

on his behalf, makes use of or threatens to make use of, any force, violence, or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting or on account of such person having voted or refrained from voting at any election, or who by abduction, duress, or any fraudulent contrivance, impedes or prevents the free exercise of the franchise of any voter, or thereby compels, induces, or prevails upon any voter either to give or refrain from giving his vote at any election, shall be guilty of undue influence within the meaning of this Order.

XXXIX. Every person who at an election applies for a ballot paper in the name of another person, whether that name be the name of a person living or dead, or of a fictitious person, or who, having voted once at any election, applies at the same election for a ballot paper in his own name, shall be guilty of personation within the meaning of this Order.

XXX. Every person who is guilty of bribery, treating, or undue influence, shall, on conviction thereof, be liable to be imprisoned, with or without hard labour, for a term not exceeding one year, or to be fined any sum not exceeding two hundred pounds.

XXXI. Every person who is guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation, shall, on conviction thereof, be liable to be imprisoned, with or without hard labour, for a term not exceeding two years.

XXXII. Every person who is convicted of bribery, treating, undue influence, or personation, or of aiding, counselling, or procuring the commission of the offence of personation, shall (in addition to any other punishment) be incapable during a period of seven years from the date of conviction—

(1) Of being registered as a voter, or voting at any election of a Member of the Council.

(2) Of being elected a member of the Council, or, if elected before his conviction, of retaining his seat as such member.

XXXIII. Every person who—

(1) Votes, or induces or procures any person to vote, at any election, knowing that he or such other person is prohibited by this Order, or by any law, from voting at such election;

(2) Before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate;

shall be guilty of an illegal practice, and shall, on summary conviction thereof, be liable to a fine not exceeding one hundred pounds, and be incapable, during a period of five years from the date of conviction, of being registered as a voter, or voting at any election of a Member of the Council.

XXXIV. Every person who—

(1) Forges or counterfeits, or fraudulently defaces or destroys, any ballot paper or the official mark on any ballot paper; or

(2) Without due authority supplies a ballot paper to any person; or,

(3) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or,

(4) Fraudulently takes out of the polling station any ballot paper; or,

(5) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of any election; or,

(6) Not being duly registered as a voter, votes at the election of a Member of the Council;

shall be guilty of misdemeanour, and be liable, if he is a returning officer or presiding officer, or clerk employed at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, or to a fine not exceeding two hundred pounds, and, if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour, or to a fine not exceeding fifty pounds.

Any attempt to commit any offence specified in this clause shall be punishable in the manner in which the offence itself is punishable.

In any information or prosecution for an offence in relation to the ballot boxes, ballot papers, and other things in use at an election, the property in such ballot boxes, ballot papers, or things may be stated to be in the returning officer at such election.

XXXV. Every officer, clerk and agent, in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any voter who has or has not applied for a ballot paper or voted at that station, and no person shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station any information as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station.

Every officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting and shall not attempt to ascertain at such counting the number on the back of any ballot paper or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall, directly or indirectly, induce any voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom or against whose name he has so marked his vote.

Every person who acts in contravention of the provisions of this clause shall be liable, on summary conviction before a Magistrate to imprisonment for any term not exceeding six months, with or without hard labour, or to a fine not exceeding fifty pounds.

XXXVI. In the preceding clauses twenty-six to thirty-five words importing the masculine gender shall include females.

XXXVII. It shall be lawful for the Governor, by and with the advice and consent of the Council, to make laws for the peace, order and good government of Grenada.