

ELECTORAL (EMERGENCY AND REPLACEMENT PROXIES) REGULATIONS 2013

FORM OF APPLICATION FOR AN EMERGENCY PROXY VOTE

(Please read the Notes attached and ensure that you provide documentary evidence to support this application)

TO: The Registration Officer *Camp/*Stanley Constituency

I _____ of _____
(full name of applicant) **(address)**

hereby apply to be permitted to vote by emergency proxy

My application is made in respect of:
*the election/referendum to be held on _____

Explain the circumstances that prevent *the applicant/ or applicant's proxy from voting at the election or referendum

Explain when those circumstances arose:

If the circumstances arose before the start of the closed period, explain why *the applicant/ or applicant's proxy was unable to apply for a postal vote, proxy vote or postal proxy vote before the start of the closed period.

_____ of _____
(full name of proxy) **(address)**

Contact details for:

(i) the applicant _____

(ii) the emergency or replacement proxy _____

Dated _____

Signed _____

Witness _____

* Delete whichever is inapplicable

NOTES TO FORM

1. Regulation 4 of the Electoral (Emergency and Replacement Proxies) Regulations (SR& O No 17 of 2013) provides that the Returning Officer must publish criteria about:
 - (i) the circumstances in which a person who is eligible to vote at an election or a referendum may appoint an emergency or replacement proxy for the election or referendum; and
 - (ii) the evidence necessary to satisfy the registration officer that those circumstances exist
2. The criteria for the circumstances under paragraph (i) are as follows:
 - (a) an elector is required to leave the Islands to receive emergency medical treatment;
 - (b) an elector is required to leave the Islands as the spouse or family member to accompany someone else to receive medical treatment;
 - (c) an elector is required to leave the Islands on urgent business/work;
 - (d) an elector is required to attend to a family member overseas who is seriously ill;
 - (e) an elector is required to attend a funeral overseas;
 - (f) an elector suffers delays in travel arrangements outside the elector's control which means that they cannot be in the Islands at the relevant time;
 - (g) any other exceptional reason which means that the elector would not otherwise be able to vote; or
 - (h) if an elector has appointed a proxy to vote for them on their behalf and the proxy will be unable to vote on their behalf because any of the criteria above apply to the proxy, then the elector may appoint an emergency replacement proxy.
3. The criteria for the evidence under paragraph (ii) are as follows:

such documentary evidence as the applicant can reasonably provide in support of the application, in particular to demonstrate that there are compelling reasons of urgency and that the application is not made on the basis merely of convenience.
4. An application need not be made in a specific form, but it must contain at least the following information:
 - the applicant's name and address;
 - an explanation of the circumstances that will prevent the applicant (or applicant's proxy) from voting at the election or referendum;
 - an explanation of when those circumstances arose
 - if the circumstances arose before the start of the closed period, an explanation of why the applicant was unable to apply for a postal, proxy or postal proxy vote before the start of the closed period;
 - the name and address of the person to be appointed as emergency or replacement proxy; and
 - contact details for the applicant and the emergency or replacement proxy.
5. An application must also be signed by the applicant and witnessed by; a bank manager, a commissioner of oaths, an elector, a justice of the peace, a police officer, a teacher (or tutor) to the applicant, or another person approved by the registration officer.
6. Applications can be personally handed into the registration officer, or sent to the registration officer by post, fax or e-mail. The application must be received as an original, or as scanned image of the original, by the registration officer no later than 4pm on the third working day before the date of the election or referendum
7. If the application is granted, the registration officer must take reasonable steps to notify the applicant and emergency/replacement proxy and make arrangements for the emergency/replacement proxy to be allowed to vote on behalf of the applicant.
8. If the application is refused. The registration officer must take reasonable steps to notify the applicant of the reasons why it was refused, and inform the applicant that they have a right to appeal to the Returning Officer no later than 4pm on the second working day before the date of the election or referendum.