

REPUBLIC OF KIRIBATI
(No. 9 of 2002)

Assented to by the
Beretitenti on 16/10/2002

AN ACT TO AMEND THE ELECTIONS ORDINANCE (CAP. 29B)

Commencement:
2002

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

Short Title

1. This Act may be cited as the Elections (Amendment) Act 2002.

Amendment of section 3

2. Section 3 of Elections Ordinance (the “principal Ordinance”) is hereby amended by –

- (a) inserting immediately before the definition of the word “candidate” the following definitions –

“before an election” means the period commencing from the date the Electoral Commission issues a notice of election under section 10 until a date on which the poll is to be taken;”

- (b) inserting the definition of the words “during an election” immediately after the definition of the word “Court” and before the definition of the word “election” as follows –

“during an election” means the period commencing from the date the poll is to be taken until the date when the final results in respect of a candidate or candidates for a particular ward has been declared;”

- (c) inserting the definition of the words “mweaka, moanei or ririwete” between the definition of the words “Electoral Officer” and “register of electors” as follows -

“”mweaka, moanei or ririwete” means, in accordance with Kiribati traditions and customs, the giving away or offering of a gift of a block of tobacco containing about 30 sticks of tobacco and not weighing more than 500g or its equivalent in cash of not more than \$20.00 or such other higher figure as inflation may allow ;”

Amendment of section 24

3. Section 24 of the principal Ordinance is amended in paragraphs (a), (b), (c), (d) and (e) by inserting the words “before or during an election” after the words “every person” in those paragraphs appearing in line 1.”

ELECTIONS (AMENDMENT) ACT 2002

EXPLANATORY MEMORANDUM

This short Act seeks to amend the Elections Ordinance to clarify what certain terms such as “before the election, “during the election” and “mweaka, moanei or ririwete” mean. At present there is a general view that “before the election” commences immediately after the last election. This Act has now defined that to commence from the date the notice of election is issued. The term “during the election” is now defined as a period when the poll is taken until the date when the final result in respect of a candidate or candidates for a particular electoral ward has been declared. The term “mweaka, moanei or ririwete” is defined to be not more than a block of tobacco sticks or its equivalent in cash as generally accepted in Kiribati customs.

The Act also amends section 24 by inserting at paragraphs (a), (b), (c), (d) and (e) the words “before or during an election” immediately after the words “every person” appearing at the beginning of each of those paragraphs at line 1. The purpose of inserting these words “before or during an election” is to clarify a period when those offences covered under those paragraphs may be committed.

Titabu Tabane
Attorney General
15 August 2002