

**REPUBLIC OF NAURU**

**ELECTORAL (AMENDMENT) NO. 2 BILL 2019**

**EXPLANATORY MEMORANDUM**

The *Electoral (Amendment) No. 2 Bill 2019* is a Bill for the *Electoral (Amendment) No. 2 Act 2019*.

This memorandum provides an explanation of the Bill and is only intended to indicate the general effect.

**EXPLANATION OF CLAUSES**

**PART 1 - PRELIMINARY**

**Clause 1** provides that, once enacted, the short title of the Bill will be the *Electoral (Amendment) Act 2019*.

**Clause 2** sets out when the Bill's provisions will commence.

**Clause 3** is the enabling provision for the amendment of the *Electoral Act 2016*.

**Clause 4** amends section 78(7) by amending the number of proxy votes granted to a voter. This subsequent amendment is a result of a number of requests by the wider community to ensure a more democratic process in allowing more people to vote for their members.

**Clause 5** amends section 85(4) by deleting the reference to 'section 87' and substituting with 'section 85A'.

**Clause 6** deletes and substitutes section 85A (4). The new subclause (4) clarifies the language in the provision which provides that where two or more candidates receive an equal value of votes and one or more of the candidates must be excluded, the Electoral Commissioner can determine by lot a candidate or candidates to be excluded. The methods that can be used by the Electoral Commissioner can either be the tossing of a coin or drawing of names out of a container in such manner that he or she cannot see which names he or she is drawing.