

SAINT VINCENT.

STATUTORY RULES AND ORDERS

1951, No. 87.

LEGISLATIVE COUNCIL (ELECTIONS) RULES.

(Gazetted 10th September, 1951).



1. **Short Title.** These Rules may be cited as the Legislative Council (Elections) Rules 1951.
2. **Interpretation.** In these Rules "the Ordinance" means the Legislative Council (Elections) Ordinance, 1951.
3. **Remuneration to Registration Officers.** A Registration Officer shall be paid the sum of forty dollars for his services in connection with the registration of electors in an electoral district.
4. **Remuneration to Assistant Registration Officers.** An Assistant Registration Officer shall be paid the sum of thirty dollars for his services in connection with the registration of electors in an electoral district.
5. **Remuneration to Enumerators.** (1) The Enumerators, for a house to house canvas for the preparation of the list of electors, shall be paid :—
 - (a) in fairly populated localities three cents per name entered in the Index Book.
 - (b) in localities classified as between fairly populated and remote areas four cents per name entered in the Index Book.
 - (c) in remote areas five cents per name entered in the Index Book.
 (2) The Supervisor of Elections shall classify localities for the purposes of this regulation.
6. **Remuneration to Returning Officers.** Every Returning Officer shall be paid the sum of thirty dollars for his services in connection with the election of a member for an electoral district if the election is contested, and the sum of twenty dollars if the election is not contested.
7. **Remuneration to Election Clerks.** Every Election Clerk shall be paid the sum of twenty dollars for his services in connection with the election of a member for an electoral district if the election is contested, and the sum of fifteen dollars if the election is not contested.
8. **Remuneration to Presiding Officers.** Every Presiding Officer shall be paid the sum of nine dollars for his services in connection with the election of a member for an electoral district.

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9. **Remuneration to Poll Clerks.** Every Poll Clerk shall be paid the sum of six dollars for his services in connection with the election of a member for an electoral district.

10. **Typing of Preliminary Lists.** A Typist, appointed to type copies of the Preliminary Lists of Electors, shall be paid at the rate of one cent for each name typed.

11. **Rental of Polling Stations.** For each polling station rented for polling day, there shall be paid a sum not exceeding three dollars.

12. **Duties of Returning Officers.** (1) Upon his being appointed, the Returning Officer shall take and subscribe to the oath set out as Form No. 20 in the First Schedule to the Ordinance, and transmit such oath to the Supervisor of Elections.

(2) He shall receive and study carefully the instruction books to returning officers, presiding officers and poll clerks (Books C and D) and the Ordinance.

(3) He shall establish an official office in his electoral district.

(4) He shall receive and check the supplies to be used for the taking of the poll and secure the necessary number of ballot boxes.

(5) He shall receive and endorse the writ of election.

(6) On receipt of the writ he shall issue the election notice.

(7) He shall send one form of the nomination paper and one form of the statutory declarations to every prospective candidate.

(8) He shall attend at the place fixed for nomination from 9 a.m. to 12 noon on nomination day; receive the nomination papers and statutory declarations of candidates with the requisite deposits; issue receipts; supply forms to candidates for the appointment of agents; lodge deposits in the Treasury or Sub-Treasury; and undertake all other duties in connection with the nomination as directed by the Supervisor of Elections.

(9) In cases where there is only one candidate nominated, he shall despatch to the Supervisor of Elections the returns necessary.

(10) He shall make all arrangements for and supervise the taking of the poll on polling day, and have collected after the close of the poll on polling day, the ballot boxes and the preliminary statements of the poll.

(11) On the evening of polling day he shall prepare the preliminary compilation of the votes polled, and communicate the results as soon as available to the Supervisor of Elections.

(12) He shall add up the votes on the day fixed for that purpose by checking all the ballots cast for the candidates or which have been rejected by the presiding officers.

(13) He shall check and certify accounts for the election clerk, presiding officers, poll clerks, or any other officers appointed to serve in the electoral district for election purposes, and also polling stations' accounts.

(14) He shall endorse the return to the writ and forward it to the Supervisor of Elections with the other papers and accounts as directed by the Ordinance.

- (15) He shall perform such duties as the Supervisor of Elections may direct.
- (16) He shall make a report to the Supervisor of Elections setting out:—
- (a) the day on which the writ was received and endorsed;
 - (b) the day on which the election notices were distributed;
 - (c) the number of polling stations established in his electoral district;
 - (d) the nomination papers which were received and the nominations which were rejected, together with the cause for their rejection;
 - (e) the condition and number of ballot boxes and keys which were received.
 - (f) the day or days on which the final counting of the votes was done;
 - (g) the day on which the declaration of the candidate elected was made.
 - (h) the name of the non-commissioned officer of police in whose custody the ballot boxes were deposited;
 - (i) any matters of particulars significance or intent relating to the polling and the counting of the votes.

13. **Symbols.** There shall be printed upon every ballot opposite to the names of each candidate, one of the symbols shown in the appendix to these Regulations. The order in which such symbols are allocated to the names of candidates shall correspond with the order in which the names of the candidates appear on the ballot paper.

14. **Lists of Electors.** (1) For the purpose of a general election fifty copies of each list of electors for each polling station shall be printed.

(2) Every prospective candidate shall be entitled to one full set of the lists of electors for his electoral district free of cost.

(3) Subject to the distribution hereinbefore provided for, available lists of electors shall be sold to prospective candidates and to the general public at the rate of four cents a page for the list of electors relating to any polling division.

15. **Election Documents.** Office copies of any election documents supplied shall be paid for at the rate of eighteen cents for every folio of one hundred words.

16. **Grant of leave by employers to electors.** Every employer shall permit each elector in his employ to be absent from his work on polling day for one hour in addition to the normal midday meal hour.

17. **First Schedule to Ordinance Amended.** The First Schedule to the Ordinance is hereby amended as follows:—

- (a) by substituting the words "by the Governor" for the words "by the Administrator" in Form 1 thereof.
 - (b) by rescinding Forms 25, 26 and 26A of the Ordinance and substituting therefor the following forms:—
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THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE, 1951.

NOMINATION PAPER.

We, the undersigned electors for the electoral district of _____
 _____ do hereby nominate the following person as a
 proper person to serve as member of the Legislative Council for the said elec-
 toral district of _____ and we certify that to the best
 of our belief he is qualified for election as a member of the Legislative Council
 under the conditions prescribed by Clause 9 of the Saint Vincent (Legislative
 Council) Order in Council dated the 1st day of August, 1951.

Surname	Other Names.	Address	Occupation

Signature. {

I, _____ nominated
 in the foregoing nomination paper hereby consent to such nomination as candi-
 date for election as a member of the Legislative Council for the electoral dis-
 trict of _____ and name as my address
 for serving of process and papers under the Legislative Council (Elections)
 Ordinance, 1951:—

Address _____

Witness my hand this _____ day of _____ 19 _____

Signed by the said nominee in the
 presence of _____

.....
Signature of Witness.

.....
Signature of Candidate.

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE, 1951.

STATUTORY DECLARATION OF A PERSON NOMINATED AS A CANDIDATE FOR
ELECTION AS A MEMBER OF THE LEGISLATIVE COUNCIL.

Qualification of.....
of
in the of nominated as a
candidate for election as a member of the Legislative Council for the electoral district
of

I, of
..... in the of
do solemnly and sincerely declare as follows :—

That I am duly qualified to be elected a member of the Legislative Council for
this electoral district, and that—

- (1) I am a British Subject of the age of twenty-one years or upwards;
- (2) being a candidate for election as an Elected Member I have resided in Saint Vincent for a period of twelve months immediately before my nomination for election;
- (3) being a candidate for election as an elected member I am domiciled in Saint Vincent and am resident therein at the date of my nomination for election;
- (4) being a candidate for election as an Elected Member I am able to speak and read the English language with a degree of proficiency sufficient to enable me to take an active part in the proceedings of the Council, and am not incapacitated by blindness or other physical cause;
- (5) I am not—
 - (a) by virtue of my own act, under any acknowledgment of allegiance, obedience or adherence to a foreign Power or State;
 - (b) holding or acting in any public office;
 - (c) a minister of religion;
 - (d) an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of His Majesty's dominions;
 - (e) a party to, or a partner in a firm, or a director or manager of a company, which is a party to, any contract with the Government of Saint Vincent for or on account of the public service;
 - (f) a person adjudged to be of unsound mind or detained as a criminal lunatic under any law in force in Saint Vincent;
 - (g) disqualified for membership of the Council by any law for the time being in force in Saint Vincent relating to offences connected with elections;

(h) disqualified for election by any law for the time being in force in Saint Vincent by reason of my holding, or acting in, any office the functions of which involve—

(i) any responsibility for, or in connection with, the conduct of any election; or

(ii) any responsibility for the compilation or revision of any electoral register.

(6) I have not been sentenced by a Court in any part of His Majesty's dominions to death, or to imprisonment (by whatever name called) for a term exceeding twelve months.

I make this declaration conscientiously believing the same to be true and according to the Oaths Abolition Act, Chapter 25, and I am aware that if there is any statement in this declaration which is false in fact which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.

(Signed) _____

Declared before me this _____ day of _____ 19_____

(Signed) _____

Note. Paragraph 3 is alternative to paragraph 2.

FORM NO. 26A.

(Section 23.)

THE LEGISLATIVE COUNCIL (ELECTIONS) ORDINANCE, 1951.

STATUTORY DECLARATION OF AGENT OF A PERSON NOMINATED AS A CANDIDATE FOR ELECTION AS A MEMBER OF THE LEGISLATIVE COUNCIL.

Qualification _____
of _____
in the _____ of _____ nominated as a
candidate for election as a member of the Legislative Council for the electoral district
of _____

I, _____ of
_____ in the _____ of _____ do solemnly and
sincerely declare as follows:—

That _____ is
duly qualified to be elected a member of the Legislative Council for this electoral
district, and that—

- (1) he is a British subject of the age of twenty-one years or upwards;
- (2) being a candidate for election as an Elected Member he has resided in Saint Vincent for a period of twelve months immediately before his nomination for election;
- (3) being a candidate for election as an Elected Member he is domiciled in Saint Vincent and is resident therein at the date of his nomination for election;

- (4) being a candidate for election as an Elected Member he is able to speak and read the English language with a degree of proficiency sufficient to enable him to take an active part in the proceedings of the Council, and is not incapacitated by blindness or other physical cause;
- (5) he is not—
- (a) by virtue of his own act, under any acknowledgment of allegiance, obedience or adherence to a foreign Power or State;
 - (b) holding or acting in any public office;
 - (c) a minister of religion;
 - (d) an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of His Majesty's dominions;
 - (e) a party to, or a partner in a firm, or a director or manager of a company, which is a party to, any contract with the Government of Saint Vincent for or on account of the public service;
 - (f) a person adjudged to be of unsound mind or detained as a criminal lunatic under any law in force in Saint Vincent;
 - (g) disqualified for membership of the Council by any law for the time being in force in Saint Vincent relating to offences connected with elections;
 - (h) disqualified for election by any law for the time being in force in Saint Vincent by reason of his holding, or acting in, any office the functions of which involve—
 - (i) any responsibility for, or in connection with, the conduct of any election, or
 - (ii) any responsibility for the compilation or revision of any electoral register.
- (6) he has not been sentenced by a Court in any part of His Majesty's dominions to death, or to imprisonment (by whatever name called) for a term exceeding twelve months.

I make this declaration conscientiously believing the same to be true and according to the Oaths Abolition Act, Chapter 25, and I am aware that if there is any statement in this declaration which is false in fact which I know or believe to be false or do not believe to be true, I am liable to fine and imprisonment.

(Signed) _____

Agent for

Declared before me this _____ day of _____ 19____

(Signed) _____

Note. Paragraph 3 is alternative to paragraph 2.

18. **Penalty.** Any person found guilty of an offence against these rules shall be liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a period not exceeding three months.

19. **Revocation.** The Legislative Council (Remuneration of Election Officers) Rules 1951 (S.R. & O. No. 37 of 1951) and the Legislative Council (Remuneration of Election Officers) (Amendment) Rules 1951 (S.R. & O. No. 60 of 1951) are hereby revoked but without prejudice to anything lawfully done thereunder.

APPENDIX.

1.  BICYCLE

2.  CLOCK

3.  FORK

4.  HAMMER.

5.  MOTORCAR.

6.  TREE.

Made by the Governor in Council under Section 82 of the Legislative Council (Elections) Ordinance 1951 (No. 13 of 1951) this 7th day of September, 1951.

HENRY H. WILLIAMS,
Acting Clerk of Executive Council.

(J. 26/1950.)

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