who has obtained the issue of a proxy may vote in person provided he obtains his electoral card from his proxy before that person votes on his behalf.

5. Proxy nullified on death or cessation of eligibility of voter or his proxy

(1) Where the voter or his proxy dies or ceases to be eligible to vote a proxy shall become null and void.

(2) The registration officer shall recover the proxy form.

6. Limitations on voting by proxy

(1) No voter may cast a proxy vote for more than two voters.

(2) If more than two proxies are made out in the name of the same voter the two earliest in time shall be valid.

(3) If more than two proxies issued to a voter bear the same date the voter shall be required by the returning officer at his polling station to choose those two under which he will cast votes and surrender any others.

(4) The returning officer will cause any voter whose proxy is invalid to be so informed without undue delay.

7. Manner of voting by proxy and casting of own vote

(1) A proxy voter shall vote for the person for whom he is proxy in the same manner as he casts his own vote.

(2) If a proxy voter wishes to cast his own vote he must do it at the same time as he votes as proxy.

(3) When a person votes as proxy he must produce his own electoral card, the proxy form authorising him to vote as proxy and the electoral card of the person for whom he is voting.

PART 2

Form A

(Rule 1(3))

The Representation of the People Act, Cap. 146

APPLICATION TO VOTE BY PROXY

To the registration officer for the constituency of .....

1. I, ... of ..... being registered to vote at ..... polling station hereby apply for the issue of a proxy to ..... of ..... who is entitled to vote at the same polling station.

2. I cannot attend at the polling station on polling day by reason of –

*(a) my occupation;
(b) my health;
(c) my religion;
(d) my presence outside my constituency because of the serious illness/death of a member of my family;
(e) my presence outside my constituency because of my being on holiday;
(f) my presence outside my constituency because of my involvement in a national/an international amateur sports tournament;
(g) my presence outside my constituency because of my involvement in a conference connected with my occupation.

.....
.....

(tick whichever is applicable and give particulars and details stating how your attendance is prevented)

2. I enclose a certificate signed by –

*(a) my head of department;
(b) my superior officer;
(c) my manager/a person to whom I am responsible;
(d) my medical doctor/a medical officer;
(e) my dresser/nurse;
(f) my minister/priest/sister/leader of religion;
(g) a person of standing in my/the community;
(h) the chairman/head of the Vanuatu body responsible for the national/international amateur sports tournament.

(tick whichever is applicable)

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

…….....
Signature of Applicant

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY THE APPLICANT'S ELECTORAL CARD.

NOTIFICATION TO APPLICANT TO VOTE BY PROXY
(to be detached from application form and delivered to proxy)

To: .....……

*1. Your application to vote by proxy has been rejected because
.....
.....
.....

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

*3. Your application to vote by proxy has been approved and the proxy form and your electoral card have been delivered to, or made available for collection by .....…….

Date: ..... Signed: .....
Registration Officer

Delete whichever is not applicable

Form B

(Rule 2(l))

The Representation of the People Act, Cap. 146

VANUATU GOVERNMENT

PROXY FORM
(Cover)

Registration area no.
_____
Name
_____
Polling station letter
_____
Polling station name
_____
Valid only for the ..... general/by-election
_____
Official stamp and date of voting
_____
Any fraudulent statement made to obtain a form of proxy and any fraudulent misuse of the proxy by the person to whom it is given is punishable by a fine not exceeding VT 20,000 or imprisonment not exceeding 12 months or both.
==========

PROXY FORM
(inside page)

Name .....

First name .....

Sex .....

Date of birth or age .....

Address .....

Registered as a voter at .....

Electoral card no. .....

IS HEREBY authorised to vote as proxy on behalf of

Name .....

First name .....

Sex .....

Date of birth .....

Address .....

Registered as a voter at .....

Electoral card no. .....

GIVEN at ..... Date .....

By .....

Signature of ..... Registration Officer

for .....

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

SCHEDULE 5

(Section 37)

The Representation of the People Act, Cap. 146

ELECTION OF CANDIDATES RULES

ARRANGEMENT OF RULES

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

1. One polling station in each polling district

(1) The registration officer after consultation with the Principal Electoral Officer shall determine the location of one polling station in each polling district.

(2) The Principal Electoral Officer shall be responsible for its installation.

2. Polling clerks

(1) The registration officer after consultation with the Principal Electoral Officer where practicable shall appoint such number of polling clerks to assist the returning officer as shall be necessary.

(2) The oldest polling clerk shall act as returning officer during the absence or incapacity of the returning officer.

3. Authorised representatives of candidates

(1) A candidate or political party may nominate in writing to the registration officer not less than 24 hours before polling an authorised representative for each polling station who may attend during voting and counting and who may require any comment, dispute or protest to be included in the report by the returning officer made under rule 19(2).

(2) Subject to subrule (3) the Principal Electoral Officer shall issue each authorised representative nominated under subrule (1) with a letter of authority and an identification badge or identification card.

(3) No candidate shall have more than one authorised representative at one polling station but one representative may be authorised for more than one candidate and more than one polling station.

(4) A returning officer shall not permit to remain in a polling station any person who claims to be an authorised representative of a candidate but who cannot produce a letter of authority.

(5) A list of all authorised representatives of candidates shall be displayed at all polling stations.

4. Equipment at polling stations

(1) Each registration officer shall be provided by the Principal Electoral Officer with such number of ballot boxes, ballot papers and envelopes bearing official markings as shall be necessary for them to supply to returning officers for the purpose of carrying out their duties.

(2) Each ballot box shall have 2 padlocks with dissimilar keys and shall be so constructed that when locked, ballot papers can be put therein but cannot be withdrawn.

(3) The Principal Electoral Officer shall also provide each Registration officer with –

(a) lists of the authorised representatives provided for in rule 3(5) for each polling station;

(b) 2 copies of the electoral roll for each polling station in which the station is established;

(c) sufficient copies of the electoral laws;

(d) enough polling booths to enable voters to vote in secrecy;

(e) sufficient tally sheets for recording the votes cast for each candidate;

(f) sufficient numbers of any notices required by law to be displayed in polling stations.

5. Notices for guidance of voters

A notice in legible print giving descriptions in English, French and Bislama for the guidance of voters in voting shall be exhibited inside and outside each polling station.

6. Opening of polling station

The returning officer shall open the polling station over which he presides on polling day and at the time provided for in the notice referred to in section 29(4).

7. Resolution of difficulties and statement of objections and decisions

(1) A returning officer shall endeavour to amicably resolve all difficulties that may arise during the poll giving reasons for his decisions.

(2) A written statement of all authorised representatives' objections and decisions thereon together with any relevant document initialed by the returning officer and a polling clerk shall be included in the report made by the returning officer under rule 19(2).

8. Regulation of admission to polling station

(1) The returning officer shall regulate the number of voters to be admitted to a polling station at the same time and shall exclude all other persons except –

(a) the polling clerks;

(b) officials of the Electoral Office;

(c) registration officers and not assistant registration officers;

(d) candidates and their authorised representatives nominated in accordance with rule 3;

(e) police officers on duty;

(f) companions of disabled voters;

(g) press representatives and other persons authorised by the Principal Electoral Officer.

(2) All persons authorised to be in a polling station shall wear an identification badge or carry an identification card.

9. Keeping of order in polling station

(1) It shall be the duty of the returning officer to keep order at his polling station.

(2) If a person misconducts himself at a polling station or fails to obey the lawful orders of the returning officer he may by order of the returning officer be removed.

(3) A person removed in accordance with subrule (2) shall not without the permission of the returning officer re-enter the polling station.

(4) The power conferred by this rule shall not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having the opportunity of voting at that polling station.

10. Voting

(1) Every voter desiring to vote shall present himself at his allotted polling station. The returning officer or polling clerk shall satisfy himself that –

(a) the voter is registered on the roll at the station;

(b) the voter has not already voted; and

(c) place his signature or initials opposite the name of the voter in the margin of one of the electoral rolls; and

(d) deliver to the voter one ballot paper for each candidate and one envelope.

(2) Immediately on receipt of the ballot papers and envelope a voter shall –

(a) enter a polling booth;

(b) record his vote by placing the ballot paper bearing the name and symbol of his chosen candidate in the envelope;

(c) leave all other ballot papers in the booth;

(d) present himself to the presiding officer or polling clerk who without touching it shall verify that the voter tenders one envelope;

(e) place the envelope in the ballot box; and

(f) leave the polling station without undue delay after the completion of the formalities referred to in rule 11.

11. Polling clerk's duties in respect of person who has voted

After each voter has voted a polling clerk shall –

(a) in those polling districts where it is required, place an indelible mark on the thumb nail of the voter which shall so far as possible be indelible for the period of the poll;

(b) stamp and endorse on the electoral card of the voter the date of election;

(c) place his signature or initials opposite the name of the elector in the margin of the second electoral roll; and

(d) return the card to the elector.

12. Replacement of spoilt ballot papers

A voter who satisfies the returning officer that he has inadvertently spoilt a ballot paper may on surrendering it obtain another.

13. Report on persons suspected of personation

If before a voter leaves a polling station a candidate or his authorised representative or a polling clerk informs the returning officer he has reasonable cause to believe that the voter has committed the offence of personation and agrees to substantiate the accusation in a court the returning officer shall report the matter to the Electoral Commission.

14. Assistance to disabled voters

(1) Any person suffering from a physical disability may be granted permission by a returning officer to be accompanied into a polling station by a person of his choice to assist him in voting.

(2) The granting of permission under this rule shall be recorded in the report made by the returning officer under rule 19(2).

15. Members of public to be admitted to observe count

A returning officer shall allow as many members of the public to observe a count as can do so without hindering counting.

16. Counting of votes

(1) Immediately a poll is closed the returning officer shall administer the counting of the votes which shall be done by –

(a) opening the ballot box or boxes;

(b) the returning officer removing all envelopes from each box;

(c) the returning officer taking the ballot papers from the envelopes;

(d) the returning officer reading out the name on each ballot paper;

(e) the polling clerks recording the number of votes cast for each candidate on 2 tally sheets provided for that purpose.

(2) If the number of envelopes is found to be more or less than the marginal signatures or initials made in the roll in accordance with rule 11(c) the discrepancy shall be stated in the report provided for in rule 19(2).

17. Void ballot papers

Any ballot paper which –

(a) by any writing or mark thereon identifies the voter;

(b) is not in an envelope or is in a non-official envelope; or

(c) is in an envelope containing more than 1 ballot paper;

shall be void and shall not be counted.

18. Recounts

On the close of counting or on a recount a candidate or his authorised representative may request the returning officer to conduct a recount and further recounts but the returning officer may refuse to do so if in his opinion the request is unreasonable.

19. Declaration of votes and report on voting

(1) When a returning officer is satisfied that the count or recounts are complete he shall declare counting of votes completed and formally announce the votes cast for each candidate.

(2) Immediately after declaring the counting of votes completed the returning officer shall complete the official report on polling which shall state –

(a) the number of registered voters;

(b) the number of voters who voted;

(c) the number of void ballot papers;

(d) the number of valid votes cast for each candidate;

(e) such other matters as these rules provide all be included; and

(f) such other matters as the Principal Electoral Officer shall direct may be included.

(3) The report shall be made in duplicate in French, English or Bislama.

(4) It shall be signed by the returning officer and the polling clerks. It shall be countersigned by such of the candidates as may be present at the count.

(5) After it has been signed the report shall be placed in a sealed envelope.

(6) The returning officer shall also seal in separate packets the counted and void ballot papers and endorse on each packet –

(a) a description of its contents;

(b) the date of polling; and

(c) the name and number of the polling station.

(7) The packets referred to in subrule (6) shall immediately they have been sealed and endorsed be signed on the outside by the persons referred to in subrule (4).

(8) The report and the sealed packets referred to in subrule (6) shall be delivered to the registration officer responsible for the constituency in which the poll was taken by the returning officer or by a person instructed by him.

20. Notification of votes cast for each candidate to Electoral Commission by registration officer

When a registration officer has received all the reports provided for in rule 19 including reports from any polling stations where a new poll has been held under the provisions of section 35 he shall notify the Electoral Commission of the number of votes cast for each candidate in the constituencies for which he is responsible.

21. Declaration by Electoral Commission of candidates elected

(1) The Electoral Commission shall as soon as practicable after receiving notification in accordance with rule 20 from all the registration officers announce the number of votes cast for each candidate in each constituency.

(2) Subject to subrule (3) the number of candidates counting down from the candidate who obtains the highest number of votes in order of the votes obtained that equals the number of seats allocated to that constituency shall be declared elected.

(3) (a) Where –

(i) two or more candidates in a constituency receive the same number of votes; and

(ii) if one candidate only had received those votes he would have been declared elected in accordance with subrule (2) but because of the equality of votes it is not possible to declare a person elected to one or more seats as there would be more persons elected than there are seats;

the Electoral Commission shall declare those seats to which it is not possible to declare a person as elected to be vacant. It shall also declare the persons with an equality of votes not to be elected.

(b) where the Electoral Commission has made a declaration under paragraph (a) it shall within 30 days fix the date of an election for the seat or seats declared vacant.

SCHEDULE 6

(Section 59(4))

The Representation of the People Act, Cap. 146

SUMMONS TO A WITNESS TO APPEAR BEFORE THE SUPREME COURT IN THE HEARING OF AN ELECTION DISPUTE

TO .....…… of ……..(address)
.....
.....……..

YOU ARE HEREBY SUMMONED
to appear and give evidence before the SUPREME COURT

inquiring into the petition of .....…….....
(name)

.....……
(address)

*a candidate/registered elector concerning the election
of .....…… to Parliament
(name)

on .....……..
(date of his election by announcement of Electoral Commission)

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

GIVEN under the hand of the Registrar or on his behalf

the ..... day of ..... 20 .....

.....
Registrar Supreme Court

**delete whichever is not applicable*

SCHEDULE 7

Section 9A

EFATE

Manples area
Beverly Hills area
Belle View area
Salili area
End of International airport area
Bladiniere area
Part of Manples
Tamalesi area
Areas behind Chikau Store & Cellovilla at Tebakor up-to opposite Kawenu Demonstration School
Malapoa area
Blacksands area
Etas area
Teouma Ville area
Copravi area

SANTO

Show ground area
Solomons hill area
Capricone area
Negar area
Banban area
Jubilee farm area
Heken
Husa
Perol
Rata
Aore

Editor's note: Items 3, 4 and 6 of Amendment 10 of 2012 has been omitted as per judgement of the Constitutional Case No. 1 of 2013.

Table of Amendments (since the Revised Edition 1988)

1	*Amended by Act 28 of 2007*	*20(2A)*	*Inserted by Act 20 of 2001*
9(1)	*Amended by Acts 28 of 2007, 10 of 2012*	*24(ca)*	*Inserted by Act 28 of 2007*
		24A	*Inserted by Act 35 of 2017*
9(1)(b)	*Amended by Act 35 of 2017*	*25(1)(b)*	*Amended by Act 28 of 2007*
9(6)	*Substituted by Act 35 of 2017*	*25(2A)*	*Inserted by Act 28 of 2007*
9A – 9D	*Inserted by Act 28 of 2007*	*26(2)(b)*	*Amended by Act 10 of 2012*
9A – 9D	*Repealed by Act 10 of 2012*	*45(1)(c)*	*Amended by Act 10 of 2012*
9A and 9B	*Substituted by Act 10 of 2012*	*45(1)(d)*	*Amended by Act 10 of 2012*
9A(8)	*Substituted by Act 35 of 2017*	*46(a)*	*Amended by Act 10 of 2012*
9B(2)	*Amended by Act 35 of 2017*	*46A*	*Inserted by Act 10 of 2012*
16(1)	*Substituted by Act 35 of 2017*	*61(1)(a)*	*Substituted by Act 10 of 2012*
16(3) and (4)	*Amended by Act 35 of 2017*	*61(2)*	*Substituted by Act 10 of 2012*
Part 9 (s. 17-19)	*Repealed by Act 27 of 1988*	*61A – 61C*	*Inserted by Act 10 of 2012*
20(1)	*Amended by Act 35 of 2017*	*71*	*Inserted by Act 28 of 2007*
20(2)	*Amended by Acts 20 of 2001, 35 of 2017*	*Schedule 7*	*Inserted by Act 28 of 2007*
		Schedule 7	*Substituted by Act 10 of 2012*