

THE ELECTORAL COMMISSION

REPUBLIC OF FIJI

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*Ref: Election Mode Meeting Number 02/22
Decision Number 20/22*

The Electoral Commission, having held a Face-to-Face meeting on 14 November 2022, has approved the following:

1. In accordance with Section 155 of the Electoral Act 2014, the Electoral Commission makes the following rules attached herein 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 Section 155 of the Electoral Act 2014, the Electoral Commission makes the following rules attached herein with respect to an Objection to the nomination of a candidate.

Dated this 14th day of November 2022



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MUKESH NAND

Chairperson of the Electoral Commission

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:
 - a) Set out full name as it appears in the Register of Voters or voter lists, the address and the voter number of the person objecting;
 - b) Set out the ground or grounds of the objection;
 - c) Set out the facts giving rise to the ground or grounds of the objections; and
 - d) Contain a statutory declaration that the person objecting has made a conscientious effort to ascertain the truth of those facts and that they are true to the best of his or her knowledge and belief.
- 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.
- 5) The Electoral Commission will decide the Objection within three (3) days of its receipt and payment of the lodgement fee. The decision of the Electoral Commission will be notified to the Objector, the Candidate and Supervisor of Elections.
- 6) The decision of the Electoral Commission will be in writing.
- 7) The decision of the Electoral Commission shall be final.
- 8) A lodgement 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.

The Electoral Commission

In accordance with s.155 of the Electoral Act 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:

Candidate Nomination 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 may appeal under s.31 of the Electoral Act 2014.
2. The appeal to the Electoral Commission under 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 form is attached to this Rule 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 appeal form. The appellant may provide such statements or materials as they wish, but these must directly relate to the decision of the Supervisor.
4. Upon receipt of the appeal, the Electoral Commission must provide a copy of the appeal to the Supervisor and provide the Supervisor with an opportunity to respond to the appeal within such time as determined by the Electoral Commission.
5. The Electoral Commission will decide the appeal within three (3) days of the receipt of the 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.
6. The decision of the Electoral Commission will be in writing.
7. The decision of the Electoral Commission shall be final.