

REPUBLIC OF NAURU
ELECTORAL (AMENDMENT) BILL 2019

SECOND READING SPEECH

Honourable Baron Divavesi Waqa MP

10 May 2019

Mr. Speaker Sir,

I introduce to the House today a Bill for an Act to amend the *Electoral Act 2016*.

Mr Speaker, the proposed amendments to the Electoral Act are simple ones. The purpose of the amendment Bill is set out clearly in the explanatory memorandum.

The key amendments proposed in this Bill relate to election petitions and the introduction of early voting. Election petitions are heard by the Court of Disputed Returns and petitions under the proposed amendment must be submitted within 21 days of the notification of the result disputed in the Gazette. The decision of the Court must be rendered within 90 days of the registration of the petition. The decision of the Court is neither reviewable nor appealable. This is a constitutional requirement.

Mr Speaker, the Electoral Commissioner as the Returning Officer under the Electoral Act is now required to be a party to any election petition. Depending on the nature of the case, the Electoral Commissioner may play an active or passive role. The election petitions generally have issues regarding the election process and similarly the decision of a petition may require the Returning Officer to do certain things. As such, the Electoral Commissioner is required to be a party to the proceedings.

The Bill now provides for early voting which is permissible within certain parameters. There may be occasions where voters have to travel during elections or voters of certain religious denominations may not be able to exercise their right to vote on a specific day. The proposed amendment now allows for applications to be made to the Electoral Commissioner for voting

earlier than the date of the scheduled polling day if the person will be absent from the country, the person's religious beliefs prevents them from voting on the scheduled polling day and any other reason or basis regulated by the Electoral Commissioner.

The proposed amendment Bill ensures a couple of things. Firstly, that there is no frustration to the democratic process and secondly, there is no infringement of the rights of the people to vote in an election.

Mr Speaker, the explanatory memorandum details the provisions of the Bill.

I commend the Bill to the House.