

ANTIGUA AND BARBUDA



THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2008

No. 11 of 2008

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The Representation of the People (Amendment) Act, 2008.

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ARRANGEMENT

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[L.S.]

I Assent,

Louise Lake-Tack
Governor-General.

31st December, 2008.

ANTIGUA AND BARBUDA

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2008

No. 11 of 2008

AN ACT to amend the Representation of the People Act Cap .379 and for incidental and connected purposes.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Representation of the People (Amendment) Act, 2008.

2. Interpretation

In this Act “the principal Act” means the Representation of the People Act, Cap. 379.

3. Amendment of section 6-Functions and duties of the Commission

Section 6 of the principal Act is amended by adding at the end the following subsection—

“(7)Where the Commission is authorised by this Act or by regulations made under this Act to charge a fee for a prescribed service or to make a charge for supplying a document or any other thing, the Commission may specify such fee or charge by Order which shall be published in the Gazette before coming into force.”

4. Amendment of section 15-Persons entitled to vote

Section 15(5) of the principal Act is amended by deleting the words “to a fine not exceeding five thousand dollars” and substituting the words “on indictment to a fine not exceeding fifty thousand dollars or to a term of imprisonment not exceeding five years or both”.

5. Amendment of section 21-Registers of electors

Section 21 of the principal Act is amended—

- (a) in subsection (2) by inserting after “occupation” the words “(if any)”; and
- (b) by adding at the end the following subsection—

“(7) The absence or the incorrectness of an occupation ascribed to a person in the Register of Electors prepared under subsection (1) shall not invalidate a person’s registration.”

6. Amendment of section 39-Other offences and penalties

Section 39 of the principal Act is amended—

- (a) in subsection (1) by inserting the word “or” at the end of paragraph (c) and by adding after paragraph (c) the following paragraph—
 - “(d) supplies false information in an application for registration under section 18,”; and
- (b) by adding after subsection (1) the following subsection—

“(1a) A person who fraudulently registers more than once as an elector commits an offence and shall be liable on summary conviction to a fine of ten thousand dollars or to imprisonment for a term of twelve months.”

7. Amendment of section 72-Prosecutions for corrupt practices

Section 72(2) of the principal Act is amended by deleting the words “three thousand dollars” and substituting the words “twenty thousand dollars”.

8. Amendment of regulation 10-Duties of scrutineer

Regulation 10 of the Registration Regulations set out in the Second Schedule to the principal Act is amended in subregulation (1) by deleting all words after the word “monitor” and substituting the words “the registration proceedings and may examine the documents presented for registration.”.

9. Amendment of regulation 21—Appeals to Commission

Regulation 21 of the Registration Regulations set out in the Second Schedule to the principal Act is amended by revoking subregulation (4) and substituting the following subregulation—

“(4) In an appeal before the Commission—

- (a) the appellant shall appear in person before the Commission and may be accompanied by Counsel or any other person who may address the Commission on the appellant’s behalf;
- (b) the respondent shall appear in person before the Commission and may be accompanied by Counsel or any other person who may address the Commission on the respondent’s behalf;
- (c) where the appellant fails to appear, the appeal may be dismissed;
- (d) where the respondent fails to appear, the appeal may proceed in their absence.”

Passed the House of Representatives on the 28th day of August, 2008.

Passed the Senate on the 29th day of October, 2008.

D. Gisele Isaac-Arrindell,
Speaker.

McKenzie Frank,
President.

T. Thomas,
Acting Clerk to the House of Representatives.

T. Thomas,
Acting Clerk to the Senate.