

more than twenty-one” and substituting the words “twenty-one and not more than twenty-eight”.

#### **11. Amendment of the First Schedule**

The First Schedule to the principal Act is amended, in rule 1, by inserting after sub-rule (7), the following—

“(8) Notwithstanding sub-rule (7) a person who pursuant to section 15 is entitled to vote shall be permitted to vote if at 6 p.m. on polling day he is at the polling station in the line for electors at the polling district in the constituency in which he is entitled to vote.”

#### **12. Amendment of Second Schedule**

The Second Schedule to the principal Act is amended—

(a) by inserting after regulation 20(2), the following—

“(2A) Where the particulars given in an objection or further information provided under regulation 18(2)(a) raises a *prima facie* case for the objection to be allowed, the onus will be on the person in respect of whom the objection is made to show cause why the objection should not be allowed.” and

(b) in regulation 25—

- (i) by repealing the word “and” at the end of paragraph (a);
- (ii) by repealing the full stop at the end of paragraph (b) and substituting “; and”; and
- (iii) by inserting after paragraph (b), the following paragraph —

“(c) an electronic copy of the register and lists referred to in paragraph (a) to each person referred to in paragraph (a) and, with the exception of the returning officer, paragraph (b).”

Passed by the House of Representatives on  
the 22nd day of June, 2010.

Passed by the Senate on the 25th day  
of June, 2010.

**D. Gisele Isaac-Arrindell,**  
*Speaker.*

**Hazlyn M. Francis,**  
*President.*

**T. Thomas,**  
*Clerk to the House of Representatives.*

**T. Thomas,**  
*Clerk to the Senate.*



### **THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2010**

**No. 6 of 2010**

[ *Published in the Official Gazette Vol. XXX No. 41  
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— By Authority, 2010.

“(1) On the coming into force of this section, the Governor-General shall, by Proclamation, specify a period within which a person who is qualified under section 16 may apply in accordance with the Registration Regulations to be registered as an elector in the constituency in which he qualifies to be so registered.”;

(b) by repealing subsection (1)A and substituting the following: —

“(1A) The Commission shall, at the end of the period referred to in subsection (1), cause to be prepared a register of electors for each constituency and thereafter the Commission shall publish the register for each constituency as follows:—

(a) in respect of the period immediately subsequent to the commencement of this section, the Commission shall publish the register not later than such date as the Governor-General, after consultation with the Commission, shall by Proclamation specify; and

(b) after the date specified by the Governor-General by Proclamation under paragraph (a), at intervals of not more than six months, but not later than 30th June and 31st December in each year.

#### **7. Amendment of section 21 — Registers of electors**

Section 21 of the principal Act is amended, in subsection (2), by inserting after the words “name,” the words “photograph,”

#### **8. Amendment of section 23 — Revised register**

Section 23 of the principal Act is amended, in subsection (2)(a), by inserting after the word “names”, the words “and photographs.”

#### **9. Amendment of section 24 — Register for elections**

Section 24 of the principal Act is amended —

(a) in subsection (1), by repealing the words “7 days” and substituting the words “14 days”; and

(b) in subsection (2), by inserting after the word “names” the words “and photographs”.

#### **10. Amendment of section 30 — Issue of Writ**

Section 30 of the principal Act is amended, in subsection (2), by repealing the words “fourteen and not

(b) the Governor-General shall, acting on the recommendation of the Speaker, by instrument under the Public Seal appoint the person to serve as a member of the Commission for a period not exceeding one year and may extend the appointment if at the expiration of the period the Prime Minister or the Leader of the Opposition, as applicable, fails to make a recommendation in accordance with subsection (3) for a person to be appointed as a member of the Commission.

(5E) A person appointed under subsection 5D may be a person previously appointed under subsection (5B).

#### **4. Amendment of section 4 — Removal from office**

Section 4 of the principal Act is amended in subsection (1) by repealing the word “only” after the word

“office” and by inserting after the words “cause)”, the words “, for any conduct which brings or is likely to bring the integrity of the Commission into disrepute”.

#### **5. Amendment of section 16 — Qualification for registration and right to vote**

Section 16 of the principal Act is amended —

(a) in subsection (1)(b) by repealing the word “three” and substituting the word “seven”;

(b) in subsection (1)(d) by repealing the words “ one (1) month” and substituting the words “six (6) consecutive months”; and

(c) by inserting after subsection (1), the following subsection —

“(1A) Subject to this Act and any enactment imposing any disqualification for registration as an elector, a citizen of Antigua and Barbuda who is not resident in Antigua and Barbuda, is qualified to be registered as an elector for a constituency if on the qualifying date he —

(a) is 18 years of age or over; and

(b) has resided in the constituency for a period of at least one (1) month immediately preceding the qualifying date.”

#### **6. Amendment of section 18 — Requirement to register**

Section 18 of the principal Act is amended —

(a) by repealing subsection (1) and the substituting the following: —

## **THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2010**

### **ARRANGEMENT**

#### **Sections**

1. Short title and commencement
2. Interpretation
3. Amendment of section 3 — Electoral Commission
4. Amendment of section 4 — Removal from office
5. Amendment of section 16 — Qualification for registration and right to vote
6. Amendment of section 18 — Requirement to register
7. Amendment of section 21 — Registers of electors
8. Amendment of section 23 — Revised register
9. Amendment of section 24 — Register for elections
10. Amendment of section 30 — Issue of Writ
11. Amendment of the First Schedule
12. Amendment of the Second Schedule

[L.S.]



I Assent,

**Louise Lake-Tack,**  
*Governor-General.*

19th July, 2010.

**ANTIGUA AND BARBUDA**

**THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2010**

**No. 6 of 2010**

**AN ACT** to amend the Representation of the People Act Cap.379 and for incidental and connected purposes.

**ENACTED** by the Parliament of Antigua and Barbuda as follows:—

**1. Short title**

This Act may be cited as the Representation of the People (Amendment) Act, 2010 and shall come into force on a date fixed by the Minister by Order published in the *Gazette* and different dates may be fixed for different provisions of this Act.

**2. Interpretation**

In this Act “the principal Act” means the Representation of the People Act Cap.379.

**3. Amendment of section 3 — Electoral Commission**

Section 3 of the principal Act is amended in the following respects —

(a) in subsection (5) —

(i) by repealing the word “or” in paragraph (b);

(ii) by repealing the full stop at the end of paragraph (d) and substituting a semi-colon; and

(iii) by inserting after paragraph (d), the following paragraphs—

“(e) if he is removed from office in accordance with section 4; and

(f) if he is absent from three consecutive meetings of the Commission without reasonable excuse in writing.”; and

(b) by inserting after subsection (5), the following subsections —

“(5A) Where the office of a member of the Commission becomes vacant, the Prime Minister or the Leader of the Opposition, as applicable, shall within 4 weeks of the office becoming vacant, make the recommendation to the Governor-General in accordance with subsection (3) for a person to be appointed as a member of the Commission.

(5B) Where there is a failure to make the recommendation within 4 weeks of the office becoming vacant and the Speaker determines that the failure may frustrate the purpose of the Commission—

(a) the Speaker shall recommend to the Governor-General, a person to fill the vacancy; and

(b) the Governor-General shall, acting on the recommendation of the Speaker, by instrument under the Public Seal appoint the person to serve as a member of the Commission for a period not exceeding one year.

(5C) The Prime Minister or the Leader of the Opposition, as applicable, shall within 2 weeks of the expiration of the term of office of the member of the Commission appointed under subsection (5B) make a recommendation to the Governor-General in accordance with subsection (3) for a person to be appointed as a member of the Commission.

(5D) Where there is a failure to make the recommendation in accordance with subsection (5C)—

(a) the Speaker shall recommend to the Governor-General, a person to fill the vacancy; and