

# CHAPTER 279 REFERENDUM ACT

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• Act • Subsidiary Legislation •

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## ACT

Act No. 36 of 1987

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## CHAPTER 279 REFERENDUM ACT

**An Act to regulate the manner of holding a national referendum.**

[Act No. 36 of 1987.]

[31st December, 1987.]

### 1. Short title

This Act may be cited as the Referendum Act.

### 2. Interpretation

In this Act—

“Commission” means the Referendum Commission established by section 7;

“elector” means a person entitled to vote in a referendum by virtue of section 4;

“referendum officer” means a referendum officer appointed pursuant to section 10, and has the same meaning as therein defined.

### 3. Power to order referendum

(1) The Prime Minister may, by Order published in the *Gazette*, direct that a referendum be held to determine any question or questions specified in the Order if, in his or her opinion, it is necessary or desirable to hold a referendum for that purpose.

(2) A question submitted to a referendum shall be framed in such a manner as to require no answer except either the answer “yes” or the answer “no”.

(3) An Order made under subsection (1) shall specify the day or days on which voting in the referendum shall take place.

#### **4. Entitlement to vote in referendum**

All persons who at the time of a referendum are electors within the meaning of the House of Representatives (Elections) Act, Chapter 139A, shall be entitled to vote in a referendum.

#### **5. Application of Chapter 139A**

The House of Representatives (Elections) Act, Chapter 139A, and the regulations thereunder shall apply in relation to a referendum, subject to any variations, limitations and exceptions that may be set out in the Order made under section 3(1).

#### **6. Method of taking the poll at a referendum**

(1) For the purpose of taking the poll at a referendum, Grenada shall be divisible into the same electoral districts as those districts for the time being established by law for the purpose of electing members to the House of Representatives, and the poll shall be taken separately in each district.

(2) For the purpose of taking the poll at a referendum, each electoral district shall be divisible into the same polling divisions for the time being established by law for the purpose of electing members to the House of Representatives.

#### **7. Establishment and membership of Referendum Commission**

(1) There shall be established a Referendum Commission which shall consist of the person for the time being holding or acting in the office of Supervisor of Elections as chairperson, and two members appointed by the Governor-General after consultation with the Prime Minister and the Leader of the Opposition.

(2) A person shall not be qualified to be appointed as a member of the Commission if he or she is a Senator, a member of the House of Representatives, or a public officer, except in the case of the person for the time being holding or acting in the office of Supervisor of Elections.

(3) A member of the Commission shall vacate his or her office—

- (a) at the expiration of such period as may be specified by the Governor-General at the time of his or her appointment;
- (b) if any circumstances arise that, if he or she were not a member of the Commission, would cause him or her to be disqualified for appointment as such; or
- (c) if the Governor-General so directs.

#### **8. Procedure of Commission**

(1) The Commission may regulate its own procedure and, with the consent of the Prime Minister, may confer powers and impose duties on any public officer or on any authority of the Government for the purposes of the holding of a referendum.

(2) A decision of the Commission shall require the support of the chairperson and one member.