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1999, No. 7

An Act to amend the Electoral Act 1998

(24 March 1999

BE IT ENACTED by the Parliament of the Cook Islands in Session assembled, and by the authority of the same as follows:

- Short Title and commencement (1) This Act may be cited as the Electoral Amendment Act 1999 and shall be read together with and deemed part of the Electoral Act 1998 (herein referred to as "the principal Act").
- This Act shall be deemed to have come into force on a date to be appointed (2)by the Queen's Representative by Order in Executive Council.
- Tenure of office Section 8(1) of the principal Act is amended by adding after paragraph (1) the following new paragraph -
 - "(m) not less than two thirds of electors of the Member's constituency support a petition conducted in accordance with Part IIA of this Act."
- 3. New Part - The principal Act is amended by inserting after section 8 the following new Part -

"PART IIA PETITION OF ELECTORS

- 8A. Members seat may be declared vacant by petition of electors - (1) Subject to the provisions of this Part, the persons enrolled as electors of a constituency, and still possessed of the qualifications to be enrolled to vote for a Member of Parliament for that constituency, may, by petition of those electors cause the seat of the Member to become vacant.
- A petition shall be of no effect if, within 1 month of the date that conduct of the petition is commenced in accordance with section 8D(2)(b) of this Act, less than twothirds of the electors entitled to vote for that Member support the petition.

- 8B. Grounds for petition No application for a petition to declare a Member's seat vacant shall be made except upon the following grounds namely, that the Member since his or her election -
 - (a) has without good cause habitually failed to attend sitting days of Parliament; or
 - (b) has neglected to consult with and report to the Member's constituents on matters that significantly affect them and which come within the responsibility of the Member as a Member of Parliament; or
 - (c) has neglected to convey to Government the requirements of the Member's constituents relating to matters of the kind referred to in paragraph (b) of this section; or
 - (d) has become unfit to hold office as a Member of Parliament for reasons of serious misconduct such that the Member is held in disrepute.
 - 8C. <u>Application to conduct petition</u> (1) Where not less than 30 per cent of electors of a constituency are dissatisfied with the Member for that constituency they may, by application in the prescribed form to the Chief Electoral Officer signed by them and setting out one or more of the grounds for their dissatisfaction referred to in section 8B of this Act, demand that a petition be conducted of the electors of that constituency to determine if that Member's seat shall be declared vacant.
 - (2) No application under subsection (1) of this section shall be received by the Chief Electoral Officer -
 - (a) within one year immediately following that Member's election; or
 - (b) within one year immediately before a general election; or
 - (c) if the applicants do not comprise 30 per cent or more of the persons who are, on the date of the application, enrolled as electors of that constituency and still possess the qualifications to be enrolled; or
 - (d) if the application does not set out one or more of the grounds set out in section 8B of this Act; or
 - (e) if the application is not in the prescribed form or accompanied by the prescribed fee.
 - (3) Every application shall, in addition to the prescribed fee, be accompanied by a bond of an amount to be determined by the Chief Electoral Officer who shall have regard to the anticipated cost to be incurred by the Chief Electoral Officer in complying with the provisions of this Part and which bond shall in any event be not less than two-thirds of that anticipated cost.
 - (4) Every bond shall be forfeited to the Crown in the event that less than two-thirds of electors entitled to vote for a Member support a petition but otherwise, the bond shall be refunded to the applicants.

- 8D. Notice of application for petition (1) On receipt of an application under section 8C of this Act, the Chief Electoral Officer shall as soon as practicable thereafter cause the application to be served upon the Member complained of and on not less than 3 occasions give public notice of the application, the first occasion being not less than 7 days after the date of receipt of the application and the last occasion being not more than 7 days before the first day that the petition is to be conducted.
 - (2) A public notice under subsection (1) shall include -
 - (a) the grounds for the petition;
 - (b) the first date, being 3 months from the date of the first notice, upon which conduct of the petition will commence of electors who support the petition;
 - (c) the last date, being one month from the date notified pursuant to paragraph (b), on which the petition will be conducted;
 - (d) the place or places within the constituency at which during office hours, electors may, without fee, inspect the application;
 - (e) the place or places appointed within the constituency at which, during office hours, the petition will be conducted.
 - (3) Where the Member complained of is of the opinion that either -
 - (a) the allegations contained in the application have no basis in fact; or
 - (b) that paragraphs (a), (b), (c) or (d) of section 8C(2) of this Act have not been complied with –

that member may apply to the High Court for a determination that the application for conduct of a petition be withdrawn and the Court may, in its discretion, either grant or refuse the application.

- (4) Where any application is filed in the Court pursuant to subsection (3) of this section, the Court may order that security be given by the applicant and the respondents, for the costs of the hearing of the application and upon hearing the application the Court may determine what if any further costs may be awarded to the applicant upon the grounds that the application for the petition was frivolous or vexatious.
- 8E. Applicants may withdraw application (1) At any time before 4.00pm on the day immediately preceding the first day upon which the petition is to be conducted, the applicants may by notice in the prescribed form, withdraw their application.
- (2) No application shall be withdrawn unless the notice of withdrawal is signed by a majority of the applicants.
- (3) On receipt of a notice of withdrawal the Chief Electoral Officer shall, as soon as practicable thereafter, give public notice of the time and date that the application was withdrawn and shall terminate all arrangements for conduct of the petition.
- (4) No elector shall be entitled to support a petition after an application has been withdrawn.
- 8F. Arrangements for conduct of petition For the purposes of conducting a petition the provisions of sections 5, 29(2) and 47 of this Act shall apply subject to all necessary modifications not inconsistent with this Part and as if the appointments to be made under section 5 of this Act and the arrangements referred to in sections 29(2) and 47 of this Act in respect of an election were for the purposes of conducting a petition.

- 8G. <u>Conduct of petition</u> (1) Every elector who has not supported the petition in the manner provided by sections 8M and 8N of this Act shall be entitled to attend at any place appointed for the conduct of the petition for the purposes of having recorded the elector's support in accordance with subsection (2) of this section.
- (2) Every elector shall sign a declaration in the prescribed form setting out the elector's name, residence, occupation (if any), the number recorded opposite the elector's name on the roll together with a statement that the elector is in support of the petition.
- (3) Upon completing the declaration, the Presiding Officer shall in the presence of the elector -
 - (a) witness the declaration of the elector;
 - (b) draw a line in ink through the number and name of the elector on the roll as evidence that the elector has made a declaration and supports the petition;
 - (c) place the elector's declaration in a locked ballot box.
- 8H. <u>Electors may support petition only once</u> No elector shall be entitled to complete more than one declaration in support of a petition.
- 8I. <u>Scrutineers</u> (1) The Member complained of may by notice in writing to the Chief Electoral Officer appoint scrutineers for each place appointed for the conduct of the petition.
- (2) Where the Member appoints more than one scrutineer for any place, not more than one scrutineer shall be present at that place at any time.
 - (3) The Member shall not act as a scrutineer under this section.
- (4) Any scrutineer appointed under subsection (1) of this section may be present at the administering of any declarations pursuant to section 8M of this Act or receipt of postal declarations.
- 8J. <u>Ballot boxes to remain closed during conduct of petition</u> (1) The Presiding Officer shall before conduct of the petition is commenced and in the sight of any scrutineer present -
 - (a) ensure that the ballot box is empty; and
 - (b) close the ballot box; and
 - (c) ensure that the ballot box is sealed or locked in such a manner as to prevent it being opened without breaking the seal or lock.
- (2) The ballot box, after being sealed or locked in accordance with subsection (1) of this section shall not again be opened until after the period for the conduct of the petition has elapsed.

- 8K. Presiding Officer to maintain order The Presiding Officer shall have the power to enforce order and keep the peace at the conduct of any petition, and may without further authority than this section cause to be arrested and taken before the Court any person reasonably suspected of knowingly and wilfully making a false declaration in support of the petition or who attempts to impersonate any elector or to provide a declaration more than once during the conduct of the same petition or who otherwise behaves in a disorderly manner or causes disturbances affecting the conduct of the petition, and all constables shall aid and assist the Presiding Officer in the performance of the Presiding Officer's duty.
- 8L. <u>Blind, disabled or illiterate electors</u> (1) If at any place appointed for the conduct of a petition any elector is blind or is unable to read or write (whether because of physical handicap or otherwise) and so desires, the Presiding Officer shall together with any scrutineer present, and if necessary an interpreter, complete the elector's declaration according to the instructions of the elector, and the Presiding Officer shall sign his or her own name at the foot thereof.
- (2) Every declaration completed in accordance with subsection (1) of this section shall have recorded on it by the Presiding Officer the fact that it was completed pursuant to this section and a similar notation shall be made against the name of the elector on the roll.
- 8M. Special care electors unable to attend at places appointed for conduct of petition (1) If any elector intending to support a petition is precluded by reason of old age, illness or disability from attending at any place appointed for the conduct of a petition, that elector may apply in the prescribed form to the Returning Officer, to be a special care elector.
- (2) On receipt of an application pursuant to subsection (1), the Returning Officer shall make such arrangements as may be necessary for a Presiding Officer and a scrutineer to attend upon the elector for the purposes of receiving the elector's declaration in support of the petition.
- (3) Unless the elector is blind, disabled or illiterate, in which case the provisions of section 8L of this Act with all necessary modifications shall apply, the provisions of section 8G of this Act shall apply as if the elector were present at a place appointed for the conduct of the petition.
- 8N. <u>Postal declarations</u> (1) An elector of a constituency in the Cook Islands who desires to make a declaration in support of a petition but is unable to attend at a place appointed for conduct of the petition by reason of absence either from the island where the elector's constituency is situated or the Cook Islands and every elector of the overseas constituency wishing to make a declaration in support of a petition may do so by postal declaration.
- (2) Every elector to whom subsection (1) of this section applies shall make application in the prescribed form to the Returning Officer for a postal declaration and notify the Returning Officer of the elector's postal address for the time being during the conduct of the petition.

- (3) As soon as practicable after the receipt of an application, the Returning Officer shall forward by post to the elector at the address notified by the elector to the Returning Officer -
 - (a) a postal declaration; and
 - (b) an envelope marked "postal declaration"; and
 - (c) an envelope addressed to the Returning Officer -

and shall record on a copy of the roll to be called "Postal Declarations Issued" against the number and name of the elector, the fact that a postal declaration has been issued to the elector and the date that it was posted.

- (4) Every envelope addressed to the Returning Officer shall bear on its face the number of the elector's name on the roll.
- (5) On receipt of a postal declaration, the elector shall complete the declaration in accordance with the instructions thereon and any additional instructions that the Returning Officer may consider advisable to give to the elector.
- (6) Where the elector is blind or is unable to read or write (whether because of physical handicap or otherwise) the declaration may be marked by the elector with the assistance of a person, other than a person who is an elector or a person having an interest in the outcome of the petition, in accordance with the instructions of the elector.
- (7) After the declaration of the elector has been completed as provided for in subsections (5) or (6) of this section, the elector shall enclose the declaration in the envelope marked "postal declaration" and then shall enclose and return that envelope in the envelope addressed to the Returning Officer.
- (8) Subject to section 8P of this Act, upon receipt of an envelope, the Returning Officer shall, in the presence of a scrutineer if any -
 - (a) record on the envelope addressed to the Returning Officer -
 - (i) the date of receipt by the Returning Officer of that envelope; and
 - (ii) the name of the person from whom it was received if delivered by hand;
 - (b) draw a line in ink through the number and name of the elector on the copy of the roll, to be called "postal declarations received" and the date of receipt of that postal declaration;
 - (c) open the envelope addressed to the Returning Officer and extract therefrom the envelope marked "postal declaration" and extract therefrom the postal declaration and place it in the ballot box kept for that purpose;
 - (d) retain the envelope addressed to the Returning Officer and the envelope marked "postal declaration" in a locked and fire proof room or a fire proof container contained in a locked room.
- 80. <u>Postal declarations received before close of conduct of petition</u> No postal declaration shall be valid unless it is received by the Returning Officer or the Chief Electoral Officer, before the close of the conduct of the petition.

- 8P. <u>Declarations received after close of conduct of petition</u> (1) Any envelope containing a postal declaration received after the close of the conduct of the petition by the Returning Officer or the Chief Electoral Officer shall be marked "received after the close of conduct of petition" and the date and time of its receipt, and shall be signed by the Returning Officer or the Chief Electoral Officer as the case may be and marked with his or her official mark and shall be set aside unopened.
- (2) Every postal declaration received after the close of the conduct of a petition, shall remain unopened and retained by the Returning Officer or the Chief Electoral Officer, as the case may be, in a locked and fire proof room or a fire proof container in a locked room.
- 8Q. <u>Procedure after close of conduct of petition</u> (1) At each place appointed for the conduct of a petition, the Presiding Officer shall, as soon as practicable after the close of conduct of the petition, in the presence of a scrutineer (if any) make up into separate parcels -
 - (a) all copies of the main and supplementary rolls on which the fact of any person having received a declaration has been noted;
 - (b) all other materials used or unused at the appointed place.
- (2) Each parcel made up under this section shall be endorsed by the Presiding Officer with a description of its contents, the name of the place appointed for conduct of the petition and the endorsement shall be signed by the Presiding Officer and such scrutineer as may be present and the parcels, together with all ballot boxes containing electors' declarations shall be delivered by the Presiding Officer to the Returning Officer who shall issue a receipt in writing for them.
 - (3) The Returning Officer shall make up into separate parcels -
 - (a) all applications made pursuant to sections 8M and 8N of this Act; and
 - (b) postal envelopes -

received by him or her and shall forward them and the ballot boxes held by him or her together with the parcels and ballot boxes received from each Presiding Officer, to the Chief Electoral Officer.

- 8R. <u>Scrutiny of the rolls</u> (1) The Chief Electoral Officer shall make arrangements for the scrutiny of the rolls as soon as practicable after the close of conduct of the petition and shall give notice in writing to the Member and the Member's scrutineer of the time and place in which the scrutiny will be conducted.
- (2) No person other than the Chief Electoral Officer, his or her assistants, the Returning Officer and one person appointed as scrutineer by the Member for the purpose, shall be present at the scrutiny, and, the scrutiny shall be carried out in the sight and hearing of such of those persons as choose to be present.
- (3) The Returning Officer shall compare all the copies of rolls on which the fact of any person having received a declaration or of having exercised a postal declaration or of any declaration having being issued to a special care elector, has been noted.

- (4) If on comparison, it appears that the same elector has either received more than one declaration or exercised a postal declaration and has also received one or more declarations at any place appointed for conduct of the petition, the Chief Electoral Officer shall -
 - (a) open the parcels of declarations used at the several places at which that person appears to have received a declaration, or, as the case may be, the parcel of postal declarations and the parcels of declarations used at the place or places at which that person appears to have received a declaration;
 - (b) extract therefrom the declaration which from their numbers appear to have been issued to that elector; and
 - (c) disallow every declaration that appears to have been given by the papers so extracted if it appears that the elector has provided a declaration more than once.
- (5) Upon and after the opening of the parcels, the Chief Electoral Officer shall abstain from inspecting any declarations in the several parcels so opened except their consecutive numbers, and shall take care that the faces of the same are not seen by any person present.
- (6) When the Chief Electoral Officer has extracted from any parcel all the declarations required by this section to be extracted, the Chief Electoral Officer shall forthwith close and seal up the parcel, and shall endorse thereon a memorandum of the fact of the declarations having been extracted from the parcel, specifying the same by the name of the person to whom the same appeared to have been delivered, and shall sign the endorsement.
- (7) The Chief Electoral Officer shall set aside all declarations extracted from any parcel, and shall seal them in an envelope and endorse the same with a description of the contents thereof and shall sign the endorsement.
- 8S. <u>Counting of declarations</u> On completion of the scrutiny of the rolls, the Chief Electoral Officer, with such assistants as may be necessary, and in the presence of such persons authorised to attend the scrutiny and who choose to be present, shall open all the parcels of declarations used at the conduct of the petition other than the envelope referred to in section 8R(7) of this section and shall ascertain the total number of declarations received during conduct of the petition.
- 8T. <u>Declaration of result of petition</u> The Chief Electoral Officer shall, by warrant, publicly declare the result of the petition together with the number of declarations cast in support of the petition and shall transmit that result to the Speaker of Parliament.
- 8U. Recount by High Court (1) The Member may within 3 working days after the public declaration of the result by the Chief Electoral Officer and upon payment of the prescribed fee, apply to the Court for a recount of the declarations.

- (2) The Court shall, as soon as practicable, cause a recount of the declarations to be made either by the Court or by an Officer of the Court appointed by the Court for the purpose, and the recount shall, as far as practicable, be conducted in the manner provided for the original count.
- (3) At the recount, the Chief Electoral Officer shall produce to the Court all the declarations used in the conduct of the petition.
- (4) If on the recount, the Court finds that the declaration of the Chief Electoral Officer was incorrect, the Court shall so advise the Chief Electoral Officer and supply to him the correct number of declarations received as disclosed by the recount, which the Chief Electoral Officer shall immediately transmit to the Speaker.
- (5) The Court may make such Order as to costs of the recount as the Court deems just including fixing of security for costs to be paid before conduct of the recount.
- 8V. Offences The provisions of sections 78, 79, 80, 81, 82, 83, 84, 85 and 86 of this Act shall apply before and during the conduct of a petition with all necessary modifications."
- 4. <u>Nominations of Candidates</u> Section 34 of the principal Act is amended by inserting after subsection (5), the following new subsection -
 - "(6) No person who is elected to -
 - (a) an Island Council or office of Mayor pursuant to the provisions of the Outer Islands Local Government Act 1987; or
 - (b) a Konitara Vaka or office of Mayor pursuant to the provisions of the Rarotonga Local Government Act 1997, shall be capable of being nominated as a candidate unless that person shall have first resigned as a member of the Island Council or Konitara Vaka or as Mayor, as the case may be."
- 5. <u>Form of voting papers</u> Section 48 of the principal Act is amended by adding after subsection (7) the following new subsection -
 - "(8) Every voting paper shall include against a candidate's name, a photograph of that candidate, which photograph shall be of a size as determined by the Chief Electoral Officer and provided by the candidate upon the close of nominations."
- 6. <u>Arrangements of voting</u> Section 47 of the principal Act is amended by adding after subsection (2) the following new subsection -
 - "(3) Upon the close of nominations, a candidate may, if the candidate so desires, provide to the Returning Officer sufficient copies of a statement in the form set out in the Schedule and containing details of the candidate for the purposes of distribution to electors on polling day upon request by an elector at every place where a poll is to be taken within the candidate's constituency."

7. New Part - The principal Act is amended by inserting after Part VI the following new Part -

<u>"PART VIA</u>

CAMPAIGN PERIOD AND ELECTORAL EXPENDITURE

106A. <u>Interpretation</u> - (1) For the purposes of this Part and unless the context shall otherwise require -

"Election activity" in relation to a candidate or a political party at an election in any constituency, means any activity open to or directed at the general public and which relates principally to the campaign for the return of a candidate or the promotion of a political party and which comprises -

- (a) advertising or promotion of any kind; or
- (b) radio or television broadcasting; or
- (c) publishing, issuing, distributing, or displaying addresses, notices, posters, pamphlets, handbills, billboards and cards;

"Campaign period" means the period of 5 weeks immediately preceding 6pm. on the day before polling day;

"Electoral expenditure" in relation to a candidate or political party -

- (a) means expenses that are incurred by or on behalf of a candidate or political party in respect of any election activity; and
- (b) includes expenses that are incurred by or on behalf of a candidate or political party before or after the campaign period; and
- (c) includes the reasonable market value of any materials applied in respect of any election activity which are provided or given to a candidate or political party free of charge -

but does not include -

- (d) the labour or effort of any person which is provided to a candidate or political party free of charge; and
- (e) expenses that are incurred by or on behalf of a candidate or political party for the purposes of complying with this Act.
- (2) For the purposes of sections 106D, 106E, 106F and 106G, every reference to a candidate shall be read as a reference to a candidate who is not affiliated with, or a member of, a political party.
- 106B. <u>Campaign period</u> (1) It shall not be lawful for any person or political party to undertake any election activity except within the campaign period.

- (2) Nothing in this section shall preclude a person or political party from undertaking or performing anything authorised by this Act before or after the campaign period.
- (3) Every person who knowingly undertakes or causes to be undertaken any election activity before or after the campaign period in contravention of subsection (1) of this section commits a corrupt practice and upon conviction shall, in addition to any other penalty for which that person may be liable, also be liable to a fine not exceeding \$10,000.
- 106C. Rules as to election activity (1) The Chief Electoral Officer, may from time to time, after consultation with candidates and political parties, prescribe rules determining the manner and extent that election activity shall be conducted.
- (2) In prescribing rules under this section, it shall be the duty of the Chief Electoral Officer to act fairly.
- (3) Every person who commits a breach of the rules prescribed by the Chief Electoral Officer commits an offence against this Act.
- 106D. <u>Limitation of electoral expenditure</u> (1) The electoral expenditure of a candidate and a political party in respect of election activity shall not exceed those amounts (which shall be inclusive of value added tax) as shall be prescribed from time to time by the Chief Electoral Officer after consultation with candidates and political parties.
- (2) In prescribing the maximum amounts of electoral expenditure for candidates and political parties under this section, it shall be the duty of the Chief Electoral Officer to act fairly.
- (3) Every person who directly or indirectly pays or knowingly aids and abets any person in paying for or on account of any electoral expenditure any sum in excess of the maximum amounts prescribed under subsection (1) of this section is -
 - (a) if the act is done with knowledge that the payment is in excess of the maximum amount, guilty of a corrupt practice; and
 - (b) in any other case, guilty of an offence against this Act unless that person proves that he or she took all reasonable steps to ensure that the electoral expenditure did not exceed the maximum amount.
- 106E. Receipts and records to be kept (1) Every candidate and political party shall keep sufficient records to enable electoral expenditure to be readily ascertained by the Chief Electoral Officer or any person authorised by the Chief Electoral Officer in that behalf and shall retain all records of invoices, vouchers, receipts and such other documents as are necessary to verify such expenditure for a period of not less than 2 years after the polling date of the election to which the expenditure relates.
- (2) Every candidate who and every officer of a political party which contravenes subsection (1) of this section, commits an offence against this Act.

- 106F. Returns of electoral expenditure (1) Within 6 months after polling day at any election, every candidate shall transmit to the Chief Electoral Officer a return of the candidate's electoral expenditure setting out separately the date, name and description of every person or body of persons to whom or which any sum was paid, the amount, and the reasons for which it was paid.
- (2) Within 6 months after polling day at any election, every political party shall transmit to the Chief Electoral Officer a return of the political party's electoral expenditure setting out separately the date, name and description of every person or body of persons to whom or which any sum was paid, the amount and the reasons for which or on whose behalf it was paid.
- (3) A candidate who and political party which fails to transmit a return to the Chief Electoral Officer within the time prescribed by this section shall be liable upon conviction to a fine -
 - (a) in the case of a candidate, not exceeding \$1000 and to a further fine not exceeding \$500 for every day since the commission of the offence until the return is transmitted;
 - (b) in the case of a political party, not exceeding \$5000 and to a further fine not exceeding \$1000 for every day since the commission of the offence until the return is transmitted.
- (4) Every candidate who transmits a return that is false in any material particular and every person who knowingly assists in transmitting a return that is false in any material particular commits a corrupt practice unless he or she satisfies the Court that he or she had no intention to mis-state or conceal the facts.
- (5) Where the Chief Electoral Officer believes that any person has committed an offence against this section, the Chief Electoral Officer shall report the facts on which that belief is based, to the Police.
- 106G. Audit of electoral expenditure (1) Where the Chief Electoral Officer has reason to believe that a return is false or erroneous in any material particular, the Chief Electoral Officer shall cause the return to be audited and every cost associated with that audit shall be borne by the candidate or political party responsible for transmitting the return.
- (2) All unpaid audit costs shall be recoverable in the Court by the Chief Electoral Officer on behalf of and as a debt due to the Crown.
- (3) For the purposes of conducting an audit under subsection (1) of this section, the Chief Electoral Officer or such other person authorised by the Chief Electoral Officer in that behalf -
 - (a) shall have full access at all convenient times to all invoices, vouchers, receipts and such other documents in the possession of any person as are necessary to verify the accuracy of the return;
 - (b) may by notice, require any person having possession or control of such invoices, vouchers, receipts or documents to deliver them to a place and at a time specified in the notice;

- (c) may take extracts of such invoices, vouchers, receipts or documents without payment of any fee;
- (d) summon any person to supply any information or answer any question on oath relevant to the return.
- (4) Every person who fails to comply with the provisions of subsection (3) of this section commits an offence under this Act.

106H. Return to be open for public inspection - The Chief Electoral Officer shall keep every return for a period of one year after it has been received and during that period the return shall be open to inspection by any person and at the expiration of that period the Chief Electoral Officer shall cause the return to be destroyed.

- 8. <u>Consequential amendments</u> Section 82 of the principal Act is amended by -
 - (a) inserting in subsection (1) immediately after the words "sections 83 to 86 of this Act" the words "or is convicted of an offence under sections 106B(3), 106D(3)(a) or 106F(4) of this Act";
 - (b) inserting in subsection (2) immediately after the words "sections 83 to 86 of this Act" the words "or sections 106B(3), 106D(3)(a) or 106F(4) of this Act".

This Act is administered by the Ministry of Justice

RAROTONGA, COOK ISLANDS: Printed under the authority of the Government of the Cook Islands - 1999.

Section 6

SCHEDULE

INFORMATION ON CANDIDATES

Black and white photo 6cm by 8cm.	Name:	
	Date of birth:	
	Place of birth:	
Candidate for:	constituency	
Formal education (years, place and	qualifications)	
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Employment (years, employer and oc	ecupation)	
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Community service (years, organisati	ons and position)	
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Political experience (years, organisations and position)			
Sporting experience			
Family			
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