

NEW HEBRIDES CONDOMINIUM

JOINT REGULATION

No. 33 of 1977

TO PROVIDE for the election of the members of the Representative Assembly.

MADE by the Resident Commissioners under the provisions of Articles 2:2 and 7 of the Anglo-French Protocol of 1914 and of the Exchange of Notes between the Governments of the United Kingdom and the French Republic made at London the 15th day of September 1977 establishing a Representative Assembly in the New Hebrides.

Electoral rolls, interpretation.

1. (1) The election of members of the Representative Assembly shall be by secret ballot based on electoral rolls prepared in accordance with the Electoral Registration Regulation No. 27 of 1977 (hereinafter referred to as "the Regulation").

(2) In this Regulation, unless the context otherwise requires -

"constituency" means the electoral area for the election of one or more members of the Representative Assembly provided for in Article 2 in the Schedule to the Exchange of Notes between the Governments of the United Kingdom and the French Republic made at London the 15th day of September 1977;

"registration area" means that part of a ward or constituency in respect of which an electoral roll is prepared.

"definitive electoral roll" means the electoral roll established in accordance with the provisions of section 14 of the Regulation.

Disqualifications from voting.

2. (1) The following persons shall not be entitled to vote -

(a) persons who have been sentenced by any court in the New Hebrides to a term of imprisonment whether suspended or not, of more than twelve months for any offence and have not been granted a total remission of the sentence :

Provided that if at the date fixed for the elections three years or more have elapsed since the end of the term of imprisonment or the end of the period of suspended sentence, the person concerned shall not be so disqualified;

- (b) persons who are lawfully detained in a mental hospital under the provisions of the Joint Mental Hospital Regulation No. 2 of 1965;
- (c) persons who are undischarged bankrupts;
- (d) persons who have at any time within four years immediately preceding the election been convicted of an electoral offence.

(2) For the purposes of paragraph (a) of subsection (1), two or more terms of imprisonment which are required to be served consecutively shall be regarded as a single term of imprisonment for the aggregate period of those terms.

Date of elections.

3. The date of the elections shall be fixed by the Resident Commissioners by joint decision, which shall be published not less than two months before polling is due to commence. The places at which and the time during which polling shall take place shall be prescribed by the two District Agents of the relevant District.

Presiding officers at polling places.

4. Every polling station shall be presided over by a person appointed as presiding officer jointly by the District Agents.

Conduct of voting.

5. (1) The presiding officer of each polling station shall ensure that voters conduct themselves in an orderly manner. The voters shall not concern themselves with any matter other than the electoral procedure and in particular shall not hold any discussion or deliberations within fifty metres in all directions of the polling station.

(2) No person other than a candidate shall within any polling station where voting is in progress or on any public way within a distance of fifty metres of any such polling station wear or display any card, symbol, favour or other emblem indicating support for a particular candidate or political party.

Appointment of polling clerks.

6. (1) The District Agents shall appoint at least two persons to be polling clerks for each polling station in the constituency concerned. They may also appoint alternate polling clerks.

(2) In no circumstances shall a polling station be staffed during the hours of polling by less than the following persons, that is to say, either the presiding officer and a polling clerk or two polling clerks.

Representatives of candidates.

7. (1) Any candidate or political party may nominate in writing to the District Agents concerned, not less than twenty-four hours before polling, a representative or his alternate for each polling station who may attend the electoral proceedings and if necessary require any comment, protest or dispute concerning the proceedings to be included in the report of the returning officer under section 33. The District Agents shall issue to such representative a form of receipt for the nomination :

Provided that any such representative who must be an elector in that constituency may be so authorised for more than one polling station.

(2) At the time of polling, every such representative shall satisfy the presiding officer that he is authorised as a representative of a candidate or political party by producing a receipt issued to him by the District Agents.

(3) A list containing the names of such representatives of the candidates shall be displayed at all polling stations in the relevant constituency.

Duties of presiding officers.

8. (1) It shall be the duty of the presiding officer to open the polling station over which he presides at the date, time and place specified in the public notice issued in accordance with subsection (2) of section 15.

(2) The presiding officer shall resolve any difficulties which may arise during voting and shall give reasons for any decisions which he may make.

Report.

9. A written statement of all representations and objections and the decisions thereon together with all relevant documents initialled by the presiding officer and polling clerks shall be included in the report of the returning officer under section 33.

Copy of roll to be at polling station.

10. Throughout the period of voting a copy of the definitive electoral roll shall remain on the table at which the polling clerks are seated.

Voters to be on roll and have electoral card.

11. No person shall be permitted to vote unless his name is on the definitive electoral roll of electors and he produces to the presiding officer a valid electoral card issued to him under the provisions of section 10 of the Regulation.

Ballot papers.

12. In the case of all constituencies there shall be a separate ballot paper for each candidate bearing only the name, photograph and symbol of that candidate. The voting papers shall be of a colour chosen by the candidate or his party in order of their declaration of candidature, subject to the approval of the Resident Commissioners. If no suitable colours remain to be chosen the ballot papers shall be white.

Declaration etc. of candidates.

13. (1) Every candidate for election shall lodge a written declaration bearing his signature in the form prescribed in the Schedule, not later than thirty days before the date fixed for the commencement of polling. Such candidature shall be endorsed by five persons registered as electors in the same constituency who are not related to the candidate, that is to say, a spouse or direct forbear or descendant of the candidate or of his or her spouse. The form shall be presented to a District Agent who shall give the candidate a receipt therefor in the form set forth in the Schedule and that District Agent shall forward the declaration to the other District Agent for the district who shall forward it to the Electoral Office at Vila.

(2) The list of candidates shall be published at the District Agents' Offices, such other place or places as the District Agents may determine and the Representative Assembly Office at least two weeks before the commencement of polling in the territory.

(3) In any case where a candidature sponsored by a political party shall be declared by the Resident Commissioners to be invalid for reasons not involving fraud or bad faith, or where a candidate sponsored by a political party dies after the declaration of his candidature and more than fourteen days before the commencement of polling in the territory, another candidate sponsored by the same party may declare himself or herself in the prescribed manner in replacement thereof within 72 hours of such declaration of invalidity or notification of such death, notwithstanding that the period of limitation prescribed in subsection (1) has expired.

(4) Every candidate shall lodge with the District Agents a deposit which shall be repaid to him only in the event that he is successful in his candidacy or obtains such proportion of the votes validly cast as shall be prescribed by the Resident Commissioners by joint decision. 4

receipt shall be issued for the deposit. The Resident Commissioners shall prescribe further details of the procedure to be adopted for the lodging and reimbursement of the deposit as may be necessary:

Provided that the deposit shall be returned to any candidate who withdraws his candidacy at any time within the seven days next following the date prescribed by the Resident Commissioners in accordance with subsection (1).

(5) Every candidate shall be required to adopt, with the approval of the Resident Commissioners, a simple, easily recognisable electoral symbol which shall be printed next to his or her name on the ballot paper for identification by voters:

Provided that in the case that any political party shall sponsor more than one candidate for election, such political party may obtain approval of a symbol which may be used with respect to each and every candidate for election sponsored by such political party.

(6) Every candidate shall, not later than the date specified by the Resident Commissioners in accordance with subsection (1), supply a clearly defined and recent photo of himself or herself in full face.

Ineligibility
of certain
persons to be
candidates.

14. The following persons, shall not be eligible as candidates while they exercise their functions -

- (a) The Resident Commissioners, the British Assistant Resident Commissioner, the Chancellor of the French Residency, and the District Agents;
- (b) Heads of Department in the public services ;
- (c) Judges and Magistrates;
- (d) members of the regular Police Force;
- (e) all public accounting officers;
- (f) members of the Council of Chiefs (Malfatumaauri); and
- (g) any person holding such other office incompatible with membership of the Assembly as may be prescribed by Joint Regulation.

Method of election and notice of poll.

15. (1) If at the close of the period for nomination of candidates or upon the withdrawal of a candidature at any subsequent date, the number of candidates standing nominated is equal to and does not exceed the number of members required to be elected in any constituency the District Agents shall forthwith publicly declare each of those persons to be elected and shall also declare the result in accordance with the provisions of subsection (2) of section 31.

(2) If the number of candidates referred to in subsection (1) exceeds the number of members to be elected a poll shall be taken in accordance with the provisions of this Part and the public notice of declarations of candidature given in accordance with section 14 shall include a notice of a poll, which shall state the day on which and the hours during which the poll will be taken together with the situation of each polling station, the description of voters entitled to vote at each polling station and all necessary information concerning the electoral procedure.

Voting by ballot.

16. The votes at the poll shall be cast by secret ballot, the results shall be ascertained by counting the votes given to each candidate and subject to the provisions of subsection (1) of section 31 the candidates corresponding in number to the number of members required to be elected who receive the greatest number of votes shall be declared to be elected.

Place of voting.

17. Each elector shall cast his vote at the polling station indicated on the electoral card issued to him in accordance with subsection (1) of section 10 of the Regulation:

Provided that if circumstances so require, the District Agents may establish polling stations in the towns of Vila and Santo at which electors inscribed on the definitive electoral roll for such neighbouring constituencies as may be specified in a public notice issued by the District Agents may cast their votes.

Polling station in charge of presiding officer.

18. (1) During the poll each polling station shall be in the charge of the presiding officer assisted by two or more polling clerks.

(2) A presiding officer may delegate to any polling clerk all the powers conferred on him by this Regulation.

(3) Any presiding officer or polling clerk may be paid such reasonable remuneration and expenses for his services as the Resident Commissioners may determine.

Adjournment
of poll etc.

19. (1) Where the electoral proceedings at any polling station are interrupted or obstructed by any disorder or other circumstances which in the opinion of the presiding officer and at least one polling clerk makes it temporarily impossible to continue the taking of the poll, the presiding officer may suspend the proceedings until the re-establishment of normal conditions. He shall then re-open the proceedings until the time of the closing of the poll. The reasons for such suspension of the proceedings shall be recorded in the report of the returning officer under section 33.

(2) Where the electoral proceedings in any registration area are interrupted or obstructed by any circumstances beyond the control of the presiding officer of the nature of public disaster or emergency, which in his opinion make it impossible to hold the taking of the poll, he may adjourn the proceedings and inform the District Agents thereof. The District Agents shall report such adjournment to the Resident Commissioners.

(3) Where the electoral proceedings are adjourned under the provisions of subsection (2), the taking of the poll shall be deemed to be annulled with respect to each polling station concerned. New polling shall be held on a day and during the hours to be fixed by joint decision of the Resident Commissioners.

(4) If in the opinion of the presiding officer and at least one polling clerk within one hour before the time fixed for the close of polling, there are more electors waiting at the polling station than can reasonably be expected to be able to vote before the said time, the presiding officer may in his discretion and with the consent of the District Agents, if the same can be practicably obtained, extend the polling period by a period not exceeding one hour. Any such extension of the polling period shall be recorded in the report of the returning officer made under section 33.

(5) The presiding officer may close the polling station before the time fixed for the close of polling if all persons listed on the electoral roll concerned have cast their vote.

Equipment of
polling
places.

20. (1) Each presiding officer shall be provided with an empty ballot box locked with two padlocks having dissimilar keys for locking the lid of the box together with such sufficient number of ballot papers and envelopes as in the opinion of the District Agents or their representatives may be necessary.

(2) Every ballot box shall be so constructed that the ballot papers can be put therein but cannot be withdrawn therefrom without the box being unlocked.

(3) Each polling station shall be provided with -

(a) such number of polling booths as may be necessary in which voters may place a ballot paper in an envelope free from observation; and

(b) a copy of the electoral roll for the constituency and of the electoral laws.

(4) A notice giving directions in English, French and Pidgin for the guidance of voters in voting shall be printed in clearly legible characters and exhibited in a conspicuous place outside and inside every polling station and in every polling booth therein.

(5) Before issuing any ballot paper or papers to an intending voter, the presiding officer shall draw the attention of such voter to the notice referred to in subsection (4) and shall ensure that he or she understands the same; if necessary or if requested by the voter, the presiding officer shall orally explain the contents of the notice in clear, simple terms.

Admission to
polling
station.

21. The presiding officer shall not permit the number of persons who are in the polling station at the same time for the purpose of voting to exceed five persons preparing to vote, voting or having voted, and shall exclude all other persons except -

(a) the appointed polling clerks;

(b) the Resident Commissioners, the District Agents and the Assistant District Agents;

(c) any police officer or constable on duty, when requested to enter by the presiding officer;

(d) any candidate or representative of a candidate appointed in accordance with section 7;

(e) the companion of a disabled voter;

(f) press representatives duly authorised by one or other of the Resident Commissioners.

Inspection
and closure
of ballot
boxes.

22. Immediately before the commencement of the poll, the presiding officer shall, in the presence of all persons who are lawfully in the polling station, unlock the ballot box and show the same to

be empty. He shall then lock the lid of the box and keep it so locked throughout the whole period of voting. He shall retain the keys of one padlock and hand the keys of the other to a polling clerk.

Method of voting.

23. (1) Each elector may vote for one candidate only, whatever the number of seats to be filled in the constituency concerned, by placing one ballot paper in the envelope provided.

(2) The envelopes shall be of a uniform type, opaque, ungummed and officially printed or marked in a manner approved by the Resident Commissioners.

Voting procedures.

24. (1) Upon entering the polling station and after having established his identity and qualification to vote, each elector shall, in the following order -

- (i) take one ballot paper for each candidate for election and one envelope;
- (ii) without leaving the polling station go into the polling booth in order to record his vote;
- (iii) record his vote by placing the ballot paper bearing the name and symbol of the one candidate of his preference inside the envelope;
- (iv) leave all other ballot papers within the polling booth;
- (v) present himself to the presiding officer of the polling station who shall without touching it verify that he tenders only one envelope;
- (vi) place the envelope in the ballot box;

(2) After each elector has voted, a polling clerk shall place his signature or initials opposite the name of the elector in the margin of the electoral roll and rule out his or her name, which shall indicate that such registered elector has voted in that election at that polling station. He shall also endorse on the electoral card of the elector the date of the election in the place provided thereon for such purpose and shall return the card to him.

Spoiled
ballot
papers.

25. A voter who has inadvertently dealt with any ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it to the presiding officer and proving to his satisfaction the fact of the misadventure, obtain another ballot paper in place of the ballot paper so returned.

Challenge
and
arrest of
voter.

26. (1) If at the time a person applies for a ballot paper for the purpose of voting, or after he has applied for a ballot paper for that purpose and before he has left the polling station, a candidate, representative of a candidate, or polling clerk declares to the presiding officer that he has reasonable cause to believe that that person has committed an offence of personation and undertakes to substantiate the charge in a court of law, the presiding officer may order a police officer or constable to arrest that person and the order of the presiding officer shall be sufficient authority for the police officer or constable so to do.

(2) The person against whom a declaration is made under this section shall not be allowed to vote.

(3) A person arrested under the provisions of this section shall be taken as soon as practicable, in the case of a non-New Hebridean, before the District Agent of the nationality of the person arrested, or, in the case of a New Hebridean, before the District Agent of the Power controlling the division of the Police Force to which the police officer belongs. The District Agent will immediately set in train the official procedure prescribed by the Rules of Procedure for the Courts of First Instance made by the Joint Court on 29th April, 1927.

Voting by
disabled
persons.

27. Any person suffering from a physical disability which is obvious or is verified by a medical certificate and who is thereby incapable of voting by his own means may request from the presiding officer permission to be accompanied into the polling booth by another person of his choice. The granting of such permission shall be recorded in the report of the returning officer under section 33.

Keeping of
order in
polling
station.

28. (1) It shall be the duty of the presiding officer to keep order at his polling station.

(2) If any person misconducts himself in a polling station or fails to obey the lawful orders of the presiding officer, he may if necessary, by order of the presiding officer, be immediately

removed from the polling place by a police officer or constable and the person so removed shall not, without the permission of the presiding officer, again enter the polling place during the polling day:

Provided that the powers conferred by this rule shall not be exercised so as to prevent any person who is otherwise entitled to vote at a polling station from having an opportunity of voting at that polling station.

Procedure for counting votes.

29. (1) The public shall be admitted to the count of votes so long as the presiding officer considers that their admission will not hinder or obstruct the count.

(2) The District Agents, shall appoint a suitably qualified person to be returning officer at each polling station. A presiding officer appointed under section 4 may be appointed returning officer and every District Agent and Assistant District Agent shall be ex officio a returning officer.

(3) Whether polling in the territory takes place on the same day or on different days the ballot papers at each polling station shall be counted immediately polling has closed in the following manner under the supervision of the returning officer -

(a) the ballot box shall be unlocked and opened and the number of envelopes counted by the presiding officer and polling clerk in the manner prescribed in paragraph (b). If the number is more or less than the number of marginal signatures or initials recorded in accordance with subsection (2) of section 24, the discrepancy shall be stated in the report made under section 33;

(b) the presiding officer shall take the ballot paper from each envelope, unfold it and read it aloud;

(c) as each vote is read out, two polling clerks shall record the number of votes cast for each candidate on two tally sheets kept for the purpose.

(4) Notwithstanding the provisions of subsections (2) and (3) or any other provision of this Regulation, when polling in any urban constituency takes place on a day other than the last day of polling in the territory in any elections, the votes shall not be counted at

the polling station at the close of polling. The ballot box at each polling station shall instead of being opened be kept closed, the slit for envelopes shall be closed and, where possible, padlocked and the slit and the lid of the ballot box shall be sealed in such a manner that they cannot be opened without breaking the seals. Every ballot box sealed as aforesaid shall be immediately conveyed by the returning officer in a safe manner, together with both copies of his report under section 33 as far as he has been able to complete it, to either one of two banks carrying on business in such urban area appointed jointly for the purpose by the Resident Commissioners. The padlock keys of every such ballot box shall be delivered to the other of the two said banks, for retention in safe custody.

(5) All ballot boxes, reports and keys conveyed to a bank in accordance with the provisions of subsection (4), shall be retained in safe custody by such bank until after the close of all polling in the territory and no person shall be allowed access thereto until the joint directions of the Resident Commissioners to that effect are received by the manager of such bank.

(6) The Co-Chairmen of the Electoral Committee for the urban area concerned shall on the directions of the Resident Commissioners recover the ballot boxes, reports and keys held by the banks in accordance with the provisions of subsections (4) and (5) and convey them in a safe manner to such place and at such date and time as the Resident Commissioners may appoint. At such time and place, each such ballot box shall be opened by the presiding officer or returning officer for the polling station concerned and the votes therein shall be counted and dealt with in all respects in accordance with the provisions of this Regulation as though the counting procedure were taking place in the polling station at the close of polling. The counting procedure shall take place under the general supervision of the members of the Electoral Committee and at the completion thereof the presiding officer or returning officer for each polling station shall complete the official report upon polling under the provisions of section 33, which shall thereupon be countersigned by at least one Co-Chairman and one member of the Electoral Committee. The Electoral Committee shall then determine the overall results of polling in the constituency in accordance with the provisions of subsection (3) of section 31.

(7) At the close of counting the votes in accordance with the foregoing provisions of this section and upon the completion of the official report on the polling under the provisions of section 33, the votes validly cast shall in the view of all persons lawfully present be destroyed in the manner directed by the presiding officer or, in his absence, by the returning officer, or by the Co-Chairmen of the Electoral Committee, as the case may be.

Void ballot papers.

30. (1) The following shall be considered as void ballot papers -

- (i) any ballot paper revealing the name of the elector;
- (ii) any ballot paper without an envelope or in a non-official envelope;
- (iii) any ballot paper bearing marks enabling identification of the elector;
- (iv) any ballot paper bearing insulting or any remarks about a candidate or any other person;
- (v) any ballot paper in envelopes containing more than one ballot paper.

(2) All void ballot papers and envelopes shall be attached to the report, and signed by the presiding officer, the polling clerks and the returning officer.

Determination of poll.

31. (1) The number of candidates in each constituency equal to the number of candidates required to be elected in such constituency who have obtained the highest number of votes shall be declared to have been elected. If two or more candidates obtain an equal number of votes permitting them to be elected, the older or oldest shall be declared elected.

(2) When polling in the territory has taken place on different days, the results of the polling at each polling station shall not be published at the close of counting. The report of the returning officer under section 33, together with the void ballot papers, envelopes and other documents required under the provisions of this Part to be attached thereto, shall be enclosed in a sealed envelope or package and conveyed by

safe means by the presiding officer, or in his absence, by the returning officer to the Co-Chairmen of the appropriate Electoral Committee as soon as may be practicable.

The second copy of the report shall be similarly enclosed in a sealed envelope or package and conveyed by safe means by a polling clerk selected by the presiding officer to the Co-Chairmen of the Electoral Committee as soon as may be practicable.

(3) The Co-Chairmen shall, after the date fixed by the Resident Commissioners for the close of polling for the whole territory determine the overall results of polling for each constituency and notify the same to the Resident Commissioners for publication.

Publication
of results.

32. The Resident Commissioners shall as soon as practicable after the notification of the results of the polling by the Co-Chairmen of all Electoral Committees cause the same to be published locally in such manner as to them may seem appropriate and by official notification in the Condominium Gazette.

Report on
polling.

33. (1) An official report on the polling shall be made in duplicate in either English or French by the returning officer of each polling station and submitted to the Co-Chairmen of the Electoral Committee concerned. If the returning officer is neither a presiding officer nor a polling clerk he or she shall not be admitted to the polling station until the start of the count.

(2) The said report shall indicate the number of registered electors, the number of persons who have voted, the number of void ballot papers, the number of valid votes, the number of valid votes obtained by each candidate and all other information required by this Regulation. The report shall be signed by the returning officer, the presiding officer and the polling clerks. It shall be countersigned by any candidates or their representatives who are present.

Each copy of the reports shall be signed and countersigned as aforesaid and any documents or papers required by any provision of this Regulation to be attached to the report shall be attached to the original copy of the report in the custody of the President or in his absence the returning officer under the provisions of subsection (2) of section 31.

Offences in connection with nomination and voting without right.

34. (1) Any person who -
- (a) votes at an election in any polling station knowing that he is not entitled or has ceased to be entitled to vote at that place; or
 - (b) votes more than once in the same election; or
 - (c) except where casting a vote by proxy votes at an election as some other person (whether that other person is living or dead or is a fictitious person); or
 - (d) declares himself as a candidate at an election, knowing that he is not duly qualified therefor in accordance with the provisions of this Regulation; or
 - (e) falsely, and with the intention of preventing any person from casting his vote, declares to the presiding officer that such other person has committed the offence of personation

shall be guilty of an offence punishable upon conviction by a fine not exceeding 20,000 FNH or the equivalent thereof in Australian dollars at the official rate of exchange or by imprisonment for a term not exceeding six months or by both such fine and imprisonment.

(2) For the purposes of subsection (1), a person who has applied for a ballot paper for the purposes of voting in person shall be deemed to have voted.

Bribery etc. at election

35. Any person who shall, directly or indirectly, by means of any gift or favour of money or valuable consideration, by any promise or favour of public or private employment or any other particular advantage, made with a view to influencing the vote of any elector or electors, obtain or attempt to obtain his vote or their votes, or who shall watch him or them voting or attempt to persuade him or them to abstain from voting shall be guilty of an offence punishable on conviction by a fine not exceeding 20,000 FNH or the equivalent thereof in Australian dollars at the official rate of exchange or by imprisonment for a term not exceeding six months or by both such fine and imprisonment.

Undue influence.

36. Every person who shall directly or indirectly by himself or by any other person on his behalf, make use of, or threaten to make use of, any force, violence or restraint, or inflict or threaten the infliction by himself or by or through any other person, of any injury, damage, harm, or loss, or in

any other manner practise intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting, or by reason of such person having voted or refrained from voting, at any election, or who shall by abduction, duress, or any fraudulent device or contrivance impeded, prevent or otherwise interfere with the free exercise of the right to vote of any person or shall thereby compel or induce any person either to give or to refrain from giving his vote at any election, shall be guilty of an offence punishable upon conviction by a fine not exceeding 20,000 FNH or the equivalent thereof in Australian dollars at the official rate of exchange or by imprisonment for a term not exceeding six months or by both such fine and imprisonment.

Disordely
conduct at
election.

37. (1) Any person who at any election behaves in a violent, offensive, disordely or insulting manner shall be guilty of an offence punishable upon conviction by a fine not exceeding 20,000 FNH or the equivalent thereof in Australian dollars at the official rate of exchange or by imprisonment for a term not exceeding six months or by both such fine and imprisonment.

(2) Any person who, in the circumstances to which this subsection applies -

- a) makes any speech, address or harangue, which is calculated or intended to persuade or induce any person to vote or refrain from voting, or to vote or refrain from voting for any candidate;
- b) broadcasts any such speech, address or harangue,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding 20,000 FNH or the equivalent thereof in Australian dollars at the official rate of exchange or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

(3) The circumstances to which subsection (2) above applies are the period during which polling is being conducted in any constituency and, in the case of a broadcast, making the same so as to be heard during polling in the constituency.

Offences
relating to
ballot papers
and secrecy
of ballot.

38. Any person who at an election -

- a) interferes with a voter when recording his vote or otherwise misconducts himself in a polling place ; or

DECLARATION OF CANDIDATURE

TO THE DISTRICT AGENTS AT (district)

I (full name)

of (normal place, of residence)

being aged twenty-five years or more,
registered on the electoral roll for

.....(registration area in constituency
concerned) or being entitled to be registered on the
electoral roll for

(1)

(registration area in constituency concerned) within the
time prescribed by law

and being normally resident in the New Hebrides

DO HEREBY DECLARE myself as a candidate for election
to the Representative Assembly for
(constituency).

DATED at this day of 19 .

.....

(Signature of candidate)

(b) obtains or attempts to obtain in a polling place, information as to the candidates for whom any voter is about to vote or has voted; or

(c) communicates at any time to any person any information obtained in a polling place as to the candidate for whom any voter is about to vote or has voted; or

(d) publishes before the date fixed by the Resident Commissioners for the close of polling for the whole territory to any unauthorised person the result of polling at any polling station; or

(e) directly or indirectly induces any voter to display his ballot paper, or the ballot paper or papers discarded by him, so as to make known the name of any candidate for whom he has voted; or

(f) forges or fraudulently defaces or destroys or counterfeits any ballot paper; or

(g) without authority supplies any ballot paper to any person; or

(h) fraudulently puts into any ballot box any paper other than a ballot paper which he is authorised by law to put in; or

(i) fraudulently takes out of any polling place any ballot paper; or

(j) without due authority takes, destroys, opens or otherwise interferes with any ballot box or ballot paper then in use for the purposes of an election,

shall be guilty of an offence punishable upon conviction by a fine not exceeding 20,000 FNH or the equivalent thereof in Australian dollars at the official rate of exchange or by imprisonment for a term not exceeding six months or by both such fine and imprisonment.

Short title
and
commencement.

39. This Regulation may be cited as the Representative Assembly (Elections) Regulation 1977 and shall come into operation on the 28th September 1977.

MADE at Vila this 28th day of September 1977.

The Resident Commissioner
for the French Republic

R. GAUGER

Her Britannic Majesty's
Resident Commissioner

J.S. CHAMPION

ENDORSEMENT OF CANDIDATE (2)

	<u>Name</u>	<u>Address</u>	<u>Occupation</u>
1.
2.
3.
4.
5.

- (1) Delete where inapplicable.
- (2) To be signed by persons not related to candidate and who are registered as electors in the constituency concerned.
- (3) This form shall be presented to a District Agent.

RECEIPT

Received from Mr/Mrs/Miss
thisday of19 a
declaration of candidature for the election of members
of the Representative Assembly to be held during the
month of 19

Signed

British/French District Agent
for District.