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"Electoral Commissioner" means the Electoral Commissioner appointed under article 115 of the Constitution;

"lobby" means a lobby constituted under section 60(2);

"National Assembly Election" means an election to elect a directly elected member;

"Outer Islands" means the islands specified as Outer Islands in Part II of Schedule 1 of the Constitution;

"Presidential Election" means an election to elect the President of Seychelles.

3. (1) The Electoral Commissioner shall, for the purposes of this Act, appoint -

(a) a Chief Registration Officer who shall, subject to the directions of the Electoral Commissioner, be responsible for the registration of voters under this Act;

(b) a Chief Electoral Officer who shall, subject to the directions of the Electoral Commissioner, be responsible for the supervision of elections or a referendum under this Act;

(c) a Registration Officer for each electoral area and such number of Assistant Registration Officers as the Electoral Commissioner thinks fit for each such area; and

(d) an Electoral Officer for each electoral area and such number of Assistant Electoral Officers as the Electoral Commissioner thinks fit for each such area.

(2) The Chief Registration Officer and the Chief Electoral Officer may give directions not inconsistent with this Act to any person exercising a function in connection with the registration of

voters or the conduct of an election or a referendum, as the case may be, and such person shall comply with the directions.

(3) The Registration Officers and Assistant Registration Officers, may subject to the directions of the Chief Registration Officer, exercise and perform in the electoral areas for which they are appointed, all the functions conferred on the Chief Registration Officer under this Act.

(4) The Electoral Officers and Assistant Electoral Officers, may, subject to the directions of the Chief Electoral Officer, exercise and perform in the electoral areas for which they are appointed all the functions conferred on the Chief Electoral Officer under this Act.

(5) A person appointed under this section may at any time demand from any person any information necessary to ascertain whether the person is qualified to be registered as a voter in an electoral area or to vote in an electoral area.

(6) The Chief Registration Officer or the Chief Electoral Officer or a Registration Officer or an Electoral Officer may, for the purpose of this Act, administer oaths and may require any declaration, information or explanation given by any person for the purpose of this Act to be verified on oath.

(7) An appointment made under subsection (1) shall be published in the Gazette.

(8) A person appointed under subsection (1) shall, before taking office, take and subscribe before the Electoral Commissioner an oath of secrecy provided by the Commissioner.

4. For the purposes of this Act, Seychelles shall consist of such Electoral areas
number of electoral areas into which Seychelles is divided under articles 112 and 116 of the Constitution:

Provided that the electoral areas into which Seychelles is divided at the commencement of this Act shall, until any determination is made under those articles, be deemed to be the electoral areas for the purposes of this Act.

115.(1) There shall be an Electoral Commissioner who shall be appointed by the President from candidates proposed by the Constitutional Appointments Authority for a term of office of not more than seven years.

Electoral Commissioner

(2) A person is qualified to be appointed as the Electoral Commissioner if —

- (a) the person is qualified to be registered as a voter and is a person of proven integrity and high repute; and
- (b) the person is not a candidate in an election under this Constitution or is not the President, a Minister or a member of the National Assembly.

(3) Subject to this Constitution, the Electoral Commissioner shall not be subject to the direction or control of any person or authority in the performance of the functions of the Commissioner under this Constitution.

(4) The Electoral Commissioner shall be paid such salary, allowances and gratuity as may be prescribed by an Act and the salary, allowances or gratuity so payable shall be a charge on the Consolidated Fund.

(5) Subject to article 165, the term and conditions on which a person has been appointed Electoral Commissioner shall not be altered to the disadvantage of the person after the appointment.

(6) The Electoral Commissioner shall, at the end of the term of office, vacate the office and is eligible for reappointment.

116.(1) The Electoral Commissioner —

Functions of Electoral Commissioner

- (a) shall be responsible for the conduct and supervision of the registration of voters and of elections and referenda under this Constitution;
- (b) shall keep under continuous review the number and boundaries of the electoral areas into which Mahé and Praslin are divided having regard to article 112(3);
- (c) shall keep under continuous review the practices and working, including such matters as finance, broadcast and advertising, of political campaigns in respect of elections and referenda under this Constitution;

(d) shall have such other functions as may be prescribed by or under this Constitution or an Act.

(2) The Electoral Commissioner shall, within ninety days after each election or referendum under this Constitution, submit to the National Assembly and the President a report on the conduct of —

(a) the political campaign leading up to the election or referendum; and

(b) the election or referendum,

together with such recommendations as the Commissioner may consider necessary for the purposes of ensuring true, fair and effective elections and referenda.

(3) The Electoral Commissioner shall, not later than three years after the coming into force of this Constitution and thereafter three years after the Commissioner last submitted a report in terms of clause (1)(b), submit to the National Assembly and the President a report in terms of clause (1)(b) together with such recommendations regarding changes in the number or boundaries of the electoral area on Mahé and Praslin which the Commissioner considers necessary in the circumstances.

(4) As soon as is practicable within thirty days after the submission of the report under clause (3) the President shall cause to be laid before the National Assembly the draft of an order by the President for giving effect to the recommendations contained in the report relating to changes in the number or boundaries of the electoral areas referred to in the report and the draft may make provision for any matter which appears to the President to be incidental to or consequential upon the other provisions of the draft.

(5) When the draft order laid before the National Assembly under clause (4) is approved by resolution of the National Assembly, the President shall make an order, which shall be published in the *Gazette*, in terms of the draft and the order shall come into force on the next dissolution of the National Assembly after the order is so published.

(6) Where the draft order laid before the National Assembly under clause (4) is not approved by resolution of the National Assembly, the President shall refer the matter to the Electoral Commissioner for its reconsideration.

Control of funds
in relation to
election and
referendum

117.(1) An Act shall provide for the regulation and control by the Electoral Commissioner of —

(a) election or referendum expenditures by a political party or person taking part in an election or referendum;

- (b) contributions to or in favour of a political party or person taking part in an election or referendum or a cause in relation to an election or referendum;
- (c) political broadcasts.

118. An Act shall provide for the registration of political parties, qualifications for entitlement to be registered as a political party, conferment of corporate status on political parties, the maintenance of a register of political parties by the Electoral Commissioner, the submission of accounts and other prescribed particulars and information to the Commissioner by a registered political party, the provision of financial support from public funds to political parties, the control of financial and other contributions to political parties, the disposal of the assets of political parties on dissolution and the submission to the National Assembly by the Electoral Commissioner of an annual report in respect of the functions of the Commissioner under the Act.

Registration of
political parties
and control of
funds

OFFICE OF THE ELECTORAL COMMISSIONER
STAFF ORGANISATION CHART

