

LEGAL NOTICE No. 240

REPUBLIC OF TRINIDAD AND TOBAGO

THE REPRESENTATION OF THE PEOPLE ACT, CHAP. 2:01

RULES

MADE BY THE PRESIDENT UNDER SECTION 161(1) OF THE REPRESENTATION
OF THE PEOPLE ACT

THE ELECTION (AMENDMENT) RULES, 1986

1. These Rules may be cited as the Election (Amendment) Rules, 1986. Citation
2. The Election Rules are amended— Election
Rules
amended
 - (a) in rule 2, by deleting the definition of “special ballot paper”;
 - (b) by substituting for rule 4(2)(d) the following:

“(d) the place where and the day and time when the preliminary results of the poll will be announced;”;
 - (c) in rule 7(4) by inserting after the word “numbers” in the third line thereof the words “or file numbers”;
 - (d) by substituting for rule 19(1) the following:

“ 19. (1) Subject to subrule (1A) the Returning Officer shall establish such number of polling stations in such locations as the Chief Election Officer shall determine, whether within or without the boundaries of his electoral district, each polling station being in premises of convenient access, with an outside entrance for the admission of electors, and, where possible, an exit through which electors may leave after they have voted.

(1A) Before the Returning Officer establishes a polling station outside of the boundaries of his electoral district, he shall first obtain the approval of the Chief Election Officer who may grant such approval if he is satisfied that the building which houses the proposed polling station is conveniently located within a reasonable distance of the boundaries of such electoral district.”;
 - (e) in rule 20(3)—
 - (i) by substituting for the initials “E.C.” the initials “E.&B.C.”; and
 - (ii) by substituting for the words “Elections Commission” the words “Elections and Boundaries Commission”;
 - (f) in rule 23(1) by deleting the words “and printed on every special ballot paper” occurring in lines one and two thereof;

- (g) in rule 30—
- (i) by substituting for paragraph (1)(b) the following:
 - “(b) one special polling agent to be present at the issue of ballot papers at special polling stations and to attend the declaration by the Returning Officer of the result of the poll;”;
 - (ii) by substituting the words “special polling agent” for the words “counting agent” wherever the latter words occur in subrules (2), (3), (4) and (7);
- (h) in rule 59(c) by deleting the word “Elections” and the words “and a custodian”;
- (i)
- (i) in rules 65(a) and (b), 73(2) and 74 by deleting the word “special” before the words “ballot papers”;
 - (ii) in rules 69, 71 and 82 by deleting the word “special” before the words “ballot paper”;
 - (iii) in rule 85 by deleting the word “special” before the word “ballots”;
- (j) in rule 66—
- (i) by deleting in subrules (1) and (2) the word “special” before the words “ballot paper”; and
 - (ii) by deleting subrule (3);
- (k) in rule 67—
- (i) by substituting the words “special polling agents” for the words “counting agents” occurring in paragraph (c); and
 - (ii) by deleting the words “or opening” and “special” in the penultimate and last lines thereof respectively;
- (l) in rule 68 by deleting the words “or the opening” and “special” occurring in subrule (1);
- (m) by revoking rules 87 to 89 inclusive and by replacing them as follows:

**“Closure of
special
polling
stations**

87. The Returning Officer shall close the special polling stations established under rule 73 at 3.00 p.m. on polling day and shall forthwith seal the slot of the special ballot box with his seal in the presence of the candidates or their agents who may, if they so desire, affix their signature to such seal.

**Special
ballot box to
be delivered
to Presiding
Officer**

88. After the close of the polling station established under rule 73 and before the hour of 6.00 p.m. the Returning Officer or a messenger appointed by him for the purpose shall, after taking the oath in the form set out as Form No. 70A in the Prescribed Forms Rules, under police escort, take the special ballot box sealed in accordance with rule 84 to a polling station serving the electoral district and previously designated by the Chief Election Officer for the purpose and deliver the said ballot box to the Presiding Officer of that polling station.

**Examination
of special
ballot box**

89. The Presiding Officer who takes delivery of a special ballot box under rule 88 shall thereupon examine the seals of the Returning Officer on the said box and shall allow any candidate or his agent who may be present to examine them.

**Receipt to
be given by
Presiding
Officer**

89A. The Presiding Officer if he is satisfied that the seals of the Returning Officer have not been broken, shall give the Returning Officer or the messenger appointed by the Returning Officer to deliver the special ballot box as the case may be, a receipt to the effect that he received the special ballot box and that it was properly sealed.

**Things to be
delivered by
Returning
Officer**

89B. In addition to the special ballot box, the Returning Officer shall deliver or cause to be delivered to the Presiding Officer the following:

- (a) two copies of the list of special electors prepared in accordance with rule 63(4);
- (b) the register of special electors compiled in accordance with rule 64; and
- (c) the key for the special ballot box.

**Opening of
special
ballot box**

89C. Immediately after the Presiding Officer has announced the closing of the poll in accordance with rule 57, he shall, after allowing the persons present to inspect the seals on the special ballot box, break the seals, unlock the ballot box, empty it of its contents, show it open and empty to the persons present, and then relock the box.”;

(n) in rule 90—

- (i) by substituting for the expression “Returning Officer” wherever it occurs in the said rule, except in subrule (3)(c) thereof, the expression “Presiding Officer”;
- (ii) by deleting the word “Special” before the words “ballot paper” wherever the former word occurs in the said rule;
- (iii) by revoking subrule (4)(c) and replacing it by the following:

“(c) show the declaration and the registration record card to the persons authorised by the Presiding Officer to be present.”;

(o) by revoking rules 92 to 96 inclusive;

(p) by inserting immediately after rule 91 the following:

**“Station
diary
record of
events**

92. (1) The Presiding Officer shall record in the polling station diary the fact that special ballot boxes were brought to his station, the number of ballot boxes so brought, the time of arrival of such ballot boxes, the number of special envelopes delivered and such other matters and events relating to the special voting as may to the Presiding Officer seem to be of importance.

(2) The Presiding Officer shall sign the record referred to in subrule (1) and cause the Deputy Presiding Officer, the poll clerk and such of the candidates or their agents as are present to append their signatures thereto.

Reopening
of special
ballot boxes

93. (1) The Presiding Officer shall in full view of the candidates or their agents, as may be present, reopen the special ballot box and take out the ballots therein.

(2) Without allowing any person to see for whom such ballot papers have been marked, the Presiding Officer shall then place all such ballot papers in the ballot box which contains the ballots cast at his polling station on polling day and shall make and sign a note upon the statement of poll of the number of ballot papers so placed by him in the ballot box used at his polling station.”;

(g) by revoking rule 100 and replacing it by the following:

“Preliminary
count

100. After the Returning Officer has received the duplicates of the statements of the poll from the Presiding Officers of all the polling stations in his electoral district, he shall announce the total votes recorded for each candidate in the said statements.”;

(r) in rule 101—

- (i) by deleting the words “and shall add thereto the count of the special ballot” occurring in lines five and six of subrule (1) thereof;
- (ii) by deleting the words “and the count of the special” occurring in line four of subrule (9) thereof;

(s) in rule 108—

- (i) by deleting paragraphs (f) and (g) of subrule (1);
- (ii) by deleting the words “and by special ballot” and the word “special” where they occur in paragraphs (a) and (b) of subrule (6) respectively.

Made this 21st day of November, 1986.

K. BOSWELL INNIS
Secretary to Cabinet