



**NATIONAL PARLIAMENT ELECTORAL
PROVISIONS (AMENDMENT) BILL 2013**

(NO. 4 OF 2013)



**NATIONAL PARLIAMENT ELECTORAL PROVISIONS
(AMENDMENT) BILL 2013**

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A

BILL

Entitled

**AN ACT TO AMEND THE NATIONAL PARLIAMENT ELECTORAL
PROVISIONS) ACT (CAP.87)**

ENACTED by the National Parliament of Solomon Islands.

ARRANGEMENT OF CLAUSES

1. Short title and commencement
2. Section 2 amended
3. Section 16 amended
4. Section 17 amended
5. Insertion of new section 17A
6. Section 18 amended
7. Section 23A amended
8. Second Schedule amended

**NATIONAL PARLIAMENT ELECTORAL PROVISIONS
(AMENDMENT) BILL 2013**

1. This Act may be cited as the National Parliament Electoral Provisions (Amendment) Act 2013 and shall come into force on such date as the Minister may appoint by Notice in the Gazette.

Short title and commencement

Cap.87

2. Section 2 of the National Parliament Electoral Provisions Act (hereinafter referred to as the “principal Act”) is amended by inserting after the definition of “Revising Officer” the following -

Section 2 amended

“Voter registration centre” means a centre set up by the Commission for the purposes of registering voters who are entitled to be registered on the List of Electors;

3. Section 16 of the “principal Act” is amended -

Section 16 amended

(a) by deleting subsection (2) and substituting the following new subsection -

“(2) The notice to be published by the Registration Officer is a notice in Form A in the Second Schedule or in accordance with a notice approved by the Commission, requiring persons who desire, and who claim to be entitled, to be registered as electors in the registration area to visit a voter registration centre in the registration area to complete Form B in the Second Schedule or a Form approved by the Commission and hand this personally to the Assistant Registration Officer for the registration area, by the end of the initial claim period. The Assistant Registration Officer may also require the elector to provide such evidence as may be necessary to establish their claim to be registered, which may include -

(a) finger prints; and

(b) photograph,

as may be determined by the Commission.”; and

(b) by inserting after subsection (3) the following new subsections as (4) and (5) respectively -

“(4) The initial claim period set under subsection (3) may be extended by the Commission for a further period nominated by it. In extending the claim period, the Commission may, if it so wishes specify the specific registration areas to which such an extension is to apply, if a nationwide extension is not considered necessary.

“(5) Notwithstanding the overall claim period specified in subsection (3), the Commission may determine the dates and times on which voter registration centres established in any of the registration areas are opened and closed within the initial claim period to receive electors wishing to complete the voter registration forms and the completion of any other formalities associated with such registration. For the purposes of clarity, a voter registration centre may be re-opened and closed more than once during the initial claim period or any extensions thereof.”

Section 17
amended

4. Subsection (1) of Section 17 of the principal Act is deleted and the following substituted -

“(1) Within the initial claim period mentioned in section 16 any person who desires, and is entitled to be registered as an elector in any ward shall visit a voter registration centre to complete Form B in the Second Schedule or a Form approved by the Commission and personally hand this to the Assistant Registration Officer at that voter registration centre and shall produce such evidence as may be necessary to establish his claim to be so registered.”

Insertion of
new section
17A

5. The principal Act is amended by inserting after section 17 the following as section 17A -

“Voter
identification

17A. (1) The Commission may, in preparing the list of electors for each ward in a registration area establish any of the following types of systems, whether on its own or in conjunction with another on the list specified herein, for purposes of better identifying persons who claim to be entitled to be on the list of electors -

- (a) manual finger printing system;
- (b) computer recorded and recognised finger printing system;

- (c) use of identification cards with photographic images for voters;
 - (d) photographic images incorporated on the lists of electors; or
 - (e) computer or other photographic or electronic system.
- (2) The Commission may require electors to give to authorised electoral officials such finger print or prints as the Commission may determine.
- (3) The Commission may also require an elector to permit an authorised electoral official to obtain photographs of the face and neck part of the elector's body as the Commission may determine.
- (4) The Commission or any of its agents or employees shall not be permitted to divulge any information, images or other details kept in the voter identification system, except for election related purposes and for the purposes of using the information for any criminal investigations or prosecutions arising out of a voter registration process or the election of members to Parliament.
- (5) The Minister may make Regulations prescribing the use and maintenance of the voter identification system.

6. Subsection (1) of section 18 of the principal Act is deleted and the following substituted -

Section 18
amended

“(1) The Commission shall in the appropriate Form C or C1 in the Second Schedule make an alphabetical list for each ward or part of the ward in the registration area of the persons whose Form B notices or notices in the Form approved by the Commission were delivered to the Commission under section 17(3). The Commission shall do so within -

- (a) fourteen days after the last day of the initial claim period specified in section 16(3) for the Form A notice or a notice approved by the Commission to which the Form B notices or a Form approved by the Commission responded; or

- (b) any alternative period nominated by the Commission for the purposes of this subsection”.

Section 23A
amended

7. Section 23A of the principal Act is amended by -

- (a) renumbering the existing section as subsection (1) thereof; and

- (b) by inserting the following subsection (2) -

“(2) The forms in the Second Schedule may be amended by a decision of the Commission as it so determines.”

Second
Schedule
amended

8. The Second Schedule of the principal Act is hereby amended by deleting Forms A, B, C and C1 and substituting the following Forms as A,B ,C and C1 respectively.

FORM A

(section 16)

National Parliament Election Provisions Act

NOTICE TO PERSONS ENTITLED TO VOTE

All persons who claim to be entitled to be registered as electors in the Registration Area and who are qualified to be and are desirous of being so registered are hereby required to personally visit a voter registration centre in the Registration Area to obtain and complete a voter registration form, sign the declaration on the form in the presence of the Assistant Registration Officer serving you and hand the form to that officer.

You may also be required to provide your finger prints to the Assistant Registration Officer as may be determined by the Electoral Commission as well as permit the Assistant Registration Officer to photograph the face and neck area of your body.

The Assistant Registration Officers and the voter registration centres in the Registration Area will be at the addresses set out below.

The completion and signing of the declaration on the registration forms and the taking of your finger prints and photographic images noted above must be done on or before theday of20.....

Name of Registration Officer

Address of Registration Officer

Names of Assistant Registration Officers and addresses of voter registration centres –

Dated this..... [day] ofmonth] 20.....

FORM B
(sections 16 and 17)

National Parliament Electoral Provisions Act

CLAIM TO BE REGISTERED AS AN ELECTOR

I, [First name/s].....
[Other name/s].....
[Family name]..... of
[residential area].....
claim to be entitled to be registered as an elector in
Province:.....
Constituency:.....
Ward:..... Village/Area:.....

My particulars are as follows:

- a) Gender: Male Female
- b) Occupation:.....
- c) Place of Birth:.....
- d) Day of BirthMonth of Birth Year of Birth.....
- e) Father’s first name(s):
- f) Father’s other names.....
Father’s family name
- g) Mother’s first name(s):
- h) Mother’s other names.....
- i) Mother’s family name
- j) [If applicable}: Phone.....Fax.....E-mail

Have you previously registered during any previous voter registration?

Yes [] – if YES, complete questions on the back of this sheet, and then continue to the declaration below

No [] - if NO continue on to the declaration below.

DECLARATON TO BE SIGNED BY APPLICANT

I am a citizen of Solomon Islands.

I am aged 18 years or more.

I have not registered in any other place during this registration period.

I have listed on the back of this form any places where I was previously registered as an elector, and I hereby authorise the Commission to delete my name from the register of voters for those places.

Under section 55 of the Constitution, I am eligible to register for the election of a member of the National Parliament for the constituency and province named above.

I consent to my finger print and photographic images taken, if necessary, for election related purposes.

I declare that all the information I have given on this form is true and complete.

Signature or Mark of Applicant:Date: /...../.....

WITNESS

Marked in the presence of: (Registration Officer/Assistant Registration Officer) (circle correct person)

Name:.....

Signature or Mark:.....

Title:.....

Complete as many sections as necessary, and then return to the declaration over the page

- A. I previously registered under the name of: in
Province:.....
Constituency:.....
Ward:..... Village/town.....
In (year if known)

B. I previously registered under the name of:
..... in
Province:.....Constituency:.....
Ward:.....Village/town:.....
In(year if known)

C. I previously registered under the name of:
..... in
Province:.....Constituency:.....
Ward:.....Village/town:.....
In (year if known)

D. I previously registered under the name of:
..... in
Province:.....Constituency:.....
Ward:.....Village/town:.....
In(year if known).....

E. I previously registered under the name of:
..... in
Province:.....Constituency:.....
Ward:.....Village/town:.....
In (year if known)

Now return to the declaration over the page

FORM C

(section 18)

National Parliament Electoral Provisions Act

**PROVISIONAL LIST OF ELECTORS FOR DISPLAY FOR CLAIMS
AND OBJECTIONS PERIOD**

ConstituencyWard

Voter Number

First Name(s)

Other Name(s)

Family Name

Gender M/F

Address

Photographic Image

[Note: This is not part of Form C. The Commission may determine the manner in which the data is formatted and presented and may delete or add headings to the list above as it considers appropriate.]

FORM C1

(Section 18)

National Parliament Electoral Provisions Act

PROVISIONAL LIST OF ELECTORS FOR USE BY REVISING OFFICER

ConstituencyWard.....

Voter number

First name (s)

Other name (s)

Family name

Gender M/F

Mother's name

Father's name

DOB

Place of Birth

Address

Remarks

Photographic image

[Note: This is not part of Form C1. The Commission may determine the manner in which the data is formatted and presented and may delete or add headings to the list above as it considers appropriate.]

**NATIONAL PARLIAMENT ELECTORAL PROVISIONS
(AMENDMENT) BILL 2013**

OBJECTS AND REASONS

The principal object of this Bill is to enable the Electoral Commission to incorporate as soon as practicable the use of biometric technology in the process of registering voters. This means the possible capturing of finger prints of voters as well as photographs of the face area in addition to obtaining the usual data such as names, addresses etc which had been captured in the past. This will significantly enhance the integrity of the List of Electors and will go a long way towards improving future parliamentary elections in the Solomon Islands.

.....

MINISTER FOR HOME AFFAIRS

EXPLANATORY NOTES

Clause 1 - provides the short title and commencement provisions.

Clause 2 - inserts the meaning of “Voter registration centre” in the interpretation section of the Act.

Clause 3 - deletes and substitutes a new section 16 which incorporates the possible use of biometric technology in establishing a voter’s identity. It also gives the Electoral Commission the discretion to extend, where necessary, the period set for the registration of voters. It also permits the Electoral Commission to determine the dates and times voter registration centres are opened and closed in a registration area within the designated voter registration period.

Clause 4 - deletes and substitutes a new section 17 which properly reflects what an eligible voter has to do to be registered on the List of Electors.

Clause 5 - a new section 17A has been inserted to deal specifically with voter identification. It enables the Commission to utilize a number of voter identification systems, including biometric technology. It also permits the Minister to set out any further processes by which such voter identification processes might be implemented.

Clause 6 - subsection (1) of section 18 is deleted and substituted by a new subsection (1) which recognises the discretion given to the Electoral Commission elsewhere in this Bill in terms of making decisions on the text and formatting of the notices and forms to be used for voter registration purposes.

Clause 7 - a new subsection (2) has been inserted in section 23A to enable the Commission to amend the Forms in the Second Schedule of the Act.

Clause 8 - forms A, B, C and C1 in the Second Schedule are deleted and substituted by new forms which reflect the manner in which part of the voter registration process will be conducted.

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