



BERMUDA

PARLIAMENTARY ELECTION RULES 1979

BR 30 / 1980

[made under section 76 of the Parliamentary Election Act 1978 and brought into operation on 3 January 1980]

Citation

1 These Rules may be cited as the Parliamentary Election Rules 1979.

Forms

2 The forms in the First Schedule shall be used in connection with the provisions of the Act referred to in each form.

Fees

3 (1) The fees set out in the Second Schedule shall be paid to—
(a) persons who discharge duties in connection with a parliamentary election;
and
(b) registration officers and scrutineers who discharge duties under the Act.

(2) The fees chargeable for the sale of copies of the parliamentary register under section 8(5) of the Parliamentary Election Act 1978 shall be 30 cents a page or \$250 for a bound volume of the register.

[Rule 3 para (2) inserted by BR 31/1999 reg 2 effective 14 May 1999; Rule 3 para (1) amended by 2012 : 17 s.13 effective 4 May 2012]

Document of identity of intending voters

4 For the purpose of section 49(1)(v) of the Parliamentary Election Act 1978 (identification of intending voters) the following document is hereby prescribed as a document of identity, that is to say, a document—

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- (a) issued to an employee of a company incorporated under the laws of Bermuda;
- (b) specifying the date of such issue; and
- (c) bearing the full name, the date of birth, a photograph and the signature, of the holder.

[Rule 4 inserted by BR 45/2003 effective 20 June 2003]

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FIRST SCHEDULE

FORM 1

Application for Registration

(Section 10 (1))

I,.....(*state your full name*) of(*state your residential address including postcode and land valuation assessment number*) hereby apply to be registered in the parliamentary register of the.....constituency (*state the name of the constituency in which you live*), and I declare that—

- (a) I was born in(*state place of your birth*) on theday of(*state date of your birth*).
- (b) I am a Commonwealth citizen.
- (c) I possess Bermudian status, and I was granted Bermudian status on theday of.....(*state date of grant*) (*delete this paragraph if you do not possess Bermudian status*).
- (d) I do not possess Bermudian status but I was registered as an elector on 1 May 1976 (*delete this paragraph if you possess Bermudian status*).
- (e) I am not registered in the parliamentary register of any other constituency.
- (f) I have not applied to be registered as an elector in any other constituency.
- (g) I am not disqualified for registration as an elector.

NOTE: A person is disqualified for registration if—

- (i) *he has ceased to be a Commonwealth citizen; or*
- (ii) *he has ceased to be ordinarily resident in Bermuda; or*
- (iii) *he is registered in the parliamentary register of another constituency; or*
- (iv) *he is disqualified from voting at a parliamentary election under section 71 of the Parliamentary Election Act 1978; or*
- (v) *he is in prison or detained in a senior training school or having been sentenced to a term of imprisonment, preventive detention or corrective training the adjudged term of his sentence has not yet expired, whether or not he is at large on licence, unless he has been granted a free pardon or has been granted remission under section 10 of the Prisons Act 1979; or*
- (vi) *he is a person suffering from mental disorder within the meaning of the Mental Health Act 1968 or is adjudged to be of unsound mind under any statutory provision.*

Signature of applicant:

Date:

Registered by:

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Date:

WARNING: A person who knowingly makes a statement which is false in a material particular or submits any document in support of the application which is false in a material particular or which has been altered without lawful authority is guilty of an offence and liable to 12 months imprisonment or a fine of \$500 or both.

Note: This form may be completed in person by the applicant at the offices of the Parliamentary Registrar, or may be delivered to the offices of the Parliamentary Registrar.

[Form 1 substituted by BR 31/1999 reg 3(a) effective 14 May 1999; Form 1 amended by 2012 : 17 s. 13 effective 4 May 2012]

FORM 1A

Application for registration made on behalf of elector by a member of his household

(Section 10(2))

I,..... (state your full name) of. (state your residential address including postcode and land valuation assessment number) being a member of the household of (state full name of person in respect of whom the application is being made ("the applicant") whose residential address is (state residential address of applicant, including postcode and land valuation assessment number) hereby apply for his/her registration in the parliamentary register of theconstituency (state the name of the constituency in which he/she lives), and I declare that I have the consent and authority of the applicant to make this application on his/her behalf, and I further declare that the applicant—

- (a) was born in(state place of birth) on theday of(state date of birth);
- (b) is a Commonwealth citizen;
- (c) possesses Bermudian status, and was granted Bermudian status on the.....day of..... (state date of grant) (delete this paragraph if applicant does not possess Bermudian status);
- (d) does not possess Bermudian status but was registered as an elector on 1 May 1976 (delete this paragraph if applicant possesses Bermudian status);
- (e) is not registered in the parliamentary register of any other constituency;
- (f) has not applied to be registered as an elector in any other constituency;
- (g) is not disqualified for registration as an elector.

NOTE: A person is disqualified for registration if—

- (i) he has ceased to be a Commonwealth citizen; or*
- (ii) he has ceased to be ordinarily resident in Bermuda; or*
- (iii) he is registered in the parliamentary register of another constituency; or*

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- (iv) *he is disqualified from voting at a parliamentary election under section 71 of the Parliamentary Election Act 1978; or*
- (v) *he is in prison or detained in a senior training school or having been sentenced to a term of imprisonment, preventive detention or corrective training the adjudged term of his sentence has not yet expired, whether or not he is at large on licence, unless he has been granted a free pardon or has been granted remission under section 10 of the Prisons Act 1979; or*
- (vi) *he is a person suffering from mental disorder within the meaning of the Mental Health Act 1968 or is adjudged to be of unsound mind under any statutory provision.*

Signature of member of applicant's household:

Date:

Registered by:

Date:

WARNING: A person who knowingly makes a statement which is false in a material particular or submits any document in support of the application which is false in a material particular or which has been altered without lawful authority is guilty of an offence and liable to 12 months imprisonment or a fine of \$500 or both.

Notes: (1) A member of an applicant's household who applies for registration on behalf of such applicant must ensure the accuracy of the information provided on this form.

(2) This form may be completed in person at the offices of the Parliamentary Registrar, or may be delivered to the offices of the Parliamentary Registrar.

[Form 1A inserted by BR 31/1999 reg 3(b) effective 14 May 1999; Form 1A amended by 2012 : 17 s. 13 effective 4 May 2012]

FORM 2

Notification of change of registered particulars

(Section 10A and 10C)

I,(state your full name) of (state your residential address including postcode and land valuation assessment number) currently registered in the parliamentary register of theconstituency (state the name of the constituency) hereby notify the Parliamentary Registrar—

(a) that I have changed my name from(state your former name) to(state your current

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name), and I attach the following document certifying the change of name:(state type of document);

(b) that I have changed my address from (state your former residential address including postcode and land valuation assessment number) and that I now reside at (state your current residential address including postcode and land valuation assessment number);

(c) that I wish to have my name removed from the parliamentary register for the constituency where I was previously registered namely, (state name of former constituency) and transferred to(state the name of the constituency where you now reside and where you wish to be registered).

Note: please delete the paragraphs that do not apply to you.

Signature of applicant

Date:

Registered by:

Date:

WARNING: Section 145 of the Criminal Code makes it a criminal offence for a person to give any public officer information which that person does not believe to be true intending thereby to cause, or knowing it to be likely to cause, any public officer to do or omit to do anything which such public officer would not otherwise do or omit to do

Note: This form may be completed in person at the offices of the Parliamentary Registrar, or may be delivered to the offices of the Parliamentary Registrar.

[Form 2 substituted by BR 31/1999 reg 3(c) effective 14 May 1999; Form 2 amended by 2012 : 17 s. 13 effective 4 May 2012]

FORM 3 BERMUDA VOTER'S IDENTIFICATION CARD (SECTION 25(5))

Photo
Parliamentary Registrar

Name
Date of birth

Date of issue

Date of expiry

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Signature

[Form 3 amended by BR 31/1999 reg 3(d) effective 14 May 1999]

FORM 4 NOMINATION PAPER

(Section 32 (2))

We the undersigned (full name of proposer) of (residential address) and (full name of seconder) of (residential address), being parliamentary electors of the [blank] constituency, do hereby, as proposer and seconder respectively, nominate the following person as a proper person to serve as member for the said constituency in the House of Assembly and certify that he is not nominated for any other constituency and neither of us has nominated any other candidate at this parliamentary election.

Surname	Other Names	Residential Address	Profession or Occupation
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(Signed)
Proposer

Secunder

Dated this [blank] day of [blank] 19 [blank]

I accept candidature for the forthcoming parliamentary election in the above constituency and no other. *I wish it to be shown in all the election documents that I am standing for election on behalf of the [blank] Party, and I attach a letter from/on behalf of the chairman of that Party showing that my candidature is endorsed by that Party.

*(Delete if not appropriate)

Signed
Prospective Candidate.

Dated this [blank] day of [blank] 19 [blank]

N.B. Attention is drawn to the provisions of the Legislature (Qualification and Disqualification) Act 1968, which require an undertaking to be given by persons holding or acting in a "prescribed office" within the meaning of that Act as a condition of standing for election.

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FORM 5 BALLOT PAPER (SECTION 46)

Jane Doe	*	**	
John Doe	*	**	
Bob Smith	*	**	

* photograph of candidate

** political party of candidate if he is a party candidate, otherwise print "Independent".

Instructions to Voters

1. Place an X in the blank column to the right of the photograph of the CANDIDATE you wish to be elected.
2. Do not vote for more than ONE candidate.
3. Make no other mark on the ballot paper.
4. Fold the paper through the centre, so that your vote cannot be seen.

[Form 5 amended by BR 45/2003 effective 20 June 2003; and substituted by BR71/2007 effective 1 August 2007]

FORM 6 DECLARATION OF INTENDING VOTER

(Section 50)

I, (full name) of (address) do solemnly declare that—

- (1) I am registered in the parliamentary register of the [blank] constituency.
- (2) I have read (or have had read to me) and understand the provisions relating to the qualifications and disqualifications of parliamentary electors set out below.
- (3) I am entitled to vote at this parliamentary election in this constituency.

Dated this [blank] day of [blank] 19 [blank]

Signed and declared by the above named (full name) in the presence of [blank]

(Signature of declarant)

Returning Officer

*Provisions related to Qualifications and
Disqualifications of Electors*

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1 Subject to the provisions of paragraph 2 below, a person shall be entitled to vote at a parliamentary election in a constituency if on the polling day he is registered in the parliamentary register for that constituency.

2 A person shall not be entitled to vote at a parliamentary election In any constituency if—

- (a) he has ceased to be a Commonwealth citizen; or
- (b) he has ceased to be ordinarily resident in Bermuda; or
- (c) he is registered in the parliamentary register of another constituency; or
- (d) he is disqualified from voting at a parliamentary election under section 71 of the Parliamentary Election Act 1978; or
- (e) he is in prison or detained in a senior training school or, he having been sentenced to a term of imprisonment, preventive detention or corrective training, the adjudged term of his sentence has not yet expired whether or not he is then at large on licence, unless he has been granted a free pardon or has been granted remission under section 10 of the Prisons Act 1979; or
- (f) he is a person suffering from mental disorder within the meaning of the Mental Health Act 1968 or is otherwise adjudged to be of unsound mind under any statutory provision.

FORM 7

(Section 52)

Oath to be taken by an elector who is blind, unable to read or so physically incapacitated as to be unable to vote in the manner prescribed by section 51

I do swear/I do solemnly and sincerely affirm and declare that I am incapable of voting without assistance by reason of being blind/ unable to read/so physically incapacitated as to be unable to vote in manner prescribed by section 51¹.

Sworn before me [blank]

Returning Officer for the [blank] Constituency.

Date [blank]

[First Schedule amended by 2012 : 17 s. 13 effective 4 May 2012]

1 The voter should only be required to repeat the incapacity from which he is suffering.

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SECOND SCHEDULE

(Rule 3(1))

The following persons shall be paid the specified fees for discharging the following duties under the Act—

Scrutineers:	\$15 per meeting
Registration Officers:	\$15 per investigation of a person's registered particulars that is approved as complete by the Registrar.
Returning Officers:	\$500 a contested election.
Returning Officers:	\$150 an uncontested election.
Returning Officers:	\$500 an advanced poll. If the advanced poll is held on more than one day, \$500 in respect of each day of the advanced poll.
Returning Officers:	\$150 for nomination day.
Presiding Officers:	\$20 per hour for discharging duties on polling day, and at an advanced poll, between the hours of 7:00 in the forenoon and 8:00 in the afternoon and thereafter, when requested by the Returning Officer to assist in the counting of ballots, \$25.00 per hour. Presiding officers who are public officers shall be paid fees in respect of only the hours they discharge such duties outside of their normal working hours.
Other persons employed temporarily to assist in the election procedure:	\$10 per hour. Persons so employed who are public officers shall be paid fees in respect of only the hours they are so employed outside of their normal working hours.

[Second Schedule repealed and replaced by 2012 : 17 s. 13 effective 4 May 2012]

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[Amended by:

BR 44 / 1984

1989 : 57

BR 36 / 1994

BR 31 / 1999

2001 : 29

BR 45 / 2003

BR 71 / 2007

2012 : 17]