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G. N. No. 409 / 2016

**Electoral (Voters' Verification) Regulations 2016**

SL No 8 of 2016

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The Electoral Commission makes the following regulations in accordance with Sections 78 and 136(e) of the Electoral Act 2016 the Electoral Commission makes the following regulations:

### **PART 1 – PRELIMINARY MATTERS**

#### **1. Citation**

These Regulations may be cited as the Electoral (Voters' Verification) Regulations 2016.

#### **2. Commencement**

These Regulations commence on the day on which they are published in the Gazette.

#### **3. Interpretation**

In these Regulations the Electoral Act 2016 is referred to as "the Act".

### **PART 2 – VOTERS' VERIFICATION**

#### **4. Presiding officer and election official to inspect voter's forefinger before ballot paper is given**

Once a presiding officer has verified that a voter present at a polling station is registered to vote at a polling station and is entitled to vote, the presiding officer must:

- a) inspect the voter's left forefinger; and
- b) after confirming that there is no indelible ink, mark the voter's left forefinger with an indelible ink; and
- c) hand the voter a ballot paper in accordance with section 73(2)(b) of the Act.

#### **5. Voter not provided with ballot paper or allowed to vote**

A voter will not be supplied with any ballot paper or allowed to vote, if the voter:

- a) refuses to allow his or her forefinger to be inspected under regulation 4; or
- b) has an ink mark on his or her left forefinger; or
- c) does any act with a view to removing the ink mark.

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**6. Voter's left forefinger to be marked**

The voter must, upon receiving the ballot paper, but before retiring to the polling booth in line with Section 73 ((3)(a) of the Act, allow his or her left forefinger to be marked with an indelible ink.

**7. Meaning of "left forefinger"**

Any reference in these Regulations to the left forefinger of a voter must:

- a) in the case where the voter has his or her left forefinger missing, be construed as a reference to any other finger of his or her left hand; and
- b) in the case where all the fingers of his or her left hand are missing, be construed as a reference to the forefinger or any other finger of his or her right hand; and
- c) in the case where all the fingers of both hands are missing be construed as a reference to such extremity of his or her left or right arm as he or she possesses.

**PART 3 – OFFENCE**

**8. Refusal to allow inspection or marking of left forefinger an offence**

- 1) A voter commits an offence if that voter refuses to allow his or her left forefinger to be inspected or marked by the presiding officer or an election official in accordance with Regulations 4, 5 and 6.
- 2) Any voter in breach of sub-regulation (1) is liable to a fine of not more than \$5,000 or imprisonment for 1 year or to both such fine and imprisonment.

Dated the 01<sup>st</sup> day of June, 2016.

**JOSEPH CAIN**  
**ELECTORAL COMMISSIONER**

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