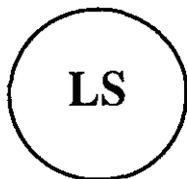


COMMONWEALTH OF DOMINICA

ACT No. 8 of 1994

I assent

C.A. SORHAINDO
President.

16th September, 1994.

AN ACT TO AMEND THE CARIB RESERVE ACT,
CHAP. 25:90.

(Gazetted 22nd September, 1994.)

BE IT ENACTED by the Parliament of the Commonwealth of
Dominica as follows:

1. This Act may be cited as the –

Short title.

CARIB RESERVE (AMENDMENT) ACT 1994.

2. In this Act the Carib Reserve Act is referred to as “the Act”.

Interpretation
Ch. 25:90.

Amendment of
section 53 of the
Act.

3. Section 53 of the Act is amended by deleting the words "Presiding Officer" and replacing them with the words "Returning Officer" in subsections (1), (4), (5), (6) and (7).

Amendment of
section 54 of the
Act.

4. Section 54 of the Act is amended by deleting the words "Presiding Officer" and replacing them with the words "Returning Officer" in subsections (1) and (2).

Amendment of
section 56 of the
Act.

5. Section 56 of the Act is amended by deleting the words "Presiding Officer" and replacing them with the words "Chief Elections Officer".

Repeal and
replacement of
section 57 of the
Act.

6. Section 57 of the Act is repealed and replaced as follows:

"Contested
election
adjournment to
take poll.

57. The Chief Elections Officer shall give notice of the –

- (a) date, place and time of the taking of the poll;
- (b) names of the candidates nominated for election; and
- (c) the date, place and time when the number of votes given to the several candidates will be finally counted,

by publication thereof in the *Cazette*, in at least one local newspaper, on national radio, in the offices of the Council and on prominent places designated by the Chief Elections Officer."

Amendment of
section 58 of the
Act.

7. Section 58 of the Act is amended by –

- (a) deleting subsection (1) and replacing it with the following:

“(1) The ballot of each vote shall consist of a paper in this Act called a ballot paper showing the names, descriptions and addresses of the candidates, arranged alphabetically in the order of their surnames and shall –

(a) have attached a counterfoil with a number printed on the face, and

(b) be capable of being folded up.”;

(b) deleting the following punctuation mark and words which appear in subsection (2):

“, and the number on the back of the ballot paper”; and

(c) deleting the words “Presiding Officer” and replacing them with the words “Chief Elections Officer” in subsection (3)(b) and (c).

8. Section 60 of the Act is amended by deleting the following words: Amendment of section 60 of the Act.

“but without showing the particular ballot paper which he has received.”.

9. Section 62 of the Act is amended by deleting the following punctuation marks and words from subsection (2) – Amendment of section 62 of the Act.

“, or on which anything except the said number on the back is written or marked by which the elector can be identified,”.

10. Section 65 of the Act is amended by deleting the following punctuation mark and words from subsection (3) – Amendment of section 65 of the Act.

“, and shall take all proper precautions for preventing any person from seeing the numbers on such papers.”.

Amendment of
section 68 of the
Act.

11. Section 68 of the Act is amended by –

- (a) repealing subsection (3) and replacing it with the following:

“(3) After all the ballot boxes have been received they shall be opened –

- (a) at the place, date and time specified in the Notice referred to in section 57 for the final count of the votes; and
- (b) in the presence of the candidates or their representatives as are present,

by the Returning Officer who shall –

- (a) count the votes contained therein cast for each candidate (allowing the candidates and their representatives to see the votes) and determine whether any of the votes so cast shall be rejected;
- (b) count the votes rejected by the Presiding Officer (allowing the candidates and their representatives to see the votes) and determine whether any of the votes should be regarded as having been validly cast for any, and if so for which candidate;
- (c) add up the total number of votes (including any votes rejected by the Presiding Officer but which he thinks should not have been so rejected) cast for each candidate;
- (d) make or sign any necessary amendments to the statement of the poll.”; and
- (b) deleting the words “Presiding Officer” and replacing them with the words “Returning Officer” in subsection (6).

12. Section 69 of the Act is amended by deleting the words "Presiding Officer" and replacing them with the words "Returning Officer" in subsections (1) and (2). Amendment of section 69 of the Act.

Passed in the House of Assembly this 24th day of August, 1994.

M. ALBERTHA JNO. BAPTISTE
Clerk of the House of Assembly.

DOMINICA

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