REPUBLIC OF VANUATU

REFERENDUM ACT [CAP 297]

Referendum Regulation (Amendment) Order No. 87 of 2024

In exercise of the powers conferred on me by section 11 of the Referendum Act [CAP 297], I, the Honourable JOHNNY KOANAPO RASOU, Minister of Internal Affairs, make the following Order.

1 Amendments

The Referendum Regulation Order No.57 of 2024 is amended as set out in the Schedule.

2 Commencement

This Order commences on the day on which it is made.

Made at Port Vila this 27th day of _____, 2024.

REPUBLIC OF VANUATU
MINISTER OF INTERNAL AFFAIRS
MINISTRE DE AFFAIRES INTÉRIEURES

Honourable JOHNNY KOANAPO RASOU
Minister of Internal Affairs

SCHEDULE

AMENDMENTS OF THE REFERENDUM REGULATION ORDERNO. 57 OF 2024

1 Clause 1

Insert in its correct alphabetical position:

"counting officer" means a person appointed by the Electoral Commission to assist the Electoral Commission during the official counting and verification of votes;"

2 Paragraph 21(b)

Delete ".", substitute "; and

(c) completed the security seal report form, including any required signatures in the polling station report; and

(d) ensure that the polling station report and envelopes containing sensitive voting materials is placed in a ballot box or boxes and sealed for delivery to a place directed by the constituency electoral officer; and

(e) ensure that all non-sensitive materials determined by the Electoral Commission are packed in accordance with the procedures specified by the Electoral Commission."

3 After clause 21

Insert

"21A Transfer of ballot boxes and reports

(1) After a constituency electoral officer has received all of the ballot boxes together with the required polling station reports from the polling stations which he or she is responsible, the constituency electoral officer must ensure that the ballot boxes and reports are transferred to the Electoral Commission in Port Vila.

(2) The ballot boxes are to be put into secured warehousing in Port Vila as arranged by the Electoral Commission.

(3) If there are logistical difficulties that do not allow a constituency electoral officer to receive all the ballot boxes and reports from the polling stations on time, the constituency electoral officer must ensure that, as the ballot boxes and reports become available, they are transferred to the Electoral Commission in Port Vila."

4 Subclause 22(1)

Repeal the subclause, substitute

"(1) Votes are to be counted in a national counting centre in Port Vila as notified by the Electoral Commission."

5 Subclause 22(2)

Delete "After a polling station is closed, the presiding officer is", substitute "The counting officer"

6 After paragraph 22(2)(a)

Insert

"(aa) verify and record seal number;"

7 Paragraph 22(2)(e)

Delete "presiding officer reading", substitute "counting officer counting and reading"

8 Paragraph 22(2)(f)

Delete "polling clerk", substitute "counting officers"

9 Subclause 22(4)

Delete "polling station", substitute "national counting centre"

10 Clause 23 (Heading)

Delete "and unofficial results"

11 Clause 26

Repeal the clause, substitute

"26 Closing of counting

(1) The counting officer must:

(a) complete and reconcile a tally sheets; and

(b) complete a report for each polling station.

(2) After reconciling the tally sheets and completing the polling station report under subclause (1), the counting officer must deliver the tally sheets and the polling station report to the Electoral Commission."

12 Clause 28

Repeal the clause, substitute

"28 Preparation of report on voting

(1) When a counting officer is satisfied that the count or recounts are complete, he or she must prepare a report for each polling station.

(2) The polling station report must state the following:

(a) the number of voters who voted; and

(b) the number of void ballot papers; and

(c) the number of valid votes cast in support of or not in support of a proposed amendment to the Constitution; and

(d) such other matters as the Principal Electoral Officer may direct.

(3) The report must be:

(a) made in French, English or Bislama; and

(b) signed by the counting officers.

(4) After the report has been signed, the counting officer must send or deliver the report to the Electoral Commission."

13 Clause 29

Repeal the clause.