

JAMAICA

No. 12-2007

I assent,

[L.S.]

(Sgd.) Prof. Kenneth O. Hall
Governor-General
19th July, 2007

AN ACT to Amend the Kingston and St. Andrew Corporation Act.

[*19th July, 2007*]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Kingston and St. Andrew Corporation (Amendment) Act, 2007, and shall be read and construed as one with the Kingston and St. Andrew Corporation Act (hereinafter referred to as the principal Act) and all amendments thereto.

Short title
and
construction.

2. Section 53 of the principal Act is amended by inserting the following as subsections (7) to (10)—

Amendment
of section 53
of principal
Act

“ (7) The provisions set out in subsection (8) shall apply in any case where an elector, except as otherwise permitted by this Act, intentionally displays his ballot paper so as to make known to any person the candidate for or against whom he intends to vote.

(8) The provisions referred to in subsection (7) are as follows—

- (a) the presiding officer shall issue a warning to the elector in relation to the display;
- (b) the elector shall forthwith restore the ballot paper to the presiding officer; and
- (c) the presiding officer shall—
 - (i) so deface the ballot as to render it a spoiled ballot; and
 - (ii) deliver a second ballot paper to the elector.

(9) Where, pursuant to subsection (8), an elector has been given a second ballot paper and acts in the manner described in subsection (7) in relation to that second ballot paper, the provisions of subsection (8)(a), (b) and (c)(i) shall apply, and no further ballot paper shall be delivered to the elector.

(10) An elector who acts in the manner described in subsection (9) commits an offence and shall be liable, upon summary conviction before a Resident Magistrate, to a fine not exceeding eighty thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.”.

Amendment
of section 54
of principal
Act

3.—(1) Section 54 of the principal Act is amended by deleting subsections (3) to (5) and substituting therefor the following—

“ (3) The presiding officer shall act in accordance with subsection (4) upon the request of—

- (a) an elector who—
 - (i) is incapacitated from voting in the manner prescribed by this Act, due to any physical cause other than blindness; and
 - (ii) takes an oath in the prescribed form; or
- (b) a blind elector who takes an oath in the prescribed form.

- (4) The presiding officer shall, at the option of the elector—
- (a) assist the elector by marking the elector's ballot paper—
- (i) in the manner directed by the elector; and
 - (ii) in the presence of the poll clerk and the sworn agents of the candidates or of the sworn electors representing the candidates in the polling station, but no other person,
- and placing the ballot in the ballot box; or
- (b) permit the person described in subsection (5) to accompany the elector into the voting compartment and mark the elector's ballot for him.

(5) The person referred to in subsection (4) is a friend of the elector, being a person who—

- (a) has not already acted pursuant to subsection (4) (b) in relation to any other elector in that election; and
- (b) takes an oath in the prescribed form, that he—
- (i) will keep secret the name of the candidate for whom he marks the ballot on behalf of the elector; and
 - (ii) has not already acted pursuant to subsection (4)(b) in relation to any other elector in that election.”.

(2) Section 54(6) of the principal Act is amended by deleting the words and numerals “(3), (4) or (5)” and substituting therefor the numeral “(4)”.

Passed in the House of Representatives this 29th day of May, 2007 with one (1) amendment.

MICHAEL PEART
Speaker.

Passed in the Senate this 15th day of June, 2007 with one (1) amendment.

SYRINGA MARSHALL-BURNETT, C.D., J.P.
President.

4 [No.] *The Kingston and St. Andrew Corporation (Amendment)
Act, 2007*

On the 10th day of July, 2007 the House of Representatives agreed to the amendment made by the Senate.

MICHAEL PEART
Speaker.

This printed impression has been carefully compared by me with the Act which has passed the House of Representatives and Senate, and has been found by me to be a true and correct printed copy of the said Act.

Clerk to the Houses of Parliament