

ELECTIONS AND BOUNDARIES DEPARTMENT

TOLEDO EAST ELECTORAL DIVISION BY-ELECTION

WEDNESDAY, 17TH JULY 2024

NOTICES

ELECTION OFFENCES

The Elections and Boundaries Department hereby reminds the general public that the following are election offences in connection with the upcoming scheduled to be held on Wednesday, 17th July 2024.

RESTRICTION ON SALE OF INTOXICATING LIQUOR ON ELECTION DAY

Section 28 of the Representation of the People Act and Act No. 34 of 2020 which states that every person who is the holder of any liquor licence granted under the provisions of any Act authorising the sale of intoxicating liquor in any premises maintained solely for that purpose shall take all necessary steps to cause such premises to be closed to the public on election day, that is, 7:00 a.m. 17th July 2024, until twelve midnight.

The law further provides that any person who is the holder of any hotel licence, special hotel licence, restaurant licence or licence to sell liquor in any premises, not solely maintained for that purpose, granted under the provisions of any Act authorizing the sale of intoxicating liquor shall take all necessary steps to prevent the sale of intoxicating liquor at any time upon election day until twelve midnight.

A breach of this section by any person is an offence and a fine not exceeding two thousand dollars.

EMPLOYERS TO ALLOW EMPLOYEE PRESCRIBED PERIOD FOR VOTING

Section 29 of the Representation of the People Act, which requires employers to allow employee prescribed period for voters on Election Day, Wednesday, 17th July 2024, between the hours of 7:00 a.m. and 6:00 p.m.

(1) Every employer shall, on polling day, allow every voter in his employ a reasonable time during the prescribed period for voting, and no employer shall make any deduction from the pay or other remuneration of any such voter or impose upon or exact from him any penalty by reason of his absence during such period.

(2) Any employer who, directly or indirectly refuses to grant, or by intimidation, undue influence or in any other way, interferes with the granting of reasonable time to any voter in his employ during the prescribed period of voting as in this section provided, shall on summary conviction be liable to a fine not exceeding two thousand dollars or to imprisonment for a period not exceeding one year.

BAN ON LOUDSPEAKERS ETC. ON POLLING DAY

Section 31 states as follows:

(1) No person shall furnish or supply any loudspeaker, bunting, ensign, banner, standard, set of colours, or any other flag, to any person with intent that it shall be carried, worn or used, as political propaganda, on polling day, and no person shall with any such intent, carry, wear or use, any such loudspeaker, bunting, ensign, banner, standard or set of colours, or any other flag on polling day.

(2) No person shall furnish or supply any flag, ribbons, label or like favour to or for any person with intent that it be worn or used by any person within any division on polling day, as a party badge to distinguish the wearer as the supporter of any candidate, or of the political or other opinions entertained or supposed to be entertained by such candidate, and no person shall use or wear any flag, ribbon, label, or other favour, as such badge, within any city or town on polling day.

(4) No person shall on polling day do any of the following acts within any polling area in which a poll is being taken-

organize, hold or participate in any meeting, or organize, lead or participate in any procession, of five or more persons;

accost, or solicit or canvass his vote from any elector who had already joined the line of voters waiting to vote any polling station.

Any person who contravenes any of the provisions of this regulation shall be liable on summary conviction to a fine not exceeding two hundred and fifty dollars or to imprisonment for any term not exceeding six months.

INFRINGEMENT OF SECRECY

Section 39 of the Representation of the People Act which states:

Every officer, clerk and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in that station, and shall not communicate to any person, except for some purpose authorized by these Regulations before the poll is closed, any information as to the name or number on the register of electors of any voter who has or has not applied for a ballot paper or voted at that station, and no person whatsoever shall interfere or attempt to obtain in the polling station any information as to the candidate for whom any voter there is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter there.

Every clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting and shall not attempt to ascertain at the counting the number on the back of any ballot paper or communicate any information obtained at the counting as to the candidate for whom any vote is given in any particular ballot paper.

No person shall directly or indirectly induce any voter to display his ballot paper after he has marked known to any person the name of the candidate for or against whom he has so marked his vote.

- (5) Any person acting in contravention of the provisions of this regulation shall be liable, on summary conviction to a fine not exceeding one thousand dollars and in default of payment, to imprisonment for a term not exceeding one year.

PROHIBITION AGAINST USE OF MOBILE TELEPHONES AND TAKING OF PHOTOGRAPHS INSIDE POLLING STATION

Statutory Instrument No. 44 of 2008 which provides that no person shall on polling day within a polling station, without the express permission of the Presiding Officer, use a mobile telephone, paging machine or any other device for electronic communications; or film or take photographs or make any audio or video recording of any matter or thing on election day, that is, 6th March 2024.

A breach of this section by any person is an offence under the law.

PROHIBITION AGAINST CARRYING OF FIREARMS ON ELECTION DAY

Statutory Instrument No. 22 of 2008 which provides that no person shall carry, discharge or use any firearm or ammunition in any public place within one hundred yards of any polling station or counting station between the hours of opening of the poll on the polling day that is, 7:00 a.m. on 6th March 2024, until the completion of counting of ballot papers.

This provision does not apply to members of the Belize Police Department or the Belize Defence Force on duty, or to any other public officer on official duty who has been authorized by the Commissioner of Police in writing to carry any firearm or ammunition.

A contravention of this provision is an offence under the Firearms Act.

MAINTENANCE OF ORDER AT POLLING STATIONS

Section 40 of the Representation of the Act states:

- (1) During the hours when the poll is open upon election day, no person shall assemble or congregate within one hundred yards of any building in which is situate any polling station.

Every person who contravenes or fails to comply with any of the provisions of this section commits an offence against this section and is liable on summary conviction thereof to a fine not exceeding five hundred dollars or to imprisonment for six months, or to both such fine and period of imprisonment.

~End~