

REPUBLIC OF KIRIBATI.
(No. 4 of 1980)

I assent,

M. Tebani
Beretitenti
21st August, 1980

AN ACT TO AMEND THE ELECTION OF BERETITENTI ACT
IN RELATION TO THE NOMINATION OF CANDIDATES
AND ELECTIONS.

Commencement: 21st August, 1980.

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

at title.

1. This Act may be cited as the Election of Beretitenti (Amendment) Act 1980.

interpretation.
(No. 4 of 1979).

2. In this Act, "the Principal Act" means the Election of Beretitenti Act 1979.

section 2A.

3. After section 2 of the Principal Act the following section is inserted:-

Superintendence
of elections.

"2A. In accordance with section 38 of the Constitution, the election of a Beretitenti shall be carried out under the superintendence of the Chief Justice, who may give to the Electoral Commission, the Chief Electoral Officer and the Electoral Officers all such lawful instructions as he thinks necessary to ensure a proper election."

deal and
placement of
Part II.

4. Part II of the Principal Act is repealed and the following Part substituted:-

"PART II - NOMINATIONS

Calling for
nominations.

"4. At a meeting of the Maneaba ni Maungatabu at which candidates for election as Beretitenti are to be nominated in accordance with section 32(2) of the Constitution -

(a) the Speaker shall call for the names of members qualified and willing to stand for nomination; and

(b) if, at the end of the period allowed by the Speaker for names to be given, less than three names have been given, the Speaker shall extend this period for such period as he thinks proper until at least three names have been given; and

- (c) if, at the end of the period or extended period referred to in paragraph (b), the names of only three or four members qualified and willing to stand have been given, the Speaker shall declare them to be the candidates nominated by the Mansaba for the purposes of section 32(2) of the Constitution; and
- (d) if, at the end of the period or extended period referred to in paragraph (b), the names of more than four members qualified and willing to stand have been given, an election shall be held by the Mansaba, in accordance with section 5, to select four candidates.

Selection of nominees.

"5.(1) At an election referred to in section 4(d), the provisions of this section apply.

"(2) The method of voting shall be by secret ballot.

"(3) Each member shall cast four votes in order of preference, and a member who is in the ballot may vote for himself.

"(4) Any dispute arising out of or in connexion with the election shall be determined by the Speaker, whose decision is final.

"(5) When voting has been completed points shall be awarded by the Speaker to each member in the ballot, in the following manner:-

- (a) four points in respect of each first preference vote cast for him; and
- (b) three points in respect of each second preference vote cast for him; and
- (c) two points in respect of each third preference vote cast for him; and
- (d) one point in respect of each fourth preference vote cast for him.

"(6) The Speaker shall then add, or cause to be added, the points awarded to each member in the ballot, and shall declare, in alphabetical order, the four members with the greatest number of points to be duly nominated.

"(7) If an equality of points is found to exist between any of the members in the ballot, the Speaker shall order any further ballot that he thinks necessary, and the procedure at any further ballot shall be in accordance with this section."

Notice of election.

5. Section 8 of the Principal Act is amended by omitting from subsection (1) the words "the Chief Justice" and substituting "the Electoral Commission".

Death of candidate, etc.

6. Section 10 of the Principal Act is amended by omitting from subsection (1) the words "the Chief Justice" and substituting the words "the Electoral Commission".

Declaration of result.

7. Section 13 of the Principal Act is amended by omitting the words "the Chief Justice" and substituting the words "the Electoral Commission".

Equality of votes.

8. Section 14 of the Principal Act is amended by omitting the words "the Chief Justice" and substituting the words "the Electoral Commission".


Application of Elections Ordinance.

9. Section 17 of the Principal Act is amended by omitting from subsection (1) the words "Chief Justice" and substituting the words "Electoral Commission".

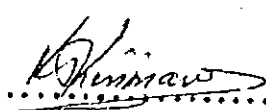
Directions.

10. Section 20 of the Principal Act is repealed.

This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on 18 August, 1980, and it is found by me to be a true and correctly printed copy of the said Bill.


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Clerk to the Maneaba ni
Maungatabu.

Published by exhibition at the Public Office of the Beretitenti this 19th day of August, 1980.
21st


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Secretary to the Cabinet.