

THE REPUBLIC OF KIRIBATI
(NO. 6 OF 1992)

I assent,


Beretitenti:
23/10/1992

AN ACT TO AMEND THE REFERENDA ACT 1984

Commencement:
23/10/1992

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

SHORT TITLE

1. This Act may be cited as the Referenda (Amendment) Act No. 6 of 1992.

INTERPRETATION

2. In this Act unless the context otherwise requires -

"Council" means a Local Government Council established under section 3 of the Local Government Act 1984;

"Principal Act" means the Referenda Act 1984.

AMENDMENT OF SECTION 2

3. Section 2 of the Principal Act is amended by adding the following sub-section.

"(c) any referendum under section 11A of the Local Government Act, whether an elected member of a Council should vacate his seat in such Council".

AMENDMENT OF SECTION 3

4. Section 3 of the Principal Act is amended by repealing sub-section (1) and substituting the following -

(1) The question for decision by a referendum referred to in Section 2(a) and 2(c) shall be -

"that _____ (naming the elected Member) should vacate his seat in the Maneaba ni Maungatabu or in a Council", as the case may be.

AMENDMENT OF SECTION 4

5. Section 4 of the Principal Act is amended by adding the following sub-section -

"(3) The persons entitled to vote in a referendum referred to in section 2(c) are the persons referred to in sub-section (3) of section 11A of the Local Government Act, that is to say, all persons qualified as electors under the Election Ordinance in the electoral ward from which the member to whom the referendum relates was last elected".

AMENDMENT OF SECTION 5

6. Section 5 of the Principal Act is amended by renumbering sub-sections (3) and (4) as (4) and (5) and inserting the following after sub-section (2):-

"(3) Subject to this section, a referendum referred to in section 2(c) shall be conducted by the Chief Electoral Officer in the same way as a bye-election to fill a vacancy in the seat of a member of an Island Council for the electoral ward concerned and the Elections Ordinance and the regulations made under it with the necessary modifications, apply accordingly".

AMENDMENT OF SECTION 6

7. Section 6 of the Principal Act is amended by renumbering sub-section (3) as subsection (4) and inserting the following sub-section immediately after section (2):-

"(3) As provided in section 11A(4) of the Local Government Act, if in a referendum referred to in section 2(c) the majority of those entitled to vote in that referendum vote for the removal from the Council of the member named in the petition, the member shall vacate his seat forthwith".

This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on the 2nd October 1992, and is found by me to be a true and correctly printed copy of the said Bill.



7 Clerk to the Maneaba
ni Maungatabu

Published by exhibition -

(a) at the Public Office of the Beretitenti
on 26/10/ 1992.



Secretary to the Cabinet

(b) at the Maneaba ni Maungatabu on
26/10/ 1992.



7 Clerk to the Maneaba
ni Maungatabu

THE REFERENDA (AMENDMENT) ACT 1992**EXPLANATORY MEMORANDUM**

The main purpose of this Act is to make provision for the holding of a referendum in relation to the vacation of the seat of an elected member of an Island Council in the manner indicated in Section 11A of the Local Government Act 1984.

Oin karaoan te tua aei bwa e aonga ni kona ni kakoroaki nakon te Kibu 11A n Tuan Abamwakoro 1984 are e kaeti ma te ukenano ibukin kakerikaakan te Kauntira n te Abamwakoro.

Tewareka Tentoa MP
(Onotoa)