

ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

2003, No. 11

THE BARBUDA LOCAL GOVERNMENT
ELECTION RULES, 2003

The Barbuda Local Government Election Rules, 2003 made by
the Cabinet under section 16 of the Barbuda Local Govern-
ment Act Cap. 44.

Part I
PRELIMINARY

1. These Rules may be cited as the Barbuda Local Govern- Short title.
ment Election Rules, 2003.

Part II
TIME LIMITS

1A. The proceedings at the election shall be conducted in Provisions as to
accordance with the following provisions: time.

- (a) nomination papers shall be delivered between the hours of 10 a.m. and 1 p.m. on the day fixed by the Governor-General under section 13 of the Act;
- (b) the delivery of notices of withdrawal of candidatures shall take place within the time specified in paragraph (a) for the delivery of nomination papers;
- (c) objections to nomination papers are allowed between 10 a.m. and 2 p.m. of the day set for the delivery of nomination papers:

Provided that no objection may be made between 2 p.m. and 3 p.m. of the said day except to a nomination delivered between 12 p.m. and 1 p.m.;

- (d) the publication of a statement of the persons nominated may be made at the close of the time for making objections to nomination papers or as soon thereafter as any objections are disposed of;

- (e) polling shall take place between the hours of 7 a.m. and 6 p.m. on the day specified in the writ by the Governor-General.

Computation of time.

2. (1) In computing any period of time for the purpose of rule 1A, a Sunday or public holiday shall be disregarded, and any such day shall not be treated as a day for the purpose of any proceedings up to the completion of the poll.

Cap. 354.

(2) In this rule the expression "public holiday" means a holiday appointed as such by the Public Holidays Act or any proclamation made thereunder.

Part II
STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

Issue of writ.

3. (1) The Supervisor of Elections may, by Order —

- (a) specify the manner in which writs, which shall be in Form 1 in the Appendix hereto, are to be conveyed, and may make different provisions for different classes of writs; and
- (b) provide for the giving of receipts for writs by persons to whom they are delivered or who may receive them in the course of their conveyance.

(2) Delivery of the writ to a person for the time being authorized by law to act as deputy for the officer who by virtue of his office is returning officer shall be as good as delivery to the returning officer.

(3) An order under this rule may require a returning officer to furnish an address to which writs are to be conveyed and any change of that address, and may provide for recording addresses so furnished, and delivery of a writ to a person found in, and for the time being in charge of, a place so recorded as the office of a returning officer shall be as good as delivery to that returning officer.

(4) The person to whom the writ is delivered shall endorse the date of receipt on the writ.

(5) An Order under this rule may provide for any incidental or supplementary matters and may revoke or vary an Order previously made.

4. (1) For the purpose of every election, the Governor-General shall issue a writ under the Public Seal addressed to the returning officer of the constituency of Barbuda by the title of his office as returning officer and not by his name, for which members are to be returned. Such writs shall be forwarded to the Supervisor of Elections for transmission to the returning office.

Writs under public seal.

(2) Every writ shall specify the day and place of nomination of candidates, the day on which, if necessary, the poll shall be taken, and the day on which the writ shall be returnable to the Governor-General.

(3) Upon receipt of the writ, the returning officer shall proceed to hold the election in the manner hereinafter provided.

5. The returning officer shall publish notice of the election, in Form 2 in the Appendix hereto, stating —

Notice of election.

(a) the place and times at which nomination papers are to be delivered; and

(b) the date of the poll in the event of a contest;

and the notice shall state that forms of nomination paper as set out in the Appendix may be obtained at the place and time stated in pursuance of paragraph (a).

6. (1) Each candidate shall be nominated by a separate nomination paper, in Form 3 in the Appendix hereto, delivered by the candidate himself or his proposer or seconder, to the returning officer at the place fixed for the purpose.

Nomination of candidates.

(2) The nomination paper shall state the full names, place of residence and description of the candidates and the surname shall be placed first in the list of names.

(3) The description shall not exceed six words in length, and need not refer to his rank, profession or calling so long as, with the other particulars of the candidate, it is sufficient to identify him.

7. (1) The nomination paper shall be subscribed by two electors as proposer and seconder, and by three other electors.

Subscription of nomination papers.

(2) Where a nomination paper bears the signatures of more than the required number of persons as proposing, seconding or

assenting to the nomination of a candidate, the signature or signatures (up to the required number) appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.

(3) The nomination paper shall give the electoral number of each person subscribing it.

(4) The returning officer shall supply any elector with a form of nomination paper at the place and during the time for delivery of nomination papers and shall, at the request of an elector, prepare a nomination paper for signature; but it shall not be necessary for a nomination to be on a form supplied by the returning officer.

(5) No person shall subscribe more than one nomination paper at the same election and if he does, his signature shall be inoperative on any paper other than the one first delivered.

(6) In this rule —

“ elector” means a person who is registered as an elector in the constituency in the register to be used at the election or who, pending the publication of that register, appears from the electors list as corrected by the registration officer to be entitled to be so registered; and

“electoral number” means a person’s number in the register of electors or, pending the publication of the register, his number (if any) in the electors list.

Consent to nomination.

8. A person shall not be validly nominated unless his consent to nomination, given in writing, in Form 4 in the Appendix hereto, on the day fixed as the day for the delivery of nomination papers and attested by one witness, is delivered at the place and within the time for the delivery of nomination papers.

Deposit.

9. A person shall not be validly nominated unless the sum of fifty dollars in legal tender is deposited by him or on his behalf with the returning officer at the place and during the time for delivery of nomination papers.

Place for delivery of nomination papers.

10. The returning officer shall fix the place within the constituency at which nomination papers are to be delivered to him, and shall attend there during the time for the the time for the delivery thereof and for the making of objections thereto.

11. (1) Except for the purpose of delivering a nomination paper or of assisting the returning officer, no person shall be entitled to attend the proceedings during the time for the delivery of nomination papers or making objections thereto unless he is a person standing nominated as a candidate or is a proposer or seconder of such a person.

Right to attend nomination.

(2) Where a person stands nominated by more than one nomination paper, only the persons subscribing, as proposer and seconder, such one of those papers as he may select or, in default of any such selection, that one of those papers which is first delivered, shall be entitled to attend as his proposer and seconder.

(3) The right to attend conferred by this rule shall include the right to inspect, and to object to the validity of, any nomination paper.

12. (1) Where a nomination paper and the candidate's consent thereto are delivered and a deposit is made in accordance with these rules, the candidate shall be deemed to stand nominated unless proof is given to the satisfaction of the returning officer of the candidate's death, or the candidate withdraws.

Decisions as to validity of nomination paper.

(2) The returning officer shall be entitled to hold a nomination paper invalid only on any of the following grounds —

(a) that the particulars of the candidate or the persons subscribing the paper are not as required by law; and

(b) that the paper is not subscribed as so required.

(3) The returning officer shall give his decision on any objection to a nomination paper as soon as practicable and in any event not later than one hour after it is made.

(4) Where he decides that a nomination paper is invalid, he shall forthwith endorse and sign on the paper the fact and the reasons for his decision.

Withdrawal of candidates.

13. (1) A candidate may withdraw his candidature by notice of withdrawal signed by him and attested by one witness and delivered to the returning officer at the place for delivery of nomination papers.

(2) In the case of a candidate who is outside Antigua and Barbuda, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from Antigua and Barbuda shall be of the same effect as a notice of withdrawal signed by the candidate:

Provided that where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph shall be effective if, but only if —

- (a) the notice and the accompanying declaration are signed by all the proposers except any who is, and is stated in the said declaration to be, outside Antigua and Barbuda; or
- (b) the notice is accompanied, in addition to the declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from Barbuda.

Publication of nominations.

14. (1) The returning officer shall prepare and publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.

(2) The statement shall show the names, addresses and descriptions of the persons nominated as given in their nomination papers, together with the names of the persons subscribing those papers.

(3) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames and, if there are two or more of them with the same surname, of their other names.

(4) In the case of a person nominated by more than one nomination paper, the returning officer shall take the particulars required by the provisions of this rule from such one of the papers as the candidate, or the returning officer in default of the candidate, may select.

15. Where the proceedings for or in connection with nomination are on any day interrupted or obstructed by riot or open violence or by the occurrence of any earthquake, hurricane, flood, fire, out-break of pestilence or other calamity the proceedings shall be continued on the next day as if that were the day for the delivery thereof, subject to any further application of this rule in the event of interruption or obstruction on that day:

Adjournment of nomination proceedings in case of riot, etc.

Provided that where proceedings are abandoned by virtue of this rule nothing may be done after they are continued, if the time for doing it had passed at the time of the abandonment, nor shall anything done before the abandonment be invalidated by reason thereof.

16. (1) If the statement of persons nominated shows more than one person standing nominated, a poll shall be taken in accordance with Part III of these rules.

Method of election.

(2) If the statement of persons nominated shows only one person standing nominated, that person shall be declared to be elected in accordance with Part IV of these rules.

Part III

CONTESTED ELECTIONS

17. The votes at the poll shall be given by ballot, the result shall be ascertained by counting the votes given to each candidate and the candidate to whom the majority of votes have been given shall be declared to have been elected.

Poll to be taken by ballot.

18. (1) The ballot of every voter shall consist of a ballot paper, and the persons shown in the statement of persons nominated as standing nominated, and no other person shall be entitled to have their names inserted in the ballot paper.

Ballot papers.

(2) Every ballot paper shall be in Form 5 in the Appendix hereto, and shall be printed in accordance with the directions therein, and —

(a) shall contain the names and the other particulars of the candidates as shown in the statement of persons nominated;

(b) shall be capable of being folded up;

(c) shall have a number printed on the back; and

(d) shall have attached a counterfoil with the same number printed on the face.

(3) The order of the names in the ballot paper shall be the same as in the statement of persons nominated.

The official mark.

19. (1) Every ballot paper shall be marked with an official mark, which shall be either embossed or perforated.

(2) The official mark shall be kept secret at all times before the date of the poll.

Prohibition of disclosure of vote.

20. No person who has voted at the election shall, in any legal proceeding to question the election or return, be required to state for whom he voted.

Use of schools and public rooms.

21. (1) The returning officer may use any of the following, free of charge, for the purpose of taking the poll —

(a) a room in a government school; and

(b) a room, the expense of maintaining which is payable out of the Consolidated Fund.

(2) The returning officer shall make good any damage done to, and defray any expense incurred by the persons having control over, any such room by reason of its being used for the purpose of taking the poll.

Action to be taken before the Poll

Notice of poll.

22. (1) The returning officer shall in the statement of persons nominated include a notice of the poll stating the day on which and hours during which the poll will be taken.

(2) The returning officer shall also give public notice (which may be combined with the statement of persons nominated) of the situation of each polling station and the description of voters entitled to vote at the polling station and of the mode in which voters are to vote.

Death of candidate.

23. (1) If after the publication of the statement of persons nominated and before the poll is commenced proof is given to the satisfaction of the returning officer of the death of one of the

persons shown as standing nominated, the returning officer shall countermand notice of the poll, and all proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received on the day on which proof was given to the returning officer of the death:

Provided that no fresh nomination shall be necessary in the case of a person shown in the statement as standing nominated.

(2) Where by reason of the death of a candidate proceedings at an election are commenced afresh under this rule, the time for delivery of nomination papers and the time for polling shall be determined in accordance with rule 1A with the modification required by sub-rule (1) of any reference to the date on which the writ is received.

(3) Where the poll is abandoned by reason of the death of a candidate, the proceedings at or consequent on that poll shall be interrupted, and the presiding officer at the polling station shall take the like steps (so far as not already taken) for the delivery to the returning officer of ballot boxes and of ballot papers and other documents as he is required to take on the close of the poll in due course, and the returning officer shall dispose of ballot papers and other documents in his possession as he is required to do on the completion in due course of the counting of the votes, but —

- (a) it shall not be necessary for any ballot paper account to be prepared or verified; and
- (b) the returning officer, without taking any step or further step for the counting of the ballot papers, or of the votes, shall seal up all the ballot papers, whether the votes on them have been counted or not, and it shall not be necessary to seal up counted and rejected ballot papers in separate packets.

(4) The provisions as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election shall apply to documents relating to a poll abandoned by reason of the death of a candidate, with the following modifications —

- (a) ballot papers on which the votes were neither counted nor rejected shall be treated as counted ballot papers; and

- (b) no order shall be made for the production or inspection of any ballot paper or for the opening of a sealed packet of counterfoils or certificates as to employment on duty on the day of the poll unless the order is made by a court with reference to a prosecution.

Provision of
polling stations.

24. (1) The returning officer shall provide a sufficient number of polling stations and, subject to the following provisions of this rule, shall allot the electors to the polling stations in such manner as he thinks most convenient.

(2) One or more polling stations may be provided in the same building.

(3) The polling station allotted to electors from any polling district shall be in the polling place for that district.

(4) The returning officer shall provide each polling station with such number of compartments as may be necessary in which the voters can make their votes screened from observation.

Appointment of
presiding officers
and clerks

25. (1) The returning officer shall appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purpose of the election, but he shall not appoint any person who has been employed by or on behalf of a candidate in or about the election.

(2) The returning officer may, if he thinks fit, preside at a polling station and the provisions of these rules relating to a presiding officer shall apply to a returning officer so presiding with the necessary modifications as to things to be done by the returning officer or by the presiding officer to the returning officer.

(3) The clerks appointed to assist the presiding officer may do any act, including the asking of questions, which the presiding officer is required or authorised by these rules to do at a polling station except order the arrest, exclusion or removal of any person from the polling station.

Proxy list.

26. (1) The returning officer shall as soon as practicable, and in any case not later than three days before any polling day, prepare a list of proxies giving ---

- (a) the names and numbers on the register of the electors for whom proxies have been appointed; and

- (b) the names and addresses of the persons appointed as proxies, and shall also place against the name of any elector on the register of electors on behalf of whom a proxy has been appointed to vote the letter "p" in a copy of the register or part thereof provided for a polling station.

(2) The list of proxies shall be used only for the purposes of the election next following the preparation of the list.

27. (1) The returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as in the opinion of the returning officer may be necessary.

Equipment of
polling station.

(2) Every ballot box shall be so constructed that the ballot papers can be put therein, but cannot be withdrawn therefrom, without the box being unlocked.

(3) The returning officer shall provide each polling station with—

- (a) materials to enable voters to mark the ballot papers;
- (b) instruments for stamping thereon the official mark;
- (c) copies of the register of electors or such part thereof as contains the names of the electors allotted to the station;
- (d) the parts of any list of proxies prepared for the election corresponding to the register of electors or part thereof provided under sub-paragraph (c);
- (e) a blank poll book which shall be in Form 6 in the Appendix hereto—
- (f) a copy of the Act and these rules;
- (g) a sufficient supply of black and red electoral ink; and
- (h) such other things as may be necessary for conducting the election in the manner directed by the Act and these rules.

(4) A notice in Form 7 in the Appendix hereto, giving directions for the guidance of the voters in voting, shall be printed in

conspicuous characters and exhibited inside and outside every polling station.

(5) In every compartment of every polling station there shall be exhibited a notice as follows —

“The voter may vote for a number of candidates not exceeding the corresponding number of seats to be filled at the election.”

Appointment of
polling and
counting agents.

28. (1) Each candidate may, before the commencement of the poll, appoint polling agents to attend at polling stations for the purpose of detecting personation and counting agents to attend at the counting of the votes:

Provided that the returning officer may limit the number of counting agents, so however that the number shall be the same in the case of each candidate and the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.

(2) Notice in writing of the appointment, stating the names and addresses of the persons appointed as polling agents or counting agents, shall be given by the candidate to the returning officer and, in the case of counting agents, shall be so given not later than the second day, computed like any period of time in rule 1A, before the day of the poll.

(3) If a polling or counting agent dies, or becomes incapable of acting, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.

(4) In the following provisions of these rules references to polling and counting agents shall be taken as references to agents whose appointments have been duly made and notified and, where the number of agents is restricted, who are within the permitted number.

(5) Any notice required to be given to a counting agent by the returning officer may be delivered at or sent by post to the address stated in the notice of appointment.

(6) A candidate may himself do any act or thing which any polling or counting agent of his, if appointed, would have been authorised to do.

(7) Where by these rules any act or thing is required or authorised to be done in the presence of the polling or counting agents, the non-attendance of any agent at the time and place appointed for the purpose, shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

29. (1) Before the opening of the poll a declaration of secrecy in the form in subrule (4), or in a form as near thereto as circumstances admit, shall be made by —

Declaration of
secrecy.

- (a) the returning officer and the presiding officer;
- (b) every officer or clerk authorised to attend at a polling station or the counting of the votes;
- (c) every candidate attending at a polling station or at the counting of the votes;
- (d) every candidate's spouse attending at the counting of the votes;
- (e) every person permitted by the returning officer to attend within the designated restricted area at the counting of the votes though not entitled to do so.

(2) Notwithstanding anything in subrule (1), any of the following persons attending at the counting of the votes, namely—

- (a) a candidate;
- (b) a candidate's spouse attending by virtue of the rule authorizing candidates' spouses to attend as such;
- (c) a person permitted by the returning officer to attend, though not entitled to do so; and
- (d) a clerk making the declaration in order to attend at the counting of the votes,

need not make the declaration before the opening of the poll but shall make it before he or she is permitted to attend the counting, and a polling or counting agent appointed after the opening of the poll shall make the declaration before acting as an agent.

(3) The returning officer shall make the declaration in the presence of a magistrate, and any other person shall make the declaration in the presence either of a magistrate or of the returning

officer, and subsections (1), (2), (3) and (5) of section 42 of the Representation of the People Act shall be read to the declarant by the person taking the declaration or shall be read by the declarant in the presence of that person.

(4) The declaration shall be as follows:

“I solemnly promise and declare that I will not do anything forbidden by subsections (1), (2), (3) and (5) of section 42 of the Representation of the People Act which have been read to/by me.”

Admission to
polling station.

30. (1) The presiding officer shall regulate the number of voters to be admitted to the polling station at the same time, and shall exclude all other persons except —

- (a) the candidates;
- (b) the polling agents appointed to attend at the polling station;
- (c) the clerks appointed to attend at the polling station;
- (d) the police officers or members of the Antigua and Barbuda Defence Force on duty; and
- (e) the companions of voters who have a disability or infirmity which renders them unable to vote without assistance.

(2) Not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same candidate.

Keeping of order
in station.

31. (1) A presiding officer shall keep order at his polling station.

(2) If a person misconducts himself in a polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by a police officer in or near the station or by any other person authorised in writing by the returning officer to remove him, and the person so removed shall not, without the permission of the presiding officer again enter the polling station during the day.

(3) Any person removed from a polling station in pursuance of subrule (2) may, if charged with the commission in the polling

station of an offence, be dealt with as a person taken into custody by a police officer for an offence without a warrant.

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

32. Immediately before the commencement of the poll, the presiding officer shall show the ballot box empty to such persons, if any, as are present in the polling station, so that they may see that it is empty, and shall then lock it up and place his seal on it in such manner as to prevent it being opened without breaking the seal, and shall place it in his view for the receipt of ballot papers and keep it so locked and sealed.

Sealing of ballot boxes.

33. (1) The presiding officer may, and if required by a candidate or his polling agent shall, put to any person applying for a ballot paper at the time of his application, but not afterwards, any of the following questions —

Questions to be put to voters.

(a) in the case of a person applying to vote —

- (i) “Are you the person registered in the register of electors of this election as follows (read the whole entry from the register)?”
- (ii) “Have you already voted, here or elsewhere, at this election otherwise than as proxy for some other person?”; and

(b) in the case of a person applying to vote as a proxy—

- (i) “Are you the person whose name as A.B. in the list of proxies for this election is entitled to vote as proxy on behalf of C.D.?”
- (ii) “Have you already voted, here or elsewhere, at this election as proxy on behalf of C.D.?”

(2) In the case of a person applying as proxy, the presiding officer may, and if required by a candidate or his polling agent shall, put the following additional question: “Have you at this election already voted as proxy on behalf of any other person?”

(3) A ballot paper shall not be delivered to any person required to answer the above questions or any of them unless he

has answered the question to the satisfaction of the presiding officer.

(4) Save as by this rule authorised, no inquiry shall be permitted as to the right of any person to vote.

Challenge of
vote.

34. (1) If at the time a person applies for a ballot paper for the purpose of voting in person, or after he has applied for a ballot paper for that purpose and before he has left the polling station, a candidate or his polling agent declares to the presiding officer that he has reasonable cause to believe that the applicant 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 or a member of the Antigua and Barbuda Defence Force to arrest that person, and the order of the presiding officer shall be sufficient authority for the police officer or member of the Antigua and Barbuda Defence Force so to do.

(2) A person against whom a declaration is made under this rule shall not by reason thereof be prevented from voting.

(3) A person arrested under the provisions of this rule shall be dealt with as a person taken into custody by a police officer or member of the Antigua and Barbuda Defence Force for an offence, without a warrant.

Voting procedure.

35. (1) A ballot paper shall be delivered to a voter who applies therefor, and immediately before delivery —

- (a) the ballot paper shall be stamped with the official mark, either embossed or perforated;
- (b) the number, name and description of the elector as stated in the copy of the register of electors shall be called out;
- (c) a mark shall be placed in the register of electors against the number of the elector to denote that a ballot paper has been received but without showing the particular ballot paper which has been received; and
- (d) in the case of a person applying for a ballot paper as proxy, a mark shall also be placed against his name in the list of proxies.

(2) The voter, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station and there secretly mark his paper and fold it up so as to conceal his vote, and shall then show to the presiding officer the back of the paper, so as to disclose the official mark, and after the provisions of rules 36 to 38 and rules 39 to 41, as the case may be, have been complied with, put the ballot paper so folded up into the ballot box in the presence of the presiding officer.

(3) The voter shall vote without undue delay and shall leave the polling station as soon as he has put his ballot paper into the ballot box.

36. (1) Subject to the provisions of rule 43, the presiding officer shall refuse to deliver any ballot paper to any elector unless he is satisfied that there does not appear any marks of black electoral ink —

(a) upon the appropriate digit of the elector; or

(b) in the case of an elector who the presiding officer is satisfied is suffering from an injury to the appropriate digit, upon any of the digits of the elector.

(2) For the purpose of satisfying himself in the manner required by subrule (1) of this rule, the presiding officer shall in the presence of the poll clerk and of the agents of the candidates or the candidates in the polling station, as the case may be, inspect the appropriate digit of each elector or all of the digits of the elector, as the case may require.

(3) If a presiding officer refuses to deliver a ballot paper to an elector under the provisions of this rule he shall make an entry in the poll book setting out the facts in relation to such refusal.

(4) A person who applies as an elector for a ballot paper at any time when there is upon any of his digits a mark of black electoral ink shall be guilty of personation within the meaning of the Act.

37. (1) The presiding officer shall before permitting any elector to put his folded ballot paper in the ballot box in accordance with rule 35 (2), if the elector has an appropriate digit, satisfy himself that there does not appear upon such digit any substance which in ink his opinion is likely to prevent the adhesion of black electoral ink and cause the elector to immerse the digit in the black electoral ink:

Ballot papers not to be delivered to elector unless no marks of black electoral ink appear on elector.

Electors to immerse appropriate digit in black electoral ink.

Provided that where the presiding officer is satisfied that the elector is suffering from injury to his appropriate digit which is of such nature as to render it undesirable for him to immerse the digit in the black electoral ink, the presiding officer may require him to immerse in the black electoral ink any other digit upon which the presiding officer is satisfied that there is no substance which is likely to prevent the adhesion of the ink.

(2) If an elector on being required so to do fails or refuses to immerse his appropriate digit in black electoral ink, the presiding officer shall take possession of and cancel the ballot paper of such an elector and make an entry in the poll book setting out the particulars in relation to the cancellation of such ballot paper:

Provided that nothing in this rule shall prohibit an elector who has failed or refused to immerse his appropriate digit in black electoral ink from returning to the polling station in order to vote as an elector and to immerse his appropriate digit in the black electoral ink.

Meaning of
"appropriate
digit", etc. in
relation to an
elector.

38. In rules 36 and 37 "appropriate digit" means in the case of an elector —

- (a) who has a right hand upon which there are any digits —
- (i) that finger of the right hand which is nearest to the right thumb; or
 - (ii) if the elector has no right thumb, the right thumb socket;
 - (iii) or if the elector has a right thumb but has no fingers on the right hand, the right thumb

and upon which digit there does not appear any sign of red electoral ink:

- (b) who has no right hand or who has a right hand but has no digits upon such hand,
- (i) the finger on the left hand which is nearest to the left thumb,
 - (ii) or if the elector has no left thumb to the left thumb socket;

- (iii) or if he has a left thumb but no fingers upon his left hand, the left thumb

and upon which digit there does not appear any sign of red electoral ink;

“digit” means fingers and thumbs; and

“black electoral ink” means the black ink whether composite or consisting of two or more separate solutions, supplied by the Supervisor of Elections for use in accordance with these rules.

39. (1) Subject to the provisions of rule 43, the presiding officer shall refuse to deliver any ballot paper to any person voting as proxy for an elector unless he is satisfied that there does not appear any mark of red electoral ink —

Ballot papers not to be delivered to person voting as proxy for elector unless no marks of red electoral ink appear on proxy.

(a) upon the appropriate digit of such proxy; or

(b) in the case of a proxy who the presiding officer is satisfied is suffering from an injury to the appropriate digit, upon any of the digits of such proxy.

(2) For the purpose of satisfying himself in the manner required by sub-rule (1), the presiding officer shall in the presence of the poll clerk and of the agents of the candidates or the candidates in the polling station, as the case may be, inspect the appropriate digit of each proxy or all of the digits of each proxy, as the case may require.

(3) If a presiding officer refuses to deliver a ballot paper to a proxy under the provisions of this rule, he shall make an entry in the poll book setting out the facts in relation to such refusal.

(4) Every person who applies as a proxy for a ballot paper at any time when there is upon any of his digits any mark of red electoral ink shall be guilty of personation within the meaning of the Act.

40. (1) The presiding officer shall, before permitting any person voting as proxy to put his folded ballot paper in the ballot box in accordance with rule 35 (2) if the proxy has an appropriate digit, satisfy himself that there does not appear upon such digit any substance which in his opinion is likely to prevent the adhesion of red electoral ink and cause the proxy to immerse such digit in the red electoral ink:

Proxies to immerse appropriate digit in red electoral ink.

Provided that where the presiding officer is satisfied that the proxy is suffering from some injury to his appropriate digit which is of such nature as to render it undesirable for him to immerse such digit in the red electoral ink the presiding officer may require him to immerse in such red electoral ink any other digit upon which the presiding officer is satisfied that there is no substance which is likely to prevent the adhesion of red electoral ink.

(2) If a proxy on being required so to do fails or refuses to immerse his appropriate digit in red electoral ink the presiding officer shall take possession of and cancel the ballot paper of the proxy and make an entry in the poll book setting out the particulars in relation to the cancellation of the ballot paper.

Provided that nothing in this rule shall prohibit a proxy who has failed or refused to immerse his appropriate digit in red electoral ink from returning to the polling station in order to vote as a proxy and to immerse his appropriate digit in red electoral ink.

Meaning of "appropriate digit", etc. in relation to a proxy.

41. In rules 39 and 40 "appropriate digit" means in the case of a proxy —

- (a) who has a left hand upon which there are any digits
 - (i) that finger of the left hand which is nearest to the left thumb; or
 - (ii) if the proxy has no left thumb, the left thumb socket; or
 - (iii) if the proxy has a left thumb but has no fingers on the left hand, the left thumb

and upon which digit there does not appear any sign of black electoral ink;

- (b) who has no left hand or who has a left hand but has no digits upon such hand —
 - (i) the finger on the right hand which is nearest to the right thumb;
 - (ii) or if the elector has no right thumb, the right thumb socket; or

- (iii) if he has a right thumb but no fingers upon his right hand, the right thumb

and upon which digit there does not appear any sign of black electoral ink;

“digit” means fingers and thumbs,

“red electoral ink” means the red ink, whether composite or consisting of two or more separate solutions, supplied by the Supervisor of Elections for use in accordance with these rules.

42. Subject to the provisions of rule 43 of these rules, every presiding officer who fails or neglects to perform any duty imposed upon him by rule 36, 37, 39 or 40 of these rules shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for six months.

Penalty for failure of presiding officer to carry out provisions of rules 36, 37, 39 or 40.

43. The provisions of rules 36, 37, 39, 40 and 42 of these rules and shall not apply in relation to any elector or proxy who has no hands or who has only one digit, and is entitled to vote both as an elector and as a proxy and who has already voted in one of such capacities.

Non-application of rules 36, 37, 39 and 40 to proxies or electors with no hands, etc.

44. (1) The presiding officer, on the application of —

Voters marked by presiding officer.

(a) a voter who has a physical disability or infirmity which renders him unable to vote in the manner directed by these rules; or

(b) a voter who declares orally that he is unable to read, shall, in the presence of the polling agents, cause the vote of the voter to be marked on a ballot paper in the manner directed by the voter, and the voter having complied with the other provisions of these rules, the ballot paper to be placed in the ballot box.

(1a) In these rules, a voter who has a physical disability or infirmity as provided in subrule (1) is referred to as a “disabled voter”.

(2) The name and number on the register of electors of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list (in these rules called “the list of votes marked by the presiding officer”).

In the case of a person voting as a proxy for an elector, the number to be entered together with the name of the voter shall be the number of the elector.

Voting by disabled persons.

45. (1) If a disabled voter makes an application to the presiding officer to be allowed to vote with the assistance of another person by whom he is accompanied, in these rules referred to as "the companion", the presiding officer shall require the voter to declare orally whether he is disabled as to be unable to vote without assistance.

(2) If the presiding officer is satisfied that the voter is so disabled and is also satisfied by a written declaration made by the companion, in these rules referred to as "the declaration made by the companion of a disabled voter", that the companion is a qualified person within meaning of this rule and has not previously assisted any other disabled person to vote at the election, the presiding officer shall grant the application, and thereupon anything which is by these rules required to be done to or by the said voter in connection with the giving of his vote may be done to, or with the assistance of, the companion.

(3) For the purpose of this rule, a person shall be qualified to assist a disabled voter to vote, if that person is either —

- (a) a person who is entitled to vote as an elector in that constituency at the election; or
- (b) the father, mother, brother, sister, husband, wife, son or daughter of the disabled voter and has attained the age of eighteen years.

(4) The name and number in the register of electors of every voter whose vote is given in accordance with this rule and the name and address of the companion shall be entered by the presiding officer on a list in these rules referred to as "the list of disabled voters assisted by companions."

In the case of a person voting as proxy for an elector, the number to be entered together with the name of the voter shall be the number of the elector.

(5) The declaration made by the companion —

- (a) shall be in Form 8 in the Appendix hereto;

- (b) shall be made before the presiding officer at the time when the voter applies to vote with the assistance of a companion and shall forthwith be given to the presiding officer who shall attest and retain it.

(6) No fee or other payment shall be charged in respect of the declaration.

46. (1) If a person, representing himself to be —

Tendered ballot papers.

- (a) a particular elector named on the register and not named in the absent voters list; or
- (b) a particular person named in the list of proxies as proxy for an elector,

applies for a ballot paper after another person has voted in person either as the elector or his proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper, in these rules referred to as “a tendered ballot paper”, in the same manner as any other voter.

(2) A tendered ballot paper shall —

- (a) be of a colour differing from the other ballot papers; and
- (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of electors, and set aside in a separate packet.

(3) The name of the voter and his number on the register of electors shall be entered on a list in these rules referred to as the “tendered votes list.”

(4) In the case of a person voting as proxy for an elector, the number to be endorsed or entered together with the name of the voter shall be the number of that elector.

47. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to his satisfaction the fact of the inadvertence, obtain another ballot paper in the place of the ballot paper so delivered, in these

Special ballot papers.

rules referred to as “a spoilt ballot paper”, and the spoilt ballot paper shall be immediately cancelled.

Adjourned of
poll in case of
riot, etc.

48. (1) Where the proceedings at a polling station are interrupted or obstructed by riot or open violence, or by the occurrence of an earthquake, hurricane, flood, fire, outbreak of pestilence or other calamity, the presiding officer shall adjourn the proceedings till the following day and shall forthwith give notice to the returning officer.

(2) Where the poll at a polling station is adjourned —

- (a) the hours of polling on the day to which it is adjourned shall be the same as for the original day; and
- (b) references in these rules to the close of the poll shall be construed accordingly.

(3) Where the poll is adjourned under this rule, the presiding officer shall either —

- (a) secure and seal the polling station, having first ascertained that no person remains upon the premises, or
- (b) having first sealed each ballot box with his own seal, remove the ballot boxes and all other papers relating to the poll to some other secure place and in such latter event the polling agent of any candidate may upon request accompany and remain with such papers at such secure place until the resumption of the poll.

Procedure on
close of poll.

49. (1) As soon as practicable after the close of the poll the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seal of such polling agents as desire to affix their seals —

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened, but with the key attached;
- (b) the unused and spoilt ballot papers placed together;
- (c) the tendered ballot papers;

- (d) the marked copies of the register of electors and of the list of proxies;
- (e) the counterfoils of the used ballot papers and the certificates as to employment on duty on the day of the poll;
- (f) the tendered votes list, the list of disabled voters assisted by companions, the list of voters marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads "physical disability" and "unable to read", the declarations made by the companions of disabled voters, and the poll book,

and shall, accompanied by two police officers, deliver the packets personally to the returning officer to be taken charge of by him:

Provided that a polling agent of each candidate may, upon request, accompany the presiding officer from the polling station until he delivers the packets to the returning officer.

(2) The marked copies of the register of electors and of the list of proxies shall be in one packet but shall not be in the same packet as the counterfoils of the used ballot papers and the certificates as to employment on duty on the day of the poll.

(3) The packet shall be accompanied by a statement (in these rules referred to as "the ballot paper account") made by the presiding officer showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.

50. (1) The returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll, and shall give to the counting agents notice in writing of the time and place at which he will begin to count the votes, and shall designate a portion of such place to be a reserved area, within which the actual counting of votes will take place.

Attendance at
counting of
votes.

(2) No person other than —

- (a) the returning officer and his clerks;

(b) the candidates; and

(c) the counting agents,

may be present within the reserved area at the counting of the votes, unless permitted by the returning officer to attend.

(3) The returning officer shall give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information with respect thereto, as he can give them consistent with the orderly conduct of the proceedings and the discharge of his duties in connection with the election.

(4) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.

The count.

51. (1) The returning officer shall not count any tendered ballot paper.

(2) The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers printed on the back of the ballot papers.

(3) The returning officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and the unused and spoilt ballot papers in his possession and the tendered votes list, opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list and shall draw up a statement as to the result of the verification, which any counting agent may copy.

(4) The returning officer shall, so far as practicable, proceed continuously with counting the votes.

Recount.

52. (1) A candidate, if present when the counting or any re-count of the votes is completed, may require the returning officer to have the votes re-counted or again re-counted but the returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of votes until the candidates at the completion

thereof have been given a reasonable opportunity to exercise the right conferred by this rule.

53. (1) Any ballot paper —

Rejected ballot papers.

- (a) which does not bear the official mark;
- (b) on which votes are given for more than one candidate.
- (c) on which anything is written or marked by which the voter can be identified; or
- (d) which is unmarked or void for uncertainty,

shall, subject to the provisions of subrule (2) be void and not counted.

(2) A ballot paper on which the vote is marked —

- (a) elsewhere than in the proper place;
- (b) otherwise than by means of a cross; or
- (c) by more than one mark,

shall not by reason thereof be deemed to be void if an intention that the vote shall be for one or other of the candidates clearly appears, and the way the paper is marked does not of itself identify the voter and it is not shown that he can be identified thereby.

(3) The returning officer shall endorse the word “rejected” on any ballot paper which under this rule is not to be counted, and shall add to the endorsement the words “rejection objected to” if an objection is made by a counting agent to his decision.

(4) The returning officer shall draw up a statement showing the number of ballot papers rejected under the following heads—

- (a) want of official mark;
- (b) voting for more than one candidate;
- (c) writing or mark by which voter could be identified;
- (d) unmarked or void for uncertainty,

and any counting agent may copy the statement.

Decisions on
ballot papers.

54. The decision of the returning officer on any question arising in respect of ballot paper shall be final, but shall be subject to review on an election petition.

Equality of
votes.

55. Where, after the counting of the votes, including any recount, is completed, an equality of votes is found to exist between any candidates who have the smallest number of votes and the addition of a vote would entitle any of these candidates to be declared elected, the matter shall be proceeded with in accordance with subsection (9) of section 13 of the Barbuda Local Government Act,

Part IV

FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

Declaration of
result.

56. (1) In a contested election, when the result of the poll has been ascertained, the returning officer shall forthwith either —

- (a) (i) declare to be elected the candidate to whom the majority of votes has been given; and
- (ii) return the candidate's name to the Supervisor of Elections; or
- (b) (i) declare that there has been an equality of votes and that no candidate has been elected; and
- (ii) return the fact that there has been an equality of votes to the Supervisor of Elections

and the Secretary of the Council and in either case give public notice of the name of the candidate or of the candidates and of the total number of votes given for each candidate together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.

(2) In an uncontested election, the Statement of Persons nominated, in addition to showing the person standing nominated, shall also declare that person elected, and the returning officer shall forthwith return his name to the Secretary of the Council and the Supervisor of Elections.

57. (1) The returning officer shall return the name of the member elected by endorsing on the writ a certificate in Form 1 in the Appendix hereto.

Return of writ.

(2) The returning officer shall deliver the writ with the certificate endorsed thereon to the Supervisor of Elections.

58. (1) The Supervisor of Elections shall from the certificate on each writ returned to him enter the name of the member returned in a book to be kept by him at his office.

Record of returns.

(2) The Supervisor of Elections shall also enter in the book any declaration of equality of votes, any double return and any alteration or amendment made by him in the certificate endorsed on any writ.

(3) The book shall be open to public inspection at reasonable times and any person may, on payment of a reasonable fee, take copies from the book.

59. (1) Subject to the provisions of this rule, the deposit made under rule 9 shall either be returned to the person making it or his personal representatives or be forfeited to Antigua and Barbuda.

Return or forfeiture of candidates' deposits.

(2) Except in the cases hereinafter mentioned in this rule, the deposit shall be returned as soon as practicable after the result of the election is declared.

(3) If the candidate is not shown as standing nominated in the statement of persons nominated, or if the poll is countermanded or abandoned by reason of his death, the deposit shall be returned as soon as practicable after the publication of the statement or after his death, as the case may be.

(4) Subject to subrule (3) the deposit shall be forfeited if a poll is taken and, after the counting of the votes by the returning officer (including any re-count) is completed, the candidate is not elected.

Part V

DISPOSAL OF DOCUMENTS

60. (1) On the completion of the counting at a contested election the returning officer shall seal up in separate packets the counted and rejected ballot papers.

Verification of ballot paper account.

(2) The returning officer shall then in the presence of the counting agents verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and the unused and spoilt ballot papers in his possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt papers and the tendered votes list) and shall draw up a statement as to the result of the verification, which any counting agent may copy.

(3) The returning officer shall not open the sealed packets of tendered ballot papers or of counterfoils and certificates as to employment on duty day of the poll, or of marked copies of the register of electors and lists of proxies.

Delivery of documents to Supervisor of Elections.

61. (1) The returning officer shall then forward to the Supervisor of Elections the following documents —

- (a) the packets of ballot papers in his possession;
- (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot papers accounts;
- (c) the tendered votes lists, the lists of disabled voters assisted by companions, the lists of votes marked by the presiding officer and the statements relating thereto, and the declarations made by the companions of disabled voters;
- (d) the packets of counterfoils and certificates as to employment on duty on the day of the poll;
- (e) the packets containing marked copies of registers and of lists of proxies,

endorsing on each packet a description of its contents, the date of the election to which they relate, and the name of the constituency for which the election was held.

(2) The returning officer shall forward the documents by delivering them personally to the Supervisor of Elections.

(3) The Supervisor of Elections shall on receiving the documents give a receipt to the person delivering them, and shall register them in books of his office specifying the date and time of receipt.

(4) Any receipt to be given for the documents shall show the date and time of their receipt.

62. (1) An Order —

Orders for
production of
documents.

- (a) for the inspection or production of any rejected ballot papers in the custody of the Supervisor of Elections; or
- (b) for the opening of a sealed packet of counterfoils and certificates as to the employment on duty on the day of the poll or the inspection of any counted ballot papers in his custody may be made —
 - (i) by the Council;
 - (ii) if satisfied by evidence on oath that the Order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of an election petition, by the High Court (whether sitting as an election court or not).

(2) An order for the opening of a sealed packet of counterfoils and certificates or for the inspection of any counted ballot papers in the said custody may be made by an election court.

(3) An order under this rule may be made subject to such conditions as to persons, time, place and mode of inspection, production or opening as the Council or court making the order may think expedient:

Provided that in making and carrying into effect an order for the opening of a packet of counterfoils and certificates or for the inspection of counted ballot papers, 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 that the vote has been declared by a competent court to be invalid.

(4) Any power given under this rule to the High Court may be exercised by any judge of the Court otherwise than in open court.

(5) Where an order is made for the production by the Supervisor of Elections of any documents in his possession relating to any specified election, the production by him or his agent of the

document ordered, in such manner as may be directed by that order shall be conclusive evidence that the document relates to the specified election; and any endorsement on any packet of ballot papers so produced shall be *prima facie* evidence that the ballot papers are what are stated to be by the endorsement.

(6) The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be *prima facie* evidence that the elector whose vote was given by that ballot paper was the person who at the time of the election has affixed to his name in the register of electors the same number as the number written on the counterfoil.

(7) Save as by this rule provided, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the Supervisor of Elections or to open any sealed packets of counterfoils and certificates.

Retention and
public inspection
of documents.

63. (1) The Supervisor of Elections shall retain for a year all documents relating to an election forwarded to him in pursuance of these rules by a returning officer, and then, unless otherwise directed by order of the Council or the High Court, shall cause them to be destroyed.

(2) The said documents, except ballot papers, counterfoils and certificates as to employment on duty on the day of the poll, shall be open to public inspection at such time and subject to such conditions as may be prescribed by the Supervisor of Elections with the consent of the Chairman of the Council.

(3) The Supervisor of Elections shall on request, supply copies of or extracts from the documents open to public inspection on payment of such fees and subject to such conditions as may be sanctioned by him.

Revocation of
Cap. 44 R.E.
1992 S.L.

64. The Barbuda Local Government (Deposit) Rules are revoked.

APPENDIX TO ELECTION RULES

Note — The forms contained in this Appendix may be adapted so far as circumstances require.

FORM No. 1

Rule 3 (1)

Form of Writ for Elections

Elizabeth the Second, by the Grace of God, Queen of Antigua and Barbuda and of Her other Realms and Territories, Head of the Commonwealth, to the Returning Officer for the Constituency of Barbuda, Greeting:

WHEREAS the Barbuda Local Government Act provides for the election of members of the Barbuda Council:

AND WHEREAS it is necessary to hold an election for a member(s) of the Council who has / have retired in pursuance of section 14(2) of the Act:

AND WHEREAS the.....day of....., 20.....has been appointed as the date on which the said election shall be held

NOW THEREFORE I,....., Governor General of Antigua and Barbuda command you that, due notice being first given, you do cause election to be made according to law of a Member/Members to serve in the Barbuda Council and that you do cause the name(s) of such members) when so elected, whether be/they be present or absent, to be certified to me without delay.

Given under my hand and the Public Seal this.....day of.....and in the Year of Our Reign, and in the Year of Our Lord, 20.....

Governor-General

Label or direction of writ

To the Returning Officer for the Barbuda Constituency.

A Writ of a new Election of a Member/Members for the Barbuda Council.

Endorsement

Received the within Writ on the.....day of....., 20.....

(Signed)

Returning Officer.

Certificate endorsed on writ

I hereby certify, that the Member(s) elected for the Barbuda council in pursu-
ance of the Within written Writ is/are.....
of.....

(Signed)

Returning Officer.

FORM No. 2

Rule 5

Form of notice of election

ELECTION FOR THE BARBUDA COUNCIL

1. An election is to be held of a Member/Members to serve in the Barbuda Council.

2. Nomination papers may be delivered by the candidate(s) or his/their proposer(s) or seconder(s) to the returning officer at..... between the hours of 10 a.m. and 1 p.m. on the.....day of..... 20.....

3. Forms of nomination papers may be obtained at the place and times aforesaid, The returning officer will at the request of any elector prepare for signature a nomination paper.

4. If the election is contested, the poll will take place on the.....day of....., 20.....

(Signed)

Returning Officer.

NOTE

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination contained in these Rules.

2. A person guilty of a corrupt or illegal practice will, on conviction, be liable to the penalties imposed by the Representation of the People Act.

3. Electors and their proxies should take note that applications to be treated as absent voter and other applications and notices about proxy voting must reach the registration officer by the.....day of.....next, if they are to be effective for this election.

FORM No. 3

Rule 6

Form of nomination for Barbuda Council election

Election of Member to serve in the Barbuda Council

We, the undersigned, being electors for the Barbuda Constituency, do hereby nominate the under-mentioned person as a candidate at the said election, and we certify that to the best of our belief he is qualified for election as a member of the Barbuda Council.

Candidates Surname	Other names in full	Description	Home Address in full
BROWN	John Edward	Merchant	
Signatures		Electoral Number (See note 2)	
Proposer.....		.....
Secunder.....		.....
We, the undersigned, being electors for the said Constituency, do hereby assent to the foregoing nomination.			
1. ....		.....
2. ....		.....

3.....	.....
4.....	.....
5.....	.....
6.....	.....
7.....	.....
8.....	.....

NOTE

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination contained in these Rules.

2. A persons's electoral number is his number in the register to be used at the election except that before publication of the register his number (if any) in the electors lists for that register shall be used instead.

3. An elector may not subscribe more than one nomination paper for the same election.

FORM No.4

Rule 8

Consent to Nomination

I,....., of.....
herey consent to my nomination as a conadidate for election as a number of the Barbuda Council.

Witness my hand this.....day of....., 20.....

Signature of Witness

Signature of Candidate

FORM No. 5

Rule 18 (2).

FORM OF BALLOT PAPER

FORM OF FRONT OF BALLOT PAPER

Counterfoil No.

*The Counterfoil
is to have a number to
correspond with
that on the back
of the Ballot Paper.*

1	BROWN (JOHN EDWARD Brown, of.....Merchant.)
2	BROWN (THOMAS WILLIAM Brown, of.....Salesman.)
3	JONES (WILLIAM DAVID Brown, of.....Unemployed.)
4	SMITH (MARY Smith, of.....Married woman.)

FORM OF BACK OF BALLOT PAPER

No.

Election for the.....

Constituency on the.....day of....., 20.....

Note: *The number on the back of the ballot paper is to correspond with that on the Counterfoil.*

DIRECTIONS AS TO PRINTING THE BALLOT PAPER

1. Nothing is to be printed on the ballot paper except in accordance with these instructions.

2. So far as practicable, the following arrangements shall be observed in the printing of the ballot paper —

- (a) no word shall be printed on the face except the particulars of the candidates;
- (b) no rule shall be printed on the face except the horizontal rules separating the particulars of the candidates from one another and the vertical rules separating those particulars from the numbers on the left-hand side and the spaces on the right where the vote is to be marked;
- (c) the whole space between the top and bottom of the paper shall be equally divided between the candidates by the rules separating their particulars.

3. The surname of each candidate shall in all cases be printed itself in large capitals, and his full particulars shall be set out below it and shall be printed in ordinary type except that small capitals shall be used —

- (a) if his surname is the same as another candidate's, for his other names; and
- (b) if his other names are also the same as the other candidate's, either for his residence or for his description unless each of them is the same as that of another candidate with the same surname and other names.

Particulars of Voter							Particulars of persons applying for Ballot Papers after another person has voted as such persons					
Name of Voter	Occupation	Address	Consecutive No. of voter on list of voters	Questions if any, voter is required to answer	Record of how voter replied	Record that voter has voted*	Name	Consecutive No. of voter on list of voters	Questions if any, voter is required to answer	Record of how voter replied	Objections if any made on behalf of any candidates	Remarks

*When Ballot put into Ballot Box insert "Voted"

FORM No. 7**Rule 27 (4)****Form of directions for the guidance of the voters in voting**

1. The voter should see that the ballot paper, before it is handed to him, is stamped with the official mark.
2. The voter will go into one of the compartments and, with the pencil provided in the compartment, place a cross on the right-hand side of the ballot paper, opposite the name of the candidate for whom he votes, thus "X".
3. The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then in the presence of the presiding officer, having first immersed such digit as the presiding officer shall direct in the appropriate electoral ink, put the paper into the ballot box, and forthwith leave the polling station.
4. If the voter inadvertently spoils a ballot paper he can return it to the presiding officer, who will, if satisfied of such inadvertence, give him another paper.
5. If the voter votes for more than one candidate, or places any mark on the paper by which he may afterwards be identified, his ballot paper will be void, and will not be counted.
6. If the voter fraudulently takes a ballot paper out of a polling station or fraudulently puts into the ballot box any paper other than the one given to him by the presiding officer, he will be guilty of an offence and liable on conviction to the penalties laid down by law.

FORM No. 8**Rule 45 (5) (a)****Form of declaration to be made by the companion of a disabled voter at an election**

I A.B., of....., having been requested to assist C.D. (in the case of a disabled person voting as proxy add "voting as proxy for M. N.") whose number on the register is....., to record his vote at the election now being held, hereby declare that (I am entitled to vote as an elector at the said election) (I am the.....of the said voter and have attained the age of eighteen years), and that I have not previously assisted any disabled person to vote at this election.

(Signed) A.B.,
this.....day of.....20.....

Made this 19th day of March, 2003.

Louel Stevens,
Secretary to the Cabinet.

