



TRINIDAD AND TOBAGO.

No. 43—1946.

[L.S.]

I ASSENT,

B. E. H. CLIFFORD,
Governor.

27th June, 1946.

AN ORDINANCE to amend the Municipal Elections Ordinance, Ch. 39. No. 12.

Commence-
ment.

[29th June, 1946.]

Enactment.

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

Short title.

1. This Ordinance may be cited as the Municipal Elections (Amendment) Ordinance, 1946, and shall be read as one with the Municipal Elections Ordinance, hereinafter referred to as the Principal Ordinance.

Ch. 39. No. 12.

2. Section 5 of the Principal Ordinance is hereby amended by inserting the following subsection therein immediately after subsection (2):—

Section 5 of
Principal
Ordinance
amended.

“Appoint-
ment, powers
and duties of
Presiding
Officers for
subsidiary
polling
stations.”

(2A) In the event of subsidiary polling stations being appointed for any Ward, under the provisions of section 18 of this Ordinance, the Mayor shall assign for each of such subsidiary polling stations a Presiding Officer who may be an Alderman or some other fit and proper person, not being a Councillor for that Ward: Provided that each Presiding Officer shall exercise the duties and powers of a Returning Officer save and except such as are set out in sections 42 to 49 of this Ordinance.”

3. Section 7 of the Principal Ordinance is hereby repealed and replaced by the following section:—

Section 7 of
Principal
Ordinance
repealed and
replaced.

“Nomination
of candidates.”

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 shall 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) No person shall be nominated as a candidate for more than one Ward, and if a person is nominated as a candidate for more than one Ward each and every nomination of that person shall be null and void.

(6) 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 day named for the delivery of nomination papers.

(7) Every candidate for election shall at the time of his nomination hand in to the Town Clerk a declaration of his willingness to serve as a Councillor, if elected, or cause to be handed in by his proposer or seconder to the Town Clerk a declaration made before the Town Clerk of his willingness to so serve, stating that he is willing to be a candidate for the Ward for which he is being nominated and setting out his qualifications;

Provided that if the candidate is absent from the Colony at the time of his nomination, such declaration may be signed and handed in by the duly constituted attorney or agent of such candidate.

(8) Every such declaration shall be in such form as may be fixed by resolution of the Council from time to time.

(9) Every person making any declaration under this section which he knows to be false in fact shall on summary conviction be liable to a penalty not exceeding one hundred dollars.

(10) The Town Clerk shall, not later than three o'clock in the afternoon of the next day after the day for the delivery of nomination papers, cause to be prepared a list showing 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 City until the day of election.

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

4. Section 15 of the Principal Ordinance is hereby amended—
- (a) by substituting the word "eight" for the word "nine";
- (b) by substituting the word "six" for the word "five".

Section 15 of
Principal
Ordinance
amended.

5. Section 18 of the Principal Ordinance is hereby repealed and replaced by the following section:—

Section 18 of
Principal
Ordinance
repealed and
replaced

"Polling sta-
tions.

18. (1) The Mayor shall appoint a separate polling station for each ward, and may, if he considers necessary, appoint one or more subsidiary polling stations for any ward.

(2) The Mayor shall, at least seven clear days before the day of election, give public notice by advertisement in two daily newspapers circulating in the City, of the situation of every polling station and subsidiary polling station so appointed by him.

(3) The Mayor shall cause to be fixed in a conspicuous place on each polling station or subsidiary polling station, a notice naming the ward for which such station has been appointed, together with a copy of the register of voters containing the names of the persons entitled to vote in such ward.

(4) No person shall be admitted to vote at any polling station in a ward unless he is entered in that ward as a burgess in the burgess roll in force."

6. Section 41 of the Principal Ordinance is hereby repealed and replaced by the following section:—

Section 41 of
Principal
Ordinance
repealed and
replaced.

"Ballot boxes
at subsidiary
polling sta-
tions. Notice
of time and
place for
counting votes.

41. (1) Presiding officers at subsidiary polling stations for any ward shall at the close of the poll, after properly securing their ballot boxes and all documents relating to the election, proceed with them to the main polling station for the ward for which they are appointed and deliver them to the Presiding Officer at such main polling station.

(2) The Returning Officer at a main polling station shall at the close of the poll make arrangements for counting the votes either at the Polling Station or at the Town Hall in the presence of the candidates or their agents as soon as practicable after the close of the poll, and shall give to the candidates or their agents notice of the time and place at which he shall begin to count the votes.

Section 42 of
Principal
Ordinance
repealed and
replaced.

7. Section 42 of the Principal Ordinance is hereby repealed and replaced by the following section:—

“Counting of
votes and
other duties
of Returning
Officer at close
of poll.”

42. The Returning Officer, the Presiding Officer, their assistants (if any) and clerks and the candidates or their agents, and no other person, except with the sanction of the Returning Officer, may be present at the counting of the votes.”

Section 58 of
Principal
Ordinance
repealed and
replaced.

8. Section 58 of the Principal Ordinance is hereby repealed and replaced by the following section:—

“Nomination
papers.”

58. (1) Every candidate for the office of councillor shall be nominated in writing by two burgesses of the Borough, or, in the case of a Borough divided into wards, 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 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, and, in the case of a Borough divided into wards, the name of the ward for which the candidate is nominated.

(3) Every candidate shall 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) In the case of a Borough divided into Wards no person shall be nominated as a candidate for more than one Ward, and if a person is nominated as a candidate for more than one Ward each and every nomination of that person shall be null and void.

(6) Every nomination paper, subscribed as aforesaid, shall be delivered to the Town Clerk, or, in his absence to the Assistant Town Clerk, by the candidate or by his proposer or seconder, not later than three o'clock in the afternoon of the day named for the delivery of nomination papers.

(7) Every candidate for election shall at the time of his nomination hand in to the Town Clerk a declaration of his willingness to serve as a Councillor, if elected, or cause to be handed in by his proposer or seconder to the Town Clerk a declaration made before the Town Clerk of his willingness to so serve, stating that he is willing to be a candidate for the Ward for which he is being nominated and setting out his qualifications,

Provided that, if the candidate is absent from the Colony at the time of his nomination, such declaration may be signed and handed in by the duly constituted attorney or agent of such candidate.

(8) Every such declaration shall be in such form as may be fixed by resolution of the Council from time to time.

(9) Every person making any declaration under this section which he knows to be false in fact shall on summary conviction be liable to a penalty not exceeding one hundred dollars.

(10) The Town Clerk shall, not later than twelve o'clock noon on the next day after the last day for the delivery of nomination papers, cause to be prepared a list showing the surnames and other names of 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 or in some conspicuous place therein. The Town Clerk shall also, as soon as may be after such publication as aforesaid, cause a copy of the same list to be published in two newspapers circulating in the Borough until the day of election.

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

New section
61A added to
Principal
Ordinance

9. The following section is hereby inserted in the Principal Ordinance immediately after section 61:—

“Withdrawal
from candida-
ture.

61A. Where the number of valid nominations exceeds that of the vacancies, any candidate nominated for election may withdraw from his candidature by notice signed by him and delivered at the Town Clerk's Office not later than 3 o'clock in the afternoon of the third day next after the day fixed for receiving nomination papers: Provided that such notices shall take effect in the order in which they are delivered, and that no such notice shall take effect so as to reduce the number of candidates ultimately standing nominated below the number of vacancies.”

Section 65 of
Principal
Ordinance
amended.

10. Section 65 of the Principal Ordinance is hereby amended—

- (a) by substituting the word “eight” for the word “nine”;
- (b) by substituting the word “six” for the word “five”.

Section 92 of
Principal
Ordinance
repealed and
replaced.

11. Section 92 of the Principal Ordinance is hereby repealed and replaced by the following section:—

“Counting of
votes to be
continuous.

92. The Returning Officer shall, so far as practicable, proceed continuously with the counting of the votes, allowing only time for refreshment, during which time he shall take proper precautions for the security of the ballot papers and other documents.”

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

W. J. BOOS,
Clerk of the Council.