

I assent.

JOHN GUTCH,

Officer Administering the
Government.

7th March, 1953.

ORDINANCE No. 3 OF 1953.

AN ORDINANCE to make provision for the allocation of symbols and colours to persons desirous of being nominated at the first election of Members of the House of Assembly and for other matters in connection therewith.

7th March, 1953.

BE IT ENACTED by the Governor of British Guiana, with the advice and consent of the Legislative Council thereof, as follows:—

A.D. 1953

1. This Ordinance may be cited as the House of Assembly (Symbols and Colours) (Elections) Ordinance, 1953. Short title.

2. In this Ordinance —

“electoral district” means an electoral district constituted and defined in pursuance of the British Guiana (Constitution) Order in Council, 1953; Interpretation.

“the House of Assembly” means the House of Assembly of British Guiana constituted by the British Guiana (Constitution) Order in Council, 1953;

“Registration Officer” means the person appointed by the Governor under the provisions of subsection (1) of section six of the Special Registration Ordinance, 1952.

3. (1) Every person desirous of being nominated at the first election of Members of the House of Assembly (hereinafter referred to as ‘a candidate’) shall not later than the twenty-first day of March, nineteen hundred and fifty-three be allocated a symbol in the manner and on the conditions hereinafter provided by this Ordinance, and no person to whom a symbol has not been allocated shall be eligible to be nominated as a candidate at such election. No. 7 of 1952.
Allocation of symbols.

(2) Where a symbol has been allocated to any person, he shall be eligible for nomination as a candidate only in respect of the electoral district for which the symbol was allocated.

Allocation
of colours.
First
Schedule.

4. (1) Every candidate shall, in respect of the electoral districts set out in the First Schedule to this Ordinance, and in respect of no other electoral district not later than the twenty-first day of March, nineteen hundred and fifty-three, in addition to the symbol to be allocated in accordance with section three of this Ordinance, be allocated a colour in the manner and on the conditions hereinafter provided by this Ordinance, and no person to whom a colour so required has not been allocated shall be eligible to be nominated at such election in respect of any of such electoral districts.

(2) Where a candidate has been allocated a colour, he shall be eligible for nomination only in respect of the electoral district in respect of which the colour has been allocated.

Applica-
tion for
allocation
of symbol
and colour
and deposit
to be
made.
Second
Schedule
Form No. 1.

5. (1) Subject to the provisions of section eight of this Ordinance, every candidate or any person authorised in writing by him in that behalf shall make application not later than the eighteenth day of March, nineteen hundred and fifty-three for the allocation of a symbol and, where required by section four of this Ordinance, of a colour in the form set out in Form No. 1 in the Second Schedule to this Ordinance.

(2) Prior to the allocation of a symbol or of a colour every candidate shall —

- (a) pay or cause to be paid to the Financial Secretary and Treasurer on deposit the sum of two hundred and forty dollars and shall obtain a receipt therefor; and
- (b) supply the Registration Officer with a recent unmounted photograph of the candidate of the size two and one-half inches by two inches duly certified by the candidate to be a true photograph of himself.

(3) On being satisfied that the candidate has complied with the provisions of subsections (1) and (2) of this section, the Registration Officer shall notify the candidate or where a person is duly authorised and appointed under the provisions of subsection (1) of section six of this Ordinance, that person of the time when and the place where a symbol, or a symbol and a colour, as the case may be, will be allocated to the candidate.

(4) Every candidate shall, forthwith at the request of the Registration Officer, furnish such additional copies of the photograph submitted by him in accordance with paragraph (b) of subsection (2) of this section, as the Registration Officer may require certified in the manner required by that paragraph.

6. (1) Subject to the provisions of section eight of this Ordinance a symbol, and where required by section four of this Ordinance a colour, shall be drawn for by the candidate, or by any person authorised in writing by the candidate in that behalf, in respect of an electoral district from a ballot box containing such symbols or colours as the case may be as have been approved by the Governor, and which have not yet been allocated to any candidate in respect of the said electoral district, in the presence of a Magistrate, the Commissioner of Local Government and the Registration Officer.

Mode of
allocating
symbol
and colour.

(2) The symbol or colour drawn shall be allocated to the candidate drawing the same in respect of the electoral district for which he has requested the allocation.

7. Subject to the provisions of section eight of this Ordinance a candidate shall be entitled to the sole use at the first election of Members of the House of Assembly of the symbol, or the symbol and the colour as the case may be, allocated to him, in respect of the electoral district for which such symbol or such symbol and colour were allocated.

Candidate entitled to sole use of symbol and colour drawn.

8. (1) Where six or more candidates in respect of different electoral districts, desire that a common symbol be allocated to them, they shall make a statutory declaration to that effect in the form set out as Form No. 2 in the Second Schedule to this Ordinance and in that declaration shall authorise and appoint one of their number to draw a symbol on their behalf.

Allocation of a common symbol to six or more candidates. Second Schedule Form No. 2.

(2) Each such candidate shall comply with the provisions of subsection (2) of section five of this Ordinance.

(3) On being satisfied that each of the candidates has complied with the provisions of subsections (1) and (2) of this section, the Registration Officer shall notify the candidate of the time and the place where the symbol or the symbol and the colour or colours which may be required by those candidates will be allocated, and the symbol or the symbol and the colour or colours shall be allocated in the manner provided by section six of this Ordinance.

(4) Any other candidate to whom a symbol or a symbol and a colour have not been allocated, may, not later than the twenty-first day of March, nineteen hundred and fifty-three be allocated a common symbol previously allocated to other candidates on complying with the provisions of subsection (2) of this section and on presentation to the Registration Officer of a statutory declaration in the form set out as Form No. 3 in the Second Schedule to this Ordinance made by all of the other candidates to whom the common symbol has already been allocated, that such candidate may be allocated that common symbol:

Second Schedule Form No. 3.

Provided that a candidate shall not be allocated a common symbol if he is a candidate in respect of any of the electoral districts for which any of the other candidates making the statutory declaration required by this subsection is also a candidate.

9. The Colonial Secretary shall keep a register in which shall be recorded the names, occupations and addresses of the candidates to whom symbols or symbols and colours have been allocated, a description of the respective symbols and colours allocated to those candidates, and the electoral districts in respect of which such allocations have been made.

Register of candidates. Symbols and colours.

10. (1) If any person to whom a symbol is allocated under section three of this Ordinance fails to be nominated as a candidate at the first election of Members of the House of Assembly or if the number of votes polled by a candidate at such election who is not elected does not exceed fifteen

Forfeiture of deposit.

per centum of the total number of votes polled, then, subject to subsection (3) of this section, the deposit made by or on behalf of the candidate under subsection (2) of section five of this Ordinance or under subsection (2) of section eight of this Ordinance, shall be forfeited and shall be paid by the Financial Secretary and Treasurer into the general revenue of the Colony.

(2) For the purposes of subsection (1) of this section the total number of votes polled shall be deemed to be the number of ballot tickets (other than spoilt ballot tickets) counted.

(3) If a candidate dies before the date fixed for nomination or if having been duly nominated he dies before the poll has commenced, the deposit, if made by him, shall be returned to his legal personal representative and, if not made by him, shall be returned to the person by whom the deposit was made.

(4) The deposit shall be returned to the candidate or other person who made the deposit, as the case may be, —

(a) where the candidate is elected, as soon as he has taken the oath as a Member of the House of Assembly;

(b) where the candidate is not elected and the deposit is not forfeited under subsection (1) of this section, as soon as practicable after the result of the election is declared.

Commence-
ment.

11. This Ordinance shall be deemed to have come into operation on the twenty-sixth day of February, nineteen hundred and fifty-three.

FIRST SCHEDULE

(Section 4 (1))

HOUSE OF ASSEMBLY (SYMBOLS AND COLOURS) (ELECTIONS) ORDINANCE, 1953.

ELECTORAL DISTRICTS

No. 1 North West

No. 5 Bartica and Interior.

SECOND SCHEDULE

(Section 5 (1))

Form No. 1

HOUSE OF ASSEMBLY (SYMBOLS AND COLOURS) (ELECTIONS) ORDINANCE, 1953.

BRITISH GUIANA.

To the Registration Officer.

I,(name in full)

..... (occupation)

..... (address)

hereby make application to be allocated a symbol and a colour (strike out the words which do not apply) to be used by me in respect.....

.....(here state the electoral district for which applicant intends to seek election).

Dated the.....day of.....1953.

Signed

Form No. 2 (Section 8 (1))

HOUSE OF ASSEMBLY (SYMBOLS AND COLOURS) (ELECTIONS) ORDINANCE, 1953.

Statutory Declaration by Applicants in respect of Common Symbol and Common Colour required.

- We (1)
 (2)
 (3)
 (4)
 (5)
 (6)

Here state full names, occupations and addresses.

do solemnly and sincerely declare as follows:—

- We desire that a common symbol be allocated to us to be used by us in respect of the electoral districts appearing opposite our respective names.

| Names of Applicants. | Electoral Districts |
|----------------------|---------------------|
| (1) | |
| (2) | |
| (3) | |
| (4) | |
| (5) | |
| (6) | |

- We hereby authorise and appoint.....(state name of applicant) to draw a common symbol on our behalf.

Signed.....

.....

} Declarants

Declared at

thisday of

.....

Before me

.....

Commissioner of Oaths.

- Note.**
- This declaration is exempt from Stamp Duty, and no fee shall be charged, paid or received for taking it.
 - Statutory Declarations Ordinance (Chapter 255), section 4. "Every one who makes a declaration according to this Ordinance containing any statement false in fact, which he knows or believes to be false or does not believe to be true, shall be guilty of a misdemeanour, and, on conviction thereof, shall be liable to imprisonment with or without hard labour, for any term not exceeding one year."

Form No. 3

(Section 8(4))

HOUSE OF ASSEMBLY (SYMBOLS AND COLOURS) (ELECTIONS) ORDINANCE, 1953.

Statutory Declaration by persons to whom a common symbol has already been allocated.

We (1)
(2)
(3)
(4)
(5)
(6)

Here state full names, occupations and addresses.

do solemnly and sincerely declare as follows:—

1. We have been allocated a common symbol(state nature of symbol) in respect of Electoral Districts

(1)
(2)
(3)
(4)
(5)
(6)

Here state Electoral Districts for candidates in order in which their names appear above.

2. We desire that the abovementioned symbol be also allocated to

.....
.....
.....

Here state names, occupations and addresses

in respect of electoral districts..... respectively.

Signed.....
.....
.....
.....
.....

Declarants

Declared at
thisday of

Before me
Commissioner of Oaths.

Note. (1) This declaration is exempt from Stamp Duty, and no fee shall be charged, paid or received for taking it.
(2) Statutory Declarations Ordinance (Chapter 255), section 4: "Every one who makes a declaration according to this Ordinance containing any statement false in fact, which he knows or believes to be false or does not believe to be true, shall be guilty of a misdemeanour, and, on conviction thereof, shall be liable to imprisonment with or without hard labour, for any term not exceeding one year."