

**ELECTIONS (AMENDMENT) BILL, 2018**

*(Bill No. 21 of 2018)*

**OBJECTS AND REASONS**

The Bill seeks to amend Elections Act (Cap 262) in order to make provisions for the appointment of a Chief Executive Officer to the Electoral Commission. The Bill also seeks to provide for the method of appointment, termination, duties and functions of the Chief Executive Officer.

**Dated this 20th day of July, 2018.**

**FRANK D.R. ALLY  
ATTORNEY-GENERAL**

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**ELECTIONS (AMENDMENT) BILL, 2018**

(Bill No. 21 of 2018)



**A BILL**

**OF**

**AN ACT to amend the Elections Act (Cap 262).**

**ENACTED** by the President and the National Assembly.

**1.** This Act may be cited as **Elections (Amendment) Act, 2018.** Short title

2. The Elections Act is hereby amended by inserting after section 92 the following—

**“PART IVA - CHIEF EXECUTIVE OFFICER**

Chief  
Executive  
Officer of  
the  
Commission

92A.(1) The President, shall appoint a Chief Executive Officer of the Electoral Commission from among persons having qualifications and experience in administrative matters and matters relating to the holding of elections.

(2) The appointment under subsection (1) shall be made from the panel of 3 candidates furnished to the President by the Electoral Commission.

(3) A person shall not be appointed as the Chief Executive Officer if that person is an office bearer of any registered political party.

(4) The term of office, salary and allowances of the Chief Executive Officer shall be such as may be determined by the President.

(5) The Chief Executive Officer shall be the secretary of the Electoral Commission and shall attend the meetings of the Electoral Commission.

(6) The Chief Executive Officer shall, subject to the control and supervision of the Electoral Commission, be responsible for the implementation of the decisions of the Electoral Commission.

(7) The Chief Executive Officer may, with the permission of the Electoral Commission, sign documents other than those relating to the

conduct of election or referendum, as the case may be, and perform such other functions or duties as the Electoral Commission may assign.

(8) The Chief Executive Officer shall submit to the Electoral Commission reports on matters relating to the activities of the Electoral Commission.

(9) The Chief Executive Officer may, subject to the approval of the Electoral Commission, employ such number of other staff required for the day to day affairs of the Electoral Commission and shall have general supervision and control over the staff of the Electoral Commission.

(10) The Chief Executive Officer may, with the approval of the Electoral Commission, determine the terms and conditions of service of other staff of the Electoral Commission.

(11) The Chief Executive Officer shall be responsible for keeping up-to-date the records of the Electoral Commission relating to the electoral officers, registration of voters, conduct of election or referendum, funds and grants if any, received and shall be responsible for preparing annual reports and financial statements.

(12) The Chief Executive Officer may, subject to the approval of the Electoral Commission, delegate any of his or her duties or functions to any of the staff of the Electoral Commission.

(13) The President shall terminate the appointment of the Chief Executive Officer, who—

- (a) has been found guilty of any misconduct, default or breach of trust in the discharge of any duties;
- (b) is an undischarged insolvent or bankrupt;
- (c) is convicted of an offence and sentenced to a term of imprisonment of three months or more;
- (d) is absent from three consecutive meetings of the Board without leave from the Chairperson; or
- (e) is mentally or physically incapable of carrying out the functions under this Act.