



Monday 13 September 2021
MEMBERS PRE-SITTING BRIEFING

On Monday 13 September 2021, the first Pre-Sitting for the 17th Parliamentary Term (2021 - 2026) took place at the Conference Room of Maota Tofilau Eti Alesana (MTEA), Mulinu. A total of 26 Members convened to discuss the ***Electoral Amendment Bill (No.2) 2021*** which was the only paper on the Briefing Agenda. The Deputy Speaker said the prayers before Hon Mr Speaker welcomed the Members who were present and officially opened the Briefing. The Electoral Commissioner then presented an overview of the Bill and also responded to queries and concerns raised by Members.

(1) ELECTORAL AMENDMENT BILL (No.2) 2021

Presenter: *Faimalomatumua Mathew Lemisio*
Electoral Commissioner

The Electoral Commissioner greeted the Hon Speaker and Members who were present at the briefing and began his presentation by clarifying that the Bill seeks to clarify and address certain issues which came about during the General Elections earlier in April. Furthermore, it also provides a means to improve electoral requirements and processes for the upcoming by-elections.

The Commissioner went through the amendments clause-by-clause and explained that the Bill seeks to further define the term ‘lodgement date’ to ensure more clarity on the date in which the 3 year residential requirement is counted from. The Commissioner also noted the amendment to section 8 to open-up the timeframe for being a registered matai title from “three consecutive years” to “matai title registered before lodgement date”.

The amendment to section 8 raised various opinions by the Members present, these included queries on whether such an amendment would encourage the delay of registering matai titles with the Ministry of Justice and Courts Administration.

Another Member queried whether this amendment would pose more risk than benefit to the Office of the Electoral Commission, in the sense that when a candidate decides to register his/her matai title 6 months prior to the lodgement date, and later the members of the extended family of that certain title finds the bestowal invalid and removes the title from the individual who has lodged his/her candidacy.

Several Members noted the importance of registering Matai titles in a timely manner, so as to avoid further problems, and urged the Commissioner to incorporate a timeframe of registering matai tiles in the Electoral Act.

The Commissioner clarified that the registration of matai titles has always been the responsibility of the Ministry of Justice and Courts Administration, and it is the certificate of registration from the Ministry of Justice that the Office of the Electoral Commission relies on to determine eligibility of candidates to contest in elections.

The Commissioner then continued his presentation and further explained other amendments proposed for section 8 of the Principal Act, to empower the Commissioner to add another category of persons who can validate or make statutory declarations to the candidates meeting the 'monotaga requirement', given that this third party sits on the same Village Council with the candidate applying, or is a member of the religious board which the candidate serves. Furthermore, another amendment to section 8 is the proposal to revive the 'special polling booths' for ease of commute and access for voters.

Two Members wished to remove this amendment, in the belief that it is important for voters to cast their votes in respective constituencies they are registered in while others were receptive of this amendment to save added costs on voters.

The Commissioner continued to Clause 7 of the Bill changing the pre-polling days from 4 to 1 day and mentioned the importance of applying for pre-polling as these applications are the solid data to ensure accountability and accuracy.

One Member raised the importance for cleaning the roll - updating the electoral rolls, to remove those who no longer live in these constituencies, as well as removing the deceased voters. This task is important and crucial as noted by Hon Mr Speaker and the Hon Minister for Electoral Office; however, the task discussed is a collective responsibility from both the Office and the Members to ensure accurate records are kept by the Office in creating the electoral rolls.

The Commissioner acknowledged the Hon Speaker and Hon. Members for their time and interest on the Bill and concluded his presentation.

The Members Briefing concluded at 11:39am