



TRINIDAD AND TOBAGO.

No. 18—1946.

[L.S.]

I ASSENT,

B. E. H. CLIFFORD,

Governor.

11th April, 1946.

AN ORDINANCE to establish County Councils for the Colony, to provide for the Registration of Persons entitled to vote at Elections of Members thereof and to regulate the Procedure at such Elections, and for other purposes in connection therewith.

[18th April, 1946.]

Commence-
ment.

ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the County Councils Ordinance, 1946.

Interpre-
tation.

2. (1) In this Ordinance—

- “ clerk ” of a County Council means the person appointed as such under the provisions of section 82 of this Ordinance ;
- “ councillor ” means a person elected under the provisions of this Ordinance to be a member of the County Council ;
- “ election ” means an election of a member or members of any County Council held under the provisions of this Ordinance ;
- “ election documents ” means the documents which the returning officer is required by subsection (1) of section 48 of this Ordinance to transmit to the Supervisor of Elections after an election ;
- “ election officer ” includes the Supervisor of Elections, every returning officer, election clerk, presiding officer, poll clerk, enumerator or other person having any duty to perform pursuant to this Ordinance, to the faithful performance of which duty he may be sworn ;
- “ elector ” means any person whose name is on any list of electors ;
- “ electoral district ” means a district constituted under section 3 of this Ordinance ;
- “ electoral division ” means a division constituted under section 3 of this Ordinance ;
- “ finally revised list ” means the list of electors for any polling division which has been revised by the registration officer in accordance with the provisions of the Rules contained in the Second Schedule to this Ordinance, certified and forwarded to the Supervisor of Elections for printing ;
- “ list of electors ” means either the preliminary list of electors, the finally revised list of electors or the official list of electors as herein defined, as the context requires ;
- “ official list ” means the finally revised list of electors for any polling station which has been printed for use at such polling station ;
- “ poll book ” means the book in the form set out as Form No. 32 in the First Schedule to this Ordinance in which the name and other particulars of every person applying to vote are consecutively

entered by the poll clerk as soon as the applicant's right to vote at the polling station has been ascertained and before any such applicant is allowed to vote ;

“polling day” means the day fixed for holding the poll at an election ;

“polling division” means any polling division constituted in accordance with the provisions of section 6 of this Ordinance ;

“polling station” means any room secured by the returning officer for the taking of the votes of the electors on polling day and to which the official list of electors for a polling division is allotted ;

“preliminary lists of electors” means the lists of electors prepared by the enumerators in accordance with the provisions of the Rules contained in the Second Schedule to this Ordinance ;

“rejected ballot paper” means a ballot paper which has been handed by the presiding officer to an elector to cast his vote but which at the close of the poll has been found in the ballot box unmarked or so improperly marked that in the opinion of the presiding officer or returning officer it cannot be counted ;

“Schedule” means Schedule to this Ordinance ;

“spoilt ballot paper” means a ballot paper which, on polling day, has not been deposited in the ballot box but has been found by the presiding officer to be soiled or improperly printed, or which has been handed by the presiding officer to an elector to cast his vote, and—

(a) has been spoilt in marking by the elector ;
and

(b) has been handed back to the presiding officer and exchanged for another ;

“voter” means any person who votes at an election ;

“writ” means the writ for an election.

(2) In this Ordinance, for all purposes connected with and having reference to the right to vote at elections and to the qualifications and election of members of County Councils, words importing the masculine gender include women, whether married or single.

PART I

ELECTORAL DISTRICTS AND DIVISIONS.

Division of
Colony into
electoral
districts and
divisions.

3. (1) For the purposes of this Ordinance, the Colony shall be divided into the seven electoral districts mentioned in the first column of Part I of the Third Schedule hereto and described in the second column of the said Part I. Each of these electoral districts shall be subdivided into the electoral divisions mentioned in the third column of the said Part I in respect of each electoral district.

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(2) Each County and each Ward mentioned in the said Schedule shall, subject to any modification specified therein, comprise the area and be situated within the boundaries set out in the Division of Trinidad Ordinance in respect of such County or Ward.

(3) In the case of the electoral district of Tobago the Parishes mentioned in the third column of Part I of the said Schedule shall for the purposes of this Ordinance be deemed to comprise the area and to be situated within the boundaries set out in Part II of the said Schedule.

PART II.

REGISTRATION OF ELECTORS.

Elector's
qualifications.

4. No person shall be entitled to be registered in an electoral division as an elector at any election of councillors for any electoral district unless—

- (a) he is a British subject by birth or naturalization; and
- (b) he has attained the age of twenty-one years; and
- (c) he has resided in the electoral division for a period of not less than six months immediately preceding the date of registration; and
- (d) he is of sound mind.

Compiling lists
of electors.

5. (1) In such years as the Governor by proclamation may appoint, in no case being more than three years after the date of the last preceding general election of members of County Councils, lists of electors shall be compiled in each electoral division of all persons entitled under the provisions of this Ordinance to vote at the election of members of the County Council of the electoral district of which such division forms part.

(2) A list of electors shall be compiled for each polling division comprised within an electoral district and shall come into force on such date as the Governor may by proclamation appoint and shall remain in force until the list of electors next compiled comes into force.

(3) If for any reason a registration officer fails to compile a list of electors for any polling division, the list of electors in force when the fresh list of electors should have come into force shall continue in operation as the list of electors for such division.

6. (1) Subject to the provisions of subsections (2) and (3) of this section, there shall be constituted in each electoral division so many polling divisions with such boundaries as the registration officer shall, with the approval of the Supervisor of Elections, appoint. Polling divisions.

(2) Each polling division shall so far as practicable, contain approximately four hundred and fifty qualified persons.

(3) Where a registration officer is satisfied that by reason of the congestion or of the sparsity of population or other special circumstances, it is more convenient so to do, he may, notwithstanding anything contained in the last preceding subsection constitute a polling division including either more or less than four hundred and fifty qualified persons.

(4) In determining the boundaries of any polling division, the registration officer shall have regard to geographical considerations and such other factors as may affect the facility of communication between various places within the polling division.

7. (1) For each electoral division there shall be a registration officer who shall be the Warden of the County of which such division forms part, and in the case of any electoral division in Tobago, the Warden of Tobago: Provided that the registration officer for the electoral divisions comprising the electoral district of the County of St. Patrick shall be the Senior Assistant Warden of the County of St. Patrick. Registration officers.

(2) Every registration officer may appoint fit and proper persons to assist him in the performance of his duties under this Ordinance.

(3) Subject to the authority, directions and control of the registration officer, an assistant, other than an enumerator, shall have all the powers and may perform any of the duties of a registration officer under this Ordinance.

(4) Every registration officer shall, before entering on his duties as such, take and subscribe an oath in the form set out as Form No. 46 in the First Schedule and shall transmit such oath to the Supervisor of Elections.

Registration
duties.

8. It shall be the duty of the registration officer to compile the list of electors for his electoral division in accordance with the provisions of this Ordinance and the rules set out in the Second Schedule :

No. 10 of 1946

Provided that notwithstanding anything contained in section 5 of this Ordinance or in this section, the preparation by the enumerators of the preliminary lists for the purposes of the first general election of members of County Councils to be held under the provisions of this Ordinance shall be undertaken simultaneously with the preparation of the preliminary lists for the purposes of the first general election of members of the Legislative Council to be held under the provisions of the Legislative Council (Elections) Ordinance, 1946, and the procedure set out in the Registration Rules contained in the Second Schedule shall, in so far as it is not inconsistent with the terms of this proviso, be followed, but such lists shall not be posted up as contemplated by rule 15 of the said Registration Rules until the date specified in the said rule.

Appeals.

9. (1) An appeal shall lie from any decision of a registration officer of any electoral division on any claim or objection which has been considered by any such officer under this Ordinance. Any such appeal shall lie to a Magistrate within whose magisterial district the said electoral division is. No appeal shall lie where a claimant or objector has not availed himself of his opportunity, as provided by this Ordinance or the rules made thereunder, of being heard by the registration officer on the claim or objection.

(2) Any claimant or objector desiring to appeal against the decision of a registration officer shall give written notice of appeal to the registration officer and to the opposite party if any, when the decision is given or within seven days thereafter, specifying the grounds of appeal.

(3) The registration officer shall immediately forward such notice to the Clerk of the appropriate Magistrate's Court together with a statement of the material facts which, in his opinion, have been established in the case, and of his decision upon the whole case and upon any point which may be specified as a ground of appeal, and shall also furnish to the Court any further information which the Court may require and which he is able to furnish.

(4) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the Clerk of the Court accordingly for the purpose of enabling the Court, if it thinks fit, to consolidate the appeals or to select a case as a test case.

(5) On any appeal under this section the registration officer shall be a party to the proceedings.

(6) Every appeal under this section shall be prosecuted, heard and determined by the Court in such manner as may be prescribed by rules and the costs of such appeal shall be in the discretion of the Court.

(7) The right of any person, whose name is for the time being on the list of electors, to vote at an election shall not be prejudiced by any appeal pending under this section, and any vote given at an election in pursuance of that right shall be as good as if no such appeal were pending, and shall not be affected by the subsequent decision of the appeal.

(8) Notice shall be sent to the registration officer by the Clerk of the Court of the decision on any appeal under this section, and the registration officer shall make such alterations in the list of electors as may be necessary to give effect to such decision.

(9) Rules of court for regulating the practice in respect of appeals under this section shall be made in the same manner as rules of court may be made under and for the purposes of the Judicature Ordinance.

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PART III.

ADMINISTRATIVE PROVISIONS.

10. The Supervisor of Elections appointed under the provisions of the Legislative Council (Elections) Ordinance, 1946, hereinafter referred to as the Supervisor of Elections, shall—

Powers and duties of Supervisor of Elections. No. 10 of 1946.

- (a) exercise general direction and supervision over the administrative conduct of elections and enforce on the part of all election officers fairness, impartiality and compliance with the provisions of this Ordinance ;
- (b) issue to election officers such instructions as from time to time he may deem necessary to ensure effective execution of the provisions of this Ordinance ;
- (c) execute and perform all other powers and duties which by this Ordinance are conferred and imposed upon him.

Returning
officers.

11. (1) The Governor may from time to time, on the recommendation of the Supervisor of Elections, appoint for each electoral district a returning officer who shall receive such remuneration as may be prescribed.

(2) Forthwith upon his appointment each returning officer shall take and subscribe an oath in the form set out as Form No. 20 in the First Schedule, and shall transmit such oath to the Supervisor of Elections.

(3) Forthwith upon taking the oath referred to in the last preceding subsection, the returning officer shall establish an office in his electoral district and shall cause an advertisement to be inserted in a daily newspaper specifying the place at which he has established his office.

Election
clerks.

12. (1) The Supervisor of Elections shall appoint an election clerk for each electoral district who shall receive such fee for each election in that district as may be prescribed.

(2) Forthwith upon his appointment, the election clerk shall take an oath in the form set out as Form No. 21 in the First Schedule and shall transmit such oath to the returning officer.

(3) If at any time between the issue of a writ for an election and the declaration of the result of that election the returning officer dies or becomes incapable of performing his duties as such, the election clerk shall forthwith report the fact to the Supervisor of Elections and shall discharge all the duties and exercise all the powers of the returning officer until some other returning officer is appointed or the returning officer ceases to be incapable of performing his duties, as the case may be.

Substitute
election
clerks.

13. (1) Forthwith upon commencing to discharge the duties of the returning officer in accordance with the provisions of the last preceding section, the election clerk shall appoint a substitute election clerk who, unless sooner removed by the Supervisor of Elections, shall perform all the duties and exercise all the powers of the election clerk until such time as the election clerk ceases to perform the duties and to exercise the powers of the returning officer.

(2) Forthwith upon commencing to discharge the duties of the election clerk, the substitute election clerk shall take the oath required by the last preceding section to be taken by the election clerk.

(3) The substitute election clerk shall receive, in respect of his services as such, such sum as the Governor may in any particular case appoint.

14. (1) The returning officer of every electoral district shall, subject to the approval of the Governor, appoint a presiding officer for each polling station in such district who shall receive such fee as may be prescribed. Presiding Officers.

(2) Forthwith upon his appointment each presiding officer shall take and subscribe an oath in the form set out as Form No. 22 in the First Schedule and shall transmit such oath to the returning officer.

15. (1) The returning officer of every electoral district shall appoint a poll clerk for each polling station in such district who shall receive such fee as may be prescribed. Poll clerks.

(2) Forthwith upon his appointment every poll clerk shall take and subscribe an oath in the form set out as Form No. 23 in the First Schedule and shall transmit such oath to the returning officer.

(3) If any presiding officer dies or becomes incapable of performing his duties during the taking of the poll, the poll clerk shall forthwith assume the office of presiding officer and shall appoint some other person to act as poll clerk.

(4) Every person appointed to act as poll clerk under the last preceding subsection shall forthwith take and subscribe the oath of a poll clerk.

16. Every election officer and every person who is required by this Ordinance to take an oath may take such oath either before a Justice of the Peace or before any registration officer, returning officer or presiding officer or poll clerk appointed in accordance with the provisions of this Ordinance and every such registration officer, returning officer, presiding officer and poll clerk is hereby authorised and empowered to administer any oaths required by this Ordinance to be made by any election officer or other person. Oaths to be taken before Justice of the Peace, returning officer, presiding officer or poll clerk.

PART IV.

ELECTIONS.

Arrangements for elections.

17. (1) For the purposes of every general election of members of County Councils, and for the purposes of the election of members to supply vacancies caused by death, resignation, or otherwise, the Governor shall issue writs under the Public Seal of the Colony, addressed to the returning officers of the respective electoral districts for which members are to be returned. Such writs shall be forwarded to the Supervisor of Elections for transmission to the several returning officers. Issue of writs for holding elections.

(2) Every such writ shall be in the form set out as Form No. 1 in the First Schedule and shall specify the day and place of nomination of candidates, the day on which, if necessary, the poll shall be taken, being not less than fifteen and not more than twenty-one days thereafter, and the day on which such writ is returnable to the Governor.

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

Notice of
time and
place of
election.

18. On the Governor issuing a writ the Colonial Secretary shall give notice thereof, and of the day and place fixed for the nomination of candidates, by publication in the *Royal Gazette* and one or more daily newspapers at least ten clear days before the day fixed for such nomination; and the returning officer shall give further notice of the issue of such writ and of the time and place fixed for the nomination of candidates by causing notices in the form set out as Form No. 24 in the First Schedule to be posted on or near the door of every Warden's Office in each division to which the notice relates, and at such other places in the division, as he may deem necessary.

Copies of lists
of electors to
be obtained.

19. Before the day fixed for the nomination of candidates the returning officer shall obtain from the Supervisor of Elections the prescribed number of copies of the lists of electors for the time being in force by virtue of this Ordinance.

Procedure at elections.

Nomination of
candidates.

20. (1) On the day and at the place fixed for the nomination of candidates, the returning officer shall attend at nine o'clock in the morning to receive the nomination of candidates for the seat or seats to be filled.

(2) Every candidate for election must be nominated in writing in the form set out as Form No. 25 in the First Schedule by two registered electors of the electoral division for which he seeks to be elected.

(3) The returning officer shall at the place aforesaid and at the time aforesaid and within three hours thereafter receive such nomination papers as may be tendered to him.

(4) Every candidate shall at the time of his nomination deliver or cause to be delivered to the returning officer a statutory declaration of his qualifications made and subscribed by such candidate or, if the candidate is absent from the Colony on nomination day, by his duly authorised agent, in the form set out as Form No. 26 or Form No. 26A, as the case may be, in the First Schedule. If such statutory declaration is not delivered as aforesaid the nomination of such candidate shall be deemed to be void.

(5) Every candidate or someone on his behalf shall at the time of his nomination deposit, or cause to be deposited, with the returning officer, the sum of thirty dollars in cash, and if he fails to do so, the nomination of such candidate shall be deemed to be void.

21. (1) The full amount of every deposit made under sub-section (5) of the last preceding section shall forthwith after its receipt be transmitted by the returning officer to the Accountant General. Disposal of deposit.

(2) The full amount of every such deposit shall be returned by the Accountant General to the person who made such deposit or his personal representatives, as the case may be, upon the production by him of a certificate from the Supervisor of Elections that the candidate was elected or polled not less than one-eighth of the total number of votes cast at the election, or died before the close of the poll on polling day.

(3) For the purposes of this section the number of votes polled shall be deemed to be the number of ballot papers (other than spoiled ballot papers) counted.

(4) Except as otherwise provided in this section, every such deposit shall, at the expiration of one month from the conclusion of the election in respect of which it was made, be credited to general revenue.

22. If at the expiration of three hours from the time appointed there shall be only one candidate duly nominated, where there is only one seat to be filled or there shall be only two candidates duly nominated where there are two seats to be filled, the returning officer shall forthwith publicly declare such candidate or candidates, as the case may be, to be elected, and shall immediately thereafter certify by endorsement on the writ of election in the form set out as Form No. 27 in the First Schedule the return of such candidate or candidates and shall return the writ so endorsed to the Supervisor of Elections for transmission to the Governor within the time for that purpose specified therein. Uncontested elections.

23. (1) If there shall be more than one candidate duly nominated, where there is only one seat to be filled or there shall be only two candidates duly nominated where there are two seats to be filled, a poll of electors shall be taken, and in such case the returning officer shall adjourn the election to the day specified in the writ, and a poll shall be taken on such day in the manner hereinafter provided. Contested election. Adjournment to take the poll.

(2) The returning officer shall, as soon as practicable after adjourning the election, give notice of the day on which the poll will be taken and of the names of the candidates nominated for election and of the place where and day and time when the number of votes given to the several candidates will be finally counted, by publication thereof in two daily newspapers; and by causing notices to be posted on or near the doors of every Warden's Office in each electoral division to which the notice relates and at such other places in the division as he may deem necessary, in the form set out as Form No. 28 in the First Schedule.

Withdrawal of
candidature.

24. (1) Any candidate duly nominated may, not less than seven clear days before the day fixed for taking the poll, withdraw from his candidature by giving notice to the effect, signed by him, to the returning officer, provided that on such withdrawal there remains not less than one duly nominated candidate where there is only one seat to be filled or there remain not less than two duly nominated candidates where there are two seats to be filled.

(2) If any such candidate withdraws from his candidature in accordance with subsection (1) of this section, or dies, before the day fixed for taking the poll, the returning officer shall forthwith give public notice of such withdrawal or death in the manner mentioned in the preceding section; and if on such withdrawal or death there remains only one duly nominated candidate, where there is only one seat to be filled or there remain only two duly nominated candidates where there are two seats to be filled, the returning officer shall forthwith declare such candidate or candidates to have been elected, and shall immediately thereafter certify by endorsement on the writ of election the return of such candidate or candidates in the form set out as Form No. 29 in the First Schedule, and shall return the writ so endorsed to the Supervisor of Elections for transmission to the Governor within the time for that purpose specified therein.

Taking of poll
and the ballot

25. (1) The poll shall be taken in each polling station by secret ballot in accordance with the provisions of sections 38, 39 and 40 of this Ordinance.

(2) The ballot of each voter shall be a printed paper, in this Ordinance called a ballot paper, on which the names, addresses and occupations of the candidates alphabetically arranged in the order of their surnames and numbered accordingly shall be printed exactly as they are set out in the nomination paper. Opposite to the name of each candidate

there shall be a prescribed symbol. The ballot papers shall have a counterfoil and a stub, and there shall be a line of perforations between the ballot and the counterfoil and between the counterfoil and the stub, the whole as in the form set out as Form No. 30 in the First Schedule.

(3) The ballot papers shall be numbered on the top of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil. The ballot papers shall be bound or stitched in books containing ten, twenty-five, fifty or one hundred ballots.

26. The returning officer shall establish for each polling division such number of polling stations as the Supervisor of Elections shall determine, each polling station being in premises of convenient access, with an outside door for the admission of electors, and, where possible, with another door through which electors may leave after they have voted, and each presiding officer shall take care beforehand that his polling station is provided with proper doors, barriers, tables, chairs and other conveniences, and that the same are properly arranged for carrying out the provisions of this Ordinance with respect to the taking of the poll.

27. (1) The returning officer shall furnish to each presiding officer at least two clear days before polling day—

- (a) a sufficient number of ballot papers for at least the number of electors on the official list of electors of such presiding officer's polling station ;
- (b) a statement showing the number of ballot papers so supplied, with their serial numbers ;
- (c) the necessary materials for electors to mark their ballot papers ;
- (d) at least three copies of printed directions in the form set out as Form No. 31 or Form No. 31A in the First Schedule, whichever is appropriate, for the guidance of electors in voting ;
- (e) a copy of or excerpts from this Ordinance ;
- (f) three copies of the official list of electors for use at his polling station ;
- (g) a ballot box ;
- (h) a blank poll book ;
- (i) the several forms of oaths to be administered to electors printed together on a card ; and
- (j) the necessary envelopes and such other forms and supplies as may be authorised or furnished by the Supervisor of Elections ;

Establishment of polling stations.

Supplies of election material.

(2) Until the opening of the poll the presiding officer shall keep the blank poll book, official lists of electors, forms of oaths, envelopes, ballot papers and other election supplies carefully locked up in the ballot box, and shall take every precaution for their safe keeping and to prevent any person from having unlawful access to them.

(3) Before the hour fixed for the opening of the poll the presiding officer shall post up in each compartment of the polling station and in a conspicuous place outside of the polling station one copy of the directions referred to in paragraph (d) of subsection (1) of this section.

Inspection of
polling station
by presiding
officer.

28. Each presiding officer shall, on or before the day fixed for taking the poll, visit his polling station and see that it is provided with proper convenience as aforesaid for taking the poll.

Hours of
taking the poll.

29. The taking of the poll at each polling station shall be between seven o'clock in the morning and five o'clock in the afternoon of the same day.

Ballot boxes.

30. (1) The Supervisor of Elections shall supply to each returning officer a number of ballot boxes equal to the number of polling stations in his electoral district.

(2) Every ballot box shall be made of some durable material, with one lock and key and a slit or narrow opening in the top, and so constructed that the ballot papers may be introduced therein but cannot be withdrawn therefrom unless the box is unlocked.

Electors to
vote only in
division upon
list for which
their names
appear.

31. (1) Subject to the provisions of sections 34 and 35 of this Ordinance, no person shall be entitled to vote in any polling division unless his name appears on the official list of electors for that polling division.

(2) Every person whose name appears upon the official list of electors for any polling division shall be entitled to vote in that polling division notwithstanding that he is not resident in that polling division upon polling day: Provided however that no person shall vote in more than one electoral division or at more than one polling station in the same electoral division or more than once in the same electoral division on the same day.

Penalty.

32. Any person contravening any of the provisions of the last preceding section shall be liable, on summary conviction, to imprisonment for six months.

33. No person shall vote for the election of more than one candidate where there is only one seat to be filled or for more than two candidates where there are two seats to be filled. Restriction on number of candidates for whose election vote may be cast.

34. (1) Where any person whose name appears upon the official list for any polling division is appointed as presiding officer or poll clerk for some other polling division in the same electoral division, the returning officer shall transfer the name of the presiding officer or poll clerk, as the case may be, to the list for the polling division of which such person is appointed the presiding officer or poll clerk. Transfer of electors in special cases.

(2) The returning officer shall give notice in writing to every candidate in the electoral division of any transfer made under the last preceding subsection and to the presiding officer of the polling station at which the person whose name is so transferred would have been entitled to vote but for the provisions of the next succeeding section of this Ordinance.

35. (1) Every person whose name is transferred, in accordance with the provisions of the last preceding section, from any official list to any other official list shall vote, if he vote at all, in the polling division of which he is appointed presiding officer or poll clerk, as the case may be. Where transferred elector to vote.

(2) Every presiding officer who issues to any person whose name has been transferred from any official list to any other official list any ballot paper at any polling station other than the polling station of the polling division to which such person's name has been transferred, shall be liable, on summary conviction, to a fine of twenty-five dollars or to imprisonment for one month.

36. (1) At the hour fixed for opening the poll the presiding officer and the poll clerk shall, in the presence of the candidates, their agents, and such of the electors as are present, open the ballot box and ascertain that there are no ballot papers or other papers therein, after which the box shall be locked, and the presiding officer shall keep the key thereof; the box shall be placed on a table in full view of all present and shall be maintained there until the close of the poll. Proceedings at poll.

(2) Immediately after the ballot box is so locked, the presiding officer shall call upon the electors to vote.

(3) The presiding officer shall secure the admittance of every elector into the polling station, and shall see that they are not impeded or molested at or about the polling station.

(4) Each elector, upon entering the polling station, shall declare his name, residence and occupation. The poll clerk shall then ascertain if the name of the elector appears on the official list of electors used at the polling station. When it has been ascertained that the applicant elector is qualified to vote at the polling station, his name, address and occupation shall be entered in the poll book to be kept by the poll clerk in the form set out as Form No. 32 in the First Schedule, a consecutive number being prefixed to the elector's name in the appropriate column of the poll book, and the elector shall be immediately allowed to vote, unless an election officer or any agent of a candidate present at the polling station desires that he be first sworn.

(5) The poll clerk shall—

- (a) make such entries in the poll book as the presiding officer pursuant to any provision of this Ordinance directs; and
- (b) enter in the poll book opposite the name of each voter as soon as the voter's ballot paper has been deposited in the ballot box, the word "Voted"; and
- (c) enter in the poll book the word "Sworn" or "Affirmed" opposite the name of each elector, to whom any oath or affirmation has been administered indicating the nature of the oath or affirmation; and
- (d) enter in the poll book the words "Refused to be sworn" or "Refused to affirm" or "Refused to answer", opposite the name of each elector who has refused to take an oath or to affirm, when he has been legally required so to do, or has refused to answer questions which he has been legally required to answer.

Who are to be admitted within the polling station.

37. (1) The presiding officer shall keep order at his polling station and shall regulate the number of voters to be admitted at a time, and shall exclude all other persons except his assistants, the candidates, one agent for each candidate appointed by such candidate in writing in the form set out as Form No. 33 in the First Schedule, and the constables on duty

Agents, how to be placed.

(2) The agents aforesaid shall be posted in such a place that they can see each person who presents himself as an elector, and hear his name as given in by him, but so that they cannot see how any voter votes. They shall not interfere in the proceedings save in so far as may be allowed by this Ordinance.

(3) If any person persists, after being warned, in disobeying the directions of the presiding officer or in acting in contravention of this section it shall be lawful for the presiding officer to cause him to be removed from the polling station. Preservation of order.

38. (1) Each elector shall receive from the presiding officer a ballot paper on which such officer has previously put his initials so placed as indicated in the form set out as Form No. 30 in the First Schedule that when the ballot paper is folded they can be seen without opening it, and on the counterfoil of which he has placed a number corresponding to the consecutive number on the official list of electors allotted to the elector and entered in the poll book opposite the name of such elector. General mode of taking ballot.

(2) The presiding officer shall instruct the elector how to make his mark, and shall properly fold the elector's ballot paper, directing him to return it, when marked, folded as shown, but without inquiring or seeing for whom the elector intends to vote, except when the elector is unable to vote in the manner prescribed by this Ordinance on account of blindness or other physical incapacity.

(3) The elector on receiving the ballot paper shall forthwith enter one of the polling compartments and there mark his ballot paper by making with a black lead pencil and not otherwise a cross within the space containing the name of the candidate for whom he intends to vote, or, where there are two seats to be filled, a cross within each of the spaces containing the names of the candidates for whom he intends to vote, and he shall then fold the ballot paper as directed so that the initials and the numbers on the counterfoil can be seen without opening it, and hand the paper to the presiding officer who shall, without unfolding it, ascertain by examination of the initials and numbers appearing thereon that it is the same paper as that delivered to the elector and if the same he shall forthwith in full view of the voter and all others present remove the counterfoil and deposit the ballot in the ballot box.

(4) An elector who has inadvertently so dealt with the ballot paper delivered to him that it cannot conveniently be used shall restore it to the presiding officer who shall cancel it by writing the word "Spoiled" across the face of the same. The presiding officer shall then deliver another ballot paper to the elector.

(5) Every elector shall vote without undue delay and shall leave the polling station as soon as his ballot paper has been put into the ballot box.

(6) If at the hour of closing of the poll there are any electors inside the polling station who are qualified to vote and have not been able to do so since their arrival at the polling station, the poll shall be kept open a sufficient time to enable them to vote, but no one not actually present within the polling station at the hour of closing shall be allowed to vote.

Questions which may be put to an elector.

39. (1) The presiding officer may, and shall, if requested by a candidate or his agent, put to the elector the following questions :—

(a) Are you the same person whose name appears as A.B. on the list of electors now in force for this polling station ?

(b) Have you already voted at this election either here or elsewhere ?

(2) If any person refuses to answer any question put to him as in this section provided, the presiding officer shall refuse to give him a ballot paper.

(3) If any person makes a false answer to any such question he shall be liable, on summary conviction, to imprisonment for six months.

Mode of taking ballot in special cases.

40. (1) Subject to all other provisions of this Ordinance as to proof of qualification as an elector and as to the administration of oaths, if a person representing himself to be a particular elector applies for a ballot paper after another person has voted as such person, he shall be entitled to receive a ballot paper and to vote after taking the oath of identity, in the form set out as Form No. 34 in the First Schedule, and otherwise establishing his identity to the satisfaction of the presiding officer.

(2) In such case, the presiding officer shall put on the ballot paper his initials together with a number corresponding to the consecutive number on the official list of electors allotted to the voter and entered in the poll book opposite the name of such voter, and the poll clerk shall enter in the poll book—

(a) the name of such voter ;

(b) a note of his having voted on a second ballot paper issued under the same name ;

(c) the fact of the oath of identity having been required and taken, and the fact of any other oaths being so required or taken ; and

(d) any objections made on behalf of any and of which of the candidates.

(3) The presiding officer, on the application of any elector who is incapacitated, from any physical cause other than blindness, from voting in the manner prescribed by this Ordinance, shall require the elector making such application to make oath in the form set out as Form No. 35 in the First Schedule of his incapacity to vote without assistance, and shall thereafter assist such elector by marking his ballot paper in the manner directed by such elector in the presence of the poll clerk and of the sworn agents of the candidates and of no other person, and shall place such ballot in the ballot box.

(4) The presiding officer shall either deal with a blind elector in the same manner as with an otherwise incapacitated elector, or, at the request of any blind elector who has taken the oath in the form set out as Form No. 36 in the First Schedule, and is accompanied by a friend who is an elector in the polling division, shall permit such friend to accompany the blind elector into the voting compartment and mark the elector's ballot paper for him. No person shall at any election be allowed to act as the friend of more than one blind elector.

(5) Any friend who is permitted to mark the ballot paper of a blind elector as aforesaid shall first be required to take an oath in the form set out as Form No. 37 in the First Schedule that he will keep secret the name of the candidate or candidates for whom the ballot of such blind elector is marked by him, and that he has not already acted as the friend of a blind elector for the purpose of marking his ballot paper at the pending election.

(6) Whenever any elector has had his ballot paper marked as provided in subsection (3), (4) or (5) of this section, the poll clerk shall enter in the poll book opposite the elector's name, in addition to any other requisite entry, the reason why such ballot paper was so marked.

41. (1) Where there is contained in the official list of electors a name, address and occupation which correspond so closely with the name, address and occupation of a person by whom a ballot paper is demanded as to suggest that the entry in such official list of electors was intended to refer to him, such person shall, upon taking the oath in the form set out as Form No. 38 in the First Schedule and complying in all other respects with the provisions of this Ordinance be entitled to receive a ballot paper and to vote. In any such case the name, address and occupation shall be correctly entered in the poll book and the fact that the oath has been taken shall be entered in the proper column of the poll book. Who may vote.

(2) An elector, if required by the presiding officer, the poll clerk, one of the candidates, or an agent of a candidate, or by an elector present, shall, before receiving his ballot paper, take an oath in the form set out as Form No. 39 in the First Schedule, and if he refuses to take the same, erasing lines shall be drawn through his name on the list of electors and in the poll book, if such name has been entered in the said book, and the words "refused to be sworn" shall be written thereafter.

Who may be present.

42. (1) In addition to the presiding officer and the poll clerk, the candidates and one agent for each candidate in each polling station, the constables on duty, and no others, shall be permitted to remain in the polling station during the time the poll remains open: Provided that no candidate and his agent shall be in the same polling station at the same time for more than five consecutive minutes.

(2) The agent of each candidate, on being admitted to the polling station, shall take an oath in the form set out as Form No. 40 in the First Schedule to keep secret the name of the candidate or candidates for whom any of the voters has marked his ballot paper in his presence.

(3) Agents of candidates may, with the permission of the presiding officer, absent themselves from and return to the polling station at any time before one hour previous to the close of the poll.

Proceedings after poll.

43. (1) Forthwith upon the close of the poll, in the presence and in full view of the poll clerk and the candidates or their agents, and if the candidates or any of them are absent, then in the presence of such as are present, and of at least two electors if none of the candidates is represented, the presiding officer shall, in the following order,—

- (a) count the number of voters whose names appear in the poll book as having voted and make an entry thereof on the line immediately below the name of the voter, who voted last, thus: "the number of voters who voted at this election in this polling station is..." (stating the number), and sign his name thereto;
- (b) count the spoiled ballot papers, if any, place them in the special envelope supplied for that purpose and indicate thereon the number of such spoiled ballot papers and seal it up;

- (c) count the unused ballot papers, place them with all the stubs of all used ballot papers in the special envelope supplied for that purpose and indicate thereon the number of such unused ballot papers ;
 - (d) check the number of ballot papers supplied by the returning officer against the number of spoiled ballot papers, if any, the number of unused ballot papers and the number of voters whose names appear in the poll book as having voted, in order to ascertain that all ballot papers are accounted for ;
 - (e) open the ballot box and empty its contents upon a table ;
 - (f) record and count the number of votes given to each candidate on the tally sheets supplied, giving full opportunity to those present to examine each ballot paper. The poll clerk and not less than two witnesses shall be supplied with tally sheets upon which they may keep their own score as each vote is called out by the presiding officer.
- (2) In counting the votes, the presiding officer shall reject all ballot papers—
- (a) which have not been supplied by him ; or
 - (b) which have not been marked for any candidate ; or
 - (c) on which votes have been given for more than one candidate where there is only one seat to be filled or for more than two candidates where there are two seats to be filled ; or
 - (d) upon which there is any writing or mark by which the voter could be identified, but no ballot paper shall be rejected on account of any writing, number or mark placed thereon by any presiding officer.
- (3) If, in the course of counting the votes any ballot paper is found with the counterfoil still attached thereto, the presiding officer shall (carefully concealing the numbers thereon from all persons present and without examining them himself) remove such counterfoil. He shall not reject the ballot paper merely by reason of his former failure to remove the counterfoil.
- (4) If, in the course of counting the votes the presiding officer discovers that he has omitted to affix his initials to any ballot paper, as provided by subsection (1) of section 38 of this Ordinance, and as indicated in the form set out as Form No. 30 in the First Schedule to this Ordinance, he shall, in the presence of the poll clerk and the agents of the candidates,

affix his initials to such ballot paper and shall count such ballot paper as if it had been initialled by him in the first place, provided that he is satisfied that the ballot paper is one that has been supplied by him and that such an omission has really been made, also that every ballot paper supplied to him by the returning officer has been accounted for, as provided by paragraph (d) of subsection (1) of this section.

(5) Nothing in subsection (2) or subsection (3) or subsection (4) of this section shall relieve the presiding officer from any penalty to which he may have become liable by reason of his having placed any writing, number or mark, other than his initials, on any ballot paper, or of his failure to remove the counterfoil at the time of the casting of the vote to which it relates or to affix his initials to any ballot paper before handing it to any elector.

(6) The presiding officer shall keep a record on the special form printed in the poll book of every objection made by any candidate, or his agent or any elector present, to any ballot paper found in the ballot box, and shall decide every question arising out of the objection. The decision of the presiding officer shall be final, subject to reversal on the final count by the returning officer or on petition questioning the election or return; and every such objection shall be numbered, and a corresponding number placed on the back of the ballot paper and initialled by the presiding officer.

(7) All the ballot papers not rejected by the presiding officer shall be counted and a list kept of the number of votes given to each candidate and of the number of rejected ballot papers. The ballot papers not rejected by the presiding officer shall be put into the envelope supplied for that purpose; all rejected ballot papers shall be put into a special envelope and all such envelopes shall be endorsed so as to indicate their contents, and shall be sealed by the presiding officer, and by such agents or witnesses present as may desire to seal them or to sign their names thereon in addition or instead.

(8) The presiding officer and the poll clerk, immediately after the completion of the counting of the votes, shall take and subscribe respectively the oaths in the forms set out as Forms Nos. 41 and 42 in the First Schedule which shall remain attached to the poll book.

(9) The presiding officer shall make the necessary number of copies of the statement of the poll in the form set out as Form No. 43 in the First Schedule, one copy to remain attached to the poll book, one copy to be retained by the presiding

officer and one copy for the returning officer, which shall be enclosed in a special envelope supplied for the purpose, which envelope he shall seal and deliver personally or transmit to the returning officer.

(10) The poll book, the several envelopes containing the ballot papers—unused, spoiled, rejected or counted for each candidate—each lot in its proper envelope, the envelope containing the official list of electors and other documents used at the poll shall then be placed in the large envelope supplied for the purpose, and this envelope shall then be sealed and placed in the ballot box. The ballot box shall then be locked and sealed with the seal of the presiding officer and forthwith transmitted or delivered to the returning officer. The returning officer may specially appoint one or more persons for the purpose of collecting the ballot boxes from a given number of polling stations and such person or persons shall, on delivering the ballot boxes to the returning officer, take the oath in the form set out as Form No. 44 in the First Schedule.

(11) The presiding officer shall, with the ballot box, transmit or deliver to the returning officer, in the envelope provided for that purpose, the key of such ballot box, the preliminary statement of the poll in the form set out as Form No. 43 in the First Schedule and the polling station account furnished him in blank by the returning officer, having first caused it to be filled in and signed by the officials of his polling station entitled to fees, and by the landlord thereof, if any.

(12) The presiding officer shall transmit to the returning officer—

(a) the ballot box ;

(b) the envelope containing the key thereof ;

(c) the preliminary statement of the poll ; and

(d) the polling station account,

in such manner as the Supervisor of Elections may direct.

(13) If any presiding officer shall omit to enclose within the ballot box, and in the proper envelopes provided for that purpose, any of the documents mentioned in this section, he shall, in addition to any other punishment to which he may be liable, forfeit all right to payment for his services as such officer.

44. Each candidate may appoint one agent to attend the preliminary and final counting of the votes by the presiding officer and the returning officer. Such appointment shall be in writing in the form set out as Form No. 33 in the First Schedule.

PART V.

PROCEDURE SUBSEQUENT TO POLLING DAY.

Final counting
of votes.

45. (1) The returning officer upon receipt by him of each of the ballot boxes, shall take every precaution for its safekeeping and for preventing any person other than himself and his election clerk from having access thereto, sealing it under his own seal so that it cannot be opened without the seal being broken, but without effacing or covering any other seals thereto affixed.

(2) After all the ballot boxes have been received, the returning officer, at the place, date and time specified in the notice referred to in subsection (2) of section 23 of this Ordinance for the final count of the votes, and in the presence of such of the candidates or their representatives as are present, shall open such ballot boxes and—

- (a) count the votes contained therein cast for each candidate (allowing the candidates and their representatives to see such votes) and determine whether any of the votes so cast should be rejected ;
- (b) count the votes rejected by the presiding officer (allowing the candidates and their representatives to see such votes) and determine whether any of such votes should be regarded as having been validly cast for any, and if so for which candidate ;
- (c) add up the total number of votes (including any votes rejected by the presiding officer but which he thinks should not have been so rejected) cast for each candidate ;
- (d) make and sign any necessary amendments to the statement of the poll.

(3) The provisions of subsection (2) of section 43 of this Ordinance shall apply to the returning officer as they apply to the presiding officer except that paragraph (a) of that subsection shall take effect as if there were substituted for the word " him " the words " the presiding officer ".

(4) The provisions of subsection (6) of section 43 of this Ordinance shall apply to the returning officer as they apply to the presiding officer except that for references in the subsection to the presiding officer there shall be substituted references to the returning officer and that the words " the final count by the returning officer or " shall be deemed to be omitted from the subsection.

(5) The provisions of subsection (7) of section 43 of this Ordinance shall apply to the returning officer as they apply to the presiding officer except—

- (a) that the words "returning officer" shall be deemed to be substituted for the words "presiding officer"; and
- (b) that the documents referred to in that subsection shall be replaced in the envelopes from which they were removed by the returning officer and such envelopes shall be fastened by a sheet of paper being pasted over the opening thereof.

(6) If at the final count of the votes none of the candidates or their representatives are present, it shall be the duty of the returning officer to secure the presence of at least two electors who shall remain in attendance until such final count of the votes has been completed.

(7) The candidate or candidates, as the case may be, who, on such final count of the votes, is or are found to have the largest number of votes, shall then be declared elected in writing and a copy of such declaration shall be forthwith delivered to each candidate or his agent, if present at the final count of the votes, or, if any candidate is neither present nor represented thereat, shall be forthwith transmitted to such candidate by registered post.

(8) Whenever on such final count of votes, an equality of votes is found to exist between any two or more candidates and an additional vote would entitle one of such candidates to be declared elected, the returning officer, if he is an elector of the electoral division for which the election is held, may give such additional vote; but the returning officer shall not in any other case be entitled to vote at an election for which he is the returning officer.

46. (1) If the ballot boxes are not returned to the returning officer by the time specified in the notice referred to in subsection (2) of section 23 of this Ordinance, the returning officer shall adjourn the proceedings to a subsequent day, which shall not be more than a week later than polling day.

Provisions applicable where ballot boxes not returned.

(2) In case the statement of the poll cannot be found and the number of votes polled for the several candidates cannot be ascertained, or if, for any other cause, the returning officer cannot, at the day and hour appointed by him for that purpose, ascertain the exact number of votes given for each candidate, he may thereupon adjourn to a future day and hour the final count of the votes given for each candidate, not being more than seventy-two hours after the time specified in the notice referred to in subsection (2) of section 23 of this Ordinance.

(3) At the time to which the proceedings are adjourned in accordance with the provisions of subsection (2) of this section, the returning officer shall ascertain by such evidence as he is able to obtain the total number of votes cast for each candidate and shall declare elected the candidate or candidates, as the case may be, appearing to him to have the largest number of votes.

Ch. 7. No. 2.

(4) For the purposes of this section, the returning officer shall have all the powers of and be deemed to be a commissioner appointed under the Commissions of Enquiry Ordinance and the provisions of section 12 of the said Ordinance shall apply to all persons required by the returning officer to give evidence or to produce any documents before him as they apply to persons summoned to attend and give evidence or to produce documents before a commission of enquiry under the said Ordinance.

Declaration of the poll.

47. The returning officer shall, as soon as he shall have ascertained the result of the poll, forthwith publicly declare the same and announce the candidate (if there is only one seat to be filled) or the candidates (if there are two seats to be filled) to whom most votes have been given to be elected as the member or members for the electoral division.

Election return.

48. (1) The returning officer upon the seventh day next following that upon which he has made the final count of or ascertained the number of votes given for each candidate, shall deliver personally or transmit by registered post to the Supervisor of Elections—

- (a) the writ with his return in the form set out as Form No. 45 in the First Schedule endorsed thereon that the candidate or candidates, as the case may be, having the majority of votes has been elected ;
- (b) a report of his proceedings in the form prescribed by the Supervisor of Elections ;
- (c) the recapitulation sheets in the form prescribed by the Supervisor of Elections, showing the number of votes cast for each candidate at each polling station; and making such observations as the returning officer may think proper as to the state of the election papers as received from his presiding officers ;
- (d) the statements of the polls ;
- (e) the reserve supply of undistributed blank ballot papers ;
- (f) the enumerators' record books ;

- (g) the returns from the various polling stations enclosed in sealed envelopes, as prescribed by this Ordinance, and containing the poll book used at the poll, a packet containing the stubs and unused ballot papers, packets containing the ballot papers cast for the several candidates, a packet containing the spoiled ballot papers, a packet containing the rejected ballot papers and a packet containing the official lists of electors used at the poll, and the written appointments of candidates' agents; and
- (h) all other documents used for the election.

(2) The returning officer shall forward to each of the candidates a duplicate or copy of the return to the writ made by him.

(3) A premature return shall be deemed not to have reached the Supervisor of Elections until the same should have reached him in due course, and he shall, if circumstances so require, send back such return and any or all election documents connected therewith to the returning officer for completion or correction.

(4) The Supervisor of Elections shall, on receiving the return of any member or members elected to serve on a County Council enter it, in the order in which such return is received by him, in a book to be kept by him for such purpose and thereupon immediately give notice in the *Royal Gazette* of the name or names of the candidate or candidates so elected and in the order in which it was received.

(5) The Supervisor of Elections shall, immediately after each general election, cause to be printed a report giving, by polling divisions, the number of votes polled for each candidate, the number of rejected ballots, the number of names on the lists of electors, together with any other information that he may deem fit to include; and shall also, at the end of each year, cause to be printed a similar report on the by-elections held during the year.

49. If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve on a County Council for any electoral division, and if it has been determined on the hearing of an election petition respecting the election for such division that such person was entitled to have been returned, the returning officer who has so wilfully delayed, neglected or refused duly to make such return of his election shall forfeit to the person aggrieved the sum of two thousand five hundred dollars and costs in addition to all damages sustained.

Penalty for delay, neglect or refusal of returning officer to return elected candidate.

Power of Council to elect in event of equality of votes.

50. If in the case mentioned in subsection (8) of section 45 of this Ordinance the returning officer is not an elector, or if, being an elector he declines to vote, he shall make a special return of the result of the election, and the County Council for the electoral division concerned shall have the right by resolution to choose one or two of such candidates, as the case may require, to be a member or members of such County Council for that electoral division.

Custody of election documents by Supervisor of Elections.

51. (1) The Supervisor of Elections shall keep the election documents referred to in subsection (1) of section 48 of this Ordinance in safe custody and shall allow no person to have access to them: Provided that if an election petition has been presented questioning the validity of any election or return, the said Supervisor shall, on the order of the Magistrate dealing with such petition, deliver to the Clerk of the Court the documents relating to the election that is in dispute: Provided also that after the expiration of twelve months from the day of any election it shall be lawful for the Supervisor of Elections to cause the said documents used at such election to be burnt.

(2) No such election documents in the custody of the Supervisor of Elections shall be inspected or produced except under the order of a Magistrate or a Judge of the Supreme Court; and an order under this subsection may be made by any such Magistrate or Judge on his being satisfied by evidence on oath that the inspection or production of such election documents is required for the purpose of instituting or maintaining a prosecution for an offence in relation to an election, or for the purpose of a petition which has been filed questioning an election or return.

(3) Any such order for the inspection or production of election documents may be made subject to such conditions as to persons, time, place and mode of inspection or production as the Magistrate or Judge deems expedient.

(4) All other reports or statements received from election officers, all instructions issued by the Supervisor of Elections pursuant to the provisions of this Ordinance, all decisions or rulings by him upon points arising thereunder, and all correspondence with election officers or others in relation to any election shall be public records, and may be inspected by any person upon request during business hours.

(5) Any person may take extracts therefrom and shall be entitled to certified copies of the papers relating to any subject upon payment for the preparation of such certified copies at the prescribed rate.

(6) Any such copies purporting to be certified by the Supervisor of Elections under his hand shall be receivable in evidence without further proof thereof.

52. (1) Forthwith upon making the return to the writ in accordance with the provisions of section 48 of this Ordinance, the returning officer shall cause the ballot boxes used thereat, with their locks and keys, to be deposited in the custody of the member of the Police Force in charge of a police station in the electoral division. ^{Custody of ballot boxes.}

(2) Upon delivery to him of such ballot boxes, locks and keys, the custodian shall issue his receipt and shall at the next ensuing election, upon request, deliver the said ballot boxes, locks and keys to the returning officer to whom the writ is directed, taking such returning officer's receipt.

53. (1) Whenever a complaint shall be made to the Magistrate having jurisdiction in an electoral district by any person who was a candidate at any election held in such district under this Ordinance, or by any six persons entitled to vote at any such election, that an undue return or undue election of a councillor has been made, the provisions of the following subsections shall apply. ^{Invalid elections.}

(2) The Magistrate shall issue a summons to the Returning Officer at such election and also to the person or persons against whose return or election the petition has been presented, to appear before him on a day to be named in such summons.

(3) On such parties appearing, or in default of their appearance, on it being shown that such summons was duly served, it shall be lawful for such Magistrate to investigate the matter of such election petition, and if on such investigation it shall appear to him that such election was invalid, or that any other person ought to have been returned thereat in preference to the person returned as elected, it shall be lawful for the said Magistrate to declare accordingly. If the Magistrate shall declare the said election to have been invalid, the same shall be deemed to have been null and void, and a fresh election shall be held as upon a vacancy; if the said Magistrate shall declare that any person ought to have been returned in preference to any other person, the latter person shall at once cease to be a councillor, and the first-mentioned person shall be deemed to all intents and purposes to have been duly elected.

(4) No proceedings under this section shall be taken except within twenty-one days after the return made by the Returning Officer to the Governor or the member or members to whose election the complaint relates.

(5) It shall be lawful for the Magistrate in proceedings under this section to make such order as to costs as may seem to him right.

(6) The Magistrate to whom complaint is made under the provisions of subsection (1) of this section shall require the person or persons making complaint to deposit with him by way of security, preliminary to the issuing of the summons mentioned in subsection (2) of this section, the sum of seventy-five dollars.

(7) In the event of such Magistrate making an order for costs against the person or persons so complaining, the sum so deposited shall, to the extent to which the same may suffice, be applied in discharge of the costs so awarded, and the balance thereof (if any) shall be returned to the complainant or complainants.

PART VI.

ELECTION OFFENCES.

Intoxicating
liquor not to
be sold or
given on
polling day.
Ch. 32. No. 11.

54. (1) No intoxicating liquor shall be sold, offered for sale, or given away, at any premises to which a licence issued under the Liquor Licences Ordinance applies, at any time between the opening and the closing of the poll on polling day.

(2) No intoxicating liquor shall be supplied to any person at any premises to which a licence issued under the Registration of Clubs Ordinance applies, at any time between the opening and the closing of the poll on polling day.

Ch. 32. No. 12.

(3) Any person who contravenes any of the provisions of either of the two last preceding subsections shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months.

(4) In this section, "intoxicating liquor" has the same meaning as is assigned to the expression in the Registration of Clubs Ordinance.

Employers to
allow
employees
prescribed
period for
voting.

55. (1) Every employer shall, on polling day, allow to every elector in his employ the prescribed period for voting, and no employer shall make any deduction from the pay or other remuneration of any such elector or impose upon or exact from him any penalty by reason of his absence during such period.

(2) This section shall extend to the employees of the Trinidad Government Railway except such as are actually engaged in the running of trains and to whom such time cannot be allowed without interfering with the manning of the trains; and the General Manager of Railways shall be deemed to be the employer of such employees.

(3) Any employer who, directly or indirectly, refuses, or by intimidation, undue influence, or in any other way, interferes with the granting to any elector in his employ, of the prescribed period for voting, as in this section provided, shall on summary conviction be liable to a fine of five hundred dollars or to imprisonment for six months.

56. Every election officer who—

- (a) makes, in any record, return or other document which he is required to keep or make under this Ordinance, any entry which he knows or has reasonable cause to believe to be false, or does not believe to be true; or
- (b) permits any person whom he knows or has reasonable cause to believe not to be a blind person or an incapacitated person to vote in the manner provided for blind persons or incapacitated persons, as the case may be; or
- (c) refuses to permit any person whom he knows or has reasonable cause to believe to be a blind person or an incapacitated person to vote in the manner provided for blind persons or incapacitated persons, as the case may be; or
- (d) wilfully prevents any person from voting at the polling station at which he knows or has reasonable cause to believe such person is entitled to vote; or
- (e) wilfully rejects or refuses to count any ballot paper which he knows or has reasonable cause to believe is validly cast for any candidate in accordance with the provisions of this Ordinance; or
- (f) wilfully counts any ballot paper as being cast for any candidate, which he knows or has reasonable cause to believe was not validly cast for such candidate,

Offences by
election
officers.

shall be guilty of an offence against this section and, on conviction on indictment, shall be liable to be imprisoned for any term not exceeding two years.

Loud speakers,
ensigns,
banners, &c.,
prohibited on
polling day.

Flags, ribbons
or favours not
to be
furnished or
worn.

Penalty.

Definition of
bribery.

57. (1) No person shall furnish or supply any loud speaker, bunting, ensign, banner, standard, or set of colours, or any other flag, to any person with intent that it shall be carried, worn or used on motor cars, trucks or other vehicles, as political propaganda, on polling day, and no person shall, with any such intent, carry, wear or use, on motor cars, trucks or other vehicles, any such loud speaker, bunting, ensign, banner, standard or set of colours, or any other flag, on polling day.

(2) No person shall furnish or supply any flag, ribbon, label or like favour to or for any person with intent that it be worn or used by any person within any electoral district on polling day, as a party badge to distinguish the wearer as the supporter of any candidate, or of the political or other opinions entertained or supposed to be entertained by such candidate; and no person shall use or wear any flag, ribbon, label, or other favour, as such badge, within any electoral district on polling day.

(3) Nothing contained in either of the preceding subsections of this section shall be deemed to extend to the furnishing or supplying of any banner bearing only the name of any candidate or only such name preceded by the words "Vote for," or of any rosette or of any favour bearing the symbol allotted to any candidate or to the use of any such banner on any vehicle or of any such rosette or favour.

(4) Any person who contravenes any of the provisions of this section shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for one year.

58. The following persons shall be deemed guilty of bribery within the meaning of this Ordinance —

(1) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure any money or valuable consideration to or for any elector, or to or for any person on behalf of any elector, or to or for any other person in order to induce any elector to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any elector having voted or refrained from voting at any election.

(2) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises, or promises to procure or to endeavour

to procure, any office, place or employment to or for any elector, or to or for any person on behalf of any elector, or to or for any other person in order to induce such elector to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any elector having voted or refrained from voting at any election.

- (3) Every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person, in order to induce such person to procure, or endeavour to procure, the return of any person as an elected member of a County Council, or the vote of any elector at any election.
- (4) Every person who, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procures or engages, promises or endeavours to procure the return of any person as an elected member of a County Council or the vote of any elector at any election.
- (5) Every person who advances or pays, or causes to be paid, any money to or to the use of any other person, with the intent that such money, or any part thereof, shall be expended in bribery at any election, or who knowingly pays or causes to be paid, any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election.
- (6) Every elector who, before or during any election, directly or indirectly, by himself or by any other person in his behalf, receives, agrees, or contracts for any money, gift, loan or valuable consideration, office, place, or employment for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election.
- (7) Every person who, after any election, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at any such election.

- (8) Every person who, directly or indirectly, corruptly pays any rate or tax on behalf of any other person for the purpose of enabling him to be registered as a voter in order thereby to influence his vote at any future election, and every person on whose behalf, and with whose privity, any such payment as last aforesaid is made.

Definition of treating.

59. The following persons shall be deemed guilty of treating within the meaning of this Ordinance:—

- (1) Every person who corruptly, by himself or by any other person, either before, during, or after an election, directly or indirectly, gives, or provides or pays wholly or in part the expense of giving or providing any food, drink, entertainment, or provision to or for any person for the purpose of corruptly influencing that person, or any other person, to vote or to refrain from voting at such election, or on account of such person or any other person having voted or refrained from voting at such election.
- (2) Every voter who corruptly accepts or takes any such food, drink, entertainment, or provision.

Definition of undue influence.

60. Every person who, directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of, any force, violence, or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting or on account of such person having voted or refrained from voting at any election, or who by abduction, duress, or any fraudulent contrivance, impedes or prevents the free exercise of the franchise of any elector, or thereby compels, induces, or prevails upon any elector either to give or refrain from giving his vote at any election, shall be guilty of undue influence within the meaning of this Ordinance.

Definition of personation.

61. Every person who at an election applies for a ballot paper in the name of another person, whether that name be the name of a person living or dead, or of a fictitious person, or who, having voted once at any election, applies at the same election for a ballot paper in his own name, shall be guilty of personation within the meaning of this Ordinance.

62. Every person who is guilty of bribery, treating or undue influence, under the provisions of this Ordinance shall, on summary conviction thereof, be liable to imprisonment for six months or to a fine of four hundred and eighty dollars.

Penalty for bribery, treating or undue influence.

63. Every person who is guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation, shall, on conviction thereof be liable to imprisonment for two years.

Penalty for personation.

64. Every person who is convicted of bribery, treating, undue influence, or personation, or of aiding, counselling or procuring the commission of the offence of personation shall (in addition to any other punishment) be incapable during a period of seven years from the date of conviction—

Disqualification for bribery, &c.

- (a) of being registered as an elector, or voting at any election of a member of any County Council;
- (b) of being elected a member of any County Council or if elected before his conviction, of retaining his seat as such member.

65. Every person who—

- (a) votes, or induces or procures any person to vote, at any election, knowing that he or such other person is prohibited by this Ordinance or by any law, from voting at such election;
- (b) before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate,

Penalty for certain illegal practices at elections.

shall be guilty of an illegal practice, and shall, on summary conviction thereof, be liable to a fine of four hundred and eighty dollars and be incapable, during a period of five years from the date of conviction, of being registered as an elector, or voting at any election.

66. Every person who—

- (a) forges or counterfeits, or fraudulently defaces or destroys, any ballot paper; or
- (b) without due authority supplies a ballot paper to any person; or
- (c) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or
- (d) fraudulently takes out of the polling station any ballot paper; or

Offences in respect of ballot papers.

- (e) without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of any election; or
- (f) not being duly registered as an elector, votes at an election,

shall be liable, on summary conviction, if he is returning officer or presiding officer, or clerk employed at a polling station, to imprisonment for one year or to a fine of four hundred and eighty dollars, and, if he is any other person, to imprisonment for six months or to a fine of two hundred and forty dollars.

In any information or prosecution for an offence in relation to the ballot boxes, ballot papers, and other things in use at an election, the property in such ballot boxes, ballot papers, or things may be stated to be in the returning officer at such election.

Infringement
of secrecy

67. (1) Every officer, clerk and agent, in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the list of electors of any elector who has or has not applied for a ballot paper or voted at that station, and no person shall interfere with or attempt to interfere with an elector when marking his vote or otherwise attempt to obtain in the polling station any information as to the candidate for whom any elector in such station is about to vote or has voted.

(2) Every officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting and shall not attempt to communicate any information obtained at such counting as to the candidate or candidates for whom any vote is given in any particular ballot paper.

(3) No person shall, directly or indirectly, induce any voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate or candidates for whom or against whose name or names he has so marked his vote or votes.

(4) Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction, to imprisonment for six months or to a fine of two hundred and forty dollars.

PART VII.

CONSTITUTION AND DUTIES OF COUNTY COUNCILS.

68. (1) There shall be a County Council for each electoral district and it shall consist of the following persons—

Establishment of County Councils.

(a) a Chairman who shall be the member of the Legislative Council for the County or Counties comprised in each such district (in the case of the electoral district of Tobago the Chairman shall be the member of the Legislative Council for the Island Ward of Tobago); and

(b) councillors elected under the provisions of this Ordinance for each electoral division of such electoral district, each electoral division returning two councillors.

(2) Each County Council shall from time to time appoint a councillor to be Vice-Chairman of such Council. Each such appointment shall be for a period not exceeding twelve months but a councillor may be re-appointed at the end of his term of office as such.

(3) The term of office of councillors shall expire on the last day of every successive triennial period the first of which shall be deemed to have begun on the first day of January, 1946, except in the case of any councillor who has resigned or whose term of office has previously determined by virtue of the provisions of this Ordinance.

(4) A person ceasing to hold office as councillor shall, unless disqualified to hold office, and subject to the provisions of this Ordinance, be re-eligible.

(5) The Chairman of a County Council, shall, notwithstanding the dissolution of the Legislative Council, continue to be Chairman during the period of such dissolution.

69. The County Council of any electoral district shall be deemed to be legally constituted in spite of the death, retirement, incapacity to act, or disqualification of the Chairman or of any councillor or councillors so long as the number of councillors in office does not at any time fall below the number of electoral divisions of such electoral district.

Death, &c., of Chairman or Councillors.

70. No person shall be qualified to be elected or to be or continue to be a councillor for any electoral district unless—

Qualification of councillors.

(a) he is registered as an elector for the electoral division for which he seeks election; and

(b) he is able to speak the English language; and

(c) he resides in the electoral district; and

- (d) he possesses at least one of the following qualifications, namely :—
- (i) ownership in his own right of immovable property in the electoral district of the clear value of five hundred dollars free from encumbrances ; or
 - (ii) a clear annual income of not less than two hundred and forty dollars ; or
 - (iii) occupation as a tenant or usufructuary of a house or a house and land in the electoral district of an annual rental of not less than sixty dollars :

Provided that a person shall not be entitled to be elected or to be or continue to be a councillor for any electoral district if—

- (a) he is an undischarged bankrupt ; or
- (b) he has been convicted of treason or felony, or he has, within the previous ten years, been convicted of any offence involving dishonesty ; or
- (c) he has been debarred from exercising the practice of his profession on account of any action involving dishonesty ; or
- (d) he is the holder of an office of emolument under the Crown or under the Government of the Colony ; or
- (e) he is disqualified under the provisions of section 64 of this Ordinance.

Declaration to be made by councillor. Fourth Schedule.

71. (1) A person elected as a member of a County Council shall not, until he has made and subscribed a statutory declaration in the form set forth in the Fourth Schedule hereto act as such. Every such declaration shall be delivered to the Chairman or to the Clerk of the County Council concerned and shall form part of the records of such Council.

(2) Any councillor may be required by a resolution of the County Council of which he is a member to satisfy such Council by means of a statutory declaration that he has the qualifications entitling him to continue to be a Councillor.

No such resolution shall be moved unless a period of at least six months has elapsed since the making of the original declaration mentioned in the preceding subsection, or if a resolution as aforesaid has previously been moved, unless a period of at least six months has elapsed since the moving of any such resolution.

(3) Any councillor who fails, within the time fixed by the Council to furnish a declaration in compliance with a resolution passed under the provisions of subsection (1) of this section shall be deemed to have ceased to be qualified to continue to be a councillor.

72. (1) Every councillor shall, at the first meeting of the County Council which he attends after having made and subscribed the declaration mentioned in the last preceding section of this Ordinance, take and subscribe the following oath of office, which shall be tendered to him by the clerk of such County Council or by the Warden or Assistant Warden of the County in which the meeting is held and shall be attested by the Chairman or Vice-Chairman :—

Oath to be taken by councillor.

Oath of Office.

“ I,
having been duly elected as a member of the County Council of
do hereby swear that I am qualified to hold such office and that I will duly and faithfully fulfil the duties thereof without fear or favour, partiality or illwill, and to the best of my judgment and ability. So help me God ”.

(2) Every person authorised by law to make an affirmation or declaration instead of taking an oath may make such affirmation or declaration instead of the said oath.

73. (1) If any councillor—

- (a) dies or, by writing under his hand addressed to the Chairman of the County Council of which he is a member, resigns his seat on such Council ; or
- (b) is continuously absent from the Colony for more than ninety days without the leave of the County Council of which he is a member, or is absent from three consecutive ordinary meetings of such Council without leave as aforesaid ; or
- (c) is not in the Colony at the date of his election and continues to be out of the Colony for a period of more than ninety days from the date of such election ; or
- (d) ceases to possess any of the qualifications required by section 70 of this Ordinance, or is or becomes disqualified from being a councillor for any of the reasons set out in the proviso to the said section 70 ; or
- (e) makes a declaration or acknowledgment of allegiance to a foreign State or Power, or becomes a citizen or subject of any foreign State or Power ;

Seat of councillor how vacated.

his seat in the Council shall thereupon become vacant.

(2) Such vacancy shall be formally declared by the County Council on the report of a committee of such Council specially appointed under the provisions of section 79 of this Ordinance by motion made by the Chairman or any Councillor to consider and verify the grounds relied on as causing the vacancy.

Any such declaration of vacancy shall be signified forthwith by a notice under the hand of the Clerk of the County Council concerned and posted up in a conspicuous position on or near the main outer door of the usual place of meeting of such Council and it shall be the duty of such Clerk to send forthwith to the Colonial Secretary a copy of such notice.

(3) Whenever it shall be shown to the satisfaction of the Governor that the seat of an elected member of a County Council has become vacant, the Governor shall as soon as possible issue a writ for the election of a new member (hereinafter referred to as a bye-election), and such writ shall be addressed to the Returning Officer of the appropriate electoral division.

Disqualifi-
cations, when
to cease.

74. (1) Disqualification of a councillor due to absence from the Colony without leave shall cease, as regards subsequent elections, on his return.

(2) Where a councillor becomes disqualified through having been out of the Colony at the date of his election and not having returned to the Colony within ninety days after such election, the disqualification as regards subsequent elections, shall cease on his return.

(3) Where a councillor becomes disqualified by being declared bankrupt, the disqualification as regards subsequent elections shall in the case of bankruptcy cease on his obtaining an order of discharge.

Duties of
County
Councils.

75. (1) The several County Councils shall act in an advisory capacity and shall consider the needs of their respective electoral districts and make recommendations in the manner hereinafter provided.

(2) Without prejudice to the generality of the provisions of the preceding subsection, the several County Councils may consider and advise upon the following matters:—

- (a) the provision of housing, including public officers' quarters ;
- (b) rural and land settlement ;
- (c) the provision of new hospitals and school buildings and the maintenance of existing hospitals and school buildings ;

- (d) medical, health, water supply, sanitation and anti-malarial requirements ;
- (e) the provision of electric current and of transport and communication facilities ;
- (f) the construction of new roads and Crown traces and the maintenance of existing roads and Crown traces ;
- (g) the provision and maintenance of recreation grounds, pastures, markets, abattoirs and cemeteries ;
- (h) the establishment and functioning of social services ;
- (i) the establishment of public offices and police stations and the erection and maintenance of public buildings.

(3) Any recommendation made by a County Council shall be in accordance with the decision of such Council arrived at in accordance with the provisions of this Ordinance and of the Standing Orders of such Council. Any such recommendation if concerning the Government shall be transmitted in writing by or on behalf of the Chairman of such County Council to the Colonial Secretary, and if concerning any statutory or other body shall be transmitted in the same manner direct to such body.

PART VIII.

MEETINGS AND PROCEEDINGS OF COUNTY COUNCILS.

76. The following rules with respect to meetings and proceedings of County Councils shall be observed : Meetings of
County
Councils.

- (a) each County Council shall hold monthly meetings for the transaction of general business on such days as such Council may from time to time determine ;
- (b) meetings shall be held at such place within the electoral district of each County Council as each such Council may from time to time appoint ;
- (c) the Chairman may at any time call a special meeting of a County Council ;
- (d) if the Chairman refuses to call a meeting after a request for that purpose signed by three members of the County Council has been presented to him, any three members of such Council may forthwith on that refusal call a meeting. If the Chairman (without so refusing) does not, within seven days after the presentation of any such request, call a meeting, any three members of such Council, upon the expiration of those seven days, may call a meeting ;

- (e) five clear days at least before any ordinary meeting of a County Council, a summons to attend such meeting specifying the business proposed to be transacted thereat and signed by the Clerk shall be sent by post to or left at the address of each member of such County Council given by him for the purpose ;
- (f) failure to serve a summons on any member of a County Council as provided in the last preceding paragraph shall not affect the validity of the meeting ;
- (g) except by leave of the County Council, no business shall be transacted at a meeting other than that specified in the summons relating thereto ;
- (h) the Chairman shall preside at all meetings of the County Council at which he is present and, if for any reason the Chairman is not present, the Vice-Chairman shall preside, and if both the Chairman and the Vice-Chairman are not present, the councillors present and constituting a quorum shall elect a chairman from among their number
- (i) at any meeting of a County Council of any electoral district a number of councillors equal to the number of electoral divisions in such district shall constitute the quorum for the transaction of business ;
- (j) all questions proposed for debate in a County Council shall be decided by a majority of votes of the councillors who are present and vote at a meeting held in accordance with this Ordinance ;
- (k) the Chairman shall not have an original vote, but in case of an equality of votes, he shall have a casting vote ; in the absence of the Chairman the Vice-Chairman or other councillor presiding shall have an original vote and also a casting vote ;
- (l) no councillor shall vote or take part in any matter before a County Council or a Committee thereof if he has directly or indirectly any pecuniary interest in such matter.

Standing
Orders.

77. (1) Subject to the provisions of the last preceding section of this Ordinance, each County Council shall as soon as may be after the first day of January, 1946, draw up Standing Rules and Orders providing for the regulation and conduct of the proceedings and meetings of such County Council and of committees thereof for the maintenance of order and method in the despatch of business and in the conduct of debates in the

Council, for the suspension of members, and for such other matters as may be deemed necessary to ensure the efficient functioning of any such Council. Without prejudice to the generality of the foregoing words, such Standing Orders may provide that the minutes of the proceedings of any meetings, shall, when copies thereof have been circulated to members, be taken as read, and may also provide for the postponement of the confirmation of the minutes of the proceedings of any meeting.

(2) All such Standing Rules and Orders not being repugnant to the provisions of this Ordinance shall be followed and observed and shall be binding upon the Council to which they apply.

(3) A motion to suspend the Standing Rules and Orders or any of them may be made at any meeting of the County Council without notice, and shall be voted upon without debate but shall not be carried unless supported by at least two-thirds of the members present and voting.

(4) Standing Rules and Orders made by a County Council under the provisions of this section shall take effect when published in the *Royal Gazette* under the hand of the Chairman of the County Council and shall remain in force until revoked or modified by a majority of at least two-thirds of the elected members of such Council. Any such revocation or modification shall take effect when published in the *Royal Gazette*.

78. (1) The Chairman of any County Council, or the Vice-Chairman or any councillor presiding at a meeting of a County Council or of a committee thereof, may request the attendance of any person for the time being performing the functions of Head of any Government Department for the purpose of assisting any such Council or committee in its deliberations. Any such request shall contain an indication of the matter or matters as to which information is sought and the Head of Department shall make arrangements to comply with any such request either by attending personally or by sending an officer of his Department having knowledge of the matter or matters at issue.

Heads of
Government
Departments
to assist
Councils.

(2) Any Head of Department or other officer as aforesaid shall be entitled to take part (as if he were a councillor) in the proceedings of the Council or committee relating to the matter in respect of which he was requested to attend, except that he shall not have the right to vote.

Appointment
of Commit-
tees

79. (1) A County Council may appoint committees, either of a general or special nature, for any purpose which, in the opinion of the Council, would be better regulated and managed by means of such committees.

(2) Any such committee shall consist of such number of councillors as shall be fixed by the County Council at the time of the appointment thereof and shall, unless otherwise decided by the Council, be under the Chairmanship of the Vice-Chairman.

(3) The quorum of any such committee shall be determined at the time of its appointment by the County Council.

(4) Every committee of a County Council shall, unless otherwise expressly authorised by its terms of reference, submit its proceedings and recommendations to the County Council for approval.

(5) The proceedings and recommendations of every committee of a County Council shall be submitted to the Council in the form either of minutes of the proceedings at the meetings of such committee or of a formal report signed by the chairman of such committee.

(6) Any recommendations made by a committee, when adopted by the County Council, shall become and be deemed to be resolutions of such Council.

Minutes
signed by
Chairman to
be evidence.

80. A minute of the proceedings at a meeting of a County Council or of a committee thereof, signed by the Chairman, or by a councillor describing himself as or appearing to be, the chairman of the meeting at which such minute is signed shall be received in evidence without further proof.

Meetings
deemed to
have been
duly
convened.

81. Until the contrary is proved, every meeting of a County Council or of a committee thereof in respect of which a minute has been made as provided in the last preceding section of this Ordinance, and every meeting of a committee the proceedings of which are embodied in a report signed by the chairman of such committee and received by the County Council, shall be deemed to have been duly convened and held, and all the councillors taking part in any such meeting shall be deemed to have been duly qualified, and, where the proceedings are proceedings of a committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute or in the report, as the case may be.

82. (1) Each County Council shall appoint a clerk, not being a member of such Council, with the approval of the Governor and subject to such terms and conditions as the Governor may approve. Clerk of County Council.

(2) The remuneration of any such clerk shall be paid from the general revenue of the Colony.

(3) It shall be the duty of any such clerk to attend all meetings of the County Council and of committees thereof, to draw up the minutes of such meetings, to have charge and custody of, and to be responsible for, all records and documents of the County Council, and to perform all such duties as may be imposed on him by this Ordinance or by decision of the County Council.

(4) Pending the appointment of a clerk in accordance with the foregoing provisions of this section, an officer of the district administration designated by the Warden of the County in which the meetings of any County Council are held on or after the first day of January, 1946, shall act as the clerk of such Council.

PART IX.

MISCELLANEOUS PROVISIONS.

83. No person who has voted at an election shall, in any legal proceedings to question the election or return, be required to state for whom he voted. No obligation on voter to disclose vote.

84. At any election a person shall not be entitled to vote unless his name is on the list of electors for the time being in force by virtue of this Ordinance, and every person whose name is on such list of electors shall, subject to the provisions of this Ordinance, be entitled to demand and receive a ballot paper and to vote: Provided that nothing in this section shall entitle any person to vote who is prohibited from voting by any Ordinance, or relieve such person from any penalties to which he may be liable for voting. Conclusiveness of list of electors.

85. A candidate may himself undertake the duties which any agent of his if appointed might have undertaken, or may assist his agent in the performance of such duties and may, subject to the provisions of this Ordinance, be present at any place at which his agent may, in pursuance of this Ordinance, attend, except when an open vote is being cast. Candidate may act in person.

Name and
address of
agent.

86. The name and address of the agent of a candidate appointed to attend the final counting of the votes shall be transmitted to the returning officer one clear day at the least before the opening of the poll; and the returning officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid.

Absence of
agents.

87. Where in this Ordinance any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

Regulations.

88. The Governor in Council may make regulations generally for giving effect to the provisions of this Ordinance and without prejudice to such general power may make regulations—

- (a) prescribing the remuneration and travelling allowances to be paid to election officers;
- (b) prescribing the duties of the returning officers and the procedure to be followed in the performance of those duties;
- (c) prescribing the symbols to be used on every ballot paper and the mode of allocation of such symbols to candidates;
- (d) adding to, rescinding, varying or amending any of the forms or rules contained in the First or Second Schedules to this Ordinance;
- (e) prescribing the number of copies of the lists of electors to be printed and the persons to whom and the terms upon which such lists shall be distributed;
- (f) prescribing the period during which every employer shall permit his employees to be absent from work for the purpose of recording their votes;
- (g) prescribing the charges for certified copies of any documents referred to in this Ordinance;
- (h) prescribing penalties for the breach of any of the regulations made hereunder.

Expenses of
elections.

89. All expenses properly incurred by, and all remuneration and travelling allowances payable to, election officers shall be defrayed out of general revenue.

90. (1) In reckoning time for the purposes of this Ordinance, Sunday shall be included but Christmas Day, Good Friday and any public holiday, shall be excluded. Computation of time.

(2) Where anything required by this Ordinance or any rules thereunder to be done on any day falls to be done on a Sunday or on any such excluded day, that thing may be done on the next day, not being one of such excluded days.

91. (1) No elector who has refused to take any oath or affirmation or to answer any question, as required by this Ordinance, shall receive a ballot paper or be admitted to vote or be again admitted to the polling station. Refusal of elector to take oath or affirmation or answer questions.

(2) Whenever the presiding officer does not understand the language spoken by any elector, he shall appoint and swear an interpreter who shall be the means of communication between him and the elector with reference to all matters required to enable such elector to vote, and in case no interpreter is found, such elector shall not be allowed to vote. Interpreters.

92. The County Councils Ordinance, 1945 and the County Councils (Amendment) Ordinance, 1945 are hereby repealed. Repeal. Ch. 2. No. 2.

FIRST SCHEDULE.

FORM NO. 1.

(Section 17.)

TRINIDAD AND TOBAGO.

THE COUNTY COUNCILS ORDINANCE, 1946.

Writ of Election.

By His Excellency

Governor and Commander-in-Chief
in and over the Colony of Trinidad
and Tobago.

Governor.

TO THE RETURNING OFFICER
OF THE ELECTORAL DISTRICT OF

WHEREAS by subsection (1) of section 17 of the County Councils Ordinance, 1946, it is provided that for the purposes of every general election of members of County Councils, and for the purposes of the election of members to supply vacancies caused by death, resignation, or otherwise, the Governor shall issue writs under the Public Seal of the Colony, addressed to the Returning Officers of the respective electoral districts for which members are to be returned:

* And Whereas I think it expedient that writs should be issued for the election of members to serve on County Councils:

† And whereas the seat (seats) of the Elected Member (Members) for the Electoral Division of _____ has (have) become vacant in consequence of _____

* To be included in a writ for a general election.

† To be included in a writ for a bye-election

Now, therefore, I,
 Governor as aforesaid, do hereby require that, notice of the time and place fixed
 for the nomination of candidates having been first duly given as required by law,
 you do on the _____ day of _____ at _____
 in the said Electoral Division, cause
 election to be made according to law of a member (members) to serve on the County
 Council for the said Electoral Division and that, if necessary, you do cause a poll
 to be taken on the _____ day of _____ 19____
 and that you do cause the name of such member (members) when so elected to
 be certified to me not later than the _____

Given under my Hand and the Seal
 of the Colony this _____ day
 of _____

FORM No. 2.

(Rule 1)

THE COUNTY COUNCILS ORDINANCE, 1946.

Preliminary List of Electors.

Electoral Division of..... Polling Division No.....
 Comprising the Area.....

The following names have been enumerated during a recent house-to-house
 visitation in the above mentioned polling division by the enumerator.

Any notice of correction, or addition, or objection to this list must be sent
 to the registration officer not later than the.....day of.....19...

Consecu- tive Number.	Location of Residence.	Name of Elector (Family name first.)	Occupation.	Postal Address.

On the last page of each separate copy of the list prepared, the enumerator
 will endorse a certificate according to Form No. 8.

FORM No. 3.

(Rule 1)

THE COUNTY COUNCILS ORDINANCE, 1946.

Preliminary List of Electors.

Electoral Division of..... Polling Division No.....
 Comprising the area

The following names have been enumerated during a recent house-to-house visitation in the above mentioned polling division by the enumerator.

Any notice of correction, or addition, or objection to this list must be sent to the registration officer not later than the.....day of.....19.....

Name of Street and Street Number.	Name of Elector. (Family name first.)	Occupation.	Consecutive Number.

On the last page of each separate copy of the list prepared, the enumerator will endorse a certificate according to Form No. 8.

FORM No. 4.

(Rule 3)

THE COUNTY COUNCILS ORDINANCE, 1946.

Appointment of an Enumerator.

To.....whose occupation is.....and whose address is.....

In pursuance of the provisions of section.....of the County Councils Ordinance, 1946, I, the undersigned, in my capacity as registration officer for the electoral division of.....do hereby appoint you to be enumerator for polling division No.....in the said electoral division to prepare a list of electors qualified to vote in the said polling division, in accordance with the provisions of the said Ordinance.

Given under my hand at.....this.....day of.....,19.....

Registration Officer.

(Perforate)

FORM No. 5.

(Rule 6)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of an Enumerator.

I, the undersigned appointed enumerator for polling division No....., in the electoral division of.....do solemnly swear that I will act faithfully in my said capacity of enumerator, without partiality, fear, favour or affection, and in every respect according to law.

So HELP ME GOD.

Enumerator.

CERTIFICATE OF THE ENUMERATOR HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, do hereby certify that on the.....day of....., 194....., the enumerator above named made and subscribed before me the above set forth oath.

In testimony whereof I have issued this certificate under my hand.

.....
Registration Officer.
(as the case may be.)

FORM No. 6.

(Rule 7)

THE COUNTY COUNCILS ORDINANCE, 1946.

Registration Notice.

TAKE NOTICE that—

(a) the boundaries of polling division No.....of the electoral division of.....are as follows:—
.....
.....
.....

(b) The enumeration of all qualified persons will begin on the.....day of.....19..... and will be completed on the.....day of.....19.....

(c) The enumerator for the above polling division is.....

(d) Every person not disqualified on any of the grounds set out in section 64 or section 65 of the County Councils Ordinance, 1946, is qualified to be registered as an elector in any electoral division if he or she—

- (1) is a British subject by birth or naturalization of the age of 21 years or upwards; and
- (2) has resided in the electoral division in which he or she claims to be registered for a period of at least six months immediately prior to the date of registration; and
- (3) is of sound mind.

(e) The preliminary list of qualified persons for the above polling division will be posted up in this polling division for a period of 12 days beginning on the.....day of.....19.....

Date.....

.....
Registration Officer.

FORM No. 7.

(Rule 8)

THE COUNTY COUNCILS ORDINANCE, 1946.

Index Book.

Electoral Division of

Polling Division No.

(Insert name of polling division, if any)

Comprising

(Insert the description of the boundaries of the polling division)

Consecutive Number.	Name (Family name first)	Occupation.	Postal Address.	Remarks.
A				
B				

FORM No. 8.

(Rule 14)

THE COUNTY COUNCILS ORDINANCE, 1946.

Certificate of Enumerator.

I,
 Enumerator for Polling Division No.....of the Electoral Division of

 certify that the above is a true copy of the preliminary list for the said Polling
 Division.

Dated this.....day of.....19.....

.....
Enumerator.

FORM No. 9.

(Rule 16)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Enumerator upon Completion of His Work.

I, the undersigned enumerator appointed to prepare the preliminary list of
 electors for polling division No.....of the electoral division of
do solemnly swear that it contains as complete
 and as correct a list of the qualified electors as I have been able to prepare for the
 above mentioned polling division, and that I have performed all my duties
 according to all instructions, rules and regulations.

So HELP ME GOD.

Sworn before me at.....
this.....day of.....19...

.....
Registration Officer.

.....
Enumerator.

FORM No. 10.

(Rule 19)

THE COUNTY COUNCILS ORDINANCE, 1946.

Notice of Claim.

To the registration officer for the electoral division of.....

TAKE NOTICE that I,

(Name of claimant)

of

(Place of residence)

.....

(Occupation)

am qualified for inclusion in the preliminary list for polling division No.....

of the above electoral division of.....

and that my name, address and occupation have been (omitted from) (wrongly stated in) such list and that I hereby claim that such list be amended (by the insertion of my name, address and occupation therein) (by the correction of the particulars therein relating to my name, address and occupation):

(Strike out bracketed words not applicable.)

.....

Signature of Claimant.

.....

Witness.

NOTE :—This form need not be witnessed unless the claimant instead of signing makes his mark.

(Other Side.)

(FORM No. 10.)

THE COUNTY COUNCILS ORDINANCE, 1946.

To the Registration Officer of the Electoral Division of.....

.....

(Address of Warden's Office)

FORM No. 11.

(Rules 20, 21)

THE COUNTY COUNCILS ORDINANCE, 1946.

Notice of Objection.

To the registration officer for the electoral division of.....

TAKE NOTICE that I,

(Name of objector)

.....

(Occupation.)

of

(Postal address of objector.)

am qualified for inclusion in the list of electors for polling division No.....
of the above electoral division, and am so included :
And that I object to the inclusion therein of.....

(Enter name, occupation and address of person objected to)

on the ground that such person is disqualified for inclusion therein by reason of

Witness.

Signature.

NOTE.—This form need not be witnessed unless the objector instead of signing makes his mark.

(To be printed on back of Form.)

(FORM No. 11.)

Registered.

Notice of Objection.

To the Registration Officer for the Electoral Division of.....

at

(Address of Registration Officer.)

(This card to be posted or left at the nearest Warden's Office.)

FORM No. 11.

(Rules 20, 21)

THE COUNTY COUNCILS ORDINANCE, 1946.

Notice of Objection.

To the registration officer for the electoral division of.....

TAKE NOTICE that I,

(Name of objector.)

(Occupation.)

of

(Postal address of objector.)

am qualified for inclusion in the list of electors for polling division No.....
of the above electoral division, and am so included :

And that I object to the inclusion therein of.....

(Enter name, occupation and address of person objected to.)

on the ground that such person is disqualified for inclusion therein by reason of

Witness.

Signature.

NOTE:—This form need not be witnessed unless the objector instead of signing makes his mark,

(FORM No. 11.)

(To be printed on back of Form.)

Registered.

Notice of Objection.

(This is to be sent to persons objected to)

.....

(Name and address of persons objected to)

(This card is to be sent by registered post.)

FORM No. 12.

(Rule 18)

THE COUNTY COUNCILS ORDINANCE, 1946.

Revision Notice.

TAKE NOTICE that—

(a) the boundaries of polling division No.....of the electoral division of.....are as follows:—

.....

(b) the preliminary list of qualified persons for the above polling division will be revised on the.....day of.....at.....at.....o'clock.

(c) any qualified person whose name, address or occupation has been omitted from or incorrectly stated in the preliminary list may give notice in writing in the form set out as Form No. 10 in the First Schedule to the aforesaid Ordinance to the registration officer at.....claiming that his name, address or occupation be inserted in the list or that the entry relating thereto be corrected, as the case may be;

(d) any qualified person whose name appears in more than one preliminary list is hereby required to give notice in writing in the form set out as Form No. 13 in the First Schedule to the said Ordinance to the registration officer at

- (i) electing for which polling division he desires to be registered; and
- (ii) specifying the other polling divisions in the preliminary lists for which his name appears; and
- (iii) requiring the registration officer to cause his name to be deleted from such other preliminary lists;

(e) any qualified person whose name appears in the preliminary list may give notice in writing in the form set out as Form No. 11 in the First Schedule to the said Ordinance to the registration officer at.....objecting to the inclusion in the list of any other person on the ground that that other person is not a qualified person.

(f) the last day for giving the notices referred to in paragraphs (c), (d) or (e) will be the.....day of.....19.....

(g) copies of the forms mentioned above may be obtained at any post office or warden's office.

.....
Registration Officer.

Date.....

FORM No. 13.

(Rule 24)

THE COUNTY COUNCILS ORDINANCE, 1946.

Notice of Residence.

TAKE NOTICE that I,.....
 (Name.)
 of
 (Address.) (Occupation.)
 whose name appears on two preliminary lists, namely:—
 For polling division No.....of the electoral division of.....
and for polling division No.....of the electoral
 division of..... do hereby elect to be
 registered for polling division No.....of the electoral division of

Dated at.....this.....day of.....1946.

Signature of Elector.

(Reverse side of Form.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Notice of Residence.

To the registration officer for the electoral division of.....
at

FORM No. 14.

(Rule 25)

THE COUNTY COUNCILS ORDINANCE, 1946.

Notice to Persons objected to.

TAKE NOTICE that I have received objections to the inclusion of you.
 name, address and occupation in the proposed list of electors for polling division
 No.....of the electoral division of.....
 and that the revision of the said list will take place on the.....day
 of....., 19....., between the hours of.....
 and.....

AND FURTHER TAKE NOTICE that unless you appear before me and show cause
 why your name (should not be deleted from) (should be included in) the list of
 electors, your name (may be deleted therefrom) (may not be included therein).

Date.....

Registration Officer.

(Reverse side of Form.)

(FORM No. 14.)

(Frank)

THE COUNTY COUNCILS ORDINANCE, 1946.

TO BE SENT TO ALL PERSONS OBJECTED TO.

(Name and address.)

FORM No. 15.

(Rule 26)

THE COUNTY COUNCILS ORDINANCE, 1946.

List of Claims.

TAKE NOTICE that the persons (hereinafter referred to as claimants) whose names, addresses and occupations are set out in Part I of the Schedule to this notice have claimed in accordance with the provisions of the aforesaid Ordinance that the preliminary list of qualified persons resident in polling division No..... of the electoral division of..... should be amended by the insertion therein of their names, addresses and occupations as set out in Part I of the Schedule to this notice, and that the persons whose names, addresses and occupations are set out in Part II of the Schedule to this notice have claimed in accordance with the provisions of the said Ordinance that the entries in the preliminary list of qualified persons resident in polling division No..... of the electoral division of..... relating to their names, addresses or occupations, as the case may be, should be amended to conform with the names, addresses and occupations as set out in Part II of the Schedule to this notice :

AND FURTHER TAKE NOTICE that any qualified person who objects to the inclusion of the name of any claimant in the preliminary list upon the ground that such claimant is not qualified for inclusion therein may send in an objection to such inclusion not later than the.....day of.....and attend at.....on the.....day of.....at.....a.m. and then and there show cause why the name of such claimant should not be included in the list.

SCHEDULE

PART I.

Name.	Postal Address.	Occupation.

PART II.

Name.	Postal Address.	Occupation.

Date,.....
Registration Officer.

FORM No. 16.

(Rule 27)

THE COUNTY COUNCILS ORDINANCE, 1946.

List of Objections.

TAKE NOTICE that the persons whose names, addresses and occupations are specified in the first column of the Schedule to this notice have objected to the inclusion in the list of electors for polling division No..... of the electoral

division of..... of the persons whose names, addresses and occupations are specified in the second column of the Schedule to this notice upon the grounds specified in the third column of the Schedule to this notice :

AND FURTHER TAKE NOTICE that unless any person specified in the second column of the Schedule to this notice attends at the place and time specified for the revision of the list and shows cause why his name should not be deleted therefrom his name may be so deleted.

SCHEDULE.

First Column Second Column Third Column.

.....
Date.....
Registration Officer.

FORM No. 17. (Rule 30)
THE COUNTY COUNCILS ORDINANCE, 1946.

Notice of Insertion or Correction.

TAKE NOTICE that your claim for insertion (or relating to correction of particulars) in the list of electors for polling division No..... in the electoral division of..... has been granted.

.....
Registration Officer.
Dated at.....this.....day of.....19...

FORM No. 18. (Rule 32)
THE COUNTY COUNCILS ORDINANCE, 1946.

Notice of Intention to make Corrections.

TAKE NOTICE that I intend to make corrections in your registration in the list of electors for polling division No.....of the electoral division of
The corrections are as follows :

.....
Registration Officer.

FORM No. 19. (Rule 34)
THE COUNTY COUNCILS ORDINANCE, 1946.

Certificate of Registration Officer.

I,....., Registration Officer for the Electoral Division of..... certify that the above is a true copy of the finally revised list for the said Electoral Division.

Dated this.....day of.....19...
Registration Officer.

FORM No. 20.

(Section 11)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Returning Officer.

I,.....having been appointed returning officer for the electoral district of..... do swear that I will faithfully perform all the duties of such returning officer in accordance with the provisions of the County Councils Ordinance, 1946, and of any regulations made thereunder to the best of my ability.

Sworn before me,

.....
Returning Officer.

.....
Justice of the Peace.
(as the case may be.)

Date.....

FORM No. 21.

(Section 12)

THE COUNTY COUNCILS ORDINANCE, 1946.

APPOINTMENT AND OATH OF AN ELECTION CLERK.

Appointment.

To (.....), whose occupation is (.....), and whose address is (.....)

TAKE NOTICE that I hereby appoint you to be election clerk for the electoral district of.....

Given under my hand at.....this.....day.....in the year 19.....

.....
Supervisor of Elections.

Oath of Election Clerk.

I,, the undersigned, having been appointed election clerk for the electoral district of..... do swear that I will act faithfully in the capacity of election clerk and also of that of returning officer, if required to act as such in accordance with the provisions of the County Councils Ordinance, 1946, and of any rules made thereunder, without partiality, fear, favour, or affection to the best of my ability.

.....
Election Clerk.

Sworn before me this.....day of.....19.....

.....
Justice of the Peace.
(as the case may be.)

FORM NO. 22.

(Section 14)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of a Presiding Officer.

I,

the undersigned, appointed presiding officer for polling station No.....

of the electoral district of.....

swear that I will act faithfully in my said capacity of Presiding Officer, according to law, without partiality, fear, favour or affection, and that I will keep secret the names of the candidates for whom any of the voters in the above-mentioned polling station marks his ballot paper in my presence at this election.

SO HELP ME GOD.

.....
Presiding Officer.

Sworn before me at.....this.....day

of....., 19.....

.....
Returning Officer.
(as the case may be.)

FORM NO. 23.

(Section 15)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of a Poll Clerk.

I,

the undersigned, appointed as Poll Clerk for polling station No.....

of the electoral district of.....

swear that I will act faithfully in my capacity of Poll Clerk and also in that of Presiding Officer if required to act as such, according to law, without partiality, fear, favour or affection, and that I will keep secret the names of the candidates for whom any voter in the above-mentioned polling station marks his ballot paper in my presence at this election.

SO HELP ME GOD.

.....
Poll Clerk.

Sworn before me at.....this.....day

of....., 19.....

.....
Presiding Officer.
(as the case may be.)

FORM No. 24.

(Section 18)

THE COUNTY COUNCILS ORDINANCE, 1946.

Notice of Election of a Member of the Electoral Division of

His Excellency the Governor having issued His Writ for the Election of a member (members) of the County Council for the electoral district of..... the Returning Officer of the said district will on the..... day of 19..... now next ensuing between the hours of 9 a.m. and noon at..... proceed to the nomination, and if there is no opposition, to the election of a member (members) for the electoral division of.....

Forms of nomination papers may be obtained at the office of at..... between the hours of..... and..... daily except on Saturday when the office is closed at..... p.m. (Sunday also excepted).

Every nomination paper must be signed by any two or more electors qualified to vote in the electoral division of..... and be handed to the Returning Officer between the said hours of 9 a.m. and noon.

No nomination paper shall be valid or acted upon by the Returning Officer unless it is accompanied by—

- (a) the consent in writing of the person therein nominated, and
(b) a deposit of thirty dollars in cash.

In the event of election being contested the poll will take place between the hours of 7 a.m. and 5 p.m. on..... and the counting of votes will take place thereafter at..... on..... at the hour of..... and at such places as may hereafter be appointed.

The office of the Returning Officer for the electoral district of..... is situate at

Returning Officer for the district of

Date.....

FORM No. 25.

(Section 20)

THE COUNTY COUNCILS ORDINANCE, 1946.

Nomination Paper.

WE, the undersigned electors for the electoral division of..... do hereby nominate the following person as a proper person to serve as member of the County Council for the electoral division of and we certify that to the best of our belief he is

qualified for election as a member of the County Council under the conditions prescribed by section 6 of the County Councils Ordinance, 1946.

Surname.	Other Names.	Address.	Occupation.

Signature {

.....

.....

.....

.....

.....

.....

.....

.....

I,
nominated in the foregoing nomination paper hereby consent to such nomination
as Candidate for election as a member of the County Council for the electoral
district of
and name as my address for serving of process and papers under the County
Councils Ordinance, 1946 :—

Address

Witness my hand this.....day of.....19.....

Signed by the said nominee in the
presence of

.....
Signature of Witness.

.....
Signature of Candidate.

(SECTION 20)

(FORM No. 26).

THE COUNTY COUNCILS ORDINANCE, 1946.

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

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

That I am duly qualified to be elected a member of the County Council of

.....for the electoral division of.....
and that my qualification is the following :—

1. I am registered as an elector for the electoral division of.....
2. I am able to speak the English language.

- 3. I reside in the electoral district of.....
- 4. I possess in my own right immovable property in the aforesaid electoral district of the clear value of five hundred dollars, free from all encumbrances ;

or

I am in receipt of a clear annual income of not less than two hundred and forty dollars ;

or

I am in occupation as tenant (or usufructuary) of a house or house and land, in the aforesaid electoral district of an annual rental of not less than sixty dollars.

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Ordinance, and I am aware that if there is any statement in this declaration which is false in fact and 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

FORM No. 26A.

(Section 20)

THE COUNTY COUNCILS ORDINANCE, 1946.

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

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

That.....is duly qualified to be elected a member of the County Council of..... for the electoral division of.....and that :—

- 1. He is registered as an elector for the electoral division of.....
- 2. He is able to speak the English language.
- 3. He resides in the electoral district of.....

4. He possesses in his own right immovable property in the aforesaid electoral district of the clear value of five hundred dollars, free from all encumbrances ;

or

He is in receipt or of a clear annual income of not less than two hundred and forty dollars ;

or

He is in occupation as tenant (or usufructuary) of a house or house and land, in the aforesaid electoral district of an annual rental of not less than sixty dollars.

I make this declaration conscientiously believing the same to be true and according to the Statutory Declarations Ordinance, and I am aware that if there is any statement in this declaration which is false in fact and 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.....

FORM 27.

(Section 22)

THE COUNTY COUNCILS ORDINANCE, 1946.

Return of Uncontested Election.

I hereby certify that the member (members) elected for the electoral division
of.....in pursuance of the within Writ
is (are)
(Insert name, address and occupation of member)
.....
(elected as stated on the nomination paper)
no other candidate having been nominated.

Dated at.....this.....day of.....19.....

.....
Returning Officer.

To the Supervisor of Elections.

FORM 28.

(Section 23)

THE COUNTY COUNCILS ORDINANCE, 1946.

Notice of Grant of a Poll.

The Electoral Division of.....

NOTICE is hereby given to the electors of the electoral division aforesaid that
a Poll has been granted for the election now pending for the said electoral division
and that such Poll will be opened on the.....day of.....19.....
at the hour of seven in the forenoon and kept open till the hour of five in the after-
noon in the following Polling Stations established in the various Polling Divisions
comprised in the said electoral division :

Polling Stations :
.....
.....
.....

And that the candidates in the above electoral division are as follows :—

Candidates :
.....
.....
.....

of which all persons are hereby required to take notice and govern themselves accordingly.

Given under my hand at.....this.....day of.....19.....

.....
Returning Officer.

FORM No. 29.

(Section 24)

THE COUNTY COUNCILS ORDINANCE, 1946.

Return where candidates withdraw or die.

I hereby certify that the member (members) elected for the electoral division of.....in pursuance of the within Writ is (are)

(Insert name, address and occupation of each member elected)

(as stated on the nomination paper)

the other or all other candidates having withdrawn.

Dated at.....this.....day of.....19.....

Returning Officer.

To the Supervisor of Elections.

FORM No. 30.

(Section 25)

THE COUNTY COUNCILS ORDINANCE, 1946.

Ballot Paper.

No. 6700

No. 6700

GENERAL ELECTION.....

....., ELECTORAL DIVISION.

Voter's Number on Roll.....

Polling Day.....

Space for initials of P.O.

Do not fold beyond this line

1. BABULAH, CONRAD D. 72, Chanbery Lane, Engineer.

Symbol

2. OCEAN, FRANCIS 89r, Hayes Street, Merchant.

Symbol

3. RONSON, EMMANUEL 475, Marli Street, Insurance Broker.

Symbol

FORM No. 31.

(Section 27)

THE COUNTY COUNCILS ORDINANCE, 1946.

Direction to Electors.

Each elector may vote only at one polling station and for only one Candidate.

The elector will go into one of the compartments and with a black lead pencil there provided place a cross within the white space containing the name of the candidate for whom he votes, thus X.

The elector shall then fold the ballot paper so that the initials of the presiding officer and the numbers on the counterfoil can be seen and the counterfoil detached without opening the ballot paper ; he shall then return the ballot paper so folded to the Presiding Officer who shall in full view of those present, including the elector, remove the counterfoil, and place the ballot paper in the ballot box. The elector shall then forthwith quit the polling station.

If an elector inadvertently spoils a ballot paper he may return it to the Presiding Officer who on being satisfied of the fact will give him another.

If an elector votes for more than one candidate or places any mark on the ballot paper by which he can afterwards be identified his vote will be void and will not be counted.

In the following form of ballot paper given for illustration the candidates are Conrad D. Babulah, Francis Ocean and Emmanuel Ronson, and the elector has marked his ballot paper in favour of Francis Ocean.

GENERAL ELECTION

2655

..... ELECTORAL DIVISION.

Voter's Number on Roll.....

Polling Day.....

Space for initials of P.O.

..... Do not fold beyond this line.....

1. BABULAH, CONRAD D. 72, Chancery Lane, Engineer	Symbol
2. OCEAN, FRANCIS 891, Hayes Street, Merchant	Symbol X
3. RONSON, EMMANUEL 475, Marli Street, Insurance Broker	Symbol

FORM 31A.

(Section 27.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Directions to Electors.

Each elector may vote only at one polling station and for only two candidates.

The Elector will go into one of the compartments and with a black lead pencil there provided place a cross within the white space containing the name of any candidate for whom he votes, thus X.

The elector shall then fold the ballot paper so that the initials of the presiding officer and the members on the counterfoil can be seen and the counterfoil detached without opening the ballot paper ; he shall then return the ballot paper so folded to the presiding officer who shall in full view of those present, including the elector, remove the counterfoil, and place the ballot paper in the ballot box. The elector shall then forthwith quit the polling station.

If an elector inadvertently spoils a ballot paper he may return it to the presiding officer who on being satisfied of the fact will give him another.

If an elector votes for more than two candidates or places any mark on the ballot paper by which he can afterwards be identified his vote will be void and will not be counted.

In the following form of ballot paper given for illustration the candidates are Conrad D. Babulah, Francis Ocean and Emmanuel Ronson and the elector has marked his ballot paper in favour of Francis Ocean and Emmanuel Ronson.

2655

GENERAL ELECTION

..... ELECTORAL DIVISION.

Voter's Number on Roll.....

Polling Day.....

Space for initials of P.O.

.....Do not fold beyond this line.....

	1. BABULAH, CONRAD D. 72, Chancery Land, Engineer	Symbol
	2. OCEAN, FRANCIS 891, Hayes Street, Merchant	Symbol X
	3. RONSON, EMMANUEL 475, Marli Street, Insurance Broker	Symbol X

THE COUNTY COUNCILS ORDINANCE, 1946.

Poll Book

Consecutive number given each Elector as he applies for Ballot	PARTICULARS OF ELECTOR							Particulars of persons applying for Ballot Papers after another person has voted as such person			Objections if any made on behalf of any Candidates	Remarks
	Name of Elector	Occupation	Postal address	Consecutive No. of Elector on list of Electors	Form numbers of Oaths if any Elector is required to swear	(a) Record that Oath sworn or refused	(b) Record that Elector has voted	Name	Consecutive No. of Elector on list of electors	Record that oath sworn		

(a) If sworn insert "sworn", and number of the Oath, if refused insert, "refused to be sworn"

(b) When Ballot put into Ballot Box insert "voted".

FORM No. 33.

(Sections 37, 42, 44.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Appointment of Agent.

I,
 nominated to serve as a member of the County Council for the electoral district
 of
 do hereby appoint
 whose address is
 and whose occupation is as my agent
 *for the purposes of the proceedings at Polling Station No.
 †(to attend the final count of votes by the returning officer.)

.....
Candidate.

* For agent at polling station.

† For agent at final count.

FORM No. 34.

(Section 40.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Identity of an Elector Receiving a Ballot Paper after another has
voted in His Name.

You swear that you are.....
 (Name as on list of electors)
 of
 (Address as on list of electors)
 whose name is entered on the list of electors now shown you.

So HELP YOU GOD.

FORM No. 35.

(Section 40.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Incapacitated Elector.

You swear that you are incapable of voting without assistance by reason of
physical incapacity.

So HELP YOU GOD.

FORM No. 36.

(Section 40.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Blind Elector.

You.....of
 swear that you are incapable of voting without assistance by reason of your
 inability to see.

So HELP YOU GOD.

FORM No. 37.

(Section 40.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Friend of Blind Elector.

1. You swear that you will keep secret the name of the candidate or candidates for whom you mark the ballot paper of the blind elector on whose behalf you act.

2. That you have not already acted as the friend of a blind elector for the purpose of marking his ballot paper at this election.

So HELP YOU GOD.

FORM No. 38.

(Section 41.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath that the Elector is the person intended to be referred to in the List of Electors.

You swear that you are qualified to vote at this election of members to serve on the County Councils for the electoral district of..... and are not disqualified from voting thereat and that you verily believe that you are the person intended to be referred to by the entry, in the List of Electors used at this Polling Station, of the name..... whose occupation is given as..... and whose address is given as.....

So HELP YOU GOD.

FORM No. 39.

(Section 41.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Qualification.

You swear—

1. That you are a British subject by birth.
2. That you are a British subject by naturalization.
3. That you have attained the age of twenty-one years.
4. That you have resided in the electoral division of..... for a period of not less than six months immediately preceding the date of your registration as an elector.
5. That you are not within any of the classes of persons who lack qualification or are disqualified by reason of crime or mental incapacity.

So HELP YOU GOD.

NOTE :—Paragraph 2 is alternative to paragraph 1.

FORM No. 40.

(Section 42.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Agent of a Candidate.

I,the undersigned, agent for.....one of the candidates at the election of members of the County Council held on this day in the electoral district of.....do swear that I will keep secret the names of the candidates for whom any elector voting at this polling station marks his ballot paper in my presence at this election.

So HELP ME GOD.

.....
Signature of Agent.

Sworn before me at.....this.....day of.....19....

.....
Returning Officer for the electoral district

of

or

Justice of the Peace

or

Presiding Officer for polling division

No.of the electoral district

of

FORM No. 41.

(Section 43.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Presiding Officer after closing of the Poll.

I,the undersigned, presiding officer for polling station No.....of the electoral district of.....do swear that to the best of my knowledge and belief this Poll Book kept for the said polling station under my direction has been so kept correctly and that the total number of votes recorded therein is.....and that it contains a true and exact record of the votes given at the said polling station as the said votes were taken thereat; that I have faithfully performed all duties required of me by law.

.....
Presiding Officer.

Sworn before me at.....this.....day of.....19....

.....
Poll Clerk

(or as the case may be).

FORM No. 42.

(Section 43.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of the Poll Clerk after closing the Poll.

I,the undersigned, Poll Clerk for polling station No.of the electoral district of.....do swear that this Poll Book for the said polling station kept under the direction of.....who has acted as presiding officer thereat has been so kept by me under his direction as aforesaid correctly and to the best of my skill and judgment; that the total number of votes recorded therein is.....and that to the best of my knowledge and belief it contains a true and exact record of the votes given at the above-mentioned polling station as the said votes were taken thereat by the said presiding officer and that I have faithfully performed all other duties as Poll Clerk according to Law.

.....
Poll Clerk.

Sworn before me at.....this.....day of.....19....

.....
Presiding Officer.
(or as the case may be.)

FORM No. 43.

(Section 43.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Statement of the Poll after counting the Ballots.

Electoral District of..... Polling Station No.....

Number of ballot papers received from the returning officer ...	.....	.....
Number of ballot papers cast for ...	.....	.....
do. do. do. ....	.....	.....
do. do. do. ....	.....	.....
do. do. do. ....	.....	.....
do. do. do. ....	.....	.....
do. do. do. ....	.....	.....
Number of *Rejected ballot papers	.....	.....
Total number of ballot papers found in box ...	.....	.....
Number of unused ballot papers undetached from the books ...	.....	.....
Number of †Spoiled Ballot papers	.....	.....
Total ... ..	.....	.....

*A Rejected ballot paper means a ballot paper which has been handed by the presiding officer to an elector to cast his vote but which at the close of the poll, has been found in the ballot box unmarked or so improperly marked that it cannot be counted.

† A Spoiled ballot paper means a ballot paper which, on polling day, has not been deposited in the ballot box, but has been found by the presiding officer to be soiled or improperly printed or which has been handed by the presiding officer to an elector to cast his vote, and (a) has been spoiled in marking by the elector, and (b) has been handed back to the presiding officer and exchanged for another.

• Number of names on official list of electors used at the poll.....
 I hereby certify that the above statement is correct.

Dated at.....this.....day of
19.....

.....
Presiding Officer.

FORM No. 44.

{Section 43}

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Messenger sent to collect Ballot Boxes.

I,
 messenger appointed by.....returning officer
 for the electoral district of.....
 do swear that the several boxes to the number of.....which were used at
 polling stations Nos.....of this electoral district
 on polling day now delivered by me to.....
 were handed to me by.....
 that they have not been opened by me or any other person and that they are in
 the same state as they were in when they came into my possession.

.....
Signature.

Sworn before me at.....this.....day
 of.....19.....

.....
Returning Officer.
 (or as the case may be.)

FORM No. 45.

{Section 48.}

THE COUNTY COUNCILS ORDINANCE, 1946.

Return after Poll has been taken.

I hereby certify that the member (members) elected for the electoral division
 of
 in pursuance of the within writ as having received the majority of votes lawfully
 given is (are)
 (name, address and occupation as stated in nomination paper.)

Dated at.....this.....day
 of.....19.....

.....
Returning Officer.

FORM No. 46.

(Section 6.)

THE COUNTY COUNCILS ORDINANCE, 1946.

Oath of Registration Officer.

I, do swear that I will faithfully perform all the duties of registration officer of the several electoral divisions of the electoral district of..... in accordance with the provisions of the County Councils Ordinance, 1946, and of any regulations made thereunder to the best of my ability.

.....
Registration Officer.

Sworn before me

.....
Justice of the Peace.
(or as the case may be.)

Date.....

SECOND SCHEDULE.

REGISTRATION RULES.

1. The names in each list of electors shall be arranged in alphabetical order according to Form No. 2 in the First Schedule, or in street order according to Form No. 3 in the said Schedule, as determined by the Supervisor of Elections, or according to such other form as may be prescribed, and shall be numbered consecutively beginning with the number one. Form of list of electors.

2. The registration officer shall, commencing on the forty-ninth day before nomination day, cause to be prepared in and for his electoral division, and pursuant to the provisions of this Ordinance, preliminary lists of all persons who are qualified as electors in the polling divisions comprised therein. Commencement of enumeration.

3. The registration officer shall by writing in the form set out as Form No. 4 in the First Schedule appoint a person to be enumerator for each polling division in the electoral division. Appointment of enumerators.

4. Each enumerator shall be qualified as an elector in the electoral division, and shall preferably be a resident in the polling division for which he has been appointed. Qualification of enumerator.

5. The registration officer may at any time replace any enumerator appointed by him by appointing another enumerator to act in the place and stead of the person already appointed, and any enumerator so replaced shall, upon request in writing signed by the registration officer, deliver or give up to the person appointed in his place or to any other authorised person, any instructions, index books or other papers and any information which he has obtained for the purpose of the performance of his duties. Removal by registration officer.

6. Every enumerator shall forthwith on his appointment take an oath, as such, in the form set out as Form No. 5 in the First Schedule, detach it from the form of appointment and send it to the registration officer. Oath of office of enumerator.

Registration
Notice.

7. The enumerator shall, immediately after his appointment, affix on two public buildings in his polling division, or if there are no public buildings in the polling division, on two other buildings, having first obtained permission from the occupants, a copy of a registration notice in the form set out as Form No. 6 in the First Schedule; that he is about to prepare a preliminary list of qualified electors in the polling division.

House to
house
visitation.

8. Each enumerator after taking his oath, as such, shall on the forty-ninth day before nomination day, proceed to ascertain the name, address and occupation of every person qualified to vote for the election of members of the County Council in the polling division for which he has been appointed, obtaining the information he may require by a house to house visitation. The names, addresses and occupations of all electors who are included in the enumeration in such list shall be written in an index book in the form set out as Form No. 7 in the First Schedule, with the names of the electors grouped according to the initial letters of their surnames, and with the surname, given names, postal address and occupation of each being fully stated.

Complete
enumeration

9. Each enumerator shall exercise the utmost care in preparing the preliminary list of electors for the polling division for which he has been appointed. He shall take all necessary precautions to ensure that the list when completed contains the name, address and occupation of every qualified elector in the polling division, and that it does not contain the name of any person who is not so qualified.

Penalty.

10. Every enumerator who wilfully, and without reasonable excuse, omits from the preliminary list the name of any person entitled to have his or her name entered therein, or enters in the said list the name of any person who is not entitled to have his or her name entered therein, shall be liable on summary conviction to a penalty of fifty dollars, and, in addition, to forfeiture of his right to payment for his services as enumerator.

Rural and
urban
enumeration.

11. The names, addresses and occupations of all electors who are included in a preliminary list shall be written up according to Form No. 2 or Form No. 3 in the First Schedule, as directed by the registration officer.

Certified
copies of
preliminary
lists to be sent
to registration
officer.

12. On the completion of his list (which shall in no case be later than the forty-second day before nomination day), the enumerator shall prepare at least five typewritten or plainly written copies of such list in the form set out as Form No. 2 or Form No. 3 in the First Schedule, as directed by the registration officer, and certify them in the form set out as Form No. 8 in the First Schedule, and immediately transmit to the registration officer three of such copies.

Registration
officer to send
a properly
arranged set
of the
preliminary
lists to
Supervisor
of Elections.

13. The registration officer shall forthwith on the receipt of the certified copies of the preliminary lists from the enumerators arrange them numerically according to polling divisions and send one set of such lists so arranged to the Supervisor of Elections.

Description of
polling
division to
be inserted in
preliminary
list.

14. It shall be the duty of the enumerator to enter on the first page of each copy of the preliminary list the description of the polling division as supplied to him by the registration officer. On the last page of each copy of the preliminary list, the enumerator shall endorse a certificate in the form set out as Form No. 8 in the First Schedule.

Posting up of
preliminary
lists.

15. The enumerator shall on the fortieth day before nomination day affix on each of two buildings in his polling division a certified copy of the preliminary list, preference being given to public buildings, if any, in his polling division. Such lists shall remain posted up for a period of twelve days including Sundays.

Oath of
enumerator on
completion
of work.

16. On the completion of his work, the enumerator shall take an oath in the form set out as Form No. 9 in the First Schedule,

17. Every registration officer shall distribute to every Post Office in his district a sufficient number of copies of the forms set out as Forms No. 10, No. 11 and No. 13 in the First Schedule.

Registration officer to distribute to Post Offices copies of Forms Nos. 10, 11 and 13.

18. It shall be the duty of the registration officer to have affixed by the enumerator at the same time as he is posting up the preliminary list one revision notice, in the form set out as Form No. 12 in the First Schedule, for each list.

Notice of revision.

19. Any person who claims to be entitled to be registered as an elector, and who is not entered, or is entered in an incorrect manner, or with incorrect particulars in the preliminary list, may claim to be registered, or to be registered correctly, by sending to the registration officer, not later than the twenty-ninth day before nomination day, a claim in the form set out as Form No. 10 in the First Schedule or such other form as may be prescribed, which form the claimant may secure at any Post Office. The claimant shall fill in the form and deliver it or transmit it postage free to the registration officer.

Claims to be delivered or posted to registration officer.

20. Any person whose name appears on any of the preliminary lists for an electoral division may object to the registration of any person whose name is included in those lists by sending to the registration officer notice of objection in the form set out as Form No. 11 in the First Schedule or such other form as may be prescribed.

Notice of objection to registration.

21. Any person whose name appears on any of the preliminary lists for an electoral division may object to the registration of any person whose name is included in the list of claimants by sending notice of objection to the registration officer in the form set out as Form No. 11 in the First Schedule or such other form as may be prescribed.

Notice of objection to claims.

22. Form No. 11 in the First Schedule shall consist of a postcard in duplicate, one section to be sent to the registration officer by registered post and the other section to the person objected to by registered post.

Form No. 11.

23. The objection to any name included in the preliminary lists shall be sent not later than the twenty-ninth day before nomination day and the objection to claims for inclusion in the lists shall be sent not later than the twenty-fourth day before nomination day.

Dates for making objections.

24. Any elector whose name appears on more than one preliminary list shall forthwith notify the registration officer, in the form set out as Form No. 13 in the First Schedule, of the polling division in which he elects to have his name retained.

Names on more than one list.

25. The registration officer shall immediately after receiving any notice of objection, send by registered post a notice in the form set out as Form No. 14 in the First Schedule to the person in respect of whose registration the notice of objection is given.

Notice to persons affected by objection.

26. It shall be the duty of the registration officer to cause to be affixed, not later than the twenty-seventh day before nomination day, to two buildings in the polling division, in the form set out as Form No. 15 in the First Schedule, a list of persons living in the said polling division who claim that their names should be inserted in, or that corrections should be made to, the preliminary lists. Such list shall remain posted up for a period of five days.

Publication of claims to insertion.

27. It shall be the duty of the registration officer to cause to be affixed, not later than the twenty-seventh day before nomination day, to two buildings in the polling division, a list of the names of persons, appearing in the preliminary lists to whose registration notice of objection has been given, in the form set out as Form No. 16 in the First Schedule. Such list shall remain posted up for a period of five days.

Publication of objections to registration.

Posting up list of objections to claims.

28. It shall be the duty of the registration officer to cause to be affixed, not later than the twenty-third day before nomination day, to two buildings in the polling division, in the form set out as Form No. 16 in the First Schedule, a list of the names of persons, included in the list of claims for the said polling division, to whose registration notice of objection has been given. Such list shall stay posted up for a period of five days.

Consideration of objections:

29. The registration officer shall consider all objections of which notice has been given to him in accordance with these Rules and for that purpose give at least five clear days' notice by registered post to the objector and to the person in respect of whose registration the notice of objection has been given, of the time and place at which the objection will be considered by him.

Consideration of claims.

30. The registration officer shall also consider all claims of which notice is given to him in accordance with these Rules and in respect of which no notice of objection is given, and, if he considers that any claim may be allowed without further inquiry, shall give, by registered post in the form set out as Form No. 17 in the First Schedule, notice to the claimant that his claim is allowed. If the registration officer is not satisfied that any such claim can be allowed without inquiry, he shall give at least five clear days' notice by registered post to the claimant of the time and place at which the claim will be considered by him.

Correction of lists.

31. The registration officer shall make such additions and corrections to the preliminary lists as are required in order to carry out his decisions in respect of any objections or claims, and he shall also make such corrections in those lists, by way of the removal of duplicate entries (subject to any expression of choice by persons affected as to those entries), the expunging of the names of persons who are dead or subject to any legal incapacity, the rectification of clerical errors, and otherwise, as will ensure that those lists are complete and accurate as a register.

Objection to corrections.

32. Where the registration officer makes any correction in the preliminary lists otherwise than in pursuance of a claim or objection, or for the purposes of correcting a clerical error, he shall give notice by registered post, in the form set out as Form No. 18 in the First Schedule, to the person affected by the correction, and allow that person an opportunity of objecting to the correction, and if necessary, of being heard with respect thereto.

Completion of lists.

33. The registration officer shall make all the necessary corrections of the preliminary lists and do everything necessary in time to allow the publication of the lists so corrected as required by these Rules.

One copy of finally revised lists to be posted to Supervisor of Elections and the other kept for inspection by the public.

34. The registration officer shall certify, in the form set out as Form No. 19 in the First Schedule, the two sets of preliminary lists revised in accordance with the provisions of rule 30 and on the fourteenth day before nomination day he shall post one set of such finally revised lists to the Supervisor of Elections and retain the other set in his office for inspection by the public. It shall be the duty of the registration officer, on the application of any person during business hours and on payment of the prescribed fee to furnish such person with copies of the finally revised lists.

Finally revised lists, descriptions of polling divisions and maps to be transmitted to returning officer on his appointment.

35. On the appointment of the returning officer, the registration officer shall transmit to him the set of finally revised lists retained by him pursuant to the provisions of the last preceding rule together with a description of each polling division and the maps on which the polling divisions are traced.

Publication of documents.

36. Where the registration officer is by these Rules required to publish any document, he shall publish the document by making the proper entries on the prescribed forms and a copy of the document available for inspection by the public in his office, and, if he thinks fit, in any manner which is, in his opinion, desirable for the purpose of bringing the contents of the document to the notice of those interested.

Any failure to publish a document in accordance with these Rules shall not invalidate the document,

37. If any person without lawful authority destroys, mutilates, defaces or removes, or makes any alteration in any notice published by the registration officer in connection with his registration duties, or any copies of a document which have been made available for inspection in pursuance of these Rules, he shall be liable on summary conviction, to a fine of fifty dollars.

Destroying
or defacing
documents.

38. The registration officer shall, without fee, on the application of any person, supply forms of claims and notices of objections.

Duty of
registration
officer to
supply forms.

39. The registration officer shall, on the application of any person, allow that person to inspect, and take extracts from, or on payment of the prescribed fee, supply to that person copies of the lists of electors for any registration unit in his electoral division and any claim or notice of objection made under these Rules.

Supply of
copies of
claims,
objections, &c.

40. Any claim or notice of objection which is under these Rules to be sent to the registration officer may be sent to him by registered post, postage free, addressed to him at his office or delivered by hand.

Mode of
sending
notices, &c.

41. The registration officer may require any employer or any householder or any person owning or occupying any land or premises within his electoral division or the agent of such person, to give any information in his possession which the registration officer may require for the purpose of his duties as registration officer; and, if any person fails to give the required information, or gives false information, he shall be liable, on summary conviction, to a fine of ninety-six dollars. Any notice requiring information under this rule may be sent by post.

Information
from house-
holders, &c.

42. The registration officer, before registering any person as an elector, may, if he thinks it necessary—

Declarations
as to age and
nationality.

(a) require that person either to produce a certificate of birth, or, if that is not practicable, to make a statutory declaration that such person has attained the required age; and

(b) require that person to produce a certificate of naturalisation or to make a statutory declaration that he is a British subject.

Where a declaration is so required no fee shall be paid thereon. The registration officer shall during office hours allow any person to inspect and take a copy of any such declaration.

43. On the consideration of any claim or objection or other matter by the registration officer, any person appearing to the registration officer to be interested may appear and be heard either in person or by any other person, other than counsel, on his behalf.

Hearing of
claims and
objections.

44. The registration officer may, at the request of any person interested, or if he thinks fit without such request, on the consideration of any claim, or objection, or other matter, require that the evidence tendered by any person should be given on oath and may administer an oath for the purpose.

Power to
require
evidence
on oath.

45. Any person who in the course of the revision of any preliminary list makes before a registration officer any statement upon oath or any solemn affirmation which he knows to be false, or does not believe to be true, shall be guilty of an offence and upon summary conviction thereof shall be liable to be imprisoned with hard labour for a term of twelve months.

False
declaration.

46. No misnomer or inaccurate description of any person or place on any list or in any notice shall prejudice the operation of this Ordinance as respects that person or place, provided that the person or place is so designated as to be commonly understood,

Provisions as
to misnomer
or inaccurate
description.

THIRD SCHEDULE.

(SECTION 3)

PART I.

<i>Name of Electoral District</i>	<i>Description of Electoral District</i>	<i>Electoral Divisions</i>
1. St. George ..	..County of St. George exclusive of the City of Port-of-Spain and the Borough of Arima as respectively described in the Port-of-Spain Corporation Ordinance and the Arima Corporation Ordinance.	(i) St. Ann's Ward. (ii) Diego Martin Ward. (iii) Tacarigua Ward. (iv) Arima Ward (exclusive of the Borough of Arima). (v) San Rafael Ward. (vi) Blachisseuse Ward.
2. St. David-St. Andrew	Counties of St. David and of St. Andrew	(i) Toco Ward. (ii) Valencia Ward. (iii) Matura Ward. (iv) Manzanilla Ward. (v) Turure Ward. (vi) Tamana Ward
3. Nariva-Mayaro	..Counties of Nariva and of Mayaro	(i) Charuma Ward. (ii) Cocal Ward. (iii) Guayaguayare Ward. (iv) Trinity Ward.
4. Caroni ..	..County of Caroni ..	(i) Cunupia Ward. (ii) Chaguanas Ward. (iii) Montserrat Ward. (iv) Couva Ward.
5. Victoria ..	..County of Victoria (exclusive of the Borough of San Fernando as described in the San Fernando Corporation Ordinance)	(i) Pointe-a-Pierre Ward. (ii) Naparima Ward (exclusive of the Borough of San Fernando) (iii) Savana Grande Ward. (iv) Ortoire Ward (v) Moruga Ward.
6 St. Patrick ..	..County of St. Patrick ..	(i) La Brea Ward. (ii) Cedros Ward (iii) Erin Ward (iv) Siparia Ward
7. Tobago ..	..The Island of Tobago ..	(i) Parish of St David (ii) Parish of St. Patrick (iii) Parish of St. Mary. (iv) Parish of St. John. (v) Parish of St. Paul (including the Town of Roxborough) (vi) Parish of St. George. (vii) Parish of St. Andrew (including the Town of Scarborough).

PART II.

The boundaries set out below are indicated on a map of Tobago kept at the office of the Director of Surveys at Port-of-Spain and bearing the inscription "This is the map referred to in the First Schedule to the County Councils Ordinance" signed and dated by the Director of Surveys. A copy of such map will be deposited at the Warden's Office at Scarborough, Tobago.

Parish of St. David.

The parish is bounded by a line commencing at a point on mean high water mark of ordinary spring tides (hereinafter referred to as 'highwater mark') on the west coast of the Island situate in midstream at the mouth of the Courland River proceeding thence in a south-easterly direction upstream along the centre line of the said river to a point in the centre of the Plymouth Road at its crossing of the said river; thence south-eastwards along the centre of the Plymouth Road to a point at its junction with the southern end of the Whim Local Road; thence northwards and eastwards along the centre of the Whim Local Road and of the Dunvegan Road to a point at the junction of the last named road with the Providence Road; thence northwards along the centre of the Providence Road to a point in midstream at the crossing by the said road of the Providence River; thence downstream along the centre line of the said river in a north-westerly direction to its confluence with the Courland River thence upstream in a general north-easterly direction along the centre line of the Courland River to a point at its source; thence due north to a point on the crest of the Main Ridge near Mount Dillon; thence north-eastwards along the crest of the said ridge to a point due south of the source of Stettin River; thence due north to a point at the source of the said river; thence downstream in a general northerly direction along the centre line of the said river to a point at its mouth on high water mark of Englishman's Bay situate on the north-west coast of the Island; thence in a general south-westerly direction along high water mark to the point of commencement.

Parish of St. Patrick.

The Parish is bounded by a line commencing at a point on mean high water mark of ordinary spring tides (hereinafter referred to as 'high water mark') on the west coast of the Island situate in midstream at the mouth of Courland River proceeding thence in a south-easterly direction upstream along the centre-line of the said river to a point in the centre of the Plymouth Road at its crossing of the said river; thence south-eastwards along the centre of the Plymouth Road to a point at its junction with a foot-path or trace which junction is situate about 600 feet west of the southern end of the Whim Local Road; thence in a south-westerly direction along the centre of the said foot-path or trace through Orange Hill Estate to its junction with the Orange Hill Road; thence south-westwards along the centre of the Orange Hill Road, to a point at its junction with the Bethel-Hopeton Road; thence southwards and westwards along the centre of the said road to a point at its junction with the Montgomery Local Road; thence south-westward along the centre of the said road to a point at its junction near Montgomery Church with the Buccoo Bay Road; thence generally southwards along the centre of the Montgomery Local Road to a point at its junction with the Orange Road; thence south-eastwards along the centre of the Orange Road to a point at its junction with the Buccoo Main Road; thence generally eastwards along the centre of the Orange Road to a point at its junction with the Milford Road; thence due east for about 100 feet to a point on high water mark at Little Rockly Bay on the south-east coast of the Island; thence south-westwards and westwards along high water mark to Crown Point; thence northwards along high water mark to Pigeon Point; thence north-eastwards along high water mark to the point of commencement.

Parish of St. Mary.

The parish is bounded by a line commencing at a point on mean high water mark of ordinary spring tides (hereinafter referred to as 'high water mark') at Barbados Bay on the south-east coast of the Island which point is situate south-west of the commencement of a road connecting the sea coast with the Windward Road proceeding thence to the commencement and along the centre of the said connecting road to a point at its junction with the Windward Road; thence in a general north-westerly direction along the centre of the Caledonia Road to a point at its junction south of Greenhill with the Mount St. George Local Road; thence in a general northerly direction along the centre of the Caledonia Castara Road to a point on the crest of Main Ridge; thence north-eastwards along the crest of Main Ridge to a point due north of the source of Belle River; thence due south to a point at the source of the said river; thence downstream in a general southerly direction along the centre line of the said river to a point at its confluence with Great Dog River; thence downstream in a general south-easterly direction along the centre line of the said Great Dog River to a point on high water mark at Richmond Bay; thence in a general south-westerly direction along high water mark to the point of commencement: Smith's Island.

Parish of St. John.

The parish is bounded by a line commencing at a point on mean high water mark of ordinary spring tides (hereinafter referred to as 'high water mark') situate in midstream at the mouth of Stettin River at Englishman's Bay on the north-west coast of the Island proceeding thence upstream in a southerly direction along the centre line of the said Stettin River to a point at its source; thence due south to a point on the crest of Main Ridge; thence north-eastwards along the crest of the said ridge to the trigonometrical station at an elevation of 1,804 feet on the summit of Pigeon Peak; thence south-eastwards in a straight line to a point in the centre of the roadway at the junction of the Windward Main Road with the Merchiston Road; thence south-eastwards in a straight line to a point at the source of a stream which flows into Lucy Vale Bay; thence downstream in an easterly direction along the centre of the said stream to a point on high water mark at Lucy Vale Bay on the north-east coast of the Island; thence northwards and south-westwards along high water mark to the point of commencement: Giles or Melville Islands; Little Tobago and Goat Island.

Parish of St. Paul.

The parish is bounded by a line commencing at a point on mean high water mark of ordinary spring tides (hereinafter referred to as 'high water mark') at Richmond Bay on the south-east coast of the Island which point is situated in midstream at the mouth of Great Dog River proceeding thence upstream in a general north-westerly direction along the centre line of the said river to a point at its confluence with Belle River; thence upstream in a general northerly direction along the centre of the said Belle River to a point at its source; thence due north to a point on the crest of Main Ridge; thence north-eastwards along the crest of the said ridge to the trigonometrical station at an elevation of 1,804 feet on the summit of Pigeon Peak; thence south-eastwards in a straight line to a point in the centre of the roadway at the junction of the Windward Main Road with the Merchiston Road; thence south-eastwards in a straight line to a point at the source of the stream which flows into Lucy Vale Bay; thence downstream in an easterly direction along the centre of the said stream to a point on high water mark at Lucy Vale Bay on the north-east coast of the Island; thence southwards and south-westwards along high water mark to the point of commencement; Queens' Island and Richmond Island.

Parish of St. George.

The parish is bounded by a line commencing at a point on mean high water mark of ordinary spring tides (hereinafter referred to as 'high water mark') at Minister Bay on the south-east coast of the Island situate in midstream at the mouth of Bacolet River proceeding thence upstream in a general north-westerly direction

along the centre line of the said river to a point which bears south-east from a point in the centre of the North Side Road at the 2nd Mile post situate about 800 feet north-west of the junction of the said road with a road connecting the said North Side Road with Providence Road; thence north-west in a straight line to the point in the centre of the North Side Road previously described; thence in a North-westerly direction in a straight line to the source of the first tributary which enters the Providence River on the right ascending above the first crossing of the said river by the Providence Road; thence down-stream in a general north-westerly direction along the centre line of the said tributary to a point at its confluence with the Providence River; thence westwards along the centre line of the Providence River to a point at its confluence with the Courland River; thence upstream in a general north-easterly direction along the centre line of the said river to a point at its source; thence due north to a point on the crest of Main Ridge near Mount Dillon; thence eastwards along the crest of Main Ridge to a point in the centre of the Caledonia-Castara Road; thence in a general southerly direction along the centre of the Caledonia-Castara Road to a point south of Greenhill at the junction of the said road with the Mount St. George Local Road; thence south-eastwards along the centre of the Caledonia Road to a point at its junction with the Windward Road; thence south-westwards along the centre of a road connecting Windward Road with the sea coast at Barbados Bay and continuing to a point on high water mark at the said bay; thence westwards and south-westwards along high water mark to the point of commencement.

Parish of St. Andrew.

The parish is bounded by a line commencing at a point on mean high water mark of ordinary spring tides (hereinafter referred to as 'high water mark') at Little Rockly Bay on the south-east coast of the Island which point is situate due east of and about 100 feet from the junction of Milford and Orange Roads proceeding thence due west for about 100 feet to a point in the centre of the road at the said junction; thence generally westwards along the centre of the Orange Road to a point at its junction with the Buccoo Main Road; thence north-westwards along the centre of the Orange Road to a point at its junction with the Montgomery Local Road; thence northwards along the centre of the Montgomery Local Road to its junction near Montgomery Church with the Buccoo Bay Road; thence north-eastwards along the centre of the Montgomery Local Road to a point at its junction with the Bethel-Hopeton Road, thence eastwards and north eastwards along the centre of the Bethel-Hopeton Road to a point at its junction with the Orange Hill Road; thence north-eastwards along the centre of the said road to a point at its junction with a foot-path or trace; thence north-eastwards along the centre of the said foot-path or trace through Orange Hill Estate to a point at its junction with the Plymouth Road; thence eastwards along the centre of the Plymouth Road for about 600 feet to a point at its junction with the Whim Local Road; thence northwards and eastwards along the centre of the Whim Local Road and of the Dunvegan Road to a point at the junction of the last named road with the Providence Road; thence northwards along the centre of the Providence Road to a point in midstream at the crossing by the said road of the Providence River; thence upstream along the centre line of the said river to a point at its confluence with the first tributary entering it on the right ascending; thence south-eastwards along the centre line of the said tributary to its source and continuing in a straight line in the same general direction to a point in the centre of the North Side Road at the 2nd Mile post situate about 800 feet north-west of the junction of the said road with a road connecting the said North Side Road with Providence Road; thence south-east in a straight line to a point in mid-stream of the Bacolet River; thence in a general south-easterly direction along the centre line of the said river to a point on high water mark at Minister Bay on the south-east coast of the Island; thence south-westwards along high water mark to the point of commencement.

FOURTH SCHEDULE.

(Section 71.)

DECLARATION TO BE MADE BY PERSON ELECTED TO BE A MEMBER OF A COUNTY COUNCIL.

I,
 having been elected a member of the County Council of.....
 on the.....do solemnly and sincerely declare as
 follows :—

That I am duly qualified to be a member of the said County Council and that
 my qualification is the following :—

1. I am registered as an elector for the electoral division of.....
2. I am able to speak the English language.
3. I reside in the electoral district of.....
4. I possess in my own right immovable property in the aforesaid electoral
 district of the clear value of five hundred dollars free from all
 encumbrances ;

or

I am in receipt of a clear annual income of not less than
 two hundred and forty dollars ;

or

I am in occupation as tenant (or usufructuary) of a house, or house
 and land, in the aforesaid electoral district of an annual rental of not
 less than sixty dollars. I make this declaration conscientiously believing
 the same to be true and according to the Statutory Declarations
 Ordinance, 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.

Passed in Council this fifth day of April, in the year of
 Our Lord one thousand nine hundred and forty-six.

W. J. BOOS,
Clerk of the Council.