

BILL NO. 32 OF 2021

A BILL

FOR AN ACT TO AMEND THE ELECTORAL (REGISTRATION OF VOTERS)
ACT 2012

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Electoral (Registration of Voters) (Amendment) (No. 2) Act 2021.

(2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.

(3) In this Act, the Electoral (Registration of Voters) Act 2012 is referred to as the “Principal Act”.

Section 2 amended

2. Section 2 of the Principal Act is amended in the definition of “residential address” by deleting “, including the province and division, provided however that he or she has lived there for a period of at least 3 months immediately before registration”.

*Section 4 amended***3.** Section 4 of the Principal Act is amended by—

(a) in subsection (2)—

(i) in paragraph (a) after “name”, inserting “as specified on the applicant’s birth certificate”;

(ii) in paragraph (h), deleting “and”; and

(iii) deleting paragraph (i) and inserting the following new paragraphs—

“(i) birth certificate; and

(j) such other particulars as may be approved and published by the Supervisor.”; and

(b) after subsection (2A), inserting the following new subsection—

“(2B) For the purposes of subsection (2)(a), if an applicant’s name on his or her birth certificate is not in the English alphabet, the applicant’s name on his or her certificate of registration or certificate of naturalisation, as the case may be, is deemed to be the applicant’s name on his or her birth certificate.”.

September 2021

ELECTORAL (REGISTRATION OF VOTERS) (AMENDMENT) BILL 2021

EXPLANATORY NOTE

(This note is not part of the Bill and is intended only to indicate its general effect)

1.0 BACKGROUND

- 1.1 The Electoral (Registration of Voters) Act 2012 (**‘Act’**) provides *inter alia* for the registration of voters for general elections.
- 1.2 The Electoral (Registration of Voters) (Amendment) Bill 2021 (**‘Bill’**) seeks to amend section 2 of the Act to simplify the definition of “residential address”.
- 1.3 The Bill also seeks to amend section 4(2) of the Act to provide that a person’s application for registration as a voter must state the person’s full name as specified on his or her birth certificate and must also be accompanied by his or her birth certificate.
- 1.4 In addition, the Bill seeks to amend section 4 of the Act to insert a new subsection (2B) to address situations where a person’s name on his or her birth certificate is not in the English alphabet. In these instances, the person’s name on his or her certificate of registration or certificate of naturalisation as issued by the Department of Immigration is deemed to be his or her name on his or her birth certificate.

2.0 CLAUSES

- 2.1 Clause 1 of the Bill provides for the short title and commencement. If passed by Parliament, the amending legislation will come into force on a date or dates appointed by the Minister by notice in the Gazette.
- 2.2 Clause 2 of the Bill amends the definition of “residential address” in section 2 of the Act so that “residential address” refers to the address where a person lives.
- 2.3 Clause 3 of the Bill amends section 4(2) of the Act to provide that a person’s application for registration as a voter must state the person’s full name as specified on his or her birth certificate and must also be accompanied by his or her birth certificate. Also, the application must be accompanied by such other particulars as may be approved and published by the Supervisor of Elections.

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2.4 Clause 3 of the Bill also amends section 4 of the Act to insert a new subsection (2B) to address situations where a person’s name on his or her birth certificate is not in the English alphabet. In these instances, the person’s name on his or her certificate of registration or certificate of naturalisation as issued by the Department of Immigration is deemed to be his or her name on his or her birth certificate.

3.0 MINISTERIAL RESPONSIBILITY

3.1 The Act comes under the responsibility of the Minister responsible for elections.

A. SAYED-KHAIYUM
Attorney-General