

# **HOW DO MAURITIUS VOTE BY PROXY**

## **1. Definition**

According to the dictionary, proxy is defined as the authorization given to a substitute or deputy.

## **2. Persons entitled to vote by proxy**

Section 34 of the National Assembly Regulations 2014, Section 40 of the Municipal City Council and the Municipal Town Council Elections, 2012, and Section 40 of the village Councils Elections, 2012, provide for persons entitled to vote by proxy.

According to Sections 34(1) of the National Assembly Regulations 2014, the following persons are entitled to vote by proxy:

- a) *a police officer or an election officer who is engaged in the performance of duties at an election;*
- b) *a service elector;*
- c) *a candidate; and*
- d) *a public officer who is-*
  - i. an elector in Rodrigues or Agalega and is serving in the Island of Mauritius; or*
  - ii. an elector in a constituency in the Island of Mauritius and is serving in Rodrigues or Agalega.*

According to Section 40 of the Municipal City Council and the Municipal Town Council Elections, 2012, and Section 40 of the village Councils elections, 2012 any member of the Police Force or any election officer who is certified in writing by the Commissioner of Police or a returning officer as the case may be, to be engaged in the performance of duties at the date of any election held under these regulations.

- At least 14 days before the polling day the Police Commissioner and the returning officer have to forward a list of persons who are entitled to vote by proxy to the Electoral Commissioner

## **-3. Appointment of Proxy.**

*(Section 35 of the National Assembly Regulations 2014)*

A person shall not be entitled-

- (a) to be appointed as proxy unless he is –
  - (i) a Commonwealth citizen over 18 years of age; and
  - (ii) not under any legal incapacity to vote at that election.

- (b) The person is not entitled to vote as proxy at the same election on behalf of more than 2 electors.

*(Section 42 of the Municipal City Council and the Municipal Town Council Elections, 2012, and Section 42 of the village Councils Elections , 2012)*

A person shall not be entitled-

- (b) to be appointed as proxy unless he is –
  - (i) a citizen of Mauritius over 18 years of age; and
  - (ii) not under any legal incapacity to vote at that election.

- (b) The person is not entitled to vote as proxy at the same election on behalf of more than 2 electors.

The regulations also provide that the returning officer shall keep a record, to be known as the “List of Proxies”, of electors for whom proxies have been appointed and the names, National Identity Card numbers and addresses of the persons appointed.

### **3. Voting by Proxy**

- (a) No person shall be allowed to vote as proxy unless he first submits his proxy paper to the presiding officer on polling day.
- (b) Any person who knowingly gives a false or misleading answer to any question put to him under this regulation 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.