

Presidential Elections (Certificate of Eligibility) Regulations 2017

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THE SCHEDULE

No. S 263

PRESIDENTIAL ELECTIONS ACT (CHAPTER 240A)

PRESIDENTIAL ELECTIONS
(CERTIFICATE OF ELIGIBILITY)
REGULATIONS 2017

In exercise of the powers conferred by section 81 of the Presidential Elections Act, the Prime Minister makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the Presidential Elections (Certificate of Eligibility) Regulations 2017 and come into operation on 1 June 2017.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“applicant” means a person making an application;

“application” means an application for a certificate of eligibility;

“Article” means an Article of the Constitution;

“Chairman” means the Chairman of the Committee;

“Committee” means the Presidential Elections Committee;

“Form” means a Form in the Schedule;

“Secretary” means the Secretary to the Committee appointed under regulation 34.

(2) Any notice or notification required to be given under these Regulations must be given in writing.

PART 2

CERTIFICATE OF ELIGIBILITY

Form of application

3. An application must be made in Form 1.

Supply of form

4. The Secretary may supply Form 1 to any person at any time during the period for making an application under section 8(2) of the Act.

Incomplete applications may be immediately rejected

5.—(1) The Committee may immediately reject an application without considering its merits if the application is —

- (a) not in Form 1;
- (b) in Form 1 but incomplete;
- (c) not accompanied by a duly completed declaration at the end; or
- (d) not accompanied by any supporting documents required.

(2) If the Committee rejects an application under paragraph (1), the Committee must immediately inform the applicant in accordance with regulation 11.

Fact-finding

6.—(1) The Committee may, for the purposes of deciding an application —

- (a) require the applicant or any referee of the applicant to provide further information;
- (b) interview the applicant or any referee of the applicant;
- (c) inform itself on any matter; or
- (d) consult any person.

(2) The Committee may reject an application if the applicant or any referee of the applicant refuses to provide any information required by the Committee or to be interviewed by the Committee.

Committee may consider discretionary limb on its own motion

7.—(1) The Committee may consider on its own motion whether an applicant satisfies Article 19(3)(c) or (4)(b), including for one or both of the periods under Article 19(3)(d) or (4)(c).

(2) To avoid doubt, nothing in paragraph (1) requires the Committee to consider whether an applicant satisfies Article 19(3)(c) or (4)(b) when the applicant did not seek to rely on those provisions.

Applicant to be notified of decision