
4th Session First Parliament Trinidad and Tobago
14 Elizabeth II



TRINIDAD AND TOBAGO

Act No. 4 of 1966

[L.S.]

AN ACT to amend the Representation of the People
Ordinance, 1961.

[Assented to 15th April, 1966]

BE IT ENACTED by the Queen's Most Excellent Majesty, ^{Enactment}
by and with the advice and consent of the Senate and
House of Representatives of Trinidad and Tobago, and
by the authority of the same, as follows:—

1. This Act may be cited as the Representation of the ^{Short title}
People (Amendment) Act, 1966.

The Representa-
tion of the
People Ordi-
nance, 1961,
amended

2. The Representation of the People Ordinance, 1961, is hereby amended—

(a) in subsection (1) of section 2—

(i) by deleting the words “by the Supervisor” occurring in the second line of the definition of “central register”;

(ii) by inserting in its appropriate alphabetical order the following:

““the Commission” means the Elections Commission constituted in accordance with section 55 of the Constitution;”;

(iii) by substituting respectively for the definition of the “Commonwealth”, “the Constitution”, “House of Representatives” and “Senate” the following:

““the Commonwealth” means Trinidad and Tobago, any country or dependency thereof which is included in the Eighth Schedule and any country added thereto by Order made by the Governor-General and published in the *Trinidad and Tobago Gazette* but does not include any country removed from the said Schedule by a similar Order;

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

“House of Representatives” means the House of Representatives referred to in section 29 of the Constitution;

“Senate” means the Senate referred to in section 23 of the Constitution;”:

- (iv) by substituting the words "Chief Election Officer" for the word "Supervisor" occurring in the last line of the definition of "election documents";
 - (v) by substituting the words "Chief Election Officer, the Assistant Chief Election Officer" for the words "Supervisor, the Assistant Supervisor of Elections" occurring in the definition of "election officer";
 - (vi) by substituting for paragraph (i) of the definition of "electoral district" the following:
 - "(i) in relation to a Parliamentary election, a constituency as defined in an Order made under section 54 of the Constitution;"
 - (vii) by deleting the definition of "Supervisor" therefor and substituting the following definition in its proper alphabetical order:
 - " "Chief Election Officer" means the Chief Election Officer referred to in section 3 or any person acting in his office;"
 - (viii) by deleting the definition of "Territory";
- (b) by substituting for Part I thereof the following:

"PART I

Chief
Election
Officer

3. (1) Subject to the provisions of section 55 of the Constitution in the exercise of its functions under the Constitution, the Commission shall 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.

(2) Subject as aforesaid, for the purpose of the discharge of its functions under the Constitution, the Commission may confer any of its powers and impose any of its duties on a public officer to be known as a Chief Election Officer, and without limiting the generality of the foregoing may, subject to such directions as it may issue from time to time, impose upon the Chief Election Officer the following duties:

- (a) to make such arrangements and do such things as are necessary for the initiation and maintenance of the unit and central registers in accordance with this Ordinance, and for that purpose to make arrangements for the preparation and issue of the necessary forms and instruments and for the collection and keeping of such records as may be necessary;
- (b) to issue to election officers such instructions as from time to time he may deem necessary to ensure the effective execution of the provisions of this Ordinance; and
- (c) to execute and perform all other powers and duties that by this Ordinance or by the Commission are conferred or imposed on him.

(3) Before entering upon his duties under this Ordinance, the Chief Election Officer shall take and subscribe before a Judge an oath in the form set out as Form No. 1 in the Fifth Schedule.

(4) There shall be an Assistant Chief Election Officer who is subject to the authority, direction and control of the Commission, and he shall perform such of the functions and exercise such of the powers of the Chief Election Officer as may be assigned to him by the Commission.

(5) In the absence of the Chief Election Officer or if the office is vacant, the Assistant Chief Election Officer may act in his place, and

while so acting, possesses the like powers and shall perform the like duties as a Chief Election Officer.

Registra-
tion of-
ficers, &c.

4. (1) There shall be a registration officer for each registration area and such number of assistant registration officers, official photographers, clerks and messengers to registration officers and area inspectors for each registration area in Trinidad and Tobago as the Commission may consider necessary to assist the registration officers in the discharge of their duties.

(2) The Chief Election Officer shall assign assistant registration officers to one or more polling divisions.

(3) If in his opinion circumstances so require, the Chief Election Officer may, and if so directed by the Commission, shall—

(a) require assistant registration officers to visit every house within the polling divisions assigned to them and to receive applications for registration under the Registration Rules;

(b) assign assistant registration officers to any establishment maintained wholly or mainly for the reception and treatment of persons suffering from mental illness or mental defectiveness, to any place where persons are detained in legal custody, to any divisional headquarters of the Police Force or to the headquarters of the Trinidad and Tobago Defence Force.

Scrutineers

5. (1) Subject to subsection (2), each political party having a member or members in the House of Representatives is entitled to nominate persons for appointment as scrutineers in connection with the registration of persons during a period of electoral registration, and the Commission shall appoint each person so nominated to be a scrutineer; and the Commission shall, at the request of the political party which nominated a scrutineer, remove such scrutineer from office.

(2) The number of scrutineers appointed by the Commission on the nomination of a political party shall not exceed the number of assistant registration officers for the time being and each scrutineer shall be assigned to an assistant registration officer by the political party which nominated him.

(3) The Commission may, after consultation with the political party that nominated a scrutineer for the appointment remove such scrutineer from office if the Commission considers him for good and sufficient cause to be unfit or incompetent to discharge the duties of his office, or if such scrutineer at any time refuses or wilfully neglects to perform any of his functions under this Ordinance.

(4) Upon his removal from office as in subsection (3), the scrutineer shall forthwith cease to act in his office and shall not be entitled to any remuneration in respect of any period after his removal.

Returning
officers

6. (1) For the purposes of an election in an electoral district there shall be a returning officer for such electoral district.

(2) Forthwith upon his appointment a returning officer shall establish an office in his electoral district or, with the approval of the Commission, at some convenient place outside such district, and shall cause an advertisement to be inserted in at least one newspaper specifying the place at which he has established his office.

Election
clerks

7. (1) For the purposes of an election in an electoral district, there shall be one or more election clerks for such electoral district.

(2) Where more than one election clerk is appointed, the Commission shall specify the order of seniority among them and may assign any such election clerk to an area forming part of the electoral district.

(3) If at any time between the issue of a writ for an election and the delivery or transmission to the Commission of the election return for that election, the returning officer dies or becomes incapable of performing his functions as such, the election clerk, where only one such clerk has been appointed, or the senior election clerk, where more than one such clerk has been appointed, shall forthwith report the fact to the Commission and shall perform the functions of the returning officer until some other person is appointed as returning officer or the returning officer ceases to be incapable of performing and resumes his functions.

Presiding
officers and
poll clerks

8. (1) For the purposes of an election in an electoral district, there shall be a presiding officer for each polling station in such electoral district.

(2) For the purposes of an election in an electoral district, there shall be such number of poll clerks as may be necessary for each polling station in such electoral district, and where more than one such poll clerk has been appointed for a polling station, the returning officer shall specify the order of seniority among them.

(3) If a presiding officer dies or becomes incapable of performing his functions during the taking of the poll, the poll clerk, where only one such clerk has been appointed, or the senior poll clerk, where more than one such clerk has been appointed, shall forthwith report the fact to the returning officer and shall perform the functions of the presiding officer until the presiding officer resumes his functions or some other person is appointed as presiding officer; and some other person shall be appointed to act as poll clerk until the said poll clerk resumes his functions as poll clerk or some other person is appointed as poll clerk.

(4) Subject to subsection (3), if a poll clerk dies or becomes incapable of performing his functions during the taking of the poll the presiding officer shall forthwith report the fact to the

returning officer, and some other person may forthwith be appointed to act as a poll clerk until the said poll clerk resumes his duties or some other person is appointed as poll clerk.

Machine attendants

9. For the purposes of an election in an electoral district, there shall be a machine attendant for each voting machine in use at a polling station in such electoral district, and if a machine attendant dies or becomes incapable of performing his functions during the taking of the poll, the presiding officer shall forthwith report the fact to the returning officer; and some other person shall be appointed to perform the functions of the machine attendant until some other person is appointed as machine attendant or the attendant resumes his function.

Custodian of voting machines

10. (1) There shall be such number of custodians of voting machines as may be necessary.

(2) A custodian shall prepare voting machines for use at and for the purpose of elections and shall perform such other duties as the Commission may assign to him.

Candidates and members not to be election officers

11. No candidate for election to and no member of the House of Representatives or of a County Council or of a Municipal Council may be appointed as an election officer; and if any election officer becomes a candidate or such a member, he thereby vacates his office.”;

(c) by substituting for section 13 thereof the following:—

“Qualifications for registration as Parliamentary or County Council electors

13. Subject to the provisions of this Ordinance, a person is qualified to be an elector for an electoral district at a Parliamentary election or a County Council election who—

(a) is a citizen of Trinidad and Tobago of the age of twenty-one years or upwards; or

(b) is a Commonwealth citizen, other than a citizen of Trinidad and Tobago, of

the age of twenty-one years or upwards who on the qualifying date has resided in Trinidad and Tobago for a period of at least one year immediately preceding such date; and

- (c) has resided in that electoral district for a period of at least two months preceding the qualifying date.”;

(d) in section 14—

- (i) by substituting for paragraphs (a) and (b) of subsection (1) thereof, the following:—

“(a) is a citizen of Trinidad and Tobago; or

(b) is a Commonwealth citizen, other than a citizen of Trinidad and Tobago, and has resided in Trinidad and Tobago for a period of at least one year immediately preceding such date;

(c) is not a Commonwealth citizen but has or will have resided in Trinidad and Tobago for a continuous period of at least five years immediately preceding such date;”

- (ii) by relettering paragraphs (c) and (d) thereof as paragraphs (d) and (e) respectively; and

- (iii) in subsection (3), by substituting the word “district” for the word “districts” where it first occurs in the fourth line thereof;

(e) in section 26 by substituting for the words “Full Court” wherever they appear therein the words “Court of Appeal”;

(f) in section 29—

- (i) by deleting the words “and of the termination” occurring in subsection (2) thereof; and

- (ii) by inserting immediately after subsection (2) thereof the following subsection—

“(3) The Governor-General may, by a subsequent proclamation published in the *Trinidad and Tobago Gazette*, fix the date of the termination of an electoral registration.”;

- (iii) by renumbering subsection (3) thereof as subsection (4);

- (g) in section 63, by substituting the words “the Chief Election Officer, the Assistant Chief Election Officer,” for the words “the Supervisor, the Assistant Supervisor of Elections,” occurring in paragraph (a) of subsection (1) thereof;

- (h) in section 70, by substituting the word “ten” for the word “five” occurring in subsection (3) thereof;

- (i) in section 129 by substituting for paragraph (a) of subsection (1) thereof the following—

“(a) where leave has been granted under subsection (2) of section 35 of the Constitution, any question whether any Senator or member of the House of Representatives has vacated his seat under the provisions of subsection (2) of section 26 or subsection (2) of section 32 of the Constitution or is required under the provisions of subsection (3) of section 26 or subsection (3) of section 32 of the Constitution to cease to exercise any of his functions as a Senator or as a member of the House of Representatives;”

- (j) by inserting immediately after section 153 thereof the following section—

“Decision
of Court of
Appeal to
be final

153A. Appeals shall lie to the Court of Appeal from any decision or determination of the High Court in respect of any proceedings under sections 48, 51, 55 and 73 or under this Part, and a decision of the Court of Appeal shall be final for all purposes whatsoever.”

(k) in the Second Schedule, by amending the Registration Rules contained therein as follows:

(i) in rule 3—

(A) by substituting for paragraph (1) thereof the following:

“(1) The Commission may divide every registration area into such registration units (in these Rules referred to as “polling divisions”) as it may approve.”;

(B) by substituting the word “Commission” for the word “Supervisor” wherever the latter word appears therein;

(C) by substituting for paragraph (4) thereof the following:

“(4) Where it makes any change in the number or boundaries of polling divisions within a registration area, the Commission may direct the registration officer of such area:—

(a) to make the appropriate adaptation to the unit registers; and

(b) to notify such electors as may be affected by the change.”;

(ii) by substituting for paragraph (2) of rule 8, the following paragraphs:

“(2) Subject to paragraph (3), a person wishing to be registered shall make oral application to the registration officer of the polling division in which he is resident.

(3) Where a person wishing to be registered is unable owing to physical infirmity or incapacity to make an oral application referred to in paragraph (1), he shall notify the registration officer of the polling division in which he is resident of such infirmity or incapacity and such

registration officer shall go to the address at which such person is resident and shall effect the registration of such person in accordance with these Rules.”;

- (iii) by inserting immediately after rule 8 thereof the following—

“House to house registration

8A. (1) Notwithstanding anything contained in these Rules, assistant registration officers, when required in pursuance of subsection (3) (a) of section 4 of the Ordinance, shall—

- (a) visit every house in the polling division assigned to them and receive applications for registration; and
(b) if satisfied that an applicant for registration is qualified to be registered, effect the registration of such applicant.

(2) Subject to paragraph (3), the provisions of this Part which relate to applications for registration made in pursuance of paragraph (1) of rule 8 shall apply *mutatis mutandis* to applications for registration under this Rule.

(3) For the purpose of completing registrations for which applications are received under paragraph (1), an official photographer shall accompany assistant registration officers and shall, subject to rule 23 and after the provisions of paragraph (1) of rule 22 have been complied with, take the photograph of every such applicant.”;

- (iv) by deleting rule 18 thereof;

- (v) by replacing rule 19 by the following:

“Correc-
tion of
minor
errors and
omissions,
minor
alterations

(1) Any clerical error or omission in a registration record card or in any identification card and any other error in any such card that has been caused by the inadvertence of an assistant registration officer or the person seeking registration may be corrected or inserted, as the case may require, either by the assistant registration officer who registered the person to whom such registration record card or identification card relates, or if such registration officer is for any

reason unavailable for the purpose, by any other registration officer or by an area inspector.

(2) Where the description of the address of a registered person has been altered by lawful authority, a registration officer or an area inspector may make the appropriate alteration on the registration record card of such person.

(3) The provisions of paragraphs (1) to (3) inclusive of rule 14 shall apply *mutatis mutandis* in respect of corrections, insertions and alterations made under this rule.

(4) A correction, insertion or alteration made under this rule shall be initialled by the assistant registration officer or the area inspector and by the person to whom the card relates, or by a witness present, as the case may be.

(5) The registration officer shall inform the Chief Election Officer of any correction, insertion or alteration made under this Rule and the Chief Election Officer shall make or cause to be made the requisite changes in the appropriate duplicate registration record card.”;

(vi) by inserting immediately after rule 19, the following:—

“Correc-
tion of
errors in
names and
dates of
birth

19A. (1) Where a person is popularly known or called by one name which is a name other than that appearing on his certificate of birth or baptismal certificate and is registered under such popular name, the registration officer shall, subject to paragraph (3), alter the name entered on the registration record card and the identification card relating to such person.

(2) Where a person at the time that he is seeking registration gives as the date of his birth a date which he subsequently discovers to be inaccurate, he shall notify the registration officer of the registration area in which he is resident, and the registration officer may, subject to paragraph (3), alter the date on the registration record card and the identification card relating to such person.

(3) Before an alteration described in paragraph (1) or (2) is made, the registration officer shall require—

- (a) in the case of an inappropriate name, the production of a birth or baptismal certificate showing the appropriate name and proper proof that the person named in the certificate is the same person as the applicant for the alteration of the name entered on the identification card relating to such person;
- (b) in the case of an inaccurate date of birth, a birth certificate with an affidavit attached thereto deposing that the date mentioned in the certificate relates to the birth of the applicant or, where a birth certificate is unobtainable, an affidavit deposing to the true date of the birth of the applicant; and
- (c) in either case, a check card given under the hand of the area inspector for the registration area in which the applicant resides certifying the correctness of the information given under paragraph (a) or paragraph (b).

(4) The registration officer shall inform the Chief Election Officer of any alteration made under this Rule and the Chief Election Officer shall make or cause to be made the requisite changes on the appropriate duplicate registration record card.”;

(vii) by substituting for rule 24 the following:

“Delivery
of docu-
ments to
Chief
Election
Officer

24. At such times as the Commission may direct a registration officer shall transmit to the Chief Election Officer the registration record cards that were received by the registration officer from assistant registration officers or completed by him in the performance of his duties under these Rules,”;

- (viii) in rule 31—
 - by deleting the words “or a scrutineer” occurring in the first line thereof,
- (ix) in rule 32—
 - (A) by deleting the words “or a scrutineer” occurring in the first line of paragraph (1) thereof;
 - (B) by deleting the words “, or by the scrutineer making the application in the presence of such person” occurring in paragraph (2) thereof.
- (x) in rule 38—
 - (i) by substituting for the word “When” occurring at the beginning of paragraph (1) the words “Subject to the provisions of paragraph (5), when”;
 - (ii) by inserting immediately after paragraph (4) the following:
 - “(5) Where the discrepancies referred to in paragraph (1) relate to errors made in respect of the description of—
 - (a) the registration area;
 - (b) the polling division;
 - (c) the physical features, occupational, educational or marital status of the registered person; or
 - (d) information concerning minors,
- the provisions of this rule shall not apply but the registration officer or the assistant registration officer on the direction of the registration officer may make such corrections on the registration record card of such person as may be necessary and shall notify the registrant of the corrections.”;
- (xi) in rule 41, by inserting immediately after paragraph (5) thereof the following:

“(5a) Where an elector fails for any reason to produce his identification card to the registration officer when required so to do under subparagraph (c) of paragraph (2) he shall make satisfactory explanation, by statutory declaration or otherwise, of his failure to produce such identification card.

(5b) An elector to whom paragraph (5) applies who contravenes or fails to comply with the provisions of paragraph (5a) is guilty of an offence against these Rules.”;

(xii) in rule 42—

(A) by substituting the words “Chief Election Officer” for the word “Supervisor” wherever the latter word occurs therein; and

(B) by deleting the words “, or which have been cancelled under rule 41,” occurring in the second and third lines of paragraph (3) thereof;

(xiii) in rule 43—

(A) by substituting the words “Chief Election Officer” for the word “Supervisor” occurring in subparagraph (c) of paragraph (5) thereof; and

(B) by inserting immediately after paragraph (5) thereof the following:

“(6) Notwithstanding anything contained in this rule, where a registered person has changed his place of residence in the circumstances contemplated by paragraph (1) and the new address of such person falls within a different electoral district, the date of the change of address on the corrected registration record card shall be inserted as an amendment to the date originally recorded on the registration record card of such person.”

(xiv) by replacing rule 44 by the following:

“Change
of place of
residence
from one
registra-
tion area
to another

44. (1) Where a registered person changes his place of residence from one registration area to another, he shall notify in writing the registration officer of the registration area in which he resides as a result of his change of residence and thereupon the registration record card of such person shall be transferred to the unit register for the polling division in which he resides.

(2) Subject to paragraph (3), the provisions of paragraphs (2), (3), (4) and (5) of rule 43 shall apply *mutatis mutandis* to the transfer of registration record cards made under paragraph (1).

(3) Where a registered person has changed his place of residence from one registration area to another on such a number of occasions as to render the registration record card relating to such person incapable of accommodating any further changes, the registration officer of the area to which such person has last removed shall examine such registration record card and shall, if he is satisfied that no further entries can conveniently be made thereon, notify such registered person and shall re-register such person in the manner set out in these Rules for the registration of persons qualified to be registered.”;

(xv) in rule 45, by substituting for paragraph (3) thereof the following:—

“(3) If upon receipt of the notice under paragraph (1), or of the report upon check cards issued under paragraph (2), the registration officer is satisfied as to identity of such person and his change of name, he shall re-register or cause such person to be re-registered in the manner set out in these Rules for the registration of persons qualified to be registered.”;

(xvi) by replacing rule 47 by the following:

47. (1) Where an identification card has been issued to any person—

(a) who claims that it has been lost, stolen destroyed, mutilated or defaced; or

(b) which is discovered to contain information given by such person which is inaccurate or incorrect,

he may apply to the registration officer for the time being for the area in which he resides for the replacement of such identification card, and such registration officer, if he is satisfied by statutory declaration or otherwise, that the application is a *bona fide* one, may issue to such person a replacement identification card.

(2) An application under paragraph (1) shall be in the form set out as Form No. 27 in the Fifth Schedule and shall be accompanied by the fee specified in paragraph (9).

(3) The registration officer shall not issue a replacement identification card until, in the case of a card—

(a) which is discovered to contain inaccurate or incorrect information; or

(b) which has become mutilated or defaced,

such card has been delivered to him for destruction.

(4) Rule 13 shall apply *mutatis mutandis* in relation to a replacement identification card, but the registration officer for the registration area in which the applicant resides at the time of his application for a replacement identification card shall—

(a) enclose thereon a note to the effect that such card is a replacement identification card; and

(b) if he is satisfied that the contents thereof are correct, either sign such card himself or cause it to be signed

by the assistant registration officer for the time being assigned to that registration area.

(5) Subject to paragraph (6), a replacement identification card shall contain such particulars as were recorded on the identification card of the person to whom it relates.

(6) When a registration officer issues a replacement identification card he may—

(a) insert therein the print of a photograph different from that which was affixed to the identification card which it replaces if he is satisfied that it is a sufficiently good likeness of the person to whom it relates; and

(b) in a case where it is discovered that an identification card contains information which is inaccurate or incorrect, insert such corrections on the replacement identification card as, after an inquiry provided for in these Rules, he may consider necessary and proper.

(7) Whenever a registration officer issues a replacement identification card, he shall make or cause to be made an entry in the space allocated for remarks on the appropriate registration record card showing the date of the issue of such card and shall—

(a) notify the Chief Election Officer of the issue of such card who shall cause the necessary entries to be made in the duplicate of the registration record card of such person; and

(b) transmit, in cases where the original identification card is required by these Rules to be surrendered, the surrendered identification card to the Chief Election Officer.

(8) A registration officer, on being satisfied as to the death of any person registered in his registration area to whom an identification card was issued under these Rules, shall, as soon as practicable after being so satisfied, require the personal representative of such person or any person in possession of the same to surrender to him the identification card that was issued to such person, if the registration officer is satisfied that it is within the power of any such person so to do.

(9) There shall be payable for every replacement identification card—

(a) in the case of a first issue, two dollars and fifty cents;

(b) in the case of any further issue, five dollars;

but the Governor-General may, except where a replacement identification card is issued as a result of incorrect or inaccurate information given by the person to whom such card relates, on the ground of poverty or for other good cause, remit or refund the said fee or any part thereof.”;

(xvii) by inserting immediately after rule 48 thereof the following new rule:

“Substitu-
tion of
identifi-
cation
cards

48A. (1) The Commission may, not earlier than eight years nor later than ten years from the date of the issue of an identification card under these Rules, require every holder of an identification card to surrender such card for inspection and may, if it considers it proper, substitute a new identification card with a fresh photograph for the identification card so surrendered.

(2) Any person who fails to surrender such card for inspection when required to do so under paragraph (1) is guilty of an offence against these Rules.”;

(xviii) by substituting for rule 49 thereof the following:

“Electoral
registra-
tion

49. During the period commencing on the date of the publication of a proclamation under subsection (1) of section 29 and terminating on the date specified in a proclamation issued by the

Governor-General under subsection (3) of section 29 (hereinafter referred to as the period of an electoral registration)—

- (a) no person shall be registered under Part I;
- (b) no registration shall be objected to except as provided in this Part;
- (c) no alteration shall be made in any register as the result of the change in residence or change of name of any registered person in the election district to which such proclamations relate except as provided in this Part.”;

(xix) in rule 50—

- (A) by substituting the word “Commission” for the word “Supervisor” in paragraphs (1) and (3) thereof; and
- (B) by substituting for paragraph (2) thereof the following:

“ (2) The Commission shall publish in the *Gazette* and in at least one daily newspaper the addresses of temporary registration officers and all changes in the said addresses.”;

(xx) in rule 51—

- (A) by renumbering the rule as paragraph (1) thereof and by substituting for the word “It” at the beginning thereof the words “Except as provided in paragraph (2), it”;
- (B) by adding immediately after paragraph (1) the following:

“(2) It is the duty of a temporary assistant registration officer when required in pursuance of subsection (3) (a) of section 4 of the Ordinance, during

an electoral registration from the date of the publication of the preliminary lists to the day before the qualifying day to visit every house in the polling division to which he is assigned and to register persons who are qualified as electors for such polling divisions and for the registration of any minors entered on the registration cards of such persons.”;

(xxi) by inserting after rule 52 the following rules:

“Attend-
ance of
scrutineer
at regis-
trations
under this
Part

52A. (1) A scrutineer is entitled to be present at any registration under this Part carried out by the temporary assistant registration officer to whom he is assigned; but if he is absent the registration is not on that account invalidated.

(2) A scrutineer may inspect any of the following documents, whether completed or not, in the possession of the temporary assistant registration officer to whom he is assigned—

- (a) registration record cards;
- (b) identification cards;
- (c) inventory forms;
- (d) notices of disallowance of registrations;
- (e) minors' registration cards;
- (f) certificates as to registration.

(3) A scrutineer may not see the answers to any questions asked under rule 15 nor may he be present when such answers are being given.

(4) A scrutineer shall not interfere with a temporary assistant registration officer in the performance of his duties.

52B. Rule 31 shall have effect in relation to this Part as if the words “or a scrutineer” were inserted therein immediately after the words “An elector”.

52c. Rule 32 shall have effect in relation to this Part as if—

- (a) in paragraph (1) thereof the words “or a scrutineer” were inserted immediately after the words “A person” in the first line;
- (b) in paragraph (2), the following words were added at the end thereof:
 - “, or by the scrutineer making the application in the presence of such person.”;

(xxii) in rule 65 by—

- (A) renumbering rule 65 as paragraph (1) thereof; and
- (B) by inserting immediately thereafter the following:

“(2) Any reference in these Rules to a statutory declaration shall be read and construed as a reference to a declaration set out as Form No. 36 in the Fifth Schedule and no fee shall be payable for any such declaration.

(3) Any person who makes any statement in a declaration referred to in paragraph (1) which is false in fact or which he knows or believes to be false or does not believe to be true is guilty of an offence against these Rules.”;

(xxiii) in rule 70—

- (A) by substituting for paragraph (1) thereof the following:

“(1) The Commission may, at such time as it thinks fit, cause to be sent by hand or by post to any registered person a form set out as Form No. 35 in the Fifth Schedule.”;

(B) by substituting the words "Chief Election Officer" for the word "Supervisor" occurring in paragraph (2) and (5) thereof;

(xxiv) by substituting for rule 72 the following:

"Delivery of unit register to Commission 72. At such times as it may seem fit, the Commission may direct any registration officer to deliver to it any unit register for the registration area of such registration officer.";

(xxv) by substituting for rule 74 thereof the following:

"Remuneration and allowances 74. For the performance of their duties under these Rules there shall be paid to the officers and servants appointed in pursuance of the provisions of the Ordinance such remuneration and allowances as the Commission may determine from time to time.";

(xxvi) by substituting the word "Commission" for the word "Supervisor" occurring in rules 4 (1) and (2), 5, 20, 21, 22, 30 (2) and (5) (b), 35, 46, 63 and 71;

(xxvii) by substituting the words "Chief Election Officer" for the word "Supervisor" occurring in rules 6, 15 (7), 25 (1) and (2), 26 (1), 28, 29, 36, 39, 41 (8), 48 (2), 60 (1), 62 (c), 73 (1) (a) and (3).

(l) in the Third Schedule, by amending the Election Rules contained therein as follows:

- (i) in rule 2, by deleting the definition of "member of the Forces";
- (ii) in paragraph (e) of rule 21 thereof, by substituting the words "rule 48" for the words "rule 47";
- (iii) by substituting for rule 51 thereof, the following:

"Voting by incapacitated persons 51. (1) If an elector makes an application to the presiding officer to be allowed on the ground of physical incapacity other than blindness to vote with the assistance of another person by whom he is accompanied (in these Rules referred to as "the companion"), the presiding officer shall

require the elector to make oath in the form set out as Form 52A in the Fifth Schedule.

(2) On the elector making such oath, the presiding officer shall require the companion to make a declaration in the form set out as Form 53 in the Fifth Schedule that the companion is a qualified person within the meaning of this rule and has not previously assisted more than one physically incapacitated person to vote at the election.

(3) Upon the applicant and the companion complying with paragraphs (1) and (2), and subject to rules 43 and 49, the presiding officer shall grant the application, and thereupon anything which is by these Rules required to be done to or by the said elector in connection with the giving of his votes may be done to, or with the assistance of, the companion.

(4) For the purpose of this rule, a person shall be qualified to assist a physically incapacitated person, if that person is either—

- (a) a person who is entitled to vote as an elector at the election; or
- (b) the father, mother, brother, sister, husband, wife, son or daughter of the physically incapacitated elector and has attained the age of twenty-one years.

(5) Nothing in this rule applies or shall be deemed to apply to a person who is physically incapacitated by reason of blindness.”;

(iv) in rule 59, by substituting for subparagraph (d) of paragraph (1) of rule 59, the following:

“(d) the original poll cards of all persons who voted at his polling station;”;

(v) in rule 60—

(A) by substituting for paragraph (b) thereof the following:

“(b) a member of the Trinidad and Tobago Defence Force;”;

(B) by adding immediately after paragraph (j) thereof the following:—

“(k) unable or likely to be unable to go in person to the polling station at which he is entitled to vote by reason of being absent from Trinidad and Tobago in the public or diplomatic service of Trinidad and Tobago for any purpose approved by the Governor-General;”;

(vi) in paragraph (3) of rule 63—

(A) by substituting for the words “in elector” the words “elector in”;

(B) by substituting the words “Trinidad and Tobago Defence Force” for the word “Forces” wherever the latter word appears therein;

(vii) by substituting for rule 65 the following:—

“Register
of postal
electors

65. The registration officer, on receipt of the list of postal electors from the returning officer, shall remove the registration record cards of postal voters from the unit registers and shall place them in alphabetical order according to surnames in a binder; and the said cards shall be the register of postal electors for such electoral district.”;

(viii) by deleting subparagraph (e) of paragraph (1) of rule 93;

(ix) in paragraph (1) of rule 94, by inserting immediately after the word “burnt” in the last line thereof, the words “or to be shredded by a suitable shredding machine”;

(x) by deleting rules 97 to 105 inclusive and by substituting therefor the following:—

“Remu-
neration of
returning
officers, &c.

97. (1) For their services in relation to an election, returning officers, election clerks, presiding officers, clerks, machine attendants, custodians of voting machines and such other servants as may be employed by the Commission in connection with an election shall be paid such remuneration

and allowances as the Commission may determine from time to time.

(2) For each polling station rented for polling day there shall be paid a sum fixed by the Commission from time to time."

(xi) by substituting the words "Chief Election Officer" for "Supervisor" in rules 4 (1), 5, 13 (2), 15 (2), 19 (1), 30 (1) and (2), 64 (6), 66, 96 and 107;

(xii) by substituting the word "Commission" for "Supervisor" in rules 20, 22 (1), (3) and (4), 23 (3), (4), (5) and (6), 24, 28, 29, 46 (1), 58 (6), 59 (2), 60 (j), 64 (3), 92, 93 (1) (b) and (c), (2), (4) and (6), 94 (1), (2), (4) and (6) and 95 (1) and (4);

(xiii) by substituting the words "Chief Election Officer, the Assistant Chief Election Officer" for the words "Supervisor, the Assistant Supervisor of Elections" in rules 36(2), 37, 60(c), 68, 69(2) and 78;

(m) in the Fifth Schedule—

(i) by substituting for the words "On Her Majesty's Service" wherever they appear in any form the words "On Trinidad and Tobago Government Service";

(ii) by substituting for Form No. 1 the following—

"Form No. 1 (Section 3 (3))

THE REPRESENTATION OF THE PEOPLE ORDINANCE, 1961
OATH OF CHIEF ELECTION OFFICER

I,

having been appointed Chief Election Officer for Trinidad and Tobago do swear that I will to the best of my ability faithfully perform all the duties of Chief Election Officer in accordance with the provisions of the Representation of the People Ordinance, 1961, and of any rules made thereunder.

.....
Chief Election Officer

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

.....
Judge of the High Court"

- (iii) in Form 2 by substituting for the words "Governor and Commander-in-Chief in and over the Territory of Trinidad and Tobago" the words "Governor-General and Commander-in-Chief of Trinidad and Tobago";
- (iv) in Form 10, by adding a new column headed "Date of Registration" immediately after the heading "Polling Division";
- (v) in Form 35—
 - (A) in the fifth line by substituting the words "on the reverse side of this form" for the word "below";
 - (B) by deleting the words "(address of registration office)" in the fourth line below the word "(Perforation)";
 - (C) by deleting the word "From:" at the end thereof;
- (vi) by inserting immediately after Form 35 as amended the following form:

"Form 36

(Registration Rules 65 (2))

STATUTORY DECLARATION

TRINIDAD AND TOBAGO

I, A.B., do solemnly and sincerely declare as follows:

.....

 (here insert the matters declared)

I make this declaration conscientiously believing the same to be true 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 guilty of an offence against the Registration Rules and liable to fine and imprisonment.

Before me

.....
Commissioner of Affidavits* / Justice of the Peace

*delete where inapplicable."

(vii) in Forms 42, 42A, 42B, 42C, for the words "British subject" there shall be substituted the words "Citizen of Trinidad and Tobago*/Commonwealth citizen";

(viii) in Form 49—

(i) by inserting a box opposite the words "number on List of Electors";

(ii) by inserting the words "yes*/no*" opposite the words "whether Elector Voted."

*delete whichever is inapplicable."

(ix) in Form No. 53, by deleting the words "blindness*/" and the words "any blind or" occurring therein;

(x) by substituting for Forms 55 and 55A the following—

(Election rule 52 (4))

"Form No. 55

THE REPRESENTATION OF THE PEOPLE ORDINANCE, 1961
OATH OF QUALIFICATION OF ELECTOR (PARLIAMENTARY AND COUNTY COUNCIL ELECTION)

Electoral District of.....Polling Division No.....

You Swear—

1. That you are a citizen of Trinidad and Tobago*/a Commonwealth country*, viz—
- †2. That you were resident or were deemed to have been resident in Trinidad and Tobago on the tenth day after the..... day of19..... and for a period of at least one year immediately preceding such tenth day
3. That you were resident or were deemed to have been resident in the above electoral district on the tenth day after theday of, 19..... and for a period of at least two months immediately preceding such tenth day.
4. That you are not within any of the classes of persons who lack qualifications or are disqualified to be or to remain registered as electors under the Representation of the People Ordinance, 1961.

SO HELP YOU GOD

Note : In paragraph (2) in the blank spaces insert the date of the publication of the preliminary list of electors for the above polling division for present election.

*Delete where inapplicable.

†Not applicable to citizens of Trinidad and Tobago.

Form No. 55A

(Election rule 52 (4))

THE REPRESENTATION OF THE PEOPLE ORDINANCE, 1961

OATH OF RESIDENCE QUALIFICATION OF ELECTOR
(MUNICIPAL COUNCIL ELECTION)

Electoral District of Polling Division No.

YOU SWEAR—

1. That you are a citizen of Trinidad and Tobago.
2. That you are of the age of twenty-one years or upwards.
3. That you are a citizen of a Commonwealth country other than Trinidad and Tobago and that you were resident or were deemed to have been resident in Trinidad and Tobago on the tenth day after the..... day of..... 19.....* and for a period of at least one year immediately preceding such tenth day.
4. That you are not a citizen of a Commonwealth country but that you were resident or were deemed to have been resident in Trinidad and Tobago on the tenth day after theday of, 19.....* and for a continuous period of at least five years immediately preceding such tenth day.
5. That you were resident or were deemed to have been resident in the above electoral district on the tenth day after theday of, 19.....* and for a period of at least two months immediately preceding such tenth day.
6. That you are not within any of the classes of persons who lack qualifications or are disqualified to be or to remain registered as electors under the Representation of the People Ordinance, 1961.

SO HELP YOU GOD

NOTE: Paragraphs 1, 3, and 4 are alternates.

*Here insert the date of the publication of the preliminary list of electors for the above polling division for present election.”;

- (xi) by substituting for the Coat of Arms of the former Colony of Trinidad and Tobago wherever it appears on any form the Coat of Arms of Trinidad and Tobago;
- (xii) by substituting for the words "Governor", "Territory of Trinidad and Tobago", "Supervisor of Elections", "Assistant Supervisor of Elections" and "Supreme Court" wherever they appear therein, the words "Governor-General", "Trinidad and Tobago", "Chief Election Officer", "Assistant Chief Election Officer" and "High Court" respectively;
- (n) in the Sixth Schedule—
- (i) by substituting the word "Oropouche" for the word "Naparima" in paragraph (d);
- (ii) by adding immediately after paragraph (k) the following:
- “ (l) Naparima North;
(m) Naparima South;
(n) Tabaquite.”;
- (o) by inserting immediately after the Seventh Schedule the following—

“Eighth Schedule

The United Kingdom of Great Britain and Northern Ireland

Canada

Australia

New Zealand

The Republic of India

The Republic of Pakistan

The Republic of Ceylon

The Republic of Ghana

Malaysia

Singapore

The Republic of Nigeria

The Republic of Cyprus

Sierra Leone

Eighth Schedule—*Continued*

Tanzania
 Jamaica
 The Republic of Kenya
 The Republic of Uganda
 The Republic of Malawi
 Malta
 Zambia
 The Gambia.”

3. The amendments specified in the second column of the Schedule shall have effect in relation to the provisions of the Representation of the People Ordinance, 1961, specified in the first column of the said Schedule.

(Section 3)

THE SCHEDULE

<i>Provisions</i>	<i>Amendment</i>
The whole Ordinance ...	For the words “British subject” wherever they occur there shall be substituted the words “Commonwealth citizen”.
The whole Ordinance ...	For the words “both chambers of the Legislature” wherever they occur there shall be substituted the words “the Senate and the House of Representatives”.
The whole Ordinance ...	For the words “Governor” or “Governor-in-Council” there shall be substituted wherever they occur the word “Governor-General”.
The whole Ordinance ...	For the words “the Territory” there shall be substituted wherever it occurs the words “Trinidad and Tobago”.
The whole Ordinance ...	For the words “Royal Gazette” there shall be substituted wherever they occur the words “Trinidad and Tobago Gazette”.
The whole Ordinance ...	For the words “Full Court” there shall be substituted wherever they occur the words “the Court of Appeal”.

THE SCHEDULE—CONTINUED

- Sections 18(2) and (3), 19 (2), 20, 32, 52(2) and (3) For the word "Supervisor" there shall be substituted the word "Commission".
- Sections 21, 23, 24, 26 (8), 27, 46(3), 51(1) and (5), 57, 58, 66, 150, 155, 156 For the word "Supervisor" there shall be substituted the words "Chief Election Officer".
- Section 30 ... For the words "Supervisor or Assistant Supervisor of Elections" there shall be substituted the words "Chief Election Officer or Assistant Chief Election Officer".
- Sections 48(1), 51(3) (c), and (5), 55(1), 73(2) and Part VI with the exception of section 142 For the words "the Supreme Court" there shall be substituted wherever they occur the words "the High Court".
- Section 105 ... For the words "paragraph (2) of article 43" there shall be substituted the words "subsection (2) of section 35".
- Section 116 ... For the word "Legislature" there shall be substituted the word "Parliament".
- Sections 117(3), 135(2), 140(2), and 148(5) The words ", unless varied by the Court of Appeal", shall be inserted between the word "shall" and the words "be final";
- Section 136 ... (a) For the words "paragraph (2) of article 43" there shall be substituted the words "subsection (2) of section 35";
(b) For the words "paragraph (5) of article 24" there shall be substituted the words "subsection (4) of section 33".

Passed in the House of Representatives this 1st day of April, 1966.

G. R. LATOUR
Clerk of the House of Representatives

Passed in the Senate this 5th day of April, 1966.

J. E. CARTER
Clerk of the Senate