

OBJECTS AND REASONS

This Bill makes provision for

- (a) the holding of a referendum on the following Question:

WHEREAS the State of Barbados is now a Constitutional Monarchy with Her Majesty as Head of State:

AND WHEREAS the Constitution Review Commission in its Report of 1998 has recommended that the State of Barbados should become a Parliamentary Republic with the Head of State being a President and with executive power continuing to be exercised by a Cabinet with the Prime Minister as Head of Government:

AND WHEREAS the Government of Barbados considers that as a Parliamentary Republic Barbados should retain its membership in the Commonwealth:

DO YOU AGREE WITH THE RECOMMENDATION OF THE CONSTITUTION REVIEW COMMISSION THAT BARBADOS SHOULD BECOME A PARLIAMENTARY REPUBLIC WITH THE HEAD OF STATE OF BARBADOS BEING A PRESIDENT WHO IS A CITIZEN OF BARBADOS? ;

- (b) the manner in which the referendum shall be held; and
(c) related matters.

Arrangement of Sections

Section

1. Short title.
2. Interpretation.
3. Referendum in Barbados.
4. Proclamation of Referendum Day.
5. Persons who may vote.
6. Conduct of referendum.
7. Regulations.
8. Expenses.
9. Commencement.

SCHEDULE

BARBADOS

A Bill entitled

An Act to provide for the holding of a referendum on the
Question:

WHEREAS the State of Barbados is now a Constitutional
Monarchy with Her Majesty as Head of State:

AND WHEREAS the Constitution Review Commission in its
Report of 1998 has recommended that the State of Barbados should
become a Parliamentary Republic with the Head of State being a
President and with executive power continuing to be exercised by a
Cabinet with the Prime Minister as Head of Government:

AND WHEREAS the Government of Barbados considers that as a Parliamentary Republic Barbados should retain its membership in the Commonwealth:

DO YOU AGREE WITH THE RECOMMENDATION OF THE CONSTITUTION REVIEW COMMISSION THAT BARBADOS SHOULD BECOME A PARLIAMENTARY REPUBLIC WITH THE HEAD OF STATE OF BARBADOS BEING A PRESIDENT WHO IS A CITIZEN OF BARBADOS?

ENACTED by the Parliament of Barbados as follows:

- | | |
|-----------------|--|
| Short title. | 1. This Act may be cited as the <i>Referendum Act, 2005</i> . |
| Interpretation. | 2. In this Act,
<p style="margin-left: 40px;">"Commission" means the Electoral and Boundaries Commission established by section 41A of the <i>Constitution</i>;</p> <p style="margin-left: 40px;">"election officer" has the meaning assigned to it by the <i>Representation of the People Act</i>;</p> <p style="margin-left: 40px;">"general election" means a general election of members of the House of Assembly;</p> <p style="margin-left: 40px;">"poll" means the poll in the referendum;</p> <p style="margin-left: 40px;">"referendum" means the referendum held under this Act;</p> <p style="margin-left: 40px;">"Referendum Day" means the day referred to in section 4(1);</p> <p style="margin-left: 40px;">"register of electors" has the meaning assigned to it by the</p> |
| Cap. 12. | |
| Cap. 12. | <i>Representation of the People Act</i> ; |

"Supervisor of Elections" has the meaning assigned to it by the *Representation of the People Act*;

Cap. 12.

"Supervisor of the Referendum" means the Supervisor of Elections acting in the discharge of his functions in the referendum under this Act and the Regulations;

"voter" means a person who is entitled to vote in the poll and includes a person so entitled who votes.

3. (1) A referendum shall be held in Barbados on the Question set out in the *Schedule*.

Referendum
in Barbados.

(2) The Question to be asked in the referendum shall be set out on the ballot paper to be used for that purpose and shall be in the form set out in the *Schedule*.

Schedule.

4. (1) The Governor-General shall by proclamation appoint as "Referendum Day" a day for the holding of the referendum, being a day not earlier than the 60th day, and not later than the 90th day, next following the date of the proclamation.

Proclama-
tion of
Referendum
Day.

(2) The proclamation shall also specify the day on which the result of the poll is returnable to the Governor-General through the Supervisor of the Referendum.

5. The voters are those persons who

Persons who
may vote.

(a) on Referendum Day; or

(b) on the day appointed under the Regulations as polling day for the purposes of foreign service voting or voting by election officers

are registered in the register of electors as electors entitled to vote at an election of a member of the House of Assembly for a constituency.

- Conduct of referendum. **6.** (1) The Commission is responsible for the conduct and supervision of the referendum.
- (2) The voting of persons in the poll and the proceedings of the referendum generally shall be conducted so far as may be as if the referendum were a general election.
- (3) Subject to the directions of the Commission, the functions that are discharged in a general election by election officers shall be discharged in the referendum by those officers under this Act and the Regulations.
- Regulations. **7.** (1) Subject to section 6(1), the Commission may by regulations
- Cap. 12. (a) apply, in relation to the conduct and supervision of the referendum, any provision of the *Representation of the People Act* or of any other enactment, but with such modifications, adaptations, qualifications and exceptions as the Commission may deem expedient; and
- (b) make such other provision for the conduct and supervision of the referendum, including provision for the appointment of additional persons to perform functions in relation to the referendum, as the Commission may deem expedient.
- (2) Regulations made under subsection (1) are subject to negative resolution.
- Expenses. **8.** All expenses incurred in administering this Act and the referendum shall be defrayed out of monies voted by Parliament.
- Commence-ment. **9.** This Act comes into operation on a day to be fixed by proclamation.

SCHEDULE

*(Sections 3(1) and (2))*QUESTION TO BE ASKED IN THE REFERENDUM TO BE
HELD PURSUANT TO SECTION 3

BARBADOS

*Form of Ballot Paper**QUESTION TO VOTER*

WHEREAS the State of Barbados is now a Constitutional Monarchy with Her Majesty as Head of State:

AND WHEREAS the Constitution Review Commission in its Report of 1998 has recommended that the State of Barbados should become a Parliamentary Republic with the Head of State being a President and with executive power continuing to be exercised by a Cabinet with the Prime Minister as Head of Government:

AND WHEREAS the Government of Barbados considers that as a Parliamentary Republic Barbados should retain its membership in the Commonwealth:

DO YOU AGREE WITH THE RECOMMENDATION OF THE CONSTITUTION REVIEW COMMISSION THAT BARBADOS SHOULD BECOME A PARLIAMENTARY REPUBLIC WITH THE HEAD OF STATE OF BARBADOS BEING A PRESIDENT WHO IS A CITIZEN OF BARBADOS?

YES

NO