

THE LOCAL GOVERNMENT ACT
&
THE MUNICIPAL CITY COUNCIL AND MUNICIPAL TOWN COUNCIL
ELECTIONS REGULATIONS 2012

GENDER-NEUTRAL QUOTA

The attention of the presidents and secretaries of all groups and alliances is drawn to the following provisions of the Local Government Act and the Municipal City Council and Municipal Town Council Elections Regulations 2012:

1. Section 11(6) of the Local Government Act reads as follows:
 - (a) *Every group presenting more than 2 candidates at an election of a Municipal City Council or Municipal Town Council shall ensure that not more than two thirds of the group's candidates for election to that Council are of the same sex.*
 - (b) *Where the group forms part of an alliance, it shall be sufficient for the alliance to comply with paragraph (a) without each group forming part of the alliance necessarily complying with that paragraph.*
2. The maximum number of candidates of the same sex which a group or an alliance can field for a given number of candidates in a Municipal Council is shown in the **annexed table**.
3. Appointment and duties of liaison agent **[Reg. 11A]**

11A. Liaison Agent

(1) (a) *At the time of making an application under regulation 8, every group or alliance shall notify the Electoral Supervisory Commission of the name of its liaison agent.*

(b)

(c) *Where there is a change in the liaison agent of a group or an alliance, the group or alliance shall forthwith notify the Electoral Supervisory Commission of such change in writing or such other manner as the Electoral Commissioner may approve.*

(2) *The liaison agent of a group or an alliance shall be responsible for any correspondence between his group or alliance and the Office of the Electoral Commissioner.*

(3) *On nomination day, every liaison agent shall be in attendance at the Office of the Electoral Commissioner by 2.45 p.m. and shall produce his National Identity Card or any other acceptable proof of his identity to the Electoral Commissioner or any person authorised by him.*

(4) *The liaison agent shall be informed promptly after 3 p.m. –*

(a) *whether the list of candidates of his group or alliance complies with section 11(6) of the Act; or*

(b) *where the list of candidates of his group or alliance does not comply with section 11(6) of the Act, of the grounds of such non-compliance.*

4. **Compliance with section 11(6) of the Local Government Act [Reg13A]**

(1)

(2)

(3)

(4)(a) *a group or an alliance may, in order to comply with section 11(6) of the Local Government Act, before 5 p.m. on nomination day –*

(i) *cause any of its nominated candidates to withdraw his candidature; and*

(ii) *present any other person as candidate in his stead.*

(b)

5. (a) *Where, pursuant to paragraph (4)(a)(i), a candidate refuses or fails to withdraw his candidature, the group or alliance shall, by letter delivered to the returning officer at the relevant nomination centre and duly signed by the president and secretary of the group or by the presidents and secretaries of the alliance, inform the returning officer that the group or alliance no longer sponsors that candidate.*
- (b) *A candidate who is, pursuant to subparagraph (a), no longer sponsored by his group or alliance shall be considered not to belong to any group or alliance and his nomination paper shall have effect accordingly.*
- (c) *Where, pursuant to subparagraph (b), a candidate is considered not to belong to any group or alliance, the Electoral Commissioner shall allocate a symbol of identification to him.*
6. (a) *Where, by 5 p.m. on nomination day, a group or an alliance still does not comply with section 11(6) of the Local Government Act, all the candidates of the group or alliance in the Municipal City Council or Municipal Town Council concerned shall be considered not to belong to any group or alliance and their nomination papers shall have effect accordingly.*
7. *This regulation shall not apply where –*
- (a) *a group or an alliance complies with section 11(6) of the Local Government Act at 3p.m. on nomination day; and*
- (b) *a candidature is withdrawn after 3 p.m. on nomination day.*

EXPLANATORY NOTE

1. **Gender balance [Section 11(6) of the Local Government Act]**
 - Every group or alliance presenting more than two (2) candidates in a Municipal City Council or Town Council is entitled to field a maximum number of candidates of the same sex as per annexed table.
2. **Appointment of Liaison Agent (Reg 11 A of Municipal City Council and Municipal Town Council Elections Regulations 2012)**

- Every group or alliance shall, when applying for registration, submit the name of its liaison agent for the purpose of communication with the Office of the Electoral Commissioner on Nomination Day.
- The Electoral Supervisory Commission should be notified in writing in case of any change of liaison agent.

3. **Duties of Liaison Agent on Nomination Day**

- By 2.45 p.m on Nomination Day, the liaison agent should attend the Office of the Electoral Commissioner at MaxCity Building and on production of his National Identity Card, he will be informed at 3 p.m. whether or not the list of candidates of his group or alliance complies with the gender balance as per annexed table.

4. **Compliance with Gender balance**

- In case of non-compliance with the gender balance as per the annexed table, the liaison agent will accordingly inform his group or alliance, which may cause any of its candidates to withdraw his candidature and present another candidate to replace him before 5 p.m.

5. **Withdrawal of sponsorship**

- In case a candidate belonging to a group or alliance refuses to withdraw his candidature, the president(s) and secretary(ies) of the group or alliance shall inform the Returning Officer concerned in writing that the group or alliance no longer sponsors that candidate.
- A candidate who is no longer sponsored by his group or alliance will be considered as not to belong to any group or alliance and will be allocated a new symbol by the Electoral Commissioner.
- If by 5 p.m. on Nomination Day, a group or alliance still does not comply with the gender balance, all the candidates of the group or alliance will be considered as not belonging to any group or alliance and each will be allocated a different symbol by the Electoral Commissioner.

ANNEXE

GENDER-NEUTRAL QUOTA

Total No. of Candidates fielded per Council	Quota (2/3)	Maximum No. of Candidates of the same sex	Minimum No. of Candidates of the same sex
3	2.00	2	1
4	2.67	2	2
5	3.33	3	2
6	4.00	4	2
7	4.67	4	3
8	5.33	5	3
9	6.00	6	3
10	6.67	6	4
11	7.33	7	4
12	8.00	8	4
13	8.67	8	5
14	9.33	9	5
15	10.00	10	5
16	10.67	10	6
17	11.33	11	6
18	12.00	12	6
19	12.67	12	7
20	13.33	13	7
21	14.00	14	7
22	14.67	14	8
23	15.33	15	8
24	16.00	16	8
25	16.67	16	9
26	17.33	17	9
27	18.00	18	9
28	18.67	18	10
29	19.33	19	10
30	20.00	20	10
31	20.67	20	11
32	21.33	21	11