

UNOFFICIAL

ELECTIONS AND BOUNDARIES COMMISSION (LOCAL GOVERNMENT AND TOBAGO HOUSE OF ASSEMBLY) ACT

CHAPTER 25:50

Act

18 of 1967

Amended by

11 of 1980

37 of 1980

21 of 1990

28 of 1991

8 of 1992

11 of 1997

*27 of 2008

*20 of 2020

*2 of 2021

*6 of 2023

(*See Notes on page 2)

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
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Note on Subsidiary Legislation

The following Orders made under section 4 of the Act have been omitted:

- (a) Elections and Boundaries Commission (Local Government) Orders.
- (b) Elections and Boundaries Commission (Local Government) (Tobago House of Assembly) Orders.

(For references to the above Orders— See the current edition of the Consolidated Index of Acts and Subsidiary Legislation).

NB— Although the above Orders are of importance, the need for reference to them is very limited, and in view of their considerable length it is not considered practical to publish them in the Revised Edition. They are issued with the *Gazette* and published in the Annual Volumes of the *Acts and Subsidiary Legislation* of Trinidad and Tobago and copies may be purchased from the Government Printery.

Note on Act No. 27 of 2008

Act No. 27 of 2008 amended this Act by making provision for the review and definition of boundaries in the electoral area of Tobago for the purposes of elections in relation to the Tobago House of Assembly.

By section 8 thereof, these amendments took effect from 14th September 1990.

Note on Act No. 20 of 2020

The amendments made to this Act by Act No. 20 of 2020 took effect on 21st July 2020 by LN 275/2020.

Note on Act No. 2 of 2021

The amendments made to this Act by Act No. 2 of 2021 took effect on 26th July 2021 by LN 199/2021.

Note on Act No. 6 of 2023

The amendments made to this Act by Act No. 6 of 2023 took effect on 20th June 2023 by LN 174/2023.

CHAPTER 25:50

**ELECTIONS AND BOUNDARIES COMMISSION
(LOCAL GOVERNMENT AND TOBAGO HOUSE OF
ASSEMBLY) ACT**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Electoral Areas.
4. Procedure for review.
5. Amendment of First and Second Schedules.

FIRST SCHEDULE.

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CONSOLIDATION

CHAPTER 25:50

ELECTIONS AND BOUNDARIES COMMISSION
(LOCAL GOVERNMENT AND TOBAGO HOUSE OF
ASSEMBLY) ACT

18 of 1967.
27 of 2008.

An Act to extend the functions and powers of the Elections and Boundaries Commission for the purposes of Local Government Elections and Tobago House of Assembly Elections and for matters incidental thereto.

Commencement. [24TH AUGUST 1967]

Short title.
27 of 2008.

1. This Act may be cited as the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act.

Interpretation.
[11 of 1980
37 of 1980
21 of 1990
27 of 2008
2 of 2021
6 of 2023].

2. In this Act—

“the Commission” means the Elections and Boundaries Commission constituted and appointed in accordance with section 71 of the Constitution;

“the Constitution” means the Constitution of Trinidad and Tobago;

“electoral area” means—

(a) in relation to a Municipal Council election, any Municipality mentioned in the First Schedule; and

(b) in relation to the Tobago House of Assembly, the area mentioned in the first column and described in the second column of Part III of the First Schedule;

Part III.
First Schedule.

“electoral district” means in relation to—

(a) a Local Government election; or

(b) a Tobago House of Assembly election,

a constituency as defined in an Order made under section 4;

“Municipality” means the City of Port-of-Spain, the City of San Fernando, the Borough of Arima, the Borough of Point Fortin, the Borough of Chaguanas, the Borough of Diego Martin or the Borough of Siparia;

“Municipal Council” means the Council of a Municipal Corporation within the meaning of the Municipal Corporations Act.

Ch. 25:04.

3. For the purposes of this Act—

(a) Trinidad is divided into—

- (i) the seven Cities and Boroughs mentioned in the first column of Part I of the First Schedule and described in the second column of Part I of the First Schedule; and
- (ii) the seven Regional Municipalities mentioned in the first column of Part II of the First Schedule and described in the second column of Part II of the First Schedule; and

(b) Tobago is divided into the fifteen electoral districts mentioned in the third column of Part III of the First Schedule.

Electoral Areas.
[11 of 1980
21 of 1990
8 of 1992
2 of 2021
6 of 2023].
Part I.
First Schedule.

Part II.
First Schedule.

Part III.
First Schedule.

***4.** (1) The Commission shall define and review the boundaries of the electoral districts into which an electoral area is, or is to be, divided and shall submit to the Minister reports either—

- (a) showing the constituencies or electoral districts into which it recommends that an electoral area should be divided in order to give effect to the Rules set out in the Second Schedule; or
- (b) stating that, in the opinion of the Commission, no alteration is required to the existing number of boundaries of electoral districts in order to give effect to the said Rules.

Procedure for
review.
[11 of 1997
20 of 2020
2 of 2021].

Second
Schedule.

(2) Reports under subsection (1) shall be submitted by the Commission—

- (a) in the case of its first report after the commencement of this Act, not later than six months after the date of the commencement;
- (b) in the case of any subsequent report, not less than two nor more than three years from the date of the submission of its last report; and

*For the validation of Reports made under section 4—See Act No. 21 of 1992; Act No. 16 of 2003 and Act No. 27 of 2008.

- (c) in the case of a report in reference to Tobago—
- (i) not less than two nor more than four years from the date of submission of the last report;
 - (ii) in the year 2021 for the purposes of the creation of fifteen electoral districts, within ninety days of the Proclamation of the Tobago House of Assembly (Amendment) Bill, 2021; or
 - (iii) where the Assembly remains dissolved after a primary election and no Assembly is constituted, within fourteen days from such primary election, not less than one hundred and four days from such primary election.

(2A) Notwithstanding subsection (2), the Tenth Report of the Elections and Boundaries Commission, which was required to be submitted by the Commission on or before 11th June 2020 in accordance with paragraph (b) of that subsection, shall be submitted by the Commission on or before 11th June 2021.

(3) As soon as may be after the Commission has submitted a report under subsection (1)(a) or (b) the Minister shall lay before the House of Representatives for its approval the draft of an Order by the President for giving effect, whether with or without modification, to the recommendations contained in the report, and that draft may make provision for any matters which appear to the Minister to be incidental to or consequential upon the other provisions of the draft.

(4) Where any draft made under this section gives effect to any such recommendations with modifications, the Minister shall lay the draft before the House of Representatives together with a statement of the reasons for the modifications.

(5) If the motion for the approval of any draft made under this section is rejected by the House of Representatives, or is withdrawn by leave of that House, the Minister shall amend

the draft and lay the amended draft before the House of Representatives.

(6) If any draft made under this section is approved by resolution of the House of Representatives, the Minister shall submit it to the President who shall make the Order in terms of the draft; and the Order shall come into force on such day as may be specified therein and, until revoked by a further Order made by the President in accordance with this section, shall have the force of law.

(7) The question of the validity of any Order made by the President purporting to be made under this section and reciting that a draft thereof has been approved by resolution of the House of Representatives shall not be enquired into in any Court.

5. The President may by Order—

- (a) amend the third column of Part II of the First Schedule by varying the number of electoral districts set out therein;
- (b) amend, vary or modify the Rules set out in the Second Schedule.

Amendment of
First and
Second
Schedules.

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Section 3.
 [21 of 1990
 28 of 1991
 8 of 1992
 27 of 2008
 2 of 2021
 6 of 2023].

FIRST SCHEDULE

PART I

	FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>No.</i>	<i>Name of electoral area</i>	<i>Description of electoral area</i>	<i>Number of electoral districts</i>
1.	Port-of-Spain	The City of Port-of-Spain as described in the Municipal Corporations Act	12
2.	San Fernando	The City of San Fernando as described in the Municipal Corporations Act	9
3.	Arima	The Borough of Arima as described in the Municipal Corporations Act	7
4.	Point Fortin	The Borough of Point Fortin as described in the Municipal Corporations Act	6
5.	Chaguanas	The Borough of Chaguanas as described in the Municipal Corporations Act	8
6.	Diego Martin	The Borough of Diego Martin as described in the Municipal Corporations Act	10
7.	Siparia	The Borough of Siparia as described in the Municipal Corporations Act	9

PART II

<i>No.</i>	<i>Name of electoral area</i>	<i>Description of electoral area</i>	<i>Number of electoral districts</i>
1.	San Juan-Laventille	The Regional Municipality of San Juan-Laventille as described in the Municipal Corporations Act ...	—
2.	Tunapuna-Piarco	The Regional Municipality of Tunapuna-Piarco as described in the Municipal Corporations Act ...	—

PART II—Continued

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN	
<i>No.</i>	<i>Name of electoral area</i>	<i>Description of electoral area</i>	<i>Number of electoral districts</i>
3.	Sangre Grande	The Regional Municipality of Sangre Grande as described in the Municipal Corporations Act ...	—
4.	Mayaro-Rio Claro	The Regional Municipality of Mayaro-Rio Claro as described in the Municipal Corporations Act ...	—
5.	Princes Town	The Regional Municipality of Princes Town as described in the Municipal Corporations Act ...	—
6.	Couva-Tabaquite-Talparo	The Regional Municipality of Couva-Tabaquite-Talparo as described in the Municipal Corporations Act ...	—
7.	Penal-Debe	The Regional Municipality of Penal-Debe as described in the Municipal Corporations Act ...	—

PART III

<i>No.</i>	<i>Name of electoral area</i>	<i>Description of electoral area</i>	<i>Number of electoral districts</i>
1.	Tobago	The Island of Tobago ...	15

SECOND SCHEDULE

RULES FOR DETERMINING THE NUMBER OF ELECTORS IN AN ELECTORAL DISTRICT OF AN ELECTORAL AREA

1. The number of electors in each electoral district of a regional electoral area shall, so far as practicable, be the number obtained by the application of

Sections 4, 5,
 [11 of 1980
 21 of 1990
 28 of 1991
 27 of 2008
 2 of 2021].

rule 2, but the Commission may, in consideration of rule 3 vary such number provided that in no case shall the number of electors in any one electoral district of an electoral area exceed or be less than the number of electors in any other electoral district of that electoral area by more than twenty-five per cent.

2. (1) The number of electoral districts in a regional electoral area in Trinidad shall be determined as follows:

There shall be in every electoral area a basic number of four electoral districts. To this basic number shall be added the number obtained by dividing the electorate of the electoral area by 15,000; but where in any electoral area the electorate is—

- (a) less than 15,000, there shall be five electoral districts;
- (b) more than 15,000, any residual number left after dividing the total electorate by 15,000 shall be treated as if that number were 15,000 and one electoral district shall be added in respect of such residual number.

(2) There shall be fifteen electoral districts in the electoral area of Tobago.

3. In the division of electoral districts in regional electoral areas natural boundaries such as major highways and rivers shall be used wherever possible.

4. The number of electors in an electoral district of a municipal electoral area shall be the number obtained by dividing the number of electors in that electoral area by the number of electoral districts shown opposite the name of that electoral area in the third column of Part I of the First Schedule, but the Commission may in consideration of topographical factors vary such number provided that in no case shall the number of electors in any one electoral district of an electoral area exceed or be less than the number of electors in any other electoral district of that electoral area by more than twenty-five per cent.

5. In the delimitation of electoral districts in electoral areas—

- (a) rules 1, 2(1) and 3 shall apply in respect of regional electoral districts;
 - (b) rules 1, 2(2) and 3 shall apply in respect of the electoral area of Tobago; and
 - (c) rule 4 shall apply in respect of municipal electoral areas.
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