



REPUBLIC OF NAURU

ELECTORAL (EARLY VOTING) REGULATIONS 2019

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The Electoral Commission makes these regulations under sections 136(d) and (f) of the *Electoral Act 2016*:

PART 1 - PRELIMINARY

1 Citation

These Regulations may be cited as the *Electoral (Early Voting) Regulations 2019*.

2 Commencement

These Regulations come into effect on the day they are notified in the Gazette.

PART 2 –APPLICATION OF REGULATIONS

3 Application of regulations

(1) For the purpose of section 78A of the Act, these Regulations apply to voters who:

- (a) will be travelling overseas and cannot attend a polling place within the hours of polling on polling day;
- (b) due to their religious beliefs cannot attend a polling place within the hours of polling on polling day;
- (c) are so ill or infirm that attending a polling place on polling day is precarious to their health;
- (d) are approaching maternity;
- (e) will be a patient in a hospital on polling day; or
- (f) are unable to leave their work place during the hours of polling.

(2) A voter who falls under the circumstances listed under subregulation (1) must:

- (a) apply to the Electoral Commissioner for early voting in the form approved by the Electoral Commissioner; and
- (b) provide the required evidence of his or her circumstances where the Electoral Commissioner deems necessary.

PART 3 – PREPARATIONS FOR EARLY VOTING

4 Gazetting and advertising early voting locations and times

- (1) The Electoral Commissioner must determine and gazette the location of the Early Voting Polling Place and the hours of polling.
- (2) The ballot papers for early voting shall be issued for all constituencies notwithstanding the location of the Early Voting Polling Places.

5 Staff

The Electoral Commissioner must appoint a Presiding Officer and polling officials for an Early Voting Polling Place and gazette their names under section 82(2) of the Act.

6 Request names from churches

- (1) The Electoral Commission may request a list of names to be provided from Churches whose day of worship is on polling day.
- (2) The list under subregulation (1) shall only be used for voters who apply for an early vote under the criteria in Regulation 3.

7 Polling equipment and record book

The Early Voting polling place will be equipped with the necessary voting screens, ballot boxes, electoral rolls, ballot papers, record book and stationery.

PART 4 – PROCEDURE FOR APPLYING FOR AND EARLY VOTE AND DETERMINATION OF APPLICATION

8 Voter to apply in person

A voter who intends to cast his or her vote under these Regulations as an early vote must:

- (a) apply in Form 1 in the Schedule for early voting;
- (b) state the reasons for the application;
- (c) if applying under the criteria of travelling on polling day, provide a travel document proving that he or she will be overseas during polling day; and
- (d) provide any other documents that may be required by the Electoral Commissioner.

9 Decision to be at Electoral Commissioner's discretion

- (1) The Electoral Commissioner may approve or deny any early voting application received by the Commission.
- (2) Where the Electoral Commissioner approves an application under subregulation (1), he or she must:
 - (a) inform the applicant of his or her decision; and
 - (b) inform the applicant of the polling place for early voting.
- (3) Where the Electoral Commissioner denies an application, he or she must inform the applicant in Form 2 of the Schedule before the early voting polling closes.
- (4) The Electoral Commissioner must keep a record of the details of all the applications received and the decisions made in respect of each application.
- (5) The Electoral Commissioner may delegate his or her power to approve or deny any application received to his or her delegate.

10 Reasons for rejection of an application

The Electoral Commissioner may reject an application for any of the following reasons that are relevant to the application:

- (a) the voter is not registered on the electoral roll;
- (b) the documents provided with the application do not indicate that the voter is overseas on polling day;