

THE ELECTORAL COMMISSION

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva. P. O. Box 2528, Government Buildings, Suva.
Phone: +679 331 0255 Fax: +679 331 9513 Website: www.feo.org.fj

*Ref: Meeting Number 06/2018
Decision Number 04/2018*

The Electoral Commission, having held a meeting on 27th April 2018 has approved the following:-

- 1) In accordance with s.155 of the Electoral Act 2014 the Electoral Commission makes the following rules with respect to an Appeal against the decision of the Supervisor of Elections to reject a nomination to be a candidate.
- 2) In accordance with s.155 of the Electoral Act 2014, the Electoral Commission makes the following rules with respect to an Objection to the nomination of a candidate.

Dated this 27th day of April 2018



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SURESH CHANDRA

Chairperson of the Electoral Commission

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The Electoral Commission

In accordance with s.155 of the Electoral Act 2014, the Electoral Commission makes the following rules with respect to an Appeal against the decision of the Supervisor of Elections to reject a nomination to be a candidate:

Appeal Rules

(1) Only a person who has applied for nomination as a candidate, and whose application was not accepted by the Supervisor of Elections can appeal under s.31 of the Electoral Act.

(2) The Appeal to the Electoral Commission under s.31 (2) of the Act must be in writing, in the format for an Appeal. An Appeal must be lodged no later than 4pm on the day following the close of nominations for the election. The application form for an Appeal is attached and marked as Attachment A.

(3) The ground(s) for an Appeal must directly relate to the decision of the Supervisor and to no other matter. The Appeal ground(s) must be clearly stated to the Electoral Commission in the application for Appeal. The appellant may provide such statements or materials as they wish, but these must directly relate to the decision of the Supervisor.

(4) The Electoral Commission will decide the Appeal within three (3) days of the receipt of the application for Appeal. The decision of the Commission will be notified to both the appellant and the Supervisor of Elections as soon as possible but no later than 12pm on the day following its decision.

(5) The decision of the Electoral Commission will be in writing.

(6) The decision of the Electoral Commission shall be final (s.31 (6))

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The Electoral Commission

In accordance with s.155 of the Electoral Act 2014, the Electoral Commission makes the following rules with respect to an Objection to the nomination of a candidate:

Objection Rules

(1) Only a person who is a registered voter may object to the nomination of a candidate in accordance with s.30 (1) of the Electoral Act.

(2) The Objection must be in writing to the Electoral Commission and the objector must set out exactly how or why the candidate:

(a) Is not qualified to be nominated; or

(b) The nomination as either an independent candidate or as a party candidate does not comply with the requirements of the Constitution or the Electoral Act.

(3) An Objection must be in the form prescribed in Attachment B to these rules. An Objection must be lodged by no later than 4pm on the day following the close of nominations for the election.

(4) The ground(s) for the Objection, together with the facts giving rise to the grounds must be directly related to criteria set out at (2) above and to no other matter. The Objector can provide such statements or materials as they wish, but these must directly relate to the grounds and the facts.

(4) The Electoral Commission will decide the Objection within three (3) days of its receipt and payment of the lodgment fee. The decision of the Electoral Commission will be notified to the Objector, the Candidate and Supervisor of Elections.

(5) The decision of the Electoral Commission will be in writing.

(6) The decision of the Electoral Commission shall be final (s.30 (7))

(7) A lodgment fee of \$100 VIP applies to each Objection and the fee must accompany the Objection. The fee will be refunded to the Objector should the Electoral Commission uphold the Objection.