

ELECTIONS AND BOUNDARIES DEPARTMENT

PUBLIC NOTICES

CAYE CAULKER VILLAGE REFERENDUM

WEDNESDAY, 8TH OCTOBER 2025

OFFENCES

The Elections and Boundaries Department hereby reminds the general public that the following are offences in connection with the upcoming referendum scheduled to be held in Caye Caulker Village on Wednesday, 8th October 2025.

The Representation of the People Act states as follows:

RESTRICTION ON SALE OF INTOXICATING LIQUOR ON REFERENDUM DAY

Section 28:

- (1.) Subject to sub-section (2), every person who is the holder of any liquor licence granted under the provisions of any Act authorizing 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 upon election day until twelve midnight.
- (2.) Every 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 at any time upon election day until twelve midnight.
- (3.) Any person who contravenes this section commits an offence punishable on summary conviction with a fine not exceeding two thousand dollars or with imprisonment for a term not exceeding six months.

EMPLOYERS TO ALLOW EMPLOYEE PRESCRIBED PERIOD FOR VOTING

Section 29:

- (1.) Every employer shall, on polling day, allow to 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.

INFRINGEMENT BY ELECTION OFFICERS

Section 30:

Every Election Officer who

- (a) makes in any record, return or other document which he is required to keep or make under this Regulation, any entry, which he knows or has reasonable cause to believe to be false, or does not believe to be true; **or**
- (b) permits any person whom he knows or has reasonable cause to believe not to be a blind person or an incapacitated person to vote in the manner provided for blind persons or incapacitated person, as the case may be; **or**
- (c) refuse to permit any person whom he knows or has reasonable cause to believe to be a blind person or an incapacitated person to vote in a manner provided for blind persons or incapacitated person, as the case may be; **or**
- (d) wilfully prevents any person from voting at polling station at which he knows or has reasonable cause to believe such person is entitled to vote; **or**
- (e) wilfully rejects or refuses to count any ballot paper which he knows or has reasonable cause to believe is validly cast for any choice in accordance with the provisions of these Regulations; **or**
- (f) wilfully counts any ballot paper as being cast for any choice, which he knows or has reasonable cause to believe was not validly cast for such choice.

is guilty of an offence against this section and on conviction on indictment, liable to be imprisoned for any term not exceeding five years:

BRIBERY

Section 32:

- (1) The following persons shall be deemed guilty of bribery within the meaning of this Act-
 - (a) every person who, directly or indirectly by himself or by any other person on his behalf, gives, lends or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of that voter having voted or refrained from voting at any election;
 - (b) every person who directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure or to endeavour to procure, any office, place or employment to or for any voter, or to or for any person on behalf of that voter, or to or for any other person, in order to induce that voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election;
 - (c) every person who directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid to or for any person

in order to induce that person to procure, or to endeavour to procure, the return of any person as an elected member of the House of Representatives or the vote of any voter at any election;

- (d) every person who, upon or in consequence of any gift, loan, offer, promise, procurement or agreement, procures, or engages, promises or endeavours to persuade the return of any person as an elected member of the House of Representatives or the vote of any voter at any election;
 - (e) every person who advances or pays, or causes to be paid, any money to or for the use of any other person, with the intent that that money, or any part thereof, shall be expended in bribery at any election, or who knowingly pays, or causes to be paid, any money to any person, in discharge or repayment of any money wholly or in part expended in bribery at any election;
 - (f) every voter who, before or during any election, directly or indirectly, by himself or by any other person on his behalf, receives, agrees, or contracts for, any money, gift, loan or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election;
 - (g) every person who, after any election, directly or indirectly, by himself or any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting at any election.
- (2) No person shall be guilty of bribery under subsection (1) who gives to any other person any article not exceeding twenty dollars in value.

UNDUE INFLUENCE

Section 34:

Every person who, directly or indirectly, by himself or any other person on his behalf-

- (a) makes use, or threatens to make use, of any force, violence or restraint, or inflicts or threatens to inflict, any temporal or spiritual injury, damage, harm, or loss upon or against any person, in order to induce or compel that person to vote or refrain from voting or on account of that person having voted or refrained from voting, at any election, or
- (b) by abduction, duress, or any fraudulent contrivance impedes or prevents the free exercise of the franchise of any voter, or thereby compels, induces or prevails upon any voter either to give or refrain from giving his vote at any election,

is guilty of undue influence within the meaning of this Act.

Penalty for certain illegal practices at election

Section 37:

Every person who-

- (a) votes or induces, or procures any person to vote, at any election, knowing that he or that person is prohibited by this Act, or by any law in force, from voting at that election; or
- (b) before or during any election, knowingly publishes any false statement of the withdrawal of a candidate at the election for the purpose of promoting or procuring the election of another candidate; or

- (c) before or during any election, for the purpose of affecting the return of any candidate at such election, makes or publishes any false statement of fact in relation to the personal character or conduct of such candidate; or
- (d) between the date of notification by the Chief Elections Officer of the issue by the Governor-General of a writ for the purposes of an election and the day after polling at such election, whether in a general election or in a by-election, acts in a disorderly manner with intent to prevent the transaction of the business of a public meeting called for the purpose of promoting the election of a candidate as a member to serve in the House of Representatives,

shall be guilty of an illegal practice, and is liable on summary conviction to a fine not exceeding one thousand dollars, and, in default, to imprisonment for any term not exceeding twelve months.

OFFENCES IN RESPECT OF BALLOT PAPERS

Section 38:

(1) Every person who-

- (a) forges or counterfeits, or fraudulently defaces, or fraudulently destroys, any nomination [ballot] paper, or delivers to the presiding officer any nomination paper, knowing the same to be forged; or
- (b) forges or counterfeits, or fraudulently defaces, or destroys, any ballot paper or the official mark on any ballot paper; or
- (c) without due authority, supplies a ballot paper to any person; or
- (d) fraudulently puts into any ballot box any paper other than the ballot paper which he/she is authorised by law to put in; or
- (e) fraudulently takes out of a polling station any ballot paper; or
- (f) without due to authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purpose of any election,

shall be guilty of a misdemeanor, and shall be liable, if he is a presiding officer or clerk employed at the polling station, to a fine not exceeding two thousand dollars, or to imprisonment for any term not exceeding five years, and, if he is any other person, to a fine, on summary conviction, not exceeding one thousand dollars, or to imprisonment for any term not exceeding five years, and, if he is any other person, to a fine, on summary conviction, not exceeding one thousand dollars, or to imprisonment for any term not exceeding three years.

(2) In any indictment or other prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the returning officer at such election.

MAINTENANCE OF OR ORDER AT POLLING STATIONS

Section 40:

(1) During the hours when the poll is open on Referendum Day no person shall assemble or congregate within one hundred yards of any building on which is situate any polling station.

(2) This section shall not apply –

(a) To any voters who are waiting to poll their votes at such polling station and who obey any instructions which may be given by the presiding officer or any constable for the purpose of forming a queue with tother electors also so waiting; or

(b) To any person who may under the provisions of the Act lawfully enter or remain in such polling station.

(3) 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.

PROHIBITION OF THE PRINTING AND PUBLISHING OF PRESCRIBED FORMS (BALLOT PAPERS)

Rule 16:

(1) No one other than the Chief Elections Officer or a person authorized by him/her shall print or publish any form prescribed by these Regulations or print or publish any form which in the opinion of the Chief Elections Officer resembles or sufficiently resembles any form prescribed by these Regulations so as to be capable of misleading an elector into believing that that form was a form or a sample of a form printed or published by the Chief Elections Officer.

Provided that-

It shall be lawful to print or publish a form or a sample of a form which has printed on it in a conspicuous manner: “This is NOT an official form and is NOT printed or published by or under the authority of the Chief Elections Officer. It is for the guidance of electors only.”

(2) Any person who contravenes the provisions of paragraph (1) of this rule shall be guilty of an offence and shall be liable upon summary conviction to a fine not exceeding five hundred dollars or to imprisonment for any term not exceeding three months or to both such fine and imprisonment.

(3) Any person who distributes any form printed or published in contravention of the provisions of paragraph (1) of this rule shall be guilty of an offence and shall be liable upon summary conviction to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding one month or to both such fine and imprisonment.

INFRINGEMENT OF SECRECY

Section 39:

(1.)Every officer and clerk 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 this Act 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 whosoever shall interfere or attempt to interfere with a voter when marking his vote or otherwise 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.

- (2.) 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.
- (3.) No person shall directly or indirectly induce any voter to display his ballot paper after he has marked it, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.
- (4.) Any person acting in contravention of the provisions of this section is 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.

~End~