

NOMINATION PROCEDURE

1. Nomination day for the Bye-Election is **Thursday, September 21, 2023, between 11:00 a.m. and 1:00 p.m. at St. Patrick's Church Hall, Smith's.**
2. For the information of prospective candidates at the forthcoming election and the public generally, sections 32 and 33 of the Parliamentary Election Act 1978, and section 5 of that Act, are reproduced as below: -

Nomination of Candidates

32 (1) The Returning Officer shall attend at eleven o'clock in the forenoon on the nomination day appointed by the writ of election at the election room appointed for the parliamentary election and shall there until one o'clock in the afternoon, but no later, accept nominations of candidates in accordance with subsection (2).

- (2) The Returning Officer shall accept the nomination of a person as a candidate if, and shall not accept such nomination unless -
 - (a) the nomination of that person is written on a separate paper (hereinafter referred to as a nomination paper) in the prescribed form or is, in the opinion of the Returning Officer, substantially in that form;
 - (b) the nomination paper is signed in duplicate by two parliamentary electors whose names are included in the parliamentary register for the constituency concerned, one as proposer and one as seconded, neither of whom has proposed or seconded the nomination of another candidate at that parliamentary election;
 - (c) the intended candidate is described in the nomination paper by his full name;
 - (d) the nomination paper is delivered in duplicate to the Returning Officer either by the intended candidate or by his proposer or seconded at the place and between the hours specified in subsection (1);
 - (e) in the case of concurrent parliamentary elections in more than one constituency, the intended candidate is nominated as a candidate in no other constituency and in the case of a bye-election is not already a member of the House of Assembly or a member of the Senate.
 - (f) the intended candidate or someone on his behalf has deposited in the Consolidated Fund the sum of two hundred and fifty dollars and in proof thereof delivers or causes to be delivered to the Returning Officer an official receipt therefore signed by the Accountant General or an authorized officer of his Department, showing that such sum has been deposited for the purposes of that person's candidature at that parliamentary election; and

(g) the nomination paper is signed by the intended candidate to denote his acceptance of candidature in the constituency and no other.

(3) Where a candidate is endorsed by a political party and wishes to have the name of that party shown in the election documents relating to him, there shall be delivered to the Returning Officer along with his nomination paper a letter from or on behalf of the chairman of the party stating that the candidate is endorsed by the party, and a candidate in respect of whom the provisions of this subsection are satisfied is in this Act referred to as a “party candidate”.

(4) A candidate in respect of whom the provisions of subsection (3) are not satisfied (in this Act referred to as an “independent candidate”) shall be described in the election documents relating to him by the word “independent”.

(5) It shall not be necessary for a nomination paper to be subscribed in the presence of the Returning Officer.

(6) At the time an intended candidate’s nomination paper is lodged with the Returning Officer or at some time before the polling day, the Returning Officer shall be informed in writing of the names of the persons (hereinafter referred to as “election agents” or “agents”) who will represent him, or where he is a party candidate, the party endorsing him, in the election room in accordance with paragraph (2) of rule 4 of the Rules contained in the Schedule.

(7) The Registrar shall make arrangements to supply nomination papers in the prescribed form free of charge to parliamentary electors at his office during the period commencing with the first day on which a notice of a parliamentary election is published pursuant to section 30 and ending with the nomination day and shall furnish the Returning Officers with stocks of such forms for use at the election rooms during the nomination period; but any failure to make such arrangements shall not affect the validity of any parliamentary election and the use of the prescribed forms shall not be obligatory, so however that each nomination paper actually used is substantially in the form prescribed.

Uncontested elections

33 Where at the close of the period for the acceptance of nomination of candidates at a parliamentary election in a constituency only one person is duly nominated as a candidate for the vacancy to be filled at that election, the Returning Officer shall forthwith declare such duly nominated person to be elected and shall return his name, into the office of the Deputy Governor with the writ of election duly completed and signed by him.

Qualification for election

5 (1) A person may be elected as a member of the House of Assembly for a constituency if –

(a) he is qualified and not disqualified under sections 29 and 30 of the Constitution; and

(b) his nomination as a candidate has been duly accepted by the Returning Officer for that constituency pursuant to section 32.

(2) For the purposes of section 30(1)(e) of the Constitution a person is disqualified for membership of the House of Assembly if he is disqualified from being elected as such a member under section 71 of this Act.

Dated this 12 day of September 2023

Parliamentary Registrar