

BILL NO. 19 OF 2023

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) Act 2023.

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

Section 4 amended

2. Section 4 of the Electoral (Registration of Voters) Act 2012 is amended by—

(a) in subsection (2)—

- (i) in paragraph (a), deleting “as specified on the applicant’s birth certificate”; and
- (ii) in paragraph (h), after “;” inserting “and”;

- (b) deleting paragraph (i); and
- (c) deleting subsection (2B) and substituting the following—

“(2B) For the purpose of subsection (2), the name of an applicant who is a Fiji citizen by registration or naturalisation that is on his or her certificate of registration or certificate of naturalisation, as the case may be, shall be accepted as the name of the applicant.”.

July 2023

ELECTORAL (REGISTRATION OF VOTERS) (AMENDMENT) BILL 2023

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 In 2021, the Electoral (Registration of Voters) (Amendment) (No. 2) Act 2021 provided that a person’s application for registration as a voter must state his or her full name as specified on his or her birth certificate and must also be accompanied by the person’s birth certificate.
- 1.3 The amendments made in 2021 were seen to disadvantage people, especially women who chose to use their spouse’s surname but who were required to first change the name on their birth certificate in order to be registered using their spouse’s surname.
- 1.4 Therefore, the Electoral (Registration of Voters) (Amendment) Bill 2023 (**‘Bill’**) seeks to amend the Act to remove the amendments to section 4 of the Act that were made in 2021.

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 appointed by the Minister by notice in the Gazette.
- 2.2 Clause 2 of the Bill amends section 4(2) of the Act to remove amendments made to section 4 through the Electoral (Registration of Voters) (Amendment) (No. 2) Act 2021.
- 2.3 Clause 2 of the Bill also provides that the name of an applicant who is a Fiji citizen either by registration or naturalisation that is on his or her certificate of registration or certificate of naturalisation, is acceptable for the purpose of registering as a voter.

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3.0 MINISTERIAL RESPONSIBILITY

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

S. TURAGA
Attorney-General