

Government Notice No. 1 of 2017

THE REPRESENTATION OF THE PEOPLE ACT
Regulations made by the President under section 85(1) of
the Representation of the People Act

1. These regulations may be cited as the Rodrigues Regional Assembly Elections (Amendment) Regulations 2017.

2. In these regulations –

“principal regulations” means the Rodrigues Regional Assembly Elections Regulations 2002.

3. Regulation 2 of the principal regulations is amended by inserting, in the appropriate alphabetical order, the following new definitions, the full stop at the end of the definition of “party” being deleted and replaced by a semicolon –

“acceptable proof of identity” means such document establishing the identity of a person as the Electoral Commissioner may, after consultation with the Commission, determine;

“counting centre” means a place where the votes are polled for the election of members of the Rodrigues Regional Assembly;

“election agent” means a person referred as such in Sub-part B of Part II of Form 4;

“Form” means a Form set out in the Schedule;

“nomination centre” –

(a) means a place where a returning officer receives notices of candidature for the election of members of the Rodrigues Regional Assembly; and

(b) includes a sub-nomination centre;

“polling day” means the day appointed for the taking of a poll.

4. Regulation 4 of the principal regulations is amended, in paragraph (2), by deleting the words “by publication in at least 2 newspapers and by causing” and replacing them by the words “and cause”.
5. Regulation 5 of the principal regulations is amended, in paragraph (1)(a)(i), by deleting the words “set out in the Schedule”.
6. Regulation 6 of the principal regulations is amended –
 - (a) in paragraph (1), by deleting the words “publication of notices in the *Gazette* and in at least 2 newspapers at least 15” and replacing them by the words “public notice at least 14”;
 - (b) in paragraph (2), by deleting the words “set out in the Schedule”.
7. Regulation 8 of the principal regulations is amended, in paragraph (2)(a), by deleting the words “set out in the Schedule”.
8. Regulation 9 of the principal regulations is amended by revoking paragraph (3) and replacing it by the following paragraph –
 - (3) The Commission shall, as soon as possible after registering a party, give public notice of such registration.
9. The principal regulations are amended by inserting, after regulation 11, the following new regulation –
 - 11A. Liaison agent**
 - (1) (a) At the time of making an application under regulation 8, every party shall notify the Commission of the name of its liaison agent.

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- (b) A notification under subparagraph (a) shall –
- (i) in the case of a party –
 - (A) be signed, in the presence of the Electoral Commissioner or any person authorised by him, by the president and secretary of the party; and
 - (B) be supported by a certified extract of the minutes of proceedings of the meeting at which the decision to appoint the liaison agent was taken; or
 - (ii) in the case of a party alliance –
 - (A) be signed, in the presence of the Electoral Commissioner or any person authorised by him, jointly by the respective president and secretary of each party forming part of the party alliance; and
 - (B) be supported by certified extracts of the minutes of proceedings of every meeting at which the decision to appoint the liaison agent was taken.
- (c) Where there is a change in the liaison agent of a party or party alliance, the party or party alliance shall forthwith notify the Commission of such change in writing or in such other manner as the Commission may approve.
- (2) The liaison agent of a party or party alliance shall be responsible for any correspondence between his party or party 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 to any other person authorised by him.

(4) The liaison agent shall be informed as soon as is reasonably practicable –

- (a) whether the list of candidates of his party or party alliance complies with section 8 of the Act; or
- (b) where the list of candidates of his party or party alliance does not comply with section 8 of the Act, of the grounds of such non-compliance.

10. Regulation 13 of the principal regulations is revoked and replaced by the following regulation –

13. Notice of candidature

(1) (a) Subject to regulation 13A, a returning officer shall, on nomination day and at the nomination centre, receive notices of candidature between the hours of 9 a.m. and 3 p.m.

(b) Subject to regulation 13A, any notice of candidature which is submitted to the returning officer after 3 p.m. shall be rejected.

(c) A notice of candidature shall be in Form 4.

(2) A notice of candidature shall be submitted to the returning officer by a candidate or a person acting on behalf

of the candidate and it shall, at the time of its submission, be accompanied –

- (a) subject to paragraph (3), where it is submitted by –
 - (i) a candidate, by the National Identity Card of the candidate or any other acceptable proof of his identity; or
 - (ii) a person acting on behalf of a candidate, by the National Identity Card of that person and that of the candidate, or any other acceptable proof of their identity; and
- (b) by a deposit of 500 rupees in cash or by means of a bank draft to the order of the Government of Mauritius.

(3) (a) Where a party or party alliance presents a candidate in a local region, the candidate or person acting on behalf of the candidate shall, at the time of submitting the notice of candidature and accompanying documents and deposit under paragraph (2)(b), furnish a certificate signed by the president and secretary of the party or a party alliance, certifying that the candidate –

- (i) belongs to that party or party alliance; or
- (ii) has been authorised to stand as candidate in the local region for the party or party alliance; and
- (iii) that the candidate has been authorised to use the symbol of the party or party alliance.

(b) A certificate referred to in this paragraph shall be in Form 5.

(4) (a) A candidate shall make and subscribe a declaration of his qualification on his notice of candidature and such other particulars as may be required in the notice of candidature.

(b) Where a candidate knowingly makes a statement in a declaration under this paragraph which is false in any material particular, he shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding 2 years.

(5) The returning officer shall, as soon as he accepts a notice of candidature, publish or cause to be published, in a conspicuous position outside his office, a notice of the name of that candidate, the party or party alliance he belongs to.

(6) Before the hour of 3 p.m. on nomination day and within 3 hours afterwards, objection may be made to a notice of candidature by the returning officer or some other person and the returning officer shall decide on the validity of every such objection.

(7) The returning officer shall hold the notice of candidature of a candidate to be invalid where –

- (a) the candidate fails to make the deposit required under paragraph (2)(b);
- (b) the particulars of the candidate are not as required by law; or
- (c) the notice of candidature is not subscribed as required.

(8) Where the returning officer decides that a notice of candidature is invalid under paragraph (7), he shall endorse and sign on the notice of candidature giving the reasons for his decision, and he shall reject the notice of candidature.

(9) (a) The decision of a returning officer that a notice of candidature is valid shall be final and shall, subject to paragraph (b), not be questioned in any proceedings whatsoever.

(b) Any person whose notice of candidature is deemed to be invalid may, within 5 days from the decision of the returning officer, appeal to the Supreme Court by way of motion for an order directing the returning officer to insert his name on the list of candidates for that election.

(c) Nothing in this regulation shall prevent the validity of a notice of candidature to being questioned by way of an election petition.

(10) A returning officer –

- (a) shall keep order at a nomination centre and within 200 metres radius thereof; and
- (b) may, for the purpose of subparagraph (a), take such measures as are necessary.

11. The principal regulations are amended by inserting, after regulation 13, the following new regulation –

13A. Compliance with section 8 of the Act

(1) Each returning officer shall, by 3 p.m. on nomination day, transmit to the Electoral Commissioner, by fax or in such other manner as the Electoral Commissioner may approve, a copy of every certificate furnished under regulation 13(3)(a).

(2) The Electoral Commissioner shall thereafter cause to be tabulated the number of candidates of each sex submitted by every party or party alliance.

(3) Where, by 3 p.m., a party or party alliance does not comply with section 8 of the Act, the Electoral Commissioner or any person authorised by him shall, as soon as is reasonably practicable, inform the liaison agent of the party or a party alliance, as the case may be, of the fact.

(4) (a) For the purpose of paragraph (3), a party or party alliance may, in order to comply with section 8 of the Act, before 5 p.m. on that day –

- (i) cause any of its nominated candidates to withdraw his candidature; and
- (ii) present any other person as candidate in his stead.

(b) For the purpose of subparagraph (a)(ii), a returning officer shall, on nomination day and in the manner provided for in regulation 13, receive notices of candidature presented by any party or party alliance between 3 p.m. and 5 p.m.

(5) (a) Where, pursuant to paragraph (4)(a)(i), a candidate refuses or fails to withdraw his candidature, the party or party alliance shall, by letter delivered to the returning officer at the relevant nomination centre and duly signed by the president and secretary of the party or by the presidents and secretaries of the party alliance, inform the returning officer that the party or party alliance no longer sponsors that candidate.

(b) A candidate who, pursuant to subparagraph (a), is no longer sponsored by his party or party alliance shall be considered not to belong to any party or party alliance and his notice of candidature shall have effect accordingly.

(c) Where, pursuant to subparagraph (b), a candidate is considered not to belong to any party or party alliance, the Electoral Commissioner shall allocate a symbol of identification to him.

(6) Where, by 5 p.m. on nomination day, a party or party alliance still does not comply with section 8 of the Act, all the candidates of the party or party alliance shall be considered not to belong to any party or party alliance and their notices of candidature shall have effect accordingly.

(7) This regulation shall not apply where –

- (a) a party or party alliance complies with section 8 of the Act at 3 p.m. on nomination day; and
- (b) a candidature is withdrawn after 3 p.m. on nomination day.

12. Regulation 15 of the principal regulations is revoked and replaced by the following regulation –

15. Withdrawal of candidature or death of candidate

(1) Any candidate may –

- (a) by 6 p.m. on nomination day, withdraw his candidature by notice in writing; or
- (b) not more than 3 days after nomination day, withdraw his candidature by notice in writing between the hours of 9 a.m. and 3 p.m.

(2) (a) The notice referred to in paragraph (1) shall be signed by the candidate and shall be delivered by him in person to the returning officer.

(b) Every candidate who withdraws his candidature shall produce to the returning officer his National Identity Card or any other acceptable proof of his identity.

(3) (a) Where a withdrawal of candidature is allowed, the deposit of 500 rupees shall be returned to the candidate.

(b) Where a candidate dies after a deposit is made and before the poll has commenced, the deposit shall be returned to his estate.

13. Regulation 16 of the principal regulations is amended –

(a) in paragraph (1), by deleting the words “Form 5 set out in the Schedule” and replacing them by the words “Form 6”;

(b) by revoking paragraph (2) and replacing it by the following paragraph –

(2) The list of candidates shall –

(a) contain the names of not more than 12 persons;

(b) not include the name of a person –

(i) whose name is included on any other list submitted by a registered party for election as a member for the Island region;

(ii) who is an individual or a registered party candidate for election as a member for a local region;

(c) not comprise more than two thirds of persons of the same sex;

(d) indicate the order of precedence of each of the candidates appearing on the list, provided that not more than 2 consecutive candidates on the list shall be of the same sex; and

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- (e) be accompanied by a declaration made by each candidate in the manner provided for in Form 7.
 - (c) in paragraph (3), by deleting the words “notice of the names and particulars of the candidates submitted by each political party for the Island Region election by publication in the *Gazette* and in at least 2 newspapers” and replacing them by the words “public notice of the names and particulars of the candidates submitted by each party”;
 - (d) by adding the following new paragraph –
 - (4) Nothing in these regulations shall affect the powers of the Electoral Commissioner to declare, at any time, a list of candidates to be invalid in pursuance of any other enactment.

14. Regulation 17 of the principal regulations is revoked and replaced by the following regulation –

17. Contested elections and unopposed candidates

- (1) Where, at 6 p.m. on nomination day or, as the case may be, at the end of the period of 3 days referred to in regulation 15(1)(b) or following a determination of the Judge under these regulations –
 - (a) the number of persons nominated exceeds the number of vacancies, a poll shall be taken in accordance with these regulations;
 - (b) the number of persons nominated is, or is reduced to, a number equal to the number of vacancies, the returning officer shall declare those persons elected;

- (c) the number of persons nominated is less, or is reduced to less, than the number of vacancies, the returning officer shall declare those persons elected and the returning officer shall appoint another nomination day for the holding of a fresh election to supply any vacancy which remains unfilled; or
- (d) no person is nominated, the returning officer shall appoint another nomination day for the holding of a fresh election.

(2) (a) Where any person is declared elected under paragraph (1)(b) or (c), the returning officer shall, after declaring that person elected, certify the return of such person by endorsement on the writ of election.

(b) The returning officer shall, as soon as practicable, submit the writ of election, endorsed in accordance with subparagraph (a), to the President of the Republic.

15. Regulation 18 of the principal regulations is revoked and replaced by the following regulation –

18. Allocation of symbols

(1) The Electoral Commissioner shall allot a symbol of identification, approved by the Commission, to each candidate, and the same symbol shall be allotted to more than one candidate belonging to the same party or party alliance.

(2) The returning officer shall thereupon cause to be affixed in a conspicuous position at the nomination centre a facsimile of the symbol allotted to each candidate.

16. The principal regulations are amended by inserting, after regulation 18, the following new regulation –

18A. Taking of poll and polling day

(1) Where, pursuant to regulation 17(1)(a), a poll is to be taken, the returning officer shall –

- (a) adjourn the election to the day appointed by the President of the Republic for the taking of a poll; and
- (b) report to the Electoral Commissioner the names and particulars of the candidates as specified in their respective notices of candidature and of the party or party alliance, if any, to which the candidates belong.

(2) (a) The Electoral Commissioner shall, on receipt of the report referred to in paragraph (1), give public notice of the report, the polling day, the address of every polling station and the description of electors entitled to vote at every polling station.

(b) The returning officer shall, as soon as possible, cause a similar notice to be posted up at the nomination centre and at such other place as he thinks necessary.

(c) The notice referred to in this paragraph shall be in Form 8.

17. Regulation 20 of the principal regulations is revoked and replaced by the following regulation –

20. Polling agents

(1) (a) Subject to subparagraph (b), each party, party alliance or candidate not belonging to a party or party alliance may appoint not more than one polling agent to attend each

voting room in the local region for which the candidate seeks, or the candidates in the party or party alliance seek, to be elected.

(b) No person shall be appointed as a polling agent where –

- (i) he has, at any time, been convicted of, and sentenced to a term of imprisonment in respect of, an election offence or any offence involving fraud, dishonesty or the use of violence against any person; or
- (ii) he is under the age of 18.

(c) The returning officer may limit the number of polling agents who may be admitted at any time into a voting room.

(2) Notice in writing of the appointment stating the names and National Identity Card numbers of the polling agents, together with the polling stations to which they have been assigned, shall be given by the candidate, party or party alliance, as the case may be, to the returning officer not later than 5 days before the polling day.

(3) Where any polling agent dies or becomes incapable of acting as a polling agent, the candidate, party or party alliance, as the case may be, may, before the opening of the poll or within 2 hours of such opening, appoint another polling agent by giving notice to the returning officer of the name and National Identity Card number of the polling agent so appointed.

- (4) (a) A person shall not, before the close of the poll –
- (i) remove a marked register from a voting room;
 - (ii) make any extract from a marked register;

- (iii) remove any extract from a marked register from the polling station; or
- (iv) communicate to any person any information pertaining to a marked register by any means or in any manner whatsoever.

(b) Any person who contravenes subparagraph (a) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding 6 months.

(5) Where, in these regulations, any expression is used requiring, authorising or inferring that any act or thing should be done in the presence of the polling agent of a candidate, such expression shall be deemed to refer to the presence of such agent of the candidate as may be authorised to attend and has in fact attended at the time and place where such act or thing is being done, and the non-attendance of any agent at such time and place shall not, where such act or thing is otherwise duly done, in any way invalidate the act or thing done.

18. Regulation 21 of the principal regulations is amended, in paragraph (2), by deleting the words “Form 7 set out in the Schedule” and replacing them by the words “Form 9”.

19. Regulation 25 of the principal regulations is revoked and replaced by the following regulation –

25. Ballot boxes

(1) A ballot box shall be translucent, of convenient size and be constructed in such a way that a ballot paper can be introduced in the ballot box but cannot be withdrawn without the ballot box being opened.

(2) A ballot box shall be exhibited empty to such persons as may be in every voting room in a polling station immediately before the taking of the poll and shall thereafter be securely sealed in such a manner as to prevent it from being opened without breaking the seals.

(3) A ballot box shall be placed in the view of the presiding officer and the polling agents for the receipt of ballot papers and shall not be opened except in such circumstances as may be specified in these regulations.

20. Regulation 26 of the principal regulations is revoked.

21. Regulation 28 of the principal regulations is revoked and replaced by the following regulation –

28. Directions to voters

For the guidance of electors, the Electoral Commissioner shall cause notices in Form 10 to be printed in conspicuous characters in English, French and Creole, and posted inside each polling station.

22. Regulation 29 of the principal regulations is amended, in paragraph (1), by inserting, after the words “each candidate”, the words “, party or party alliance, as the case may be”.

23. Regulation 31 of the principal regulations is revoked and replaced by the following regulation –

31. Duty of elector on coming to vote

(1) Every elector desiring to record his vote shall present himself to the presiding officer at the polling station allotted to him and the elector shall state his name and produce his National Identity Card or any other acceptable proof of his identity.

(2) The presiding officer, after satisfying himself that the name of an elector appears on the copy of the part of the

register of electors allotted to that voting room, shall, subject to regulation 32, deliver a ballot paper to the elector.

24. Regulation 34 of the principal regulations is revoked and replaced by the following regulation –

34. Mode of voting

(1) An elector, on receiving his ballot paper, shall forthwith proceed to a polling booth within the voting room where he shall secretly mark his ballot paper.

(2) After marking his ballot paper, the elector shall fold it up so as to conceal his vote and shall then put the ballot paper, so folded up, in the ballot box after having shown to the presiding officer the official mark on the back.

(3) After putting the ballot paper in the ballot box, the elector shall, without undue delay, leave the polling station.

(4) (a) No person shall, by means of a –

(i) camera;

(ii) mobile phone;

(iii) photographic or an electronic device, or any other device through which a photograph may be taken or a film may be made,

take a photograph, or make a film, of a ballot paper, whether the ballot paper is marked or unmarked.

(b) Any person who contravenes paragraph (a) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding 2 years.

25. Regulation 39 of the principal regulations is amended, in paragraph (6)(a), by deleting the words “Form 9 set out in the Schedule” and replacing them by the words “Form 11”.

26. Regulation 42 of the principal regulations is amended, in paragraph (1), by deleting the words “Form 10 set out in the Schedule” and replacing them by the words “Form 12”.

27. Regulation 43 of the principal regulations is amended by deleting the words “Form 11 set out in the Schedule” and replacing them by the words “Form 13”.

28. Regulation 45 of the principal regulations is amended, in the heading, by adding the words “**as regards a proxy**”.

29. Regulation 46 of the principal regulations is revoked.

30. Regulation 48 of the principal regulations is revoked and replaced by the following regulation –

48. Counting agents

(1) (a) Subject to subparagraph (b) –

- (i) each candidate, not belonging to a party or party alliance, may appoint not more than one counting agent; or
- (ii) each party or party alliance may appoint not more than 2 counting agents,

to attend the counting of votes at each counting room in the local region for which the candidate seeks or the candidates in the party or party alliance seek to be elected.

(b) No person shall be appointed as a counting agent where –

- (i) he has, at any time, been convicted of, and sentenced to a term of imprisonment in respect of, an election offence or any offence involving fraud, dishonesty or the use of violence against any person; or

(ii) he is under the age of 18.

(2) The returning officer may limit the number of counting agents who may be admitted at any time into a counting room.

(3) Notice in writing of the appointment, stating the names and National Identity Card numbers of the counting agents shall be given by the candidate, party or party alliance, as the case may be, to the returning officer not later than 5 days before the polling day and the returning officer may refuse to admit to the place where the votes are counted any person purporting to be a counting agent in respect of whom such notice has not been given.

(4) Where a counting agent dies or becomes incapable of acting as a counting agent, the candidate, party or party alliance, as the case may be, may appoint another counting agent in his place and shall immediately give to the returning officer notice in writing of the name and National Identity Card number of the counting agent so appointed.

31. Regulation 49 of the principal regulations is revoked and replaced by the following regulation –

49. Counting of votes

(1) On the day following the polling day, the returning officer shall attend the counting centre and –

(a) before the start of the counting process, he shall, for his local region, give notice by posting up at the counting centre the total number of –

(i) ballot papers in all the ballot boxes;

(ii) unused ballot papers;

(iii) spoilt ballot papers;

- (iv) tendered ballot papers;
 - (v) electors assisted; and
 - (vi) proxies; and
- (b) at 8 a.m. he shall, subject to paragraph (2), in presence of a candidate or his duly appointed election agent, break the seals affixed to each ballot box, open each ballot box and proceed to count the ballot papers contained in each ballot box and record their number, keeping the ballot papers with their face upwards, and taking all proper precautions for preventing any person from seeing the numbers on the verso of the ballot papers, and then proceed to count the votes.
- (2) Where, at 8 a.m., a candidate or his duly appointed election agent is not present, the returning officer shall proceed in accordance with paragraph (1)(b).
- (3) No person shall be allowed within the precincts of a counting centre except –
- (a) the Chairperson or a member or an official of the Commission;
 - (b) the Electoral Commissioner;
 - (c) an election officer;
 - (d) a candidate;
 - (e) an election agent;
 - (f) a counting agent;
 - (g) a police officer on duty; and
 - (h) an International Election Observer, if any.

32. Regulation 53 of the principal regulations is revoked and replaced by the following regulation –

53. Sealing of documents

(1) On the completion of the counting, the returning officer shall seal up, in separate packets, the ballot papers which have been counted or rejected.

(2) The returning officer shall not open any sealed packet of tendered ballot papers or of the poll clerks' marked copies of the register and counterfoils of ballot papers, or of the list of proxies and the proxy papers.

33. Regulation 57 of the principal regulations is amended, in paragraph (2), by deleting the words "Form 12 or Form 13 set out in the Schedule" and replacing them by the words "Form 14 or Form 15".

34. Regulation 58 of the principal regulations is amended by deleting the words "Form 14 set out in the Schedule" and replacing them by the words "Form 16".

35. Regulation 61 of the principal regulations is revoked and replaced by the following regulation –

61. Variation of nomination day, nomination centre, polling day, polling station, counting day or counting centre

(1) In case of adverse weather conditions, riot or violence, or any other circumstance prevailing in the country which may, in the opinion of the Commission, disrupt the smooth running of the electoral process on the nomination day, polling day or counting day, the President of the Republic may, after consultation with the Commission and the Electoral Commissioner, and acting in accordance with the advice of the

Prime Minister, vary the nomination day, nomination centre, polling day, polling station, counting day or counting centre.

(2) Where the nomination day, nomination centre, polling day, polling station, counting day or counting centre has been varied under paragraph (1), the Electoral Commissioner shall, as soon as practicable, give public notice of such variation.

36. The principal regulations are amended by inserting, after regulation 61, the following new regulations –

61A. Procedure in case of interruption or obstruction of election proceedings

(1) Where election proceedings at any nomination centre, polling station or counting centre are interrupted or obstructed by any adverse weather conditions, riot or violence which may, in the opinion of the returning officer, disrupt the smooth running of the election proceedings on the nomination day, polling day or counting centre, the Commission may, after consultation with the Electoral Commissioner, adjourn proceedings at such nomination centre, polling station or counting centre until the next day.

(2) Where necessary, the Commission may, after consultation with the Electoral Commissioner, further adjourn the election proceedings until such interruption or obstruction shall have ceased.

(3) Where election proceedings are adjourned under paragraph (1) or (2), the Electoral Commissioner shall, as soon as practicable, give public notice of such adjournment.

61B. Power to vary time or time limit

(1) Subject to regulations 61 and 61A, the Commission may, in relation to any election, vary, by Order published in the

Gazette, any time or time limit specified in these regulations and may substitute the time or time limit and, upon any such Order being made, that provision shall have effect subject to such Order.

(2) Any Order made under paragraph (1) may be varied or revoked by a subsequent Order of the Commission.

37. The principal regulations are amended by revoking the Schedule and replacing it by the Schedule set out in the Schedule to these regulations.

38. These regulations shall come into operation on 4 January 2017.

Made by the President on 4 January 2017.

SCHEDULE

[Regulation 37]

SCHEDULE

[Regulation 2]

FORM 1

[Regulation 5(1)(a)(i)]

RODRIGUES REGIONAL ASSEMBLY ELECTIONS

WRIT OF ELECTION

By the President of the Republic of Mauritius

To, Returning Officer for the local region of

You are hereby required to cause an election to be made, according to law, of 2 members to serve in the Rodrigues Regional Assembly for the said local region of on the day of 20.... at and that you do certify to me, by endorsement upon this writ, on or before the day of 20.... the names of the members when so elected.

Witness my hand at this day of 20....

.....
President of the Republic

VERSO OF FORM 1

Received the within writ on the day of 20.....

.....
Signature of Returning Officer

Returning officer for the local region of

CERTIFICATE ENDORSED ON THE WRIT

I hereby certify that the members elected for the local region of in pursuance of the within writ and the number of votes they have respectively received is –

Surname and other names	Sex	Address	Occupation	Number of votes received

Dated this day of 20.....

.....
Signature

.....
Name of Returning Officer

FORM 2

[Regulation 6(2)]

RODRIGUES REGIONAL ASSEMBLY ELECTIONS**NOTICE OF ELECTION OF MEMBER/S* OF THE
RODRIGUES REGIONAL ASSEMBLY**

For the local region of

The President of the Republic having issued a writ for the election of member/s* of the Rodrigues Regional Assembly for the local region of, the returning officer for the said local region will on the day of 20....., next ensuing between the hours of 9 a.m. and 3 p.m. at, the duly appointed nomination centre, receive notices of candidature for election as member/s* of the Rodrigues Regional Assembly for the said local region, and if there is no opposition, proceed to the election of member/s* of the aforesaid local region.

Forms of notice of candidature may be obtained at the office of between the hours of and on working days, except on Saturdays when the office will be closed at

Every notice of candidature shall be accompanied by the National Identity Card or any other acceptable proof of identity of the candidate and be delivered to the returning officer between the said hours of 9 a.m. and 3 p.m.

Every notice of candidature shall –

- (a) specify the name, sex, National Identity Card number, address and occupation of the candidate;
- (b) contain a declaration by the candidate that he is qualified to stand as candidate;

- (c) contain a declaration by the candidate, where he belongs to a party or party alliance that he belongs to that party or party alliance; and
- (d) be accompanied by a deposit of 500 rupees.

Where a notice of candidature is submitted by a person acting on behalf of a candidate, it shall be accompanied by the National Identity Card of that person and that of the candidate, or such other acceptable proof of his or their identity.

Where, by 3 p.m., a party or party alliance does not comply with section 8 of the Rodrigues Regional Assembly Act, the returning officer may receive notices of candidature between the hours of 3 p.m. and 5 p.m. in order to enable the party or party alliance to comply with that section.

Dated this day of 20.....

.....
Signature

.....
Name of Returning Officer

**delete as appropriate*

FORM 3

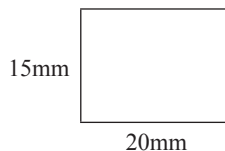
[Regulation 8(2)(a)]

RODRIGUES REGIONAL ASSEMBLY ELECTIONS
APPLICATION FOR REGISTRATION OF PARTY/PARTY
ALLIANCE FOR RODRIGUES REGIONAL
ASSEMBLY ELECTIONS

To the Electoral Supervisory Commission

We, the undersigned, being the president/presidents* and secretary/secretaries*, respectively, of the
(insert name of party/party alliance)*, hereby apply to be registered as a party/party alliance* for the purposes of the Rodrigues Regional Assembly ordinary election to be held on under the following name, together with a symbol of identification, namely
(state symbol).

The symbol, consisting of a line drawing in black colour on a white background, shall fit within a space of 20 mm x 15 mm. A facsimile thereof is affixed in the space provided as follows –



Official address of party/party alliance*

We hereby appoint, whose National Identity Card number is and whose contact details are, as the liaison agent of our party/party alliance*.

To be completed in the case of a party not forming part of a party alliance

..... Name of president	..... Name of secretary
..... National Identity Card number (where NIC is being submitted as proof of identity)	..... National Identity Card number (where NIC is being submitted as proof of identity)
..... Signature of president	..... Signature of secretary

To be completed in the case of a party alliance

..... Name of president	..... Name of secretary
..... National Identity Card number (where NIC is being submitted as proof of identity)	..... National Identity Card number (where NIC is being submitted as proof of identity)
..... Signature of president	..... Signature of secretary
..... Name of president	..... Name of secretary
..... National Identity Card number (where NIC is being submitted as proof of identity)	..... National Identity Card number (where NIC is being submitted as proof of identity)
..... Signature of president	..... Signature of secretary

DECLARATION BY LIAISON AGENT

I, the abovenamed liaison agent, do hereby declare that I am willing to be appointed liaison agent for the party/party alliance* for the pending election.

Dated this day of 20.....

.....
Signature of liaison agent

To be completed by the Electoral Commissioner

Signed in my presence at

Dated this day of 20..... at a.m./p.m.*

.....
Electoral Commissioner

**delete as appropriate*

FORM 4

[Regulations 2 and 13(1)(c)]

NOTICE OF CANDIDATURE

Election of members of the Rodrigues Regional Assembly for the local region of

To the returning officer of the abovementioned local region

PART I

I, the undersigned, hereby give notice of my candidature and submit hereunder my particulars for election as a member of the Rodrigues Regional Assembly for the local region of

PARTICULARS REGARDING CANDIDATE

Surname	Other names	Sex	National Identity Card number	Address	Occupation																											
			<table border="1"> <tr> <td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td> </tr> </table>																													

PART II – DECLARATION BY CANDIDATE

Sub-Part A

1. I,, hereby declare that –
 - (a) I am qualified to be elected as a member of the Rodrigues Regional Assembly in accordance with section 6(1) of the Rodrigues Regional Assembly Act;
 - (b) I am not disqualified from being elected a member of the Regional Assembly under section 6(2) of the Rodrigues Regional Assembly Act;

- (c) I am a member of the party/
party alliance*, which is registered under regulation 9 of the
Rodrigues Regional Assembly Elections Regulations and
I am annexing a certificate from my party/party alliance*
certifying that I am a member of that party/party alliance*;
- (d) I have not stood, nor will I stand, as a candidate for election
in more than one local region.

Sub-Part B

2. *I shall be my own election agent.

OR

*I hereby name and appoint, whose
address is, whose National Identity

Card number is

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

and whose occupation is, as my election
agent for the pending election.

Dated this day of 20.....

.....
Signature of candidate

PART III

DECLARATION BY ELECTION AGENT

To be completed in case candidate appoints an election agent

I, the above named election agent, do hereby declare that I am willing to be appointed election agent for candidate for the pending election.

Dated this day of 20.....

.....
Signature of election agent

PART IV

To be completed in case notice of candidature is submitted by a person acting on behalf of a candidate

Deposited by me

National Identity Card number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(where NIC is being submitted as proof of identity)

Dated this day of 20.....

.....
Signature of person acting on behalf of candidate

**delete as appropriate*

FORM 5

[Regulation 13(3)(b)]

RODRIGUES REGIONAL ASSEMBLY ELECTIONS**CERTIFICATE OF PARTY/PARTY ALLIANCE**

**[To be filled in by the president/presidents and secretary/
secretaries of party/party alliance]**

Local region of

To the returning officer for the abovementioned local region

We, the undersigned, being the president/presidents* and secretary/secretaries*, respectively, of, *(insert name and address of party or party alliance as registered with the Electoral Supervisory Commission)* hereby certify that the undermentioned person(s) –

- (a) belongs/belong* to our party/party alliance which is duly registered for the purpose of the forthcoming elections;
- (b) has/have* been authorised to stand as candidate(s) of the abovementioned party/party alliance* for the forthcoming election; and
- (c) has/have* been authorised to use the symbol of the party/party alliance*, namely *(state the symbol)*

	Surname of candidate	Other names of candidate	Sex	National Identity Card number
1.				
2.				

To be completed in the case of a party not forming part of a party alliance

..... Name of president	..... Name of secretary
..... National Identity Card number (where NIC is being submitted as proof of identity)	..... National Identity Card number (where NIC is being submitted as proof of identity)
..... Signature of president	..... Signature of secretary

To be completed in the case of a party alliance

..... Name of president	..... Name of secretary
..... National Identity Card number (where NIC is being submitted as proof of identity)	..... National Identity Card number (where NIC is being submitted as proof of identity)
..... Signature of president	..... Signature of secretary
..... Name of president	..... Name of secretary
..... National Identity Card number (where NIC is being submitted as proof of identity)	..... National Identity Card number (where NIC is being submitted as proof of identity)
..... Signature of president	..... Signature of secretary

Dated this day of 20.....

FORM 6

[Regulation 16(1)]

PARTY LIST FOR ISLAND REGION ELECTION

To the Electoral Commissioner

We, the undersigned, being the president and secretary respectively, of the
(*insert name of party/party alliance*) which has been duly registered for the purpose of the Rodrigues Regional Assembly ordinary election to be held on, do hereby submit the list of candidates of our above mentioned party/party alliance for election as member/s* of the Island region in accordance with section 9 of the Rodrigues Regional Assembly Act.

We have indicated the order of precedence of each of the candidates appearing on the said party list and declare that –

- (a) the party list does not comprise more than two thirds of persons of the same sex; and
- (b) not more than 2 consecutive candidates on the said party list are of the same sex.

We certify that, to the best of our knowledge and belief and in accordance with section 9(3)(b) of the Rodrigues Regional Assembly Act, none of the candidates included on the said list –

- (a) is a person whose name is included on any other list submitted by a registered party for election as a member for the Island region; and
- (b) is an individual or a registered party candidate for election as a member for a local region.

We attach herewith the declaration signed by each candidate in Form 7.

LIST OF PARTY CANDIDATES

(in order of precedence)

	Surname	Other names	Sex	National Identity Card number	Address	Occupation	Signature
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							

**To be completed in the case of a party not forming
part of a party alliance**

..... Name of president	..... Name of secretary
..... National Identity Card number (where NIC is being submitted as proof of identity)	..... National Identity Card number (where NIC is being submitted as proof of identity)
..... Signature of president	..... Signature of secretary

To be completed in the case of a party alliance

..... Name of president	..... Name of secretary
..... National Identity Card number (where NIC is being submitted as proof of identity)	..... National Identity Card number (where NIC is being submitted as proof of identity)
..... Signature of president	..... Signature of secretary
..... Name of president	..... Name of secretary
..... National Identity Card number (where NIC is being submitted as proof of identity)	..... National Identity Card number (where NIC is being submitted as proof of identity)
..... Signature of president	..... Signature of secretary

Dated this day of 20..... at a.m./p.m.*

Submitted to me on at a.m./p.m.*

.....
Electoral Commissioner

**delete as appropriate*

FORM 7

[Regulation 16(2)(e)]

**RODRIGUES REGIONAL ASSEMBLY ELECTIONS
DECLARATION OF CANDIDATE ON PARTY LIST FOR
ISLAND REGION ELECTION**

To the Electoral Commissioner

I,
(Surname)

.....
(Other names)

.....
(Sex)

.....
(National Identity Card number)

of
(Address)

.....
(Occupation)

nominated in the list of the
(party/party alliance as registered with the Electoral Supervisory Commission)*

for election as member of the Island region, hereby consent to such nomination.

I also hereby declare that –

- (a) I am qualified to be elected a member of the Rodrigues Regional Assembly in accordance with section 6(1) of the Rodrigues Regional Assembly Act;
- (b) I am not disqualified from being elected a member of the Rodrigues Regional Assembly under section 6(2) of the Rodrigues Regional Assembly Act;

-
- (c) I am a member of the abovenamed party/party alliance*;
 - (d) I have not been, nor will I consent that my name be, included on any other list submitted for election as a member for the Island region; and
 - (e) I have not stood for election as a member for a local region as an individual or a registered party candidate.

Dated this day of 20..... at a.m./p.m.*

.....
Signature of candidate on party list

**delete as appropriate*

of which all persons are hereby required to take notice and govern themselves accordingly.

Given under my hand at this day of 20.....

.....
Electoral Commissioner

**delete as appropriate*

***Applicable only in the case of an ordinary election*

FORM 9

[Regulation 21(2)]

RODRIGUES REGIONAL ASSEMBLY ELECTIONS

FORM OF FRONT OF BALLOT PAPER

Facsimile

NOT REPRODUCED

FORM OF BACK OF BALLOT PAPER

No. (to correspond with the number on the counterfoil)

The local region of

Election held on

.....
Official mark

DIRECTIONS AS TO PRINTING BALLOT PAPER

Nothing is to be printed on the ballot paper except in accordance with these directions –

- (1) In case of an ordinary election, the ballot paper shall be separated into 2 parts by a vertical rule running from the top to the bottom of the paper, the part on the left hand side (hereinafter called Part I), shall be reserved for the local region vote(s) and the part on the right (Part II) for the Island region vote.
- (2) As far as practicable, the arrangements mentioned hereunder shall be observed in the printing of Part I and Part II, respectively.
- (3) On Part I –
 - (a) no word shall be printed on the face except the particulars of the candidates, and the party, if any, registered under regulation 9, to which the candidate belongs;

-
- (b) no rule shall be printed on the face except the horizontal rules separating the particulars of the candidates from one another and the vertical rules separating –
 - (i) those particulars from the serial numbers on the left hand side and from the spaces reserved for the printing of the name of the party, if any, on the right;
 - (ii) the spaces reserved for the printing of the name of the party, if any, on the left and the symbols of identification on the right; and
 - (iii) the symbols of identification from the spaces where the vote is to be marked;
 - (c) except for the margin at the bottom, for the official mark, the whole space between the top and bottom of the paper shall be equally divided between the candidates by the rules separating their particulars;
 - (d) the candidates shall be listed from top to bottom in alphabetical order;
 - (e) the surname of each candidate shall, in all cases, be printed by itself in large capitals, and his full particulars shall be set out below it and shall be printed in ordinary type except that small capitals shall be used –
 - (i) if his surname is the same as another candidate's, for his other names; and
 - (ii) if his other names are also the same as the other candidate's, either for his residence or for his description unless each of them is the same as that of another candidate with the same surname and other names.
- (4) On Part II –
- (a) no rule shall be printed on the face except the horizontal rules separating the names of the parties from one another

and the vertical rules separating the symbols of identification from the names of the parties on the left hand side and from the spaces where the vote is to be marked on the right;

- (b) the names of the parties shall be listed from top to bottom in alphabetical order and printed in large capitals.
- (5) Part II shall be of a colour differing from Part I and as far as practicable the surface area of Part II shall be not more than half nor less than one third of that of Part I.
- (6) In case of an election, other than an ordinary election, the ballot paper shall consist of only one part, namely Part I, and the column reserved for the printing of the name of the party shall be omitted.

FORM 10

[Regulation 28]

RODRIGUES REGIONAL ASSEMBLY ELECTIONS
DIRECTIONS TO VOTERS FOR REGIONAL ASSEMBLY
ELECTIONS

1. Every elector registered in this local region may vote only at the polling station allotted to him.
2. Each elector shall vote for 2 candidates for the local region election and for one party for the Island region election failing which the vote/s cast will be null and void.
3. An elector desiring to record his vote shall produce his National Identity Card or any other acceptable proof of his identity.
4. The elector shall mark his local region votes on the left hand side of the ballot paper, (PART I – of white background) and his Island region vote on the right hand side of the same ballot paper (PART II – of a different colour).
5. The elector shall go into one of the voting booths and with a pen there provided –
 - (a) place a cross (X) opposite the name and symbol of each of the candidates for whom he votes for the local region election; and
 - (b) place a cross (X) opposite the name and symbol of the party for whom he votes for the Island region election.
6. The elector shall then fold the ballot paper so that his vote cannot be seen, show the official mark on the back to the presiding officer and place the folded ballot paper in the ballot box. The elector shall forthwith leave the polling station.

7. Where an elector inadvertently spoils a ballot paper, he may return it to the presiding officer who, on being satisfied of the fact, will give him another ballot paper.
 8. Where an elector votes for more candidates or a lesser number of candidates than there are seats to be filled for the local region election, or votes for more than one party, or does not vote for any party for the Island region election, his vote will be void and will not be counted.
 9. Where an elector places any mark on the ballot paper by which he can afterwards be identified, his vote will be void and will not be counted.
-

FORM 11

[Regulation 39(6)(a)]

**RODRIGUES REGIONAL ASSEMBLY ELECTIONS
DECLARATION TO BE MADE BY THE COMPANION OF
AN ELECTOR**

I,,
(Surname and other names of companion)

holding National Identity Card number,
of,
(Address)

having been requested to assist,
.....
(Surname and other names of incapacitated elector)

who is numbered on the register of electors for the local region of to record his vote at the election now being held for the said local region, do hereby declare that –

- (a) I have attained the age of 18;
- (b) I am entitled to vote as an elector at the election;
- (c) I am the father/mother/brother/sister/husband/wife/son/daughter* of the incapacitated person;
- (d) I am not a relative of a candidate or his agent and neither a polling agent nor a candidate where the incapacitated person is an elector;
- (e) I will not assist more than 2 incapacitated electors in this election.

.....
Signature of companion

Dated this day of 20.....

I do hereby certify that the above declaration, having been first read to the abovenamed declarant, was signed by him in my presence.

.....
Name of Presiding Officer

.....
Signature

Dated this day of 20..... at a.m./p.m.*

NOTE – Any person who knowingly makes a false or misleading declaration shall commit an offence.

**delete as appropriate*

FORM 12

[Regulation 42(1)]

RODRIGUES REGIONAL ASSEMBLY ELECTIONS

APPLICATION FOR APPOINTMENT OF PROXY

To the returning officer for the local region of

(State the local region in which you are entitled to vote)

Surname of applicant (elector)

(In block letters)

Other name(s) of applicant

(In block letters)

National Identity Card number of applicant

Full postal address of applicant

I, the applicant above named –

(a) certify that I am entitled to vote by proxy by virtue of service as
..... on polling day;

(b) hereby apply for the issue of a proxy paper appointing the person
named hereunder as proxy to vote for me.

Surname of proxy

(In block letters)

Other name(s) of proxy

(In block letters)

National Identity Card number of proxy

Full postal address of proxy

Dated this day of 20.....

.....
Signature of applicant

I, the abovenamed proxy, do hereby declare that I am willing to be appointed proxy and capable of acting as such.

Dated this day of 20.....

.....
Signature of proxy

Note no. 1 – A person who appoints a proxy will not be entitled to vote in person.

Note no. 2 – A person cannot be a proxy unless he is a citizen of Mauritius, has attained the age of 18 and not subject to any legal incapacity.

Note no. 3 – A person cannot act as proxy for more than 2 electors in any local region.

Note no. 4 – This application shall reach the returning officer of the abovementioned local region not less than 14 days before polling day.

FORM 13

[Regulation 43]

RODRIGUES REGIONAL ASSEMBLY ELECTIONS

PROXY PAPER

Local region

Polling station

Name of proxy

National Identity Card number of proxy

Postal address of proxy

IS HEREBY APPOINTED AS PROXY FOR

Name of elector

National Identity Card number of elector

Number on register to vote for him/her* at the election for the abovementioned local region.

Dated this day of 20.....

.....
Signature

.....
Name of Returning Officer

* delete as appropriate



FORM 14

[Regulation 57(2)]

**RODRIGUES REGIONAL ASSEMBLY ELECTIONS
CERTIFICATE OF ELECTION FOR LOCAL REGION**

To the Electoral Commissioner

I hereby certify that the undermentioned candidate/s for the local region of was/were on the day of 20..... returned unopposed and that his/their particulars and the party/party alliance (if any) to which he/they respectively belong are as hereunder –

Name and particulars

Party/Party alliance (if any)

.....
.....

Dated this day of 20.....

.....
Signature

.....
Name of Returning
Officer

FORM 15

[Regulation 57(2)]

**RODRIGUES REGIONAL ASSEMBLY ELECTIONS
CERTIFICATE OF RESULT OF POLL FOR LOCAL REGION**

To the Electoral Commissioner

I hereby certify that the result of the poll for the local region held on the day of 20..... in the local region of is as shown hereunder –

Total number of votes cast

Order	Name and particulars of candidates	Number of votes secured	Party/Party alliance (if any)
etc.			

Dated this day of 20.....

I hereby certify that the following candidates have been returned for the said local region –

.....
.....

Dated this day of 20.....

.....
Signature

.....
Name of Returning Officer

FORM 16

[Regulation 58]

**RODRIGUES REGIONAL ASSEMBLY ELECTIONS
CERTIFICATE OF RESULT OF POLL FOR ISLAND REGION**

To the Electoral Commissioner

I hereby certify that the number of votes obtained by each party at the poll held on the day of 20..... in the local region of is as shown hereunder –

Total number of votes cast

Name of party/party alliance (in alphabetical order)	Number of votes secured

Dated this day of 20.....

.....
Signature

.....
Name of Returning
Officer