

TRINIDAD AND TOBAGO.

No. 19.--1920.

I ASSENT,

[L.S.]

J. R. CHANCELLOR,

Governor.

31st May, 1920.

AN ORDINANCE to amend the Municipal Corporations
(Elections) Ordinance, 1915.

[31st May, 1920.]

BE it enacted by the Governor of Trinidad and Tobago,
with the advice and consent of the Legislative Council
thereof as follows:—

1. This Ordinance may be cited as the Municipal Cor- Short title.
porations (Elections) Port-of-Spain (amendment) Ordinance,
1920, and shall be read as one with the Municipal Corpora-
tions (Elections) Ordinance, 1915, which is herein referred
to as the Principal Ordinance and shall apply to the City
of Port-of-Spain only.

2. Section 4 of the Principal Ordinance is hereby repealed Amendment of
section 4 of
the Principal
Ordinance.
so far as the City of Port-of-Spain is concerned, and the

following shall in lieu thereof apply to elections held in and for the City of Port-of-Spain :—

4.—(1.) At an election of councillors the returning officer for each ward shall be an Alderman or some other fit and proper person, not being a Councillor for that ward, assigned for that purpose by the Council.

(2.) If the Mayor is dead or is absent or is otherwise incapable of acting in the execution of his powers and duties as to elections under this Ordinance, and if the Deputy Mayor (if any) is also incapable of acting for any of the reasons hereinbefore specified, the Council shall forthwith choose an Alderman, or a Councillor if there are no Aldermen, to execute those powers and duties in place of the Mayor.

(3.) In case of the death, illness, absence or incapacity to act of the Alderman or other person assigned to be returning officer for any ward, the Mayor may appoint to act in his stead another Alderman or some other fit and proper person, not being a Councillor for that ward.

Amendment
of section 5 of
the Principal
Ordinance.

3. Section 5 of the Principal Ordinance is hereby repealed so far as the City of Port-of-Spain is concerned, and the following shall in lieu thereof apply to elections held in and for the City of Port-of-Spain :—

5. Twenty-one days at least before the day fixed for the election of any Councillor, the Town Clerk shall prepare and sign a notice thereof, and shall publish the same by affixing a copy thereof on the outer door of the Town Hall, or in some conspicuous place therein, and shall, in such notice, name the latest day, not being less than fifteen days before the date of such election, on which nominations for seats to be filled at such election will be received.

4. Section 7 of the Principal Ordinance is hereby repealed so far as the City of Port-of-Spain is concerned, and the following shall in lieu thereof apply to elections held in and for the City of Port-of-Spain :—

Amendment of
section 7 of
the Principal
Ordinance.

- 7.—(1.) Every candidate for the office of Councillor shall be nominated in writing by two burgesses of the ward for which the candidate is nominated as a Councillor. One of such burgesses shall subscribe as proposer and the other as seconder of the nomination.
- (2.) Every nomination paper shall state the name of the ward for which the candidate is nominated, the surname and other name or names of the candidate as entered in the burgess roll in force, his place of abode and description, and his number in the burgess roll.
- (3.) Every candidate must be nominated by a separate nomination paper, but the same burgesses or either of them may subscribe as many nomination papers as there are vacancies to be filled, but no more.
- (4.) No person shall be nominated as a candidate unless he is enrolled on the burgess roll.
- (5.) Every nomination paper, subscribed as aforesaid, shall be delivered to the Town Clerk or in his absence, to the Deputy Town Clerk, by the candidate, or by his proposer or seconder, not later than three o'clock in the afternoon of the last day named for the delivery of nomination papers.
- (6.) The Town Clerk shall, not later than four o'clock in the afternoon of every day on which nomination papers are received, cause to be prepared a list shewing the surnames and other names of the candidates who have been duly nominated on that day, with their respective places of abode and descriptions, together with the surnames and other names and places of

abode of their respective proposers and seconders; and shall publish the same by affixing a copy thereof on the outer door of the Town Hall and in some conspicuous place therein.

(7.) The Town Clerk shall, not later than three o'clock in the afternoon of the next day after the last day for the delivery of nomination papers cause to be prepared a list shewing the surnames and other names of all the candidates who have been duly nominated with their respective places of abode and descriptions, and shall publish the same by affixing a copy thereof on the outer door of the Town Hall and in some conspicuous place therein; and shall also, as soon as may be after such publication, cause a copy of the same list to be published in two newspapers circulating in the borough until the day of election.

(8.) The Town Clerk may reject any nomination paper which does not comply with the provisions of this section or any of them.

Objections to nominations.

5.—(1.) Any burgess may, within two days after the publication of the list of candidates nominated, by notice in writing to the Town Clerk object to the nomination of any candidate on the ground that such candidate is not qualified under section 13 of Ordinance No. 24 of 1914 as amended by section 5 of Ordinance No. 36 of 1918. Such objection shall specify in what respect the candidate is not qualified.

(2.) Notice of any such objection shall also be served by the objector upon the candidate to whom he objects. Such service may be either personal or may be effected by leaving a copy of the objection, addressed to the candidate by name, at the candidate's place of abode as set forth in the nomination paper.

(3.) The Mayor shall attend at the Town Hall on a day to be fixed by him, not being later than 7 days after the last date for sending in nominations, for a sufficient time between the hours of 10 a.m. and 4 p.m. and shall decide upon the validity of the nominations to which objections have been sent in.

(4.) The Mayor may, if he thinks fit, appoint a barrister as his legal assessor in connection with any objection.

(5.) The decision of the Mayor on each objection shall be given in writing, and shall, if disallowing the objection, be final; but if allowing an objection, shall be subject to reversal on petition questioning the election or return.

(6.) The Town Clerk shall, not later than two days after the decision of the Mayor allowing any objections, prepare an amended list of persons validly nominated, and shall publish the same by affixing a copy thereof outside the door of the Town Hall, and by inserting a copy thereof in at least one local newspaper circulating in the City.

6. The following new section shall be inserted after section 14 of the Principal Ordinance:—

14A. During the interval when voting is suspended between twelve noon and two o'clock in the afternoon the returning officer shall place the ballot box and all documents relating to the election under his own seal and shall otherwise take proper precautions for the security of such ballot box and documents.

Security of
ballot box
during mid-
day interval.

7. The following new section shall be inserted after section 21 of the Principal Ordinance:—

21A. The Returning Officer may appoint fit and proper persons to act as interpreters as may be required by the Returning Officer for any of the purposes of this Ordinance. Any such interpreter shall be an officer and assistant within the meaning of the Principal Ordinance.

Appointment
of Interpre-
ters.

8. Section 35 of the Principal Ordinance is hereby repealed and the following shall be inserted in lieu thereof:—

35. If any voter is incapacitated by blindness or other physical cause from voting in the manner prescribed by this Ordinance, or if any voter informs the returning officer that he is unable to read, the returning officer shall, at the request of such voter, cause his vote to be marked on a ballot paper in the manner directed by such voter, and the ballot paper so marked to be placed in the ballot box; and the name and

Blind and
illiterate
voters.

number on the register of voters of every voter whose vote is so marked for him, and the reason why it is so marked, shall be entered on a list, (in this Ordinance referred to as the "List of votes marked by the Returning Officer"), which shall be kept by the returning officer.

All necessary precautions shall be taken by the returning officer to ensure that no person save the person by whom the ballot paper is marked for the voter shall know for whom such voter has voted.

Burgess roll to be used in proceedings preliminary to elections.

9. The following new section shall be inserted after section 49 of the Principal Ordinance:—

49A. In and for the purposes of the provisions of this Ordinance relating to proceedings preliminary to elections, the burgess roll which will be in force on the day of election shall be deemed to be the burgess roll, and a person whose name is inserted in one of the lists from which the burgess roll will be made up shall be deemed to be enrolled in that roll, although that roll is not yet completed.

Repeal.

10. The Municipal Corporations (Elections) (amendment) Ordinance, 1916, is hereby repealed so far as relates to the City of Port-of-Spain.

Passed in Council this Fourteenth day of May, in the year of Our Lord one thousand nine hundred and twenty.

T. B. JACKSON,
Acting Clerk of the Council.