

# THE REPRESENTATION OF THE PEOPLE (AMENDMENT) (NO. 2) BILL, 2020

## EXECUTIVE SUMMARY

<b>Bill No.:</b>	House of Representatives Bill 15 of 2020
<b>Introduced in:</b>	House of Representatives
<b>Introduced by:</b>	Dr. The Honourable Keith Rowley [Prime Minister]
<b>Introduced on:</b>	14-Oct-2020
<b>Published in Gazette on:</b>	14-Oct-2020, Vol.59 No.181

This Bill seeks to amend the Representation of the People Act, Chap. 2:01, in order to provide for the registration of political parties and to make provisions for related matters. This is accommodated under the 11 clauses of this Bill.

### Part I

Part one of the Representation of the People Amendment Bill has provided for the interpretation and definition of several words and phrases cited throughout the Bill. It has also made accommodations for the insertion of new definitions.

### Part II

Part II A of the Bill has provided for the registration, deregistration, mergers and coalitions of political parties. It has also made provisions for the establishment of a new division of the Elections and Boundaries Commission to be known as the Office of the Registrar of Political Parties. This section has made provisions so that neither an association of persons nor an organization, can function as a political party unless it has been registered in accordance with the requirements of the Act. This provision also applies to the leader or authorized representative of any potential political party.

This section has also set out the guidelines for registration of a political party, as well as the grounds on which the Commission may refuse to register a political party. Additionally, in the event that a defective application is made, the procedure to rectify this has also been provided

for in this section. The Commission may also carry out an investigation to determine the legitimacy of the information provided by the political party in their application to register. This section has also provided the disqualification criteria for officers of a political party as well as the criteria and guidelines for deregistration. Similarly the guidelines for mergers and coalitions have also been accommodated for in this section, as well as that of any changes to name, identifying symbol, slogan or colour of a political party.

Part II B has provided for the Accounts, Returns, and Audit of registered political parties. It has stated that a registered political party is under duty to maintain proper accounting records, file annual financial reports with the Commission, and the Commission must be notified of any and all financial institutions in which the party has accounts. This section has also made provisions for the guidelines under which a political party may be audited.

Part II C has accommodated for the State-funding of political parties and the respective obligations which need to be fulfilled, as well as the conditions under which a political party may be disqualified from receiving state funds.

#### **Part IV**

In continuation to the provisions set out for state funding, part IV A has addressed that of donations and campaign financing. This section has also provided for the establishment of the National Election Campaign Fund, the disbursement of the Fund and the management of the Fund.

#### **Notes**

The final clause of the Bill has provided for the insertion of four new schedules; the fourth, fifth, sixth and seventh schedules. The Fourth Schedule has set out the required content of the written constitution of a political party applying for registration. The Fifth Schedule has laid out the information which is to be presented to the Commission when a political party applies to be registered. The Sixth Schedule has set out the Code of Conduct for political parties, and finally the Seventh Schedule has set out the requirements for any coalition agreement between political parties.

**\*\*As of October 14 2020, this Bill was referred to the Joint Select Committee for consideration.**