

ACTS

SUPPLEMENT No. 2

11th September, 2006.

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THE LOCAL GOVERNMENTS (AMENDMENT) (NO. 2) ACT, 2006

ARRANGEMENT OF SECTIONS

Section

1. Amendment of Section 116
2. Display of voters roll and composition of tribunal for administrative unit elections

THE LOCAL GOVERNMENTS (AMENDMENT) (NO. 2) ACT, 2006

An Act to amend the Local Governments Act to provide for public officers and other government or local government employees wishing to stand for election to a local council office to resign their office at least thirty days before nomination day and to provide for the period of display of voters roll and for the composition of the tribunal to determine objections arising out of the display and for related matters.

DATE OF ASSENT: 24th August, 2006.

Date of Commencement: 11th September, 2006.

BE IT ENACTED by Parliament as follows:

1. Amendment of section 116 of the Local Governments Act

Section 116 of the Local Governments Act is amended—

(a) by substituting for subsection (5) the following—

“(5) Under the multiparty political system, a public officer, a person employed in any Government department or agency of the Government, an employee of a local council or an employee of a body in which government has a controlling interest, who wishes to stand for election to a local council office shall resign his or her office at least thirty days before nomination day in accordance with the procedure of the service or employment to which he or she belongs”; and

(b) by substituting for subsection (6) the following—

“(6) For the avoidance of doubt a public officer employed by a local council shall not be a councillor of that local council or of any other local council.”

2. Display of voters roll and composition of tribunal for administrative unit elections

For the purposes of the village, parish, ward and county elections to be held immediately after the commencement of this Act, the following provisions shall have effect notwithstanding in the Electoral Commission Act—

- (a) the period of display of the voters roll under section 25(1) of the Electoral Commission Act shall be seven days;
- (b) the returning officer shall appoint a tribunal to determine objections received by him or her under section 25(4) of the Electoral Commission Act;
- (c) the returning officer for the purposes of the elections shall be a person appointed by the Electoral Commission;
- (d) the tribunal to determine objections under section 25(5) of the Electoral Commission Act shall comprise all registered voters resident in the village;

- (e) the tribunal shall elect a chairperson of the tribunal from among their number, under the supervision of the registration officer;
- (f) a person shall not be qualified to be chairperson of the tribunal if that person—
 - (i) is not resident in the village, parish or ward; or
 - (ii) is standing for election as chairperson of an administrative unit.