

**BRITISH SOLOMON ISLANDS PROTECTORATE**

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**THE BRITISH SOLOMON ISLANDS (ELECTORAL  
PROVISIONS) ORDER, 1966**

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**THE ELECTORAL PROVISIONS (LEGISLATIVE COUNCIL)  
REGULATIONS, 1967**

IN exercise of the powers conferred by section 2 of the British Solomon Islands (Electoral Provisions) Order, 1966, and after consultation with the Executive Council, the High Commissioner hereby makes the following Regulations:-

**PART I - PRELIMINARY**

**Citation.**

**1.** These Regulations may be cited as the Electoral Provisions (Legislative Council) Regulations, **1967**.

**Interpretation.**

**2.** In these Regulations except where the context otherwise requires -

"Council" means a Council established under the provisions of the Local Government Ordinance, 1963, or under the Native Administration Ordinance; No. 16 of 1963. Cap. 32.

"the Court" means the High Court of the Western Pacific for which provision is made by the Western Pacific (Courts) Order in Council, **1961**; S. I. 1961/1506. G.N. 73/61 p.39.

"direct election" means an election held under and in accordance with Part III of these Regulations;

"election" means any election held under and in accordance with these Regulations;

"elector" means any person entitled to vote at any election;

"electoral district" means an electoral district specified in the First Schedule to these Regulations;

"indirect election" means an election of a member to the Legislative Council held under and in accordance with Part IV of these Regulations;

"Legislative Council" means the proposed Legislative Council referred to in the British Solomon Islands (Electoral Provisions) Order, 1966;

"ward" means -

(a) in relation to the Honiara Electoral District, a ward constituted in accordance with regulation 12 of these Regulations; and

(b) in relation to any other electoral district, a ward constituted under regulation 3 of the Local Government (Elections) Regulations, 1963.  
L.N. 76/63 p.262

### **Division of Protectorate into constituencies.**

**3.** For the purposes of these Regulations, the Protectorate shall be divided into fourteen constituencies (hereinafter referred to as electoral districts) which shall be known by the names and consist of the areas specified in relation thereto, in the First Schedule to these Regulations.

### **Appointment of Returning Officers and Assistant Returning Officers.**

**4.-(1)** The High Commissioner in his discretion shall appoint a public officer to be the Returning Officer for each electoral district.

(2) The Returning Officer for each electoral district may, in respect of the electoral district, appoint such fit and proper persons to assist him in the conduct of the election as he may deem expedient, and such persons shall be known as Assistant Returning Officers.

### **Conduct of elections.**

**5.-(1)** There shall be elected to the Legislative Council one member from each electoral district in accordance with the provisions of these Regulations.

(2) Elections shall be conducted in accordance with Part III of these Regulations except in the case of an electoral district in which the High Commissioner has authorised indirect elections to be held.

(3) The High Commissioner may, by order authorise indirect elections to be held in any electoral district, and thereupon any election in that electoral district shall be conducted in accordance with Part IV of these Regulations.

### **Registration of electors.**

**6.-(1)** For the purposes of a direct election in any electoral district there shall be a register of electors.

(2) In the case of the Honiara Electoral District the register of electors shall be the register provided for in regulation 22(1) of these Regulations.

(3) For the purposes of a direct election in any other electoral district the register of electors shall comprise the register or registers of voters or parts thereof, which have been prepared under the Local Government (Registration of Voters) Regulations, 1963, and which relate to the area comprised in such electoral district. L.N. 75/63 p.253.

### **Right to vote.**

7.-(1) Subject to paragraphs (3) and (4) of this regulation every person shall be entitled to vote at a direct election who is registered in the register of electors for the electoral district concerned.

(2) Subject to paragraph (4) of this regulation, every person shall be entitled to vote at an indirect election who has been duly elected a member of the electoral college for the electoral district concerned under Part IV of these Regulations.

(3) No person shall be qualified to vote more than once at any direct election.

(4) No person shall be entitled to vote at an election who is disqualified from registering as a voter under the Local Government Ordinance, 1963, or as an elector under Part II of these Regulations. **No. 16 of 1963.**

### **The expenses of registration and elections.**

8. All expenses, including costs in legal proceedings, properly incurred in the registration of electors and in the holding of elections under these Regulations shall be a charge on the general revenues of the Protectorate.

### **Non-compliance with the Regulations.**

9. No election shall be invalid by reason of non-compliance with these Regulations if it appears that the election was conducted in accordance with the principles of these Regulations and that the non-compliance did not affect the result of the election.

## **PART II - REGISTRATION OF ELECTORS**

### **Application.**

10. This Part of these Regulations shall only apply to the Honiara Electoral District.

### **Appointment and Remuneration of officers.**

11.-(1) The High Commissioner in his discretion shall appoint a Registration Officer for the registration of electors.

(2) The Registration Officer may appoint such number of persons as may be necessary to be Assistant Registration Officers for any particular ward or wards; and such Assistant Registration Officers shall, subject to the directions of the Registration Officer, have all the powers and functions of the Registration Officer.

(3) The High Commissioner in his discretion shall appoint a Revising Officer to revise the list of electors.

(4) The High Commissioner in his discretion may authorise any officer or officers appointed under this regulation to be remunerated out of the general revenues of the Protectorate at such rates as he shall specify.

### **Division of electoral district into wards.**

12. The Registration Officer may divide the electoral district into such number of wards as to him may seem expedient, and shall publish the description of the areas of such wards in such

manner as appears to him to be adequate for the purpose of bringing the description of the area of each ward to the attention of its inhabitants.

### **Qualification of electors.**

**13.** Every person who -

- (a) is a British subject or British protected person;
- (b) has attained the age of twenty-one years; and
- (c) is ordinarily resident within the electoral district,

shall be entitled to be registered as an elector under these Regulations.

### **Disqualifications of electors.**

**14.-(1)** Notwithstanding the provisions of the preceding regulation no person shall be entitled to be registered as an elector who -

- (a) has been sentenced by a court in any part of the Commonwealth to death or to imprisonment (by whatever name called) for a term exceeding twelve months and has not been granted a free pardon:

Provided that if three years or more have elapsed since the termination of the imprisonment the person convicted shall not be disqualified from registration as an elector by reason only of such conviction; or

- (b) is certified to be insane or otherwise adjudged to be of unsound mind under any law for the time being in force in the Protectorate; or
- (c) is disqualified from registering as an elector or from voting under any law for the time being in force in the Protectorate relating to offences connected with elections.

(2) No person who is registered as a voter under the Local Government Ordinance, 1963, shall be entitled to be registered as an elector under this Part of these Regulations. **No. 16 of 1963.**

(3) No person shall be registered more than once under or in pursuance of this Part of these Regulations.

### **Preparation of registers.**

**15.** The Registration Officer shall, in 1971 and in every sixth year thereafter, on 1st January, or so soon thereafter as may be practicable, publish a notice in Form A in the Second Schedule to these Regulations requiring, within twenty-one days of the publication of such notice, all persons who desire and claim to be entitled to be registered, to deliver to the Registration Officer or an Assistant Registration Officer a notice of his claim in Form B in the said Second Schedule.

### **Notice of claim.**

**16.**-(1) Within the period of twenty-one days mentioned in regulation 15 of these Regulations, every person who desires, and is entitled, to be registered as an elector in any ward shall deliver or cause to be delivered to the Registration Officer or an Assistant Registration Officer for that ward, a notice in Form B in the said Second Schedule of his claim to be registered as an elector and shall produce such evidence as may be necessary to establish his claim to be so registered.

(2) The Registration Officer or an Assistant Registration Officer shall examine the qualifications in respect of which such claim is made and shall receive such evidence as may be necessary to prove to his satisfaction that the claimant possesses the qualifications in respect of which he claims to be an elector.

(3) In any case where the Registration Officer or Assistant Registration Officer, as the case may be, is satisfied that the claimant possesses the necessary qualifications, he shall register the claimant in the manner hereinafter provided, otherwise he shall disallow the claim.

### **List of electors.**

**17.** The Registration Officer shall, within the space of fourteen days from the last day upon which any notice of claim as provided in regulation 16(1) of these Regulations is allowed to be made, make out, or cause to be made out an alphabetical list for each ward in Form C in the said Second Schedule, of all persons who have under the said regulation 16(1) delivered notices of claims to be registered, and in his opinion are entitled to be registered as electors in that ward, and shall cause a copy of such list dated and signed by him or by an Assistant Registration Officer, to be published in such manner as appears to him to be adequate for the purpose of bringing the list to the attention of persons entitled to be so registered.

### **Procedure as to omissions and objections.**

**18.**-(1) Every person -

- (a) who delivered a notice of claim to be registered;
- (b) whose name has nevertheless been omitted from the list of electors; and
- (c) who claims to have his name registered therein,

shall within ten days after the publication of such list give notice in writing to the Registration Officer or an Assistant Registration Officer for that ward, in Form D in the said Second Schedule.

(2) Every person whose name appears in any such list may object to any other person whose name also appears therein as not being entitled to have his name retained therein by giving notice in writing, in Form E in the said Second Schedule, to the Registration Officer or an Assistant Registration Officer for the ward concerned, and to the person objected to, within ten days after publication of the list.

(3) If any notice as aforesaid is received, the Registration Officer or an Assistant Registration Officer shall, within seven days of the expiration of the aforesaid period of ten days, prepare and publish, or cause to be prepared and published, in each ward a list of all the claims and objections relating to the list of electors in that ward, and the names of the persons who have made the same.

## **Public inquiry and revision of lists.**

**19.**-(1) The Registration Officer shall, within seven days of the expiration of the period of ten days prescribed in regulation 18 of these Regulations, cause all the lists of electors to be handed over to the Revising Officer, together with any notice of claims and objections received in respect of the said lists.

(2) Where a Revising Officer has handed to him, with the lists of electors, any notices of claim or objection, he shall upon giving such notice as is prescribed by the proviso to regulation 20 (5) of these Regulations, proceed, within ten days of the receipt of the notices and lists aforesaid, to hold a public inquiry into all the claims and objections of which notice has been received, and to revise the said lists in accordance with the provisions of these Regulations.

## **Inquiry and revision procedure.**

**20.**-(1) The Revising Officer, upon consideration of the claims and objections, and any evidence made available thereon shall -

(a) insert in the appropriate list of electors the name of every person who is proved to his satisfaction to be entitled to have his name inserted therein; and

(b) strike out of any list of electors the name of every person who, upon the application of the objector, is proved to his satisfaction not to be entitled to have his name retained therein.

(2) If an objector does not appear either in person or by counsel, the objection shall be overruled and the name of the person objected to shall be retained on the list of electors unless such person agrees to his name being struck out, or it is otherwise proved that the person objected to is dead.

(3) A Revising Officer may, at or in respect of any inquiry under this Part of these Regulations -

(a) summons any person to appear at the inquiry;

(b) require any person at the inquiry to give such information as he may consider necessary for the due discharge of his duties; and

(c) take evidence on oath, and is for that purpose hereby authorised to administer oaths.

(4) Every Revising Officer shall, in accordance with the provisions of these Regulations, determine all claims in respect of any objections to the list of electors and shall write his initials against every name struck out of a list and against any mistake or omission corrected, and shall sign his name to every page of each list when the same is finally settled.

(5) The Revising Officer may, subject to the provisions of regulations 19(2) and 21(1) of these Regulations, hold the public inquiry at such places within the electoral district, and at such times as he thinks fit, and may likewise adjourn the inquiry from place to place and time to time:

Provided that the Revising Officer shall, in such manner as he may consider appropriate, give not less than six days' notice of the places and times at which the inquiry is to be held.

(6) If the Revising Officer is of the opinion that the objection or claim of any person is without foundation or is frivolous, he may order such person to pay such sum as appears to him to represent the actual costs of the inquiry (including the costs of witnesses) attributable to the objection or claim, and such order shall be deemed to be an order of a Magistrate's Court and may be executed on the application of a Registration Officer or an Assistant Registration Officer in any manner authorised by law for the execution of orders, judgments or decrees of competent courts in the Protectorate.

### **Settlement of lists of electors.**

**21.**-(1) The lists of electors shall be finally settled and signed by the Revising Officer and then delivered by him to the Registration Officer within seven days of -

(a) the commencement of the public inquiry, where notices of claims or objections have been received; or

(b) the date of the receipt by the Revising Officer of the lists of electors, where no notices of claims or objections have been received.

(2) The Registration Officer shall thereupon cause the names on each list to be fairly and truly recorded, ward by ward, in alphabetical order in a book to be provided by him for that purpose, with every name therein numbered, beginning to number from the first name and continuing in a regular series to the last name, and shall cause such recording to be completed within ten days after the delivery to him of such revised lists by the Revising Officer.

### **Register of electors and annual revision.**

**22.**-(1) The register of electors prepared and revised under the Electoral Provisions (Legislative Council) Regulations, 1964, and the book or books in which the revised lists for the several wards are copied in pursuance of the provisions of these Regulations, shall be the register of electors and shall, subject to any deletions or additions made under paragraphs (2) and (3) of this regulation, remain in force until the next register of electors has been completed and shall be *prima facie* evidence for the purpose of determining whether or not a person is entitled to vote at an election: **L.N. 103/64 p. 219.**

Provided that nothing in this regulation shall entitle any person to vote at any election if he is not qualified or is disqualified from so voting by any law for the time being in force in the Protectorate.

(2) Every Registration Officer shall, in 1967 and every subsequent year, other than a year in which he is required to act under regulation 15 of these Regulations, on the first day of January, or so soon thereafter as may be practicable -

(a) in the manner prescribed by regulation 15 of these Regulations, invite any person whose name is not on the register and who desires and claims that he is entitled to be registered as an elector to give notice of his claim; and

(b) if he is satisfied that any person has died, become disqualified or is not qualified, strike off from the register of electors the name of that person.

(3) Where the Registration Officer is satisfied that any person claiming under paragraph (2) (a) of this regulation is eligible to have his name entered on the register of electors, he shall enter the name of such person on the register.

(4) The Registration Officer shall publish annually, in such manner as may seem appropriate to him, a list showing the names so entered or struck off the register of electors.

### **PART III - DIRECT ELECTIONS**

#### **High Commissioner to appoint date for election.**

**23.** Whenever a direct election for a member of the Legislative Council becomes necessary the High Commissioner, shall, by notice, appoint a date for the holding of the election not being earlier than forty-two days after the publication of such notice.

#### **Notice of election.**

**24.**-(1) The Returning Officer shall, within seven days of the publication of a notice under regulation 23 of these Regulations, publish in an appropriate manner in each ward of the electoral district a notice stating -

(a) the date, place, and time of the election;

(b) the date, place and time at which nomination papers are to be delivered to him, which time shall not be later than twenty-eight days before the date appointed for the election;

(c) the place at and the time within which a list of the candidates nominated will be published in pursuance of the provisions of regulation 27 of these Regulations; and

(d) the place at and the time within which a candidate may withdraw his candidature by delivering notice to an Assistant Returning Officer under regulation 28 of these Regulations.

(2) More than one place may be appointed for the delivery of nomination papers and any place may be so appointed whether within or without the electoral district.

#### **Nominations of candidates.**

**25.**-(1) Every person submitting himself for election, hereinafter referred to as a candidate, shall be nominated in writing by three electors in the electoral district for which he is a candidate, and no candidate may be nominated for more than one electoral district.

(2) The writing shall be subscribed by the candidate, and by the persons nominating him, in the form set forth in the Third Schedule to these Regulations and the nomination form shall contain the following particulars -

(a) the full name, and the address and description of the candidate;

(b) the full names, and the addresses and descriptions of the nominators of the candidate; and



(c) a certification by the candidate that he is willing and qualified to stand for election.

(3) The Returning Officer shall provide nomination papers and shall at the request of any elector, the candidate and all his nominators being present, complete any such nomination paper on such elector's behalf.

(4) No elector shall nominate more than one candidate, and where any elector purports to nominate more than one candidate, only his subscription of the first nomination paper delivered in accordance with the provisions of this regulation and so subscribed shall, subject to the provisions of these Regulations, be valid and his subscription on every other nomination paper shall be null and void.

(5) Each candidate, or one of the persons nominating him, shall deliver his nomination paper subscribed as hereinbefore provided to the Returning Officer not later than the time specified under regulation 24 (1) (b) of these Regulations.

### **Validity of nominations.**

**26.**-(1) When any nomination paper is delivered to the Returning Officer the candidate shall be deemed to stand nominated unless and until the Returning Officer decides that the nomination paper is invalid or proof is given to the satisfaction of the Returning Officer of the death of the candidate or if the candidate withdraws in accordance with regulation 28 of these Regulations.

(2) The Returning Officer shall not be entitled to hold the nomination paper invalid except on one or more of the following grounds -

(a) that it is not in the form in the Third Schedule to these Regulations; or that such form has not been properly completed; or

(b) that the paper is not signed as required by law; or

(c) that the nominators of the candidate or one or any of them are not persons whose names appear on the register of electors in respect of the appropriate electoral district; or

(d) that the candidate already stands nominated for another electoral district.

(3) The Returning Officer's decision that the candidate has been validly nominated shall be final and shall not be questioned in any legal proceedings except on an election petition.

(4) Whenever the Returning Officer decides that a candidate has not been validly nominated he shall endorse and sign on the nomination paper his decision and the reasons therefor, and such decision shall not be subject to review except on an election petition.

(5) In any case where the Returning Officer holds a nomination paper to be invalid under these Regulations, he shall as soon as practicable communicate his decision to the candidate or any of his nominators.

(6) A candidate whose first nomination paper is or may be invalid shall be permitted to submit a second nomination paper within the time allowed for delivery of nomination papers under regulation 24(1)(b) of these Regulations.

### **List of candidates to be published.**

**27.** The Returning Officer shall within forty-eight hours of the expiry of the time allowed for delivery of nomination papers under regulation 24(1)(b) of these Regulations, cause to be published at such place within the electoral district as he considers expedient, being the place of which notice has been given under regulation 24(1)(c) of these Regulations, and in such manner as he may deem appropriate, a list containing the full names, and the addresses and descriptions of the candidates for that electoral district and of the persons by whom they were nominated.

### **Withdrawal of candidates.**

**28.** Any candidate may withdraw his candidature by notice in writing signed and delivered by him to an Assistant Returning Officer at the place at which the list of candidates was published under the preceding regulation, or to the Returning Officer, in either case within seventy-two hours of the expiry of the time allowed for delivery of nomination papers under regulation 24(1)(b) of these Regulations:

Provided that -

(i) subject to paragraphs (ii) and (iii) of this proviso such notices of withdrawal shall take effect at the time at which they are received;

(ii) no such notice shall have effect so as to reduce the number of candidates in any electoral district below one;

(iii) where two or more notices of withdrawal are delivered at the same time, or if it is not possible to determine the order in time in which such notices were delivered, and in either case such notices would have the effect of reducing the number of candidates in any electoral district below one, none of such notices shall have effect.

### **Unopposed candidates.**

**29.** Where there is only one candidate in any electoral district, the Returning Officer shall, on the day appointed for the election, declare such candidate to have been elected and shall report the result of the election to the High Commissioner

### **Death of candidates.**

**30.-(1)** Where, after the expiration of the time allowed for the delivery of nomination papers by regulation 25(5) of these Regulations, and before the commencement of the voting, a candidate dies, the Returning Officer shall, upon being satisfied of the fact of death, countermand the election in respect of the electoral district for which the deceased was a candidate, and report his action to the High Commissioner.

(2) Upon receipt of a report under the preceding paragraph, the High Commissioner in his discretion shall appoint some other convenient day or days for the election and the electoral procedure shall be commenced *de novo*:

Provided that no new nomination shall be required in respect of a candidate who, at the time of the countermand of the election, had been properly nominated in accordance with the provisions of regulation 25 of these Regulations.

## **Notice of election.**

**31.** In the case of a contested election, the Returning Officer shall on or before the seventh day next before the day of the election give notice thereof in such manner as he may think fit, specifying -

- (a) the day and the hours fixed for voting;
- (b) the full name, and the address and description of each candidate;
- (c) the full names, and the addresses and descriptions of the persons who nominated each candidate; and
- (d) the situation of each polling station and a statement of the persons entitled to vote thereat.

## **Arrangements for elections.**

**32.** The Returning Officer shall -

- (a) provide a sufficient number of polling stations in the electoral district and, in accordance with the terms of any notice given under regulation 31 of these Regulations, allot the electors within the electoral district to the polling stations in such manner as seems to him most convenient;
- (b) appoint, in respect of the electoral district such persons as he may think fit to assist at the voting in the election, and such persons shall be known as polling assistants;
- (c) appoint from amongst such polling assistants a person to be in charge of each polling station to be known as the presiding officer;
- (d) furnish each polling station with a compartment in which electors can, screened from observation, record their votes;
- (e) provide each presiding officer with such number of ballot papers having counterfoils with corresponding numbers as in the opinion of the Returning Officer may be necessary;
- (f) provide each polling station with instruments for making an official mark on the ballot papers, and with copies of the register of voters for the electoral district, or such part thereof as contains the names of the voters allotted to vote at the polling station;
- (g) allot and cause to be published in such place and manner, within the electoral district, as he may deem fit, a symbol and colour to each candidate nominated in accordance with the provisions of regulation 25 of these Regulations; and
- (h) do such other acts and things as may be necessary for conducting the election in the manner provided in these Regulations.

## **Polling agents.**

**33.**-(1) Each candidate may, in respect of each polling station within the electoral district for which he is a candidate, appoint two persons, hereinafter referred to as polling agents, to attend at that polling station for the purpose of detecting personation.

(2) Notice in writing of the appointments, stating the names and addresses of the polling agents, together with the polling stations to which they have been assigned, shall be given by the candidate to the Returning Officer not later than four days before the day fixed for the election.

(3) If any polling agent dies or becomes incapable of acting as such, the candidate may appoint another polling agent in his place, and shall forthwith give to the Returning Officer notice in writing of the name and address of the polling agent so appointed.

#### **Symbols and colours to be marked on ballot boxes.**

**34.**-(1) The presiding officer shall cause to be placed in the polling: station, ballot boxes equivalent in number to the persons nominated for election. Each such ballot box shall be clearly marked with the candidate's name and with the symbol and colour allotted in accordance with regulation 32(g) of these Regulations, and shall be shown to the electors present to be so marked before being placed in the polling station and before any voting commences. When in use for voting the ballot boxes shall be screened from observation by all persons other than the elector casting his vote and shall be so constructed that the ballot papers can be put therein by the elector but cannot by him be withdrawn.

(2) Immediately before the commencement of the voting, the presiding officer at the polling station shall show the ballot boxes empty to the electors present so that they may see that they are empty and shall then close and seal the boxes in such manner as to prevent them being opened without breaking the seal.

#### **Hours of voting.**

**35.**-(1) The High Commissioner may by notice specify the hours of voting generally or in relation to any electoral district:

Provided that the power conferred by this paragraph shall not be exercised in relation to any electoral district at any time between the dates appointed in relation to that electoral district for the delivery of nomination papers and for holding the election.

(2) Except where the High Commissioner otherwise specifies under this regulation, the hours of voting shall, in the Honiara Electoral District, be from eight o'clock in the forenoon until five o'clock in the afternoon, and in all other electoral districts, be from seven o'clock in the forenoon until three o'clock in the afternoon.

#### **Method of voting.**

**36.** The voting at an election shall be conducted in the following manner -

(a) Every elector desiring to record his vote shall present himself to a polling assistant at the polling station at which he is entitled to vote, and the polling assistant, after satisfying himself that the name of such elector appears on the copy of the register of electors, or part thereof provided for that polling station, and that he has not already voted, shall deliver to him a ballot paper.

(b) Immediately before the polling assistant delivers a ballot paper to an elector-

- (i) the ballot paper shall be marked on both sides with an official mark;
- (ii) the number, name, address and description of the elector as stated in the copy of the register of electors, or part thereof, shall be called out;
- (iii) the number of the elector in the register of electors shall be marked on the counterfoil; and
- (iv) a mark shall be placed against the number of the elector in the copy of the register of electors, or part thereof, to denote that a ballot paper has been received, but without showing the number of the ballot paper which has been received.

(c) A polling assistant may, and if required by a candidate or a polling agent shall, put to any person applying for a ballot paper at the time of his application, but not afterwards, the following questions or either of them -

- (i) Are you the person whose name is on the register of electors as follows (reading the copy of the entry in the register)?
- (ii) Have you already voted at the present election at this or any other polling station?

(d) An elector on receiving a ballot paper, shall go immediately into the screened compartment in the polling station, and shall there secretly record his vote by placing his ballot paper in the ballot box of his choice.

(e) An elector shall not vote for more candidates than one nor record more than one vote in favour of any candidate nor place on the ballot paper any writing or mark by which he may be identified.

(f) An elector who has accidentally dealt with his ballot paper in such a manner that it cannot be conveniently used as a valid ballot paper may, on delivering such ballot paper to the presiding officer and after satisfying the presiding officer that the ballot paper has been spoilt by accident, obtain another ballot paper in the place of the paper so delivered up, and the spoilt ballot paper shall be immediately cancelled.

(g) If an elector by reason of blindness or other physical disability, is unable to cast his vote, he shall call the presiding officer aside and tell him, no other person being present or within hearing, the name of the candidate for whom he wishes to vote and the presiding officer shall record the elector's vote by placing the elector's ballot paper in the ballot box of the candidate for whom the elector wishes to vote.

#### **Admission of persons to polling station.**

**37.-(1)** No person shall be permitted to vote at any polling station other than the one allotted to him under the provisions of regulation 32(a) of these Regulations.

(2) The presiding officer shall regulate the admission of electors to the polling station, and shall exclude all other persons except the Returning Officer, Assistant Returning Officers,

candidates, polling agents, polling assistants, police officers on duty, and any other person who in his opinion has lawful reason to be admitted.

### **Personation.**

**38.**-(1) If at the time a person applies for a ballot paper, or after he has so applied and before he has left the polling station, a polling agent declares to the presiding officer that he has reasonable cause to believe that the applicant has committed an offence of personation and undertakes to substantiate the charge in a court of law, the presiding officer may order a police officer to arrest such person, and the order of the presiding officer shall be sufficient authority for the police officer so to do.

(2) A person in respect of whom a polling agent makes a declaration in accordance with the provisions of paragraph (1) of this regulation shall not, by reason thereof, be prevented from voting, but the presiding officer shall cause the words "Protested against for personation" to be placed against his name in the marked copy of the register of electors or portion thereof, and shall record the fact on a list to be called the protested votes list:

Provided that where a person in respect of whom such declaration is made, admits to the presiding officer that he is not the person he held himself out to be, he shall not be permitted to vote if he has not already done so, and if he has already voted the ballot paper shall be invalid and the presiding officer shall record the fact and the number of the ballot paper on a list to be called the invalidated votes list, and such list shall be admissible in any legal proceedings arising out of the election.

(3) A person arrested under the provisions of this regulation shall be dealt with in accordance with the provisions of the Criminal Procedure Code relating to the arrest and taking into custody of persons without a warrant. **Cap. 11.**

### **Tendered ballot papers.**

**39.** If a person representing himself to be an elector named in the register of electors applies for a ballot paper after another person has voted as such elector, the applicant shall, upon giving satisfactory answers to the questions set out in regulation 36(c) of these Regulations, be entitled to receive a ballot paper in the same manner as any other elector but such ballot paper, hereinafter called a tendered ballot paper, shall be of a colour different from the ordinary ballot papers, and instead of being put into the ballot box, shall be given to the presiding officer and endorsed by him with the name of the elector and his number in the register of electors; the elector shall then write the name of the candidate of his choice in the ballot paper or call the presiding officer aside and tell him, no other person being present or within hearing, the name of the candidate for whom he wishes to vote and the presiding officer shall record the elector's vote by writing the name of the candidate chosen by the elector in the ballot paper, and in either case the ballot paper shall then be set aside in a separate packet and not counted by the Returning Officer as hereinafter provided; and the name of the elector and his number on the register of electors shall be entered on a list to be called the tendered votes list, and this list shall be admissible in any legal proceedings arising out of the election.

### **Conduct in polling station.**

**40.**-(1) The presiding officer shall keep order at the polling station.

(2) If any person misconducts himself in a polling station, or fails to obey any lawful order of the presiding officer, he may, by order of the presiding officer, be removed from the polling station by any police officer, or by any other person authorised by the presiding officer in that behalf; and the person so removed shall not, without the permission of the presiding officer, again enter the polling station during the day of the election:

Provided that the provisions of this regulation shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of so voting.

(3) Any offence against these Regulations which is committed within a polling station shall be deemed to be a cognisable offence within the meaning and for all the purposes of the Criminal Procedure Code. **Cap. 11.**

### **Presiding officer's duties at close of voting.**

**41.**-(1) As soon as practicable after the termination of the voting the presiding officer shall, in the presence of the polling agents, make up into separate packets, each sealed with his own seal -

- (a) each ballot box in use at his polling station, unopened and sealed so as to prevent the introduction of additional ballot papers;
- (b) unused and spoilt ballot papers, placed together;
- (c) tendered ballot papers;
- (d) the marked copies of the register of electors;
- (e) the counterfoils of the used ballot papers;
- (f) the tendered votes list;
- (g) the invalidated votes list; and
- (h) the protested votes list,

and shall deliver the packets to the Returning Officer, or to an Assistant Returning Officer who shall deliver them to the Returning Officer.

(2) The packets shall be accompanied by a statement to be called the ballot papers account, prepared by the presiding officer, showing the number of ballot papers entrusted to him and accounting for them under the following heads -

- (a) number of spoilt ballot papers;
- (b) number of unused ballot papers; and
- (c) number of tendered ballot papers.

### **Counting agents.**

**42.**-(1) Each candidate may appoint one person, hereinafter referred to as a counting agent, to attend at the counting of votes.

(2) Notice in writing of the appointment, stating the name and address of the counting agent, shall be given by the candidate to the Returning Officer not later than two days before the day of the election and the Returning Officer may refuse to admit to the place where the votes are counted any person purporting to be a counting agent in respect of whom such notice has not been given.

(3) If a counting agent dies or becomes incapable of acting as such, the candidate may appoint another counting agent in his place, and shall immediately give to the Returning Officer notice in writing of the name and address of the counting agent so appointed.

### **Counting of votes.**

**43.** The Returning Officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after termination of the voting and shall, so far as is practicable, proceed continuously with the counting, allowing only reasonable time for refreshment, until it is complete.

### **Persons who may be present.**

**44.** Except with the consent of the Returning Officer, no person other than the Returning Officer, an Assistant Returning Officer, the candidates and their counting agents may be present at the counting of votes.

### **Method of counting votes.**

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

### **Handling of ballot papers.**

**46.** The Returning Officer and any Assistant Returning Officers assisting the Returning Officer, while counting and recording the number of ballot papers, shall keep the ballot papers with their faces downwards and take all precautions for preventing any person from seeing the numbers printed on the fronts of the papers.

### **Votes not to be counted.**

**47.** Any ballot paper -

(a) which does not bear an official mark; or

(b) on which anything is written or marked by which an elector can be identified other than the printed number,

shall not be counted.

### **Endorsement by Returning Officer.**



**48.**-(1) The Returning Officer shall endorse the word "Rejected" on any ballot paper which, under the provisions of regulation 47 of these Regulations, is not to be counted.

(2) The Returning Officer shall in either case add to the endorsement the words "rejection objected to" if an objection to his decision is made by any counting agent.

### **Rejected ballot papers.**

**49.** The Returning Officer shall prepare a statement showing the number of ballot papers rejected under the following heads:-

(a) want of official mark;

(b) writing or mark by which the elector could be identified, and shall on request allow any counting agent to copy the statement.

### **Returning Officer's decision final.**

**50.** The decision of the Returning Officer as to any question arising in respect of any ballot paper shall be final, and shall be subject to review only on an election petition questioning the election.

### **Returning Officer's duties at conclusion of counting.**

**51.** Upon the conclusion of the counting of the votes the Returning Officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or the sealed packet containing the marked copy of the register of electors or the sealed packet containing the counterfoils of used ballot papers but shall proceed, in the presence of the counting agents, to verify the ballot paper account given by each presiding officer by comparing it with the number of ballot papers recorded in accordance with regulation 45 of these Regulations, the number of rejected ballot papers shown in the statement prepared in pursuance of regulation 49 of these Regulations, the unused and spoilt papers in his possession, the tendered votes list and the invalidated votes list, and shall seal each packet after examination. The Returning Officer shall prepare a statement as to the result of the verification and shall on request allow any counting agent to copy such statement.

### **Declaration of result.**

**52.** When the result of the election has been ascertained, the Returning Officer shall forthwith declare to be elected the candidate for whom the majority of votes has been cast.

### **Equality of votes.**

**53.** When an equality of votes is found to exist between any candidates so that the addition of a vote would entitle any of them to be declared elected, the Returning Officer shall make a recount of the votes cast. If there is again an equality of votes, as ascertained by such recount, the Returning Officer shall report the fact to the High Commissioner which shall order that another election shall be held for that electoral district on such day as he shall, in his discretion, determine.

### **Notification to successful candidate and publication of result.**

**54.-(1)** At the conclusion of the election the Returning Officer shall -

(a) notify the successful candidate in writing; and

(b) notify the High Commissioner of the result.

**(2)** The High Commissioner shall -

(a) cause the result to be published locally in such manner as to him may seem appropriate; and

(b) cause the result to be published as soon as may be in the Gazette.

#### **Custody of documents, etc.**

**55.-(1)** The Returning Officer shall ensure the safe custody of all documents relating to the conduct of the election.

**(2)** The Returning Officer shall cause all such documents to be destroyed after the expiration of six months from the date of the election unless otherwise directed by an order of the Court.

#### **Powers of polling assistants.**

**56.** A polling assistant may be authorised by a presiding officer to do any act which the presiding officer is required or authorised to do at a polling station by these Regulations, except that he may not order the arrest of any person, or the exclusion or removal of any person from the polling station.

#### **Candidate has power of his agent.**

**57.** A candidate may do any act or thing which his agent would have been authorised or required to do, and may assist his agent in the doing of any such act or thing.

#### **Non-attendance of agents not to invalidate proceedings.**

**58.** Where in these Regulations any act or thing is required or authorised to be done in the presence of the agents of the candidates, the non-attendance of any agent or agents at the time and the place appointed for the purpose shall not, if that act or thing is otherwise properly done, invalidate the act or thing done.

#### **Remuneration of Officers and polling assistants.**

**59.** The Returning Officer, Assistant Returning Officers and polling assistants shall receive such reasonable remuneration for their services as the High Commissioner in his discretion may see fit to authorise.

### **PART IV - INDIRECT ELECTIONS**

#### **Electoral colleges.**

**60.** For the purposes of electing a member to the Legislative Council for an electoral district in which the High Commissioner has authorised an indirect election to be held, there shall be

established in such electoral district an electoral college constituted in accordance with the provisions of this Part of these Regulations.

### **Composition of electoral colleges.**

**61.-(1)** The electoral college of the North Malaita Electoral District shall consist of seven members who shall be the members of the Malaita Council elected to represent the wards numbered 6 to 12 inclusive in the Schedule to the Malaita Council (Constitution of Wards) Order, 1964. **L.N. 6/64 p.15.**

(2) The electoral college for the North East Malaita Electoral District shall consist of ten members as follows:

(a) the seven members of the Malaita Council elected to represent the wards numbered 5 and 13 to 18 inclusive in the Schedule to the Malaita Council (Constitution of Wards) Order, 1964;

(b) one member elected by the Luaniua Council;

(c) one member elected by the Pelau Council; and

(d) one member elected by the Sikaiana Council.

(3) The electoral college for the North Central Malaita Electoral District shall consist of seven members who shall be the members of the Malaita Council elected to represent the wards numbered 1 to 4 and 19 to 21 inclusive, in the Schedule to the Malaita Council (Constitution of Wards) Order, 1964.

(4) The electoral college for the Central Malaita Electoral District shall consist of nine members who shall be the members of the Malaita Council elected to represent the wards numbered 22 to 24 and 33 to 38 inclusive, in the Schedule to the Malaita Council (Constitution of Wards) Order, 1964.

(5) The electoral college for the South Malaita Electoral District shall consist of eight members who shall be the members of the Malaita Council elected to represent the wards numbered 25 to 32 inclusive, in the Schedule to the Malaita Council (Constitution of Wards) Order, 1964.

(6) The electoral college for the North Guadalcanal Electoral District shall consist of ten members who shall be the members of the Guadalcanal Council elected to represent the wards numbered 1 to 2, and 12 to 19 inclusive, in the Schedule to the Guadalcanal Council (Constitution of Wards) Order, 1964. **L.N. 5/64 p. 7.**

(7) The electoral college for the South Guadalcanal Electoral District shall consist of nine members who shall be the members of the Guadalcanal Council elected to represent the wards numbered 3 to 11 inclusive, in the Schedule to the Guadalcanal (Constitution of Wards) Order, 1964.

(8) The electoral college for the Ysabel-Russells Electoral District shall consist of sixteen members as follows:

(a) the fourteen members of the Santa Ysabel Council; and

(b) two members elected by the Russell Islands Council.

(9) The electoral college for the Central Solomons Electoral District shall consist of fifteen members as follows:

(a) the eight members of the Gela Council;

(b) three members elected by the Savo Council; and

(c) four members elected by the Munggaba-Mungiki Council.

(10) The electoral college for the North Western Solomons Electoral District shall consist of twenty members as follows:

(a) three members elected by the Shortlands Council;

(b) twelve members elected by the Choiseul Council; and

(c) five members elected by the Vella Lavella Council from among those members elected to represent wards 10 to 19 inclusive in the Schedule to the Vella Lavella (Constitution of Wards) Order, 1964. **L.N.33/64 p.73.**

(11) The electoral college for the New Georgia Electoral District shall consist of twenty-one members as follows:

(a) six members elected by the Marovo Council; and

(b) eight members elected by the Roviana Council; and

(c) seven members elected by the Vella Lavella Council from among those members elected to represent the wards 1 to 9 and 20 to 22 inclusive, in the Schedule to the Vella Lavella (Constitution of Wards) Order, 1964.

(12) The electoral college for the Makira Electoral District shall consist of eighteen members as follows:

(a) fifteen members elected by the Makira Council; and

(b) three members elected by the Ulawa Council.

(13) The electoral college for the Eastern Outer Islands Electoral District shall consist of thirty-three members as follows:

(a) ten members elected by the Santa Cruz Council;

(b) the fifteen members of the Reef Islands Council;

(c) one member elected by the Utupua Council;

(d) one member elected by the Vanikoro Council;

(e) the four chiefs in the Island of Tikopia or their representatives nominated in writing; and

(f) the two chiefs in the Island of Anuta or their representatives nominated in writing.

(14) Where any member of an electoral college is by this regulation required to be elected by any Council, he shall be elected in accordance with the provisions of this Part of these Regulations.

(15) Subject to the provisions of regulation 88 of these Regulations (which relates to the quorum of electoral colleges) the constitution of an electoral college and the validity of its proceedings shall not be affected by any vacancy in its membership or in the membership of any Council.

### **High Commissioner to appoint date for election.**

**62.** Whenever an indirect election for a member of the Legislative Council becomes necessary, the High Commissioner shall, by notice appoint a date for the holding of the election not being earlier than fifty-two days after the publication of such notice.

### **Notice of election.**

**63.-(1)** The Returning Officer shall, within seven days of the publication of a notice under regulation 62 of these Regulations publish in such manner as he may consider appropriate a notice stating -

(a) the date, place and time of the election;

(b) the date, place and time at which nomination papers are to be delivered to him, which time shall not be later than twenty-eight days before the date appointed for the election;

(c) the place at and the time within which a list of the candidates nominated will be published in pursuance of the provisions of regulation 66 of these Regulations; and

(d) the place at and the time within which a candidate may withdraw his candidature by delivering notice to an Assistant Returning Officer under regulation 67 of these Regulations.

(2) Any place may be appointed for the election, whether within or without the electoral district concerned.

(3) More than one place may be appointed for the delivery of nomination papers and any place may be so appointed, whether within or without the electoral district.

### **Nomination for candidates.**

**64.-(1)** Every person submitting himself for election, hereinafter referred to as a candidate, shall be nominated in writing by three persons entitled to be registered as voters under the Local Government (Registration of Voters) Regulations, 1963, in any ward within the electoral district for which the candidate seeks to be returned. **L.N. 75/63 p.253.**

(2) No candidate may be nominated for more than one electoral district.

(3) The writing shall be subscribed by the candidate, and by the persons nominating him, in the form set forth in the Third Schedule to these Regulations and the nomination form shall contain the following particulars:-

(a) the full name, and the address and description of the candidate;

(b) the full names, and the addresses and descriptions of the nominators of the candidate; and

(c) a certification by the candidate that he is willing and qualified to stand for election.

(4) The Returning Officer shall provide nomination papers and shall at the request of any nominator, the candidate and all his nominators being present, complete any such nomination paper on such nominator's behalf.

(5) No person shall nominate more than one candidate, and where any person purports to nominate more than one candidate, only his subscription of the first nomination paper delivered in accordance with the provisions of this regulation and so subscribed shall, subject to the provisions of these Regulations, be valid and his subscription on every other nomination paper shall be null and void.

(6) Each candidate, or one of the persons nominating him, shall deliver his nomination paper subscribed as hereinbefore provided to the Returning Officer not later than the time specified under regulation 63 (1) (b) of these Regulations.

#### **Validity of nominations.**

**65.**-(1) When any nomination paper is delivered to the Returning Officer the candidate shall be deemed to stand nominated unless and until the Returning Officer decides that the nomination paper is invalid or proof is given to the satisfaction of the Returning Officer of the death of the candidate or if the candidate withdraws in accordance with regulation 67 of these Regulations.

(2) The Returning Officer shall not be entitled to hold the nomination paper invalid except on one or more of the following grounds -

(a) that it is not in the form in the Third Schedule to these Regulations or that such form has not been properly completed; or

(b) that the paper is not signed as required by law; or

(c) that the nominators of the candidate or one or any of them are not persons entitled to be registered as voters under the Local Government (Registration of Voters) Regulations, 1963, in any ward within the electoral district in respect of which the nomination paper is submitted; or

(d) that the candidate already stands nominated for another electoral district.**L.N.75/63 p. 253.**

(3) The Returning Officer's decision that the candidate has been validly nominated shall be final and shall not be questioned in any legal proceedings except on an election petition.

(4) Whenever the Returning Officer decides that a candidate has not been validly nominated he shall endorse and sign on the nomination paper his decision and the reasons therefor, and such decision shall not be subject to review except on an election petition.

(5) In any case where the Returning Officer holds a nomination paper to be invalid under these Regulations, he shall as soon as practicable communicate his decision to the candidate or any of his nominators.

(6) A candidate whose first nomination paper is or may be invalid shall be permitted to submit a second nomination paper within the time allowed for delivery of nomination papers under regulation 63 (1) (b) of these Regulations.

#### **List of candidates to be published.**

66. The Returning Officer shall within forty-eight hours of the expiry of the time allowed for delivery of nomination papers under regulation 63 (1) (b) of these Regulations, cause to be published at such place within the electoral district as he considers expedient, being the place of which notice has been given under regulation 63 (1) (c) of these Regulations, and in such manner as he may deem appropriate, a list containing the full names, and the addresses and descriptions of the candidates for that electoral district and of the persons by whom they were nominated.

#### **Withdrawal of candidature.**

67. Any candidate may withdraw his candidature by notice in writing signed and delivered by him to an Assistant Returning Officer at the place at which the list of candidates was published under the preceding regulation, or to the Returning Officer, in either case within seventy-two hours of the expiry of the time allowed for delivery of nomination papers under regulation 63 (1) (b) of these Regulations:

Provided that -

(i) subject to paragraphs (ii) and (iii) of this proviso, such notices of withdrawal shall take effect at the time at which they are received;

(ii) no such notice shall have effect so as to reduce the number of candidates in any electoral district below one;

(iii) where two or more notices of withdrawal are delivered at the same time, or if it is not possible to determine the order in time in which such notices were delivered, and in either case such notices would have the effect of reducing the number of candidates in any electoral district below one, none of such notices shall have effect.

#### **Unopposed candidates.**

68. Where there is only one candidate in any electoral district, the Returning Officer shall, on the day appointed for the election, declare such candidate to have been elected and shall report the result of the election to the High Commissioner.

#### **Death of candidates.**

69.-(1) Where, after the expiration of the time allowed for the delivery of nomination papers by regulation 64 (6) of these Regulations, and before the commencement of the voting, a

candidate dies, the Returning Officer shall, upon being satisfied of the fact of death, countermand the election in respect of the electoral district for which the deceased was a candidate, and report his action to the High Commissioner.

(2) Upon receipt of a report under the preceding paragraph, the High Commissioner in his discretion shall appoint some other convenient day or days for the election and the electoral procedure shall be commenced *de novo*:

Provided that no new nomination shall be required in respect of a candidate who, at the time of the countermand of the election, had been properly nominated in accordance with the provisions of regulation 65 of these Regulations.

#### **Council to meet.**

**70.** The Returning Officer shall, within seven days of the publication of a notice under regulation 62 of these Regulations, require the President of each Council within the electoral district to summon a meeting of the Council within thirty days of the publication of the notice aforesaid for the purpose of the election of members to the electoral college:

Provided that where under regulation 61 it is provided that all the members of any Council or certain specified members of any Council shall be members of the electoral college, no such meeting of the Council shall be summoned.

#### **Conduct of the election.**

**71.**-(1) The Returning Officer shall appoint a Supervising Officer in respect of each Council entitled to elect members to the electoral college, who shall, subject to the directions of the Returning Officer, preside over each meeting of a Council held in accordance with regulation 70 of these Regulations and shall regulate the proceedings thereof but shall have no vote.

(2) The Returning Officer may at any time constitute himself the Supervising Officer.

#### **Candidature.**

**72.**-(1) At each meeting of a Council held under the provisions of regulation 70 of these Regulations, every member of the Council shall be deemed to be a candidate for election to the electoral college for the electoral district in which that Council is situate unless he shall declare himself at the meeting of the Council at which the election takes place that he does not wish to stand as a candidate.

(2) The Council shall thereupon proceed to the election of such number of its members to be members of the electoral college as is specified in relation to that Council by regulation 61 of these Regulations.

#### **Election to be by secret ballot.**

**73.** All elections shall be by secret ballot.

#### **Duties of the Supervising Officer.**

**74.** The Supervising Officer at an election shall do all things necessary under these Regulations for the proper conduct of the election.



**List of candidates.**

**75.** Every ballot paper shall contain a list of the full names of all the members of the Council save those who have withdrawn from the election in pursuance of regulation 72(1) of these Regulations:

Provided that nothing in this regulation shall operate to deprive any member who has so withdrawn, of his right to vote at the election.

**Number of ballot papers.**

**76.**-(1) Subject to paragraph (2) of this regulation the number of ballot papers shall be equal to the number of members of the Council who are present at the meeting at which the election is held, and such ballot papers shall be numbered consecutively and the Supervising Officer shall keep a list showing the number of the ballot paper issued to each member.

(2) A member who has accidentally dealt with his ballot paper in such a manner that it cannot conveniently be used as a valid ballot paper may, on delivering such ballot paper to the Supervising Officer and after satisfying the Supervising Officer that the ballot paper has been spoiled by accident, obtain another ballot paper in the place of the ballot paper so delivered up, and the spoiled ballot paper shall be immediately cancelled.

**Ballot boxes.**

**77.** Every ballot box shall be so constructed that the ballot papers can be placed therein but cannot be withdrawn save as provided in regulation 79 of these Regulations.

**Voting.**

**78.**-(1) Each member of the Council on receiving his ballot paper shall proceed to a place screened from observation which shall be provided by the Supervising Officer and there mark his paper with a cross against the name of each candidate preferred by him up to the number of members to be elected to the electoral college as prescribed in regulation 61 of these Regulations, and no more. The member shall make no other mark or writing on his ballot paper and shall, in the presence of the members of the Council, place it in the ballot box.

(2) If a member, by reason of blindness, or other disability, is unable to cast his vote, he shall call the Supervising Officer aside and tell him, no other person being present or within hearing, the name of each candidate for whom he wishes to vote and the Supervising Officer shall record the member's vote by marking a cross against the name of each candidate for whom the member wishes to vote.

**Counting of votes.**

**79.** After the voting is completed the Supervising Officer shall in the presence of the Council open the ballot box, extract the ballot papers and count the votes in such manner as to preserve the secrecy of the vote of each member.

**Votes not to be counted.**

**80.** A ballot paper which is filled up or otherwise dealt with in a manner contrary to the provisions of these Regulations shall be invalid and no vote thereon shall be counted.

### **Announcement of result.**

**81.** When the count is completed the Supervising Officer shall forthwith announce the names of the candidates for whom the greatest number of votes has been given and shall declare such candidates to have been elected to the electoral college.

### **Equality of votes.**

**82.** If an equality of votes is found to exist between two or more candidates so that the addition of a vote to one or more of them to be declared elected, the Council shall vote again in the manner provided in these Regulations for such two or more candidates and the candidate or candidates with the majority of votes shall be declared duly elected to the vacancy or vacancies then remaining to be filled. In the event of a further equality of votes between those candidates, the result shall be decided by the Supervising Officer by the drawing of lots.

### **Disposal of ballot papers.**

**83.** The Supervising Officer shall, upon completion of the counting and after the result has been declared by him, seal up the ballot papers and all other documents relating to the election and shall retain them for a period of six months and thereafter cause them to be destroyed unless otherwise directed by order of the Court.

### **Notifications of the results.**

**84.-(1)** The Supervising Officer shall without delay inform the High Commissioner and the Returning Officer of the name of every person so elected to be a member of the electoral college and shall cause such information to be published at the headquarters and in every ward of the Council.

**(2)** The Returning Officer shall, as soon as practicable publish in such manner as to him may seem appropriate a list of the persons constituting the membership of the electoral college.

### **Notice of the election.**

**85.** In the case of a contested election the Returning Officer shall on or before the twelfth day next before the day of the election give notice thereof, in such manner as he may think appropriate, specifying -

*(a)* the date, time and place of the meeting of the electoral college;

*(b)* the full name, and the address and description of each candidate; and

*(c)* the full names, and the addresses and descriptions of the persons who have nominated each candidate.

### **Arrangements for election.**

**86.-(1)** The Returning Officer shall do all things necessary for conducting the election in the manner provided in these Regulation.

**(2)** The Returning Officer may appoint such assistants as he may think fit.

### **Holding of election.**

**87.**-(1) The electoral college shall meet for the purpose of electing the member of the Legislative Council for that electoral district on the day appointed by the High Commissioner and at the time and place specified by the Returning Officer.

(2) The Returning Officer shall preside over the meeting of the electoral college and shall regulate the proceedings but shall have no vote.

(3) The Returning Officer shall exclude from the place of the meeting of the electoral college all persons other than the members of the electoral college, the candidates, police officers on duty, the Returning Officer's assistants and any other person who in his opinion has a lawful reason to be admitted.

(4) No candidate either himself or by his agent shall be permitted to address the electoral college while it is meeting for the purpose of an election.

### **Quorum and provision consequential to absence thereof.**

**88.**-(1) If less than two-thirds of the members of the electoral college shall be present at the time appointed for the election, the Returning Officer shall adjourn the electoral college from time to time and for such time not exceeding in the aggregate forty-eight hours, as he may see fit so as to allow absent members the opportunity to attend.

(2) Upon the expiration of forty-eight hours from the time for the election notified under regulation 63 (1) (a) of these Regulations, the Returning Officer shall -

(a) if not less than one half of the members of the electoral college are present, forthwith proceed to hold the election; or

(b) if less than one half of the members of the electoral college are present, forthwith countermand the election and submit a report thereof to the High Commissioner.

(3) Upon receipt of a report under paragraph 2 (b) of this regulation, the High Commissioner in his discretion may -

(a) appoint a date, time and place for the electoral college to meet and elect a member of the Legislative Council, and the electoral college meeting in pursuance of such directions shall be deemed to have been duly adjourned and to have duly met under and in accordance with the provisions of paragraph (1) of this regulation; or

(b) proceed *de novo* under regulation 62 of these Regulations:

Provided that in exercise of his powers under sub-paragraph (a) of this paragraph the High Commissioner shall not appoint any date later than the tenth day next following the date appointed for the holding of the election under regulation 62 of these Regulations.

### **Elections to be by secret ballot.**

**89.** All elections shall be by secret ballot.

### **List of candidates.**

**90.** Every ballot paper shall contain a list of the full names of all the candidates duly nominated for election.

#### **Number of ballot papers.**

**91.**-(1) Subject to paragraph (2) of this regulation, the number of ballot papers shall equal the number of members of the electoral college who are present at the meeting, and the ballot papers shall be numbered consecutively and the Returning Officer shall keep a list showing the number of the ballot paper issued to each member of the electoral college.

(2) A member who has accidentally dealt with his ballot paper in such manner that it cannot conveniently be used as a valid ballot paper, may on delivering such ballot paper to the Returning Officer and after satisfying the Returning Officer that the ballot paper has been spoilt by accident, obtain another ballot paper in place of the paper so delivered up, and the spoilt ballot paper shall be immediately cancelled.

#### **Ballot boxes.**

**92.** Every ballot box shall be so constructed that the ballot papers can be placed therein but cannot be withdrawn save as provided in regulation 94 of these Regulations.

#### **Voting.**

**93.**-(1) Each member of the electoral college on receiving his ballot paper shall proceed to a place screened from observation which shall be provided by the Returning Officer and there mark his paper with a cross against the name of the candidate preferred by him and no other. The member shall make no other mark or writing on the ballot paper and shall place it in the ballot box in the presence of the members of the electoral college.

(2) If a member, by reason of blindness, or other disability, is unable to cast his vote, he shall call the Returning Officer aside and tell him, no other person being present or within hearing, the name of the candidate for whom he wishes to vote and the Returning Officer shall record the member's vote by marking a cross against the name of the candidate for whom the member wishes to vote.

#### **Counting of votes.**

**94.** After the voting is completed the Returning Officer shall in the presence of the electoral college open the ballot box, extract the ballot papers and count the votes in such manner as to preserve the secrecy of the vote of each member.

#### **Votes not to be counted.**

**95.** A ballot paper which is filled up or otherwise dealt with in a manner contrary to the provisions of these Regulations shall be invalid and no vote thereon shall be counted.

#### **Elimination of candidates with lowest votes.**

**96.**-(1) Where the number of candidates who have been nominated is greater than two, the Returning Officer having completed the count, shall forthwith announce the name of the candidate for whom the least number of votes has been cast and his name shall be eliminated from any subsequent ballot:

Provided that any candidate for whom no votes have been cast shall be eliminated.

(2) The electoral college shall then proceed forthwith to ballot for the remaining candidates in the same manner until only two shall remain.

#### **Announcement of results.**

**97.** When the count is completed of the final ballot the Returning Officer shall forthwith announce the name of the candidate for whom the greatest number of votes has been given and shall declare such candidate to have been elected a member of the Legislative Council for the electoral district concerned.

#### **Equality of votes.**

**98.**-(1) In the event of an equality of votes in any preliminary ballot the result shall be decided by the Returning Officer by the drawing of lots.

(2) In the event of an equality of votes in the final ballot the Returning Officer shall suspend the election until the following day when a further ballot shall be held. In the event of a second equality of votes the result shall be decided by the Returning Officer by the drawing of lots.

#### **Disposal of ballot papers.**

**99.** The Returning Officer shall upon completion of the counting and after the result has been declared by him seal up the ballot papers and all other documents relating to the election and shall retain them for a period of six months and thereafter shall cause them to be destroyed unless otherwise directed by an order of the Court.

#### **Notification of successful candidates and publications of results.**

**100.**-(1) At the conclusion of the election the Returning Officer shall -

(a) notify the successful candidate in writing; and

(b) notify the High Commissioner of the result.

(2) The High Commissioner shall -

(a) cause the result to be published locally in such manner as to him may seem appropriate; and

(b) cause the result to be published as soon as may be in the Gazette.

### **PART V - SPECIAL PROVISION TO PREVENT THE FRUSTRATION OF ELECTIONS**

#### **Power to defer part of an election.**

**101.**-(1) Notwithstanding anything to the contrary contained in these Regulations, where the High Commissioner in his discretion is satisfied that by reason of flood or storm or any other cause whatsoever, whether of the like nature or otherwise, it has not been or will not be

possible to carry out any part of any election or to comply with any of the provisions of these Regulations relating to time, throughout the electoral district or any ward thereof, he may in his discretion, within fourteen days of the date originally appointed for that part, by notice, appoint or direct the Returning Officer to appoint a new date for such part and for any subsequent part of the election as may be necessary.

(2) Every date appointed under the preceding paragraph of this regulation shall be deemed to have been appointed under the appropriate provision of Part III or Part IV of these Regulations, and shall afford all persons not less notice than is provided for in those provisions.

(3) In exercising his powers under paragraph (1) of this regulation, the High Commissioner may in his discretion give such directions as he may consider necessary as to the deferment or suspension of the counting of votes pending receipt of the ballot boxes, papers and lists relating to any part of any election for which a new date is appointed, and for the safe custody of all ballot boxes, papers and lists already received.

(4) In paragraph (1) of this regulation, "part" in relation to an election includes any stage of an election and any act, matter or thing required to be done by any of the provisions of these Regulations.

**Power to authorise indirect election may be exercised at any time.**

**102.** For the avoidance of doubt it is hereby declared that the power conferred by regulation 5 (3) of these Regulations, to authorise indirect elections to be held in any electoral district, may be exercised at any time, and in particular, notwithstanding that any direct elections are in progress.

## **PART VI - ELECTION OFFENCES**

**Corrupt practice.**

**103.**-(1) No election shall be valid if any corrupt or illegal practice is committed in connection therewith by the candidate elected or his agent.

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

**Penalty for false answer.**

**104.** Every person who makes a false answer to either of the questions prescribed in regulation 36 (c) of these Regulations, knowing it to be false or not believing it to be true, shall be guilty of an offence and shall be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

**Offences in respect of nomination papers, etc.**

**105.**-(1) Every person who -

(a) forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers, to any person or authority to whom nomination papers are required by these Regulations to be delivered, any nomination paper knowing the same to be forged; or

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

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

(d) fraudulently takes out of any polling station, place of voting or place of election any ballot paper; or

(e) without due authority, destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of an election,

shall be guilty of an offence, and shall be liable to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

(2) In any prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers, counterfoils, marking instruments and other things in use at an election, the property in such papers, boxes, instruments and things may be stated to be in the Returning Officer at such election.

### **Infringement of secrecy.**

**106.**-(1) Every Returning Officer, Assistant Returning Officer, Supervising Officer, polling or other assistant and agent shall maintain and aid in maintaining the secrecy of the voting in an election and shall not communicate, except for some purpose authorised by law, before the election is closed, to any person any information as to the name or number on a register of electors, of any elector who has or has not applied for a ballot paper or voted, or as to the official mark.

(2) No such Officer, assistant or agent, and no person whosoever shall interfere with or attempt to interfere with an elector when casting his vote, or otherwise attempt to obtain information as to the candidate for whom any elector is about to vote or has voted, or communicate at any time to any person information obtained during any election as to the candidate for whom any elector is about to vote, or has voted, or as to the number on the ballot paper given to any voter:

Provided always that the provisions of this paragraph of this regulation shall not prohibit, limit or qualify any procedure prescribed under these Regulations for recording the vote of any elector who is unable to read or is incapacitated by blindness or other disability from casting his vote himself.

(3) Every such Officer, assistant, candidate or agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not communicate any information obtained at such counting as to the candidate for whom any vote is given by any particular ballot paper.

(4) Every person who acts in contravention of the provisions of this regulation shall be guilty of an offence and liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

**Penalty for bribery, treating and undue influence.**

**107.** Every person who is guilty of bribery, treating or undue influence shall be guilty of a corrupt practice and liable to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

**Persons to be deemed guilty of bribery.**

**108.** The following persons shall be deemed to be guilty of bribery within the meaning of these Regulations -

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

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

(c) every person who directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid to or for any person, in order to induce such person to procure, or to endeavour to procure, the return of any person as a member of the Legislative Council or the election of any person as a member of an electoral college or the vote of any elector at any election;

(d) every person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, promises or endeavours to procure the return of any person as a member of the Legislative Council or the election of any person as a member of an electoral college or the vote of any elector at any election;

(e) every person who advances or pays, or causes to be paid, any money to or for 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 who knowingly pays or causes to be paid, any money to any person, in discharge or repayment of any money wholly or in part expended in bribery at any election;

(f) every elector, who, before or during any election, directly or indirectly, by himself or by any other person on his behalf, receives, agrees to receive, or contracts for any money, gift, loan or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election; and



(g) every person who, after any election, directly or indirectly by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting, at any election:

Provided always that the provisions of this regulation shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses *bona fide* incurred at or concerning any election.

### **Persons to be deemed guilty of treating.**

**109.** The following persons shall be deemed to be guilty of treating within the meaning of these Regulations -

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

(b) every elector who corruptly accepts or takes any such food, drink, entertainment, or provision.

### **Persons to be deemed guilty of undue influence.**

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

### **Penalty for personation.**

**111.** Every person who is guilty of personation or of aiding, abetting, counselling or procuring the commission of the offence of personation, shall be guilty of a corrupt practice and liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

### **Persons to be deemed guilty of personation.**

**112.** Every person who at any election applies for a ballot paper in the name of another person or tenders a vote in the name of another person whether that name is the name of a person living or dead or of a fictitious person, or who, having voted once at any direct election, applies for a ballot paper or tenders a vote at the same election, in his own name, which he is not entitled to tender, under the provisions of these Regulations, shall be guilty of personation within the meaning of these Regulations.

### **Incapacity entailed by conviction for corrupt practice.**

**113.** Every person who is convicted of a corrupt practice shall, in addition to any other punishment, be incapable, during a period of five years from the date of his conviction -

(a) of being registered as an elector or of voting at any election; and

(b) of being elected as a member of the Legislative Council, or, if elected before his conviction, of retaining his seat as such member.

### **Penalty for persons guilty of certain illegal practices.**

**114.** Every person who -

(a) votes, or induces, or procures any other person to vote, at any election, knowing that he or such other person is prohibited by any provision of these Regulations or of the Order or any other law for the time being in force in the Protectorate from voting at such election; or

(b) before or during an election knowingly publishes any false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate,

shall be guilty of an illegal practice and shall be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment, and shall be incapable during a period of three years from the date of his conviction, of voting at any election.

### **Interference with lawful public meeting to be an illegal practice.**

**115.** Any person who at a lawful public meeting, held in connection with the election of any person to the Legislative Council or to any electoral college under these Regulations, between the date of publication of a notice issued under the provisions of regulations 23 or 62 of these Regulations appointing a day for the holding of an election under these Regulations and the date on which the result of the election is published, acts or incites others to act in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together shall be guilty of an illegal practice and shall be liable to a fine not exceeding one hundred dollars or to a term of imprisonment not exceeding three months or to both such fine and such imprisonment, and shall be incapable, during a period of three years from the date of his conviction, of voting at any election.

### **Display of emblems in vicinity of place of voting prohibited.**

**116.**-(1) No person other than a candidate shall within any building where voting for the election of a member of the Legislative Council is in progress, or on any public way within a distance of fifty yards of any entrance to such building, wear or display any card, symbol, favour or other emblem indicating support for a particular candidate or political party and no person shall within two hundred yards of any such building make any public address indicating support for a particular candidate or political party.

(2) Any person acting in contravention of this regulation shall be guilty of an offence and shall be liable to a fine not exceeding twenty dollars.

(3) For the purpose of this regulation "public way" includes any highway, market place, square, street, bridge or other way which is lawfully used by the public.

### **Saving of offences under Ordinance No. 12 of 1963.**

**117.** Nothing in these Regulations shall be construed or deemed in any way to prejudice, derogate from or affect any of the provisions of the Penal Code as to the offences relating to public offices or officers.

## **PART VII - ELECTION PETITIONS**

### **Questions as to elected members to be determined by High Court.**

**118.**-(1) All questions which may arise from any election as to the right of any person to be or remain an elected member of the Legislative Council shall be referred to and determined by the Court on a petition presented by the Attorney-General or by an elector, in accordance with the procedure prescribed by regulations 119 and 120 of these Regulations for the presentation and hearing of an election petition, and the decision of the Court on any such petition shall be final and shall not be questioned in any other proceedings.

(2) Where the question to be decided concerns the right of any person to remain a member of the Legislative Council, the Court shall certify its decision in writing to the High Commissioner; and where the Court has decided that any person is not entitled to remain a member, such person shall thereupon cease to be a member.

### **Presentation of election petition.**

**119.** A petition complaining of an undue return or undue election of a member of the Legislative Council, hereinafter called an election petition, may within one month from the date of the publication, in pursuance of regulations 54 (2) (a) or 100 (2) (a) of these Regulations, of the result of the election, be presented to the Court in its civil jurisdiction by any one or more of the following persons, that is to say -

(a) some person who voted or had a right to vote at the election to which the petition relates; or

(b) some person who claims to have had a right to be returned or elected at such election; or

(c) some person who alleges himself to have been a candidate at such election.

### **Hearing of election petition.**

**120.**-(1) Every election petition shall be heard by the Court in open court.

(2) During such hearing the Court may order -

(a) the inspection and production of any rejected ballot papers; or

(b) the opening of any sealed packet of counterfoils of used ballot papers; or

(c) the inspection of any counted ballot papers; or

(d) the inspection and production of tendered ballot papers and the tendered votes list:

Provided that in making and carrying into effect the order, care shall be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved that his vote was given and the vote has been declared by the Court to be invalid.

(3) At the conclusion of the hearing, the Court shall determine whether the member whose return or election is complained of or any other and what person, was duly returned or elected, or whether the election was void, and shall certify such determination to the High Commissioner; and, upon such certificate being given, such determination shall be final and shall not be questioned in any proceedings, nor shall any appeal lie therefrom to any court; and the election shall be confirmed, or a new election shall be held, as the case may require, in accordance with such certificate:

Provided that where the Court finds that any candidate who has been declared to be elected was not qualified or was disqualified at the time of his election, the Court shall determine the election to be void.

### **Procedure at hearing of election petition.**

**S.I. 1931/1503; G.N. 73/61 p.39.**

**121.**-(1) Subject to the provisions of these Regulations, and without prejudice to any power to make rules under the Western Pacific (Courts) Order in Council, 1961, the Chief Justice may from time to time make rules for regulating the practice and procedure to be observed in relation to election petitions, and subject to such rules, the procedure at the hearing of an election petition shall, as near as circumstances will admit, be the same, and the Court shall have the same powers, jurisdiction, and authority, as if it were hearing a civil action; and witnesses may be subpoenaed and sworn in the same manner, as near as circumstances will admit, as in the hearing of a civil action in the Court, and shall be subject to the same penalties for perjury.

(2) The Legislative Council (Election Petition) Rules, 1965, shall, subject to the provisions of any rules made under the preceding paragraph of this regulation, apply to and in relation to elections petitions arising under these Regulations as they apply to election petitions arising under the Electoral Provisions (Legislative Council) Regulations, 1964, and for this purpose references in the said Rules to provisions of the Electoral Provisions (Legislative Council) Regulations, 1964, shall be construed as references to the correspondent provisions of these Regulations. **L.N. 41/65 p.41.**

**L.N. 103/64 p. 219.**

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## **FIRST SCHEDULE**

### ***Regulation 3.***

#### ***1. North Malaita Electoral District -***

The area comprised by the wards numbered 6 to 12 inclusive, and defined in the Schedule to Legal Notice No. 6 of 1964.

#### ***2. North East Malaita Electoral District -***

The area comprised by the Ontong Java Atoll, by the area of authority of the Sikaiana Council as defined in the Warrant establishing that Council dated 10th November, 1964, and by wards numbered 5 and 13 to 18 inclusive, and defined in the Schedule to Legal Notice No. 6 of 1964.

**3. *North Central Malaita Electoral District -***

The area comprised by the wards numbered 1 to 4 and 19 to 21 inclusive, and defined in the Schedule to Legal Notice No. 6 of 1964.

**4. *Central Malaita Electoral District -***

The area comprised by the wards numbered 22 to 24 and 33 to 38 inclusive, and defined in the Schedule to Legal Notice No. 6 of 1964.

**5. *South Malaita Electoral District -***

The area comprised by the wards numbered 25 to 32 inclusive, and defined in the Schedule to Legal Notice No. 6 of 1964.

**6. *North Guadalcanal Electoral District -***

The area comprised by the wards numbered 1 to 2 and 12 to 19 inclusive, and defined in the Schedule to Legal Notice No. 5 of 1964.

**7. *South Guadalcanal Electoral District -***

The area comprised by the wards numbered 3 to 11 inclusive, and defined in the Schedule to Legal Notice No. 5 of 1964.

**8. *The Ysabel-Russells Electoral District -***

The areas of authority of the Santa Ysabel Council as specified in Legal Notice No. 48 of 1964 and the Russell Islands Council as specified in Legal Notice No. 106 of 1964.

**9. *The Central Solomons Electoral District -***

The areas of authority of the Gela Council as specified in Legal Notice No. 22 of 1964, the Savo Council as specified in Legal Notice No. 3 of 1964, and the Munggaba-Mungiki Council as specified in Legal Notice No. 105 of 1964.

**10. *The North Western Solomons Electoral District -***

The areas of authority of the Choiseul Council as specified in Legal Notice No. 146 of 1963 and of the Shortlands Council as specified in Legal Notice No. 53 of 1964, together with the area comprised by the wards of the Vella Lavella Council area numbered 10 to 19 inclusive and defined in the Schedule to Legal Notice No. 33 of 1964.

**11. *New Georgia Electoral District -***

The areas of authority of the Marovo Council as defined in Legal Notice No. 46 of 1964, and of the Roviana Council as specified in Legal Notice No. 47 of 1964, together with the area

comprised by the wards of the Vella Lavella Council area numbered 1 to 9 and 20 to 22 inclusive and defined in the Schedule to Legal Notice No. 33 of 1964.

**12. Makira Electoral District -**

The areas of authority of the Makira Council as specified in Legal Notice No. 21 of 1964 and the Ulawa Council as specified in Legal Notice No. 81 of 1964.

**13. Eastern Outer Islands Electoral District -**

The areas of authority of the Santa Cruz Council as specified in Legal Notice No. 74 of 1964, the Reef Islands Council as specified in Legal Notice No. 65 of 1964, and the areas comprised by the islands of Utupua, Vanikoro, Tikopia and Anuta.

**14. Honiara Electoral District -**

The area known as Honiara, the boundaries whereof are specified in the Schedule to Legal Notice No. 20 of 1964.

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**SECOND SCHEDULE**

***Regulation 15.***

**FORM A**

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**THE ELECTORAL PROVISIONS (LEGISLATIVE COUNCIL)  
REGULATIONS, 1967**

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**NOTICE TO PERSONS ENTITLED TO VOTE**

All persons who claim to be entitled to be registered as electors in the Honiara Electoral District and who are qualified to be and are desirous of being so registered are hereby required to deliver to me or to an Assistant Registration Officer within twenty-one days of the date hereof, a claim in the prescribed form. Prescribed forms are available free of charge from me and from an Assistant Registration Officer at the addresses set out below.

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

.....  
***Registration Officer***

Address of Registration Officer:

Addresses of Assistant Registration Officers:

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**FORM B**

***Regulations 15 and 16  
(1)***

**THE ELECTORAL PROVISIONS (LEGISLATIVE COUNCIL)  
REGULATIONS, 1967**

## CLAIM TO BE REGISTERED AS AN ELECTOR

To the Registration Officer for the Honiara Electoral District.

I, .....

*(first names in full)*

.....

*(surname)*

of .....

occupation .....

hereby claim to be registered as an elector in the Honiara Electoral District.

I hereby declare that I am qualified and not disqualified to be an elector under the Electoral Provisions (Legislative Council) Regulations, 1967.

Dated the..... day of..... 19.....

Marked in the presence of\*

Name .....

.....  
*Signature or mark*

Address .....

.....

Signature .....

\* The name, address and signature of an attesting witness is only required if the Claimant makes a mark, and not if he actually signs his name.

## FORM C

*Regulation 17*

### LIST OF ELECTORS

HONIARA ELECTORAL DISTRICT .

Ward .....

<i>No.</i>	<i>Full Name</i>	<i>Address</i>	<i>Occupation</i>

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

.....  
*Registration Officer or*

**FORM D**

**Regulation 18 (1)**

**THE ELECTORAL PROVISIONS (LEGISLATIVE COUNCIL)  
REGULATIONS, 1967**

**CLAIM TO BE REGISTERED AS AN ELECTOR**

To the Registration Officer for the Honiara Electoral District.

I, .....  
*(first names in full)*

.....  
*(surname)*

of.....  
*(address)*

occupation .....  
hereby claim to be registered as an elector in the Honiara Electoral District.

I hereby declare that I am qualified and not disqualified to be an elector under the Electoral Provisions (Legislative Council) Regulations, 1967.

I delivered a notice of claim to be registered as an elector to .....  
.....  
*(Registration Officer or Assistant Registration Officer)*

at .....  
*(place)*

On .....  
*(date)*

My name has been omitted from the list of electors for the ..... ward.  
I claim to have my name inserted in the said list of electors.

Dated the ..... day of ....., 19.....

Marked in the present of\*

Name .....

Address .....

.....  
*(Signature or mark)*

Signature .....

\* The name, address and signature of an attesting witness are only required if the Claimant makes a mark, and not if he actually signs his name.



N.B.-This must be lodged with the Registration Officer or Assistant Registration Officer for the Ward concerned within ten days of the publication of the list of electors for that Ward.

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**FORM E**

***Regulation 18 (2)***

**THE ELECTORAL PROVISIONS (LEGISLATIVE COUNCIL)  
REGULATIONS, 1967**

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**NOTICE OF OBJECTION**

To the Registration Officer for the Honiara Electoral District.

I, .....

*(first names in full)*

.....

*(surname)*

of .....

*(address)*

occupation .....

being a person whose name appears on the list of electors for the Honiara Electoral District,

do hereby give notice that I object to the name of

.....

*(name of person objected to)*

being retained on the said list of electors. My grounds for objections are:

*(state grounds)*

Dated the ..... day of .....19.....

Marked in the presence of\*

Name .....

Address .....

.....

*(Signature or mark)*

Signature .....

---

\* The name, address and signature of an attesting witness are only required if the claimant makes a mark and not if he actually signs his name.

To be served upon the Registration Officer (or an Assistant Registration Officer) and the person objected to within 10 days of the publication of the list of electors.

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**THIRD SCHEDULE**

***Regulations 25 (2) and 64 (3)***

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## NOMINATION PAPER

Electoral District for which the candidate seeks election .....

Date of election .....

1. I, the undersigned, am the candidate to whom this nomination paper refers, and I hereby state that I am willing to stand for election to the Legislative Council as a Member for the ..... Electoral District.

2. I also hereby state that I am qualified, and not disqualified, for election to the Legislative Council in accordance with the law now in force in the Protectorate.

Full name .....

Address .....

Description or occupation .....

Date .....

.....

*Signature*

We, the undersigned, are the nominators of the above candidate, and are electors for the Electoral District for which this candidate seeks election\*/are entitled to be registered as voters under the Local Government (Registration of Voters) Regulations, 1963 (L.N. 75 of 1963) in the Electoral District for which this candidate seeks election.\*

1. Full name .....

Address .....

Description or occupation .....

Date .....

.....

*Signature*

2. Full name .....

Address .....

Description or occupation .....

Date .....

.....

*Signature*

3. Full name .....

Address .....

Description or occupation .....

Date .....

.....

*Signature*

\* Delete alternative not applicable

\_\_\_\_\_

Made at Honiara this seventh day of January, 1967.

R. S. FOSTER,  
High Commissioner.

Published and exhibited at the Public Office of the High Commissioner this seventh day of  
January, 1967.

J. A. ADAMS,  
*for* Chief Secretary to the Western  
Pacific High Commission.

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