THE CONSTITUTION (AMENDMENT) BILL, 2014

List of Amendments made in the Senate at the Committee Stage of the Constitution (Amendment) Bill, 2014

First Column Clause	Second Column Extent of Amendment
6	A. In the proposed section 49B- (a) In subsection (2)(a), delete the words "three years" and substitute the words "two years and six months"; (b) Insert after subsection (2), the following subsections: "(3) The Elections and Boundaries Commission shall, within two weeks from the date that an application is received under subsection (1), cause notice of the application to be- (a) published in the *Gazette*, at least two newspapers in daily circulation in Trinidad and Tobago and on its website; and (b) made available for inspection and signature at the place or places designated in the notice and during the times specified in the notice. (4) A notice published under subsection (3) shall- (a) designate the place or places at which the application is available for signature; and (b) state that the application shall be made available for inspection and signature between the hours of 8.00 a.m. and 4.00 p.m. for a period of twenty-one days from the date of its first publication in a newspaper, including Saturdays and Sundays, but not on public holidays.";

First Column Clause	Second Column Extent of Amendment
6	(c) Delete subsections (5) and (6) and renumber subsections (3) and (4) as (5) and (6), respectively; (d) In the renumbered subsection (5), in paragraph (a), delete the words "ten per cent" and substitute the words "twenty per cent"; (e) In the renumbered subsection (6) – (i) delete the words "three years" and substitute the words "two years and six months"; and (ii) delete the words "signatures in"; (f) In subsection (7) – (i) delete from the word "-" to the words "(b)"; and (ii) delete the words "ten per cent" and substitute the words "twenty per cent"; (g) In subsection (8)(b), delete the words "Form No. 3" and substitute the words "Form No. 2"; and (h) In subsection (11), delete the words "Form No. 4" and substitute the words "Form No. 3". B. In section 49C(7), delete the words "Form No. 4" and substitute the words "Form No. 3".
8	A. Insert after the words "is amended", the following: " – (a) in subsection (1), by deleting the words "The election" and substituting the words "Subject to subsections (3), (4), (5), (6) and (7), the election"; and (b) ".

First Column Clause	Second Column Extent of Amendment
8	B. In the proposed subsection (4) – (a) delete the word "Where" and substitute the words "Subject to subsections (5), (6) and (7), where"; and (b) delete the words "those candidates who earned the highest and" and substitute the words "the candidate who earned the highest and the candidate who earned the". C. Insert after the proposed subsection (4), the following subsection: " (5) A candidate, other than a candidate referred to in subsection (4) - (a) who earns at least twenty-five per cent of the votes cast in a first poll; and (b) whose votes fall within a margin of five per cent of the votes earned by- (i) the candidate obtaining the second highest number of votes; or (ii) the two candidates who earned the highest number of votes, in the event of an equality of votes between those two candidates, may contest the supplementary poll. (6) Notwithstanding subsection (3), where a supplementary poll is held among three or more candidates, the candidate who obtains the highest number of votes shall be declared the candidate having the highest number of votes to be elected under subsection (1). (7) For the avoidance of doubt, where there is an equality of votes between two candidates obtaining the highest number of votes and no other candidate earns twenty-five per cent or more of the votes, the supplementary poll shall be held between those candidates.".

First Column Clause	Second Column Extent of Amendment
10	In the proposed Fourth Schedule: (a) Delete the words "[Sections 49B(1), (6), (8)(b) and (11) and 49C(7)]" and substitute the words "[Sections 49B(1), (8)(b) and (11) and 49C(7)]"; (b) In the proposed Form No. 1, delete the words "ten per cent" and substitute the words "twenty per cent"; and (c) Delete the proposed Form No. 2 and renumber Form No. 3 and Form No. 4 as Form No. 2 and Form No. 3, respectively.
11	A. In the Schedule, in paragraph (b)(ii), in the proposed section 33(3)(b)(i)(B), delete the words "of the first poll" and substitute the words "on which the results of the first poll are declared in writing by the Returning Officer". B. In the proposed amendment to rule 101 of the Election Rules – (a) Delete subrule (1)(b)(ii) and substitute the following: " (ii) that a supplementary poll shall be held within fifteen days- (A) between those candidates who earned the highest and second highest number of votes; (B) where there is an equality of votes between two candidates obtaining the highest number of votes, between those two candidates; or (C) among the candidates referred to in sub-subparagraphs (A) or (B) and any other candidate-who earned at least twenty-five per cent of the votes and whose votes fall within a margin of five per cent of the votes earned by the candidate obtaining the second highest number of votes or the candidates referred to in sub-subparagraph (B),";

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11	(b) in subrule (17), delete the words "or (c)"; and (c) delete subrule (18) and insert the following rule: "(18) Where a recount- (a) under subrule (16)(b) results in an equality of votes among three or more candidates; or (b) under subrule (16)(c) does not result in- (i) one candidate obtaining the most votes and one other candidate obtaining the second most votes; and (ii) one candidate obtaining more than fifty percent of the votes, the Chief Election Officer shall so certify to the Returning Officer who shall declare the poll void and a new poll shall, as soon as possible, be held in accordance with these Rules.". C. In the proposed amendments to the Election Rules, renumber paragraphs (r) to (t) as paragraphs (s) to (u) and insert after paragraph (q), the following paragraph: "(r) renumber rule 105 as rule 105(1) and insert thereafter the following subrule: " (2) Notwithstanding subrule (1), where a supplementary poll is to take place following the first poll of a general election, the Returning Officer shall maintain custody of the unit registers of electors together with the keys of the binders, the register of special electors and the relevant files of answers to questions after the first poll and shall, within seven days after the supplementary poll, return them to the Registration Officers from whom he received the same; and the Registration Officers shall give to the Returning Officer a receipt for the same.".

Senate Secretariat
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