



[L. S.]

I Assent,

*James B. Carlisle,  
Governor-General.*

18th February, 1997.

ANTIGUA AND BARBUDA

No. 1 of 1997

AN ACT to make provision for the manner in which a referendum shall be held and for other matters incidental thereto and connected therewith.

[ 27th February, 1997 ]

ENACTED by the Parliament of Antigua and Barbuda as follows -

1. This Act may be cited as the Referendum Act, 1997.

Short title.

2. For the purposes of determining any question relating to the Constitution of Antigua and Barbuda or determining any other question the Prime Minister may consider necessary or desirable, there shall be held a referendum in accordance with the provisions of this Act

Holding of a referendum.

3. The question to be asked in a referendum held pursuant to section 2, shall be framed in such a manner that a vote is cast for an answer which is "YES" or "NO."

Question to be asked in a referendum.

4. (1) The Prime Minister may, sixty days before the date of a referendum, by Order, publish the question to be asked in the referendum in the Gazette.

Time for publication of question.

(2) The Order published pursuant to subsection (1) shall -

ANTIGUA 2  
AND  
BARBUDA

*The* Referendum Act, 1997. No. 1 of 1997.

(a) appoint the day of the referendum;

(b) make provision ~~as to the~~ conduct of the referendum as may appear to the Prime Minister to be **expedient**.

Application of the  
Representation of  
the People Act, Cap.  
379

5. The **Prime Minister** may, in relation to a referendum, by an **Order made by him**, apply any of the provisions of the Representation of the People Act or any **regulations** made thereunder, with such modifications or exceptions as he deems necessary or expedient.

Form of ballot paper  
to be used.

6. The **ballot paper** to be used in a referendum shall be in the form specified in the Order published by the Prime Minister.

Right to vote.

7. Every person who, at the time when a referendum is held ~~would be entitled~~ to vote, in elections of members of ~~the House~~, shall be entitled to vote on referendum; and no other person shall be entitled so to **vote**.

Conduct of a  
referendum.

8. (1) The polling districts into which constituencies in Antigua and Barbuda ~~have~~ been divided pursuant to section 10 of the Representation of the People Act, Cap 379 shall be the polling districts for a **referendum**.

(2) A separate count shall be conducted of the votes cast at a referendum in each of the polling districts referred to in **subsection (1)**.

Supervisor of  
Elections to conduct  
a referendum.

9. (1) The Supervisor of Elections shall **conduct** any referendum held pursuant to section 2.

(2) The Supervisor of Elections shall for each polling district appoint a Referendum **Officer** and such other officers as he may consider necessary to **assist** the Referendum **Officer**.

(3) The **Referendum Officer** and other officers assisting him shall **perform** such functions as the Supervisor of Elections may direct.

(4) The functions which in relation to **elections** conducted under the Representation of the People Act, Cap 379 are conferred on the Supervisor of Elections by section 3 of that Act shall in relation to

a referendum, be discharged by the Supervisor of Elections.

(5) The **officers** referred to in this section **include** -

- (a) a returning officer;
- (b) a presiding **officer**;
- (c) a referendum clerk;
- (d) a poll clerk; and
- (e) **an** enumerator.

**10.** (1) Any **administrative expenses incurred** by the Supervisor of Elections for **the purpose of conducting** a referendum shall be paid out of Funds provided by **Parliament**. Financial provisions.

(2) The Supervisor of Elections, the Referendum **Officer** and every officer appointed to assist any Referendum Officer shall be **paid such remunerations** as the **Minister of Finance** may **determine**.

**11.** The offences and penalties **specified in sections 22 to 28** (both **sections included**) of the Representation of the People Act, **Cap. 379** shall apply **with** respect to the conduct of a referendum under this **Act**. Offences.

Passed the House of Representatives  
**this** 14th day of January, 1997.

Passed the Senate this 23rd day of  
January, 1997.

**B. Harris,**  
*Speaker*

**M. Percival,**  
*President*

**S. Walker,**  
*Clerk to the House of Representatives.*

**S. Walker,**  
*Clerk to the Senate.*

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