



## REPUBLIC OF VANUATU

### MUNICIPALITIES ACT [CAP 126]

#### MUNICIPAL COUNCIL ELECTIONS REGULATIONS (AMENDMENT) ORDER NO. 154 OF 2013

In exercise of the powers conferred on me by subsection 7(2) of the Municipalities Act [CAP 126], I, the Honourable PATRICK CROWBY MANAREWO, Minister of Internal Affairs, make the following Order.

##### 1 Amendments

The Municipal Council Elections Regulations Order No. 60 of 1982 is amended as set out in the Schedule.

##### 2 Commencement

This Order commences on 9<sup>th</sup> of November 2013.

Made at Port Vila this 23<sup>rd</sup> day of October, 2013.

  
Honourable PATRICK CROWBY MANAREWO  
Minister of Internal Affairs



**SCHEDULE**

**AMENDMENTS OF THE MUNICIPAL COUNCIL  
ELECTIONS REGULATIONS ORDER NO. 60 OF 1982**

**1 Regulation 1**

Insert in its correct alphabetical position

“general seat” means a seat other than a reserved seat in a Municipal Council election;

“reserved seat” means a seat reserved only for females as provided for under subsection 4A(1) of the Act.

**2 Regulation 12**

Repeal the Regulation, substitute

**“12 Polls to be secret and electors to vote twice**

- (1) A poll is to be taken by secret ballot.
  
- (2) Subject to regulation 13, a person is to vote for 1 candidate contesting for a general seat and 1 candidate contesting for a reserved seat.

**3 Schedule 1- After part 1**

Insert

**“PART 1A**

**DECLARATION OF FEMALE CANDIDATE’S INTENTION TO  
CONTEST FOR A GENERAL SEAT OR A RESERVED SEAT**

(Subsection 4A(3))

I Mrs/Miss.....this.....day of  
....., 20....., declare that I will contest for  
a.....(general/ reserved) seat for the election of the  
members of municipal council of .....to be held on  
.....day of.....,20.....

Signed:.....

**4 Schedule 3 – Subrule 10(1)(c)**

Delete “;and”, substitute “.”

**5 Schedule 3- Subrule 10(1)**

Delete “deliver to the voter one ballot paper for each candidate and one envelope”

**6 Schedule 3- After Subrule 10(1)**

Insert

“(1A) If the returning officer or polling clerk is satisfied that the voter has met the requirements under subrules 1 (a), (b) and (c), he may:

- (a) deliver to the voter 1 ballot paper for each candidate contesting for a general seat and 1 ballot paper for each candidate contesting for a reserved seat ; and
- (b) 2 different coloured envelopes:
  - (i) brown- being for a general seat; and
  - (ii) pink- being for a reserved seat.

**7 Schedule 3- subrule 10(2)**

(a) Delete “envelope” (first occurring), substitute “envelopes”

**8 Schedule 3-subrule 10(2)(b)**

Repeal the subrule, substitute

“(b) record his vote by placing the ballot papers bearing the name and symbol of his chosen candidates in 2 separate envelopes, brown envelope for a candidate contesting for a general seat and blue envelope for a female candidate contesting for a reserved seat.

**9 Schedule 3- subrule 10(2)(d)**

Delete “one envelope” substitute “2 envelopes”

**10 Schedule 3-subrule 10(2)(e)**

Repeal the subrule, substitute

- “(e) place the brown envelope containing his chosen candidate for the general seat in the ballot box marked “General Seat” and place the blue envelope containing his chosen candidate for the reserved seat in the ballot box marked “Reserved Seat”.

**11 Schedule 3- subrules 21(a) and (b)**

Repeal the subrules, substitute

- “(a) the number of votes cast for each candidate contesting for a general seat and a reserved seat; and
- (b) the name of each candidate elected in accordance with rules 22(a), 23 and 24 for a general seat; and
- (c) the name of each candidate elected in accordance with subrule 22(b) for a reserved seat.”

**12 Schedule 3- rule 22**

Repeal the rule, substitute

**“22 Determination of successful candidates**

In determining which candidates to be declared elected in each ward, the following systems are to be used:

- (a) for a general seat- a system of proportional representation; and
- (b) for a reserved seat- a candidate who has the majority votes.”

**13 Schedule 3- rule 23 (heading)**

Delete the heading, substitute

**“Method of calculation for a system of proportional representation”**

**14 Regulation 25**

Repeal the regulation, substitute

**“25 Declaration by Minister of election of eldest candidate**

- (1) If two or more candidates for a general seat in a ward receive the same number of votes so that if one of them only had received that number of votes he would have been declared elected under rule 23, the Minister is to declare the eldest elected.

- (2) If two or more candidates for a reserved seat in a ward receive the same number of votes so that if one of them only had received that number of votes he would have been declared elected under subrule 22(b), the Minister is to declare the eldest elected.”