



## **Bill - Short Title**

### **A Bill for an Act for the Mandatory Registration of Voters 2016**

( To Facilitate the Mandatory and Compulsory Registration of all eligible voters of the Commonwealth of the Bahamas.)

Or

### **A Bill for An Act to Amend the Parliamentary Registration Act 1992.**

( To Facilitate the Mandatory and Compulsory Registration of all eligible voters of the Commonwealth of the Bahamas.)

The purpose of this Bill is to facilitate through various and alternative means, and through various institutions, the mandatory and compulsory Registration of all eligible voters in and of the Commonwealth of the Bahamas by:-

- a) Mandatory Registration by and through the Parliamentary Registration Department and other government agencies;
- b) Compulsory confirmation of relevant information by individual citizens;

The Mandate for this Emergency legislation is to facilitate Article 69 & 70 of the Bahamas Independence Order 1973; and related Legislations; for the Appointment of Constituencies Commission ( Art. 69); & Procedure for Review of Constituencies(Art.70).

This Emergency Legislative Mandate is within The Public Interest; to facilitate a Legitimate General Elections, constitutionally mandated to be held no later than May 7<sup>th</sup> 2017.

This Emergency Mandate is also necessary based on the significant and unprecedented drop in the registration of eligible voters across the entire archipelago of the Bahamas at this time.

## Components' of the Legislation:

Notwithstanding present legislation mandating the Voluntary presentation of the Voter to register themselves, the following shall be authorized by the passage of this bill:-

1. The Act shall authorize that, the Parliamentary Commissioner, and those authorized by him; transfer the names from the (previous) Registrar of Voters (2012), of all eligible voters as of the expiration of the 2012 Registrar of Voters; to the new 2017 Registrar of Voters; with the exception of those who would be legitimately struck from the Register, and/or, those who would have died since the expiration of the 2012 Registrar of Voters.
2. The Act shall authorize that, the Chief Passport Officer, make available to the Parliamentary Commissioner, and/or the Staff of the Parliamentary Registration Department; a database of all eligible passport holders, to facilitate a correct database of all citizens of the Commonwealth of the Bahamas.
3. That the Parliamentary Commissioner, and those staff authorized by him, receives such a Database from the Chief Passport Office or the Staff of the Passport Office; for the purpose of placing in record the names of all eligible voters on the 2017 Registrar of Voters.
4. That the Department of Immigration also provide to the Parliamentary Commissioner and the staff of the Registration Parliamentary Department, a current database of its completed list of new citizens, since the birth of the 2012 Registrar of Voters; as an

additional database for the verifiable list of all new citizens, also applicable to be eligible voters.

5. Since the sharing of, or access to, personal and private information of citizens need be made accessible between various agencies by a legislative framework necessitated by an Act of Parliament; this Bill will authorize the sharing of datable information between the various department on the bases that;
- i) All information that is required by the Passport Office for the acquiring of a Passport; and
  - ii) All information that is required by the Parliamentary Registration Department for the Registration of Voters; and
  - iii) All information needed for the application and acquiring of citizenship of the Bahamas; is one and the same, and is therefore considered permissible, without further breach, of any other private and personal data of that person.

*NB. ( The pre-supposition is, that the identical Legislative and Regulatory Framework that is required for the National Health Insurance (NHI) to acquire, and share the National Insurance Board (NIB) data, to facilitate the Smart Card system; is the same Regulatory framework that will set the precedence for the cross-sharing of information of database across governmental platforms; for the integration of government services, and the migration of files and public information.)*

6. In the cases where the Mandatory and Compulsory transfer of names to the Registrar of Voters, accessible from databases supplied by the Passport Office and the Department of Immigration, the following will be applicable, and mandated:-
- a) The Parliamentary Registration Department will designate three (3) categories of eligible voters:-
    - i) Constituency Designated (CD)
    - ii) Wrong or No Fixed Address (W/NFA)
    - iii) Not Ordinarily Resident (NOR) in the Bahamas
  - b) The Parliamentary Registration Department will publish the names of all persons, that has been Mandatorily placed on the Registrar of Voters, in a systematic procedures, ( both Alphabetical, and by Constituency or geographical area); in order to cause the eligible voter to present themselves in that manner to the department.
  - c) Where no verifiable address is attached, or the wrong address is designated; the eligible voter has a Compulsory Obligation to confirm a verifiable address, and make an oath for the same;
  - d) Therefore, going forward, the Passport office must mandate from its clients that they verify their address, in the same manner the Parliamentary Registration Department must verify all addresses, based on constituency and street location.

- e) The applicability of these mandates will in no way hinder or forbade, agents of participating Political Parties in an election polling, to maintain the right to challenge any voter placed in any constituency based on information provided in the Mandatory Registration process, based on the authorization provided by this Act.
- f) This Act shall also authorized that Bahamian citizens living overseas can be permitted to vote, within their local designated constituencies, once their ordinary residence have been established, for the designated period of a valid Registrar of Voters. The qualification of that Bahamian citizen living abroad to participate in the polling for the local constituency elections, will be predicated on that person not being a dual citizen, eligible to vote in any other countries. If without a personal home, the ordinary residence of such a citizen should be verified to an address of either:- a Parent, a grandparent, a spouse, a sibling, a child, an aunt or uncle, or niece or nephew; or step parent or siblings, and any close blood relative.
7. Notwithstanding the Mandatory and Compulsory nature of the Act, no Constitutional or Fundamental rights listed in Chapter Three, Articles 16 – 27, of the Constitution; will be infringed of any person or group of persons, by these mandates. While Article 22, which deals with the Protection of Freedom of Conscience, by certain religious groups, regarding the preference not to vote; the obligation to be registered as a Voter, does not infringe or breach on the citizen, any further responsibility, duty or connotation; as the right and privilege of that citizen to be the holder of a Passport.

Therefore, while the citizen may have the right to vote, the responsibility or choice to cast their ballot, may not be carried out as a personal choice, whenever the opportunity arises. That right is not infringed and therefore not enforceable.

8. This Act shall also authorize the Parliamentary Commissioner and his staff or those authorized by him to :-

- a) Investigate and acquire any technology or devices necessary, and
- b) Implement electronic voting, and any other means necessary;

for the facilitation and effective implementation of the methods and regulatory framework contained and authorized by this Act.

--The End --

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