

# The Gazette

## TURKS & CAICOS ISLANDS

*Published by Authority*

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NOVEMBER 6, 2020

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**G.N. 778****REGISTERED LAND ORDINANCE, CAP 9.01  
NOTICE LOST LAND CERTIFICATE****TITLE NUMBER****SECTION****ISLAND****61105/88****LONG BAY HILLS****PROVIDENCIALES**

This notice is published as a Supplement to this Gazette.

**G.N. 779**

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**NOTICE OF CAUTION****Section 128 (1) of the Registered Land Ordinance****BLOCK :40203****PARCEL : 4 (1/5 Share)****SECTION : Central****ISLAND : Middle Caicos**

This notice is published as a Supplement to this Gazette.

**TONI-ANN FOSTER (Ms.)****ACTING REGISTRAR OF LANDS****G.N. 780**

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**FINANCIAL SERVICES COMMISSION ORDINANCE  
SECTION 34  
NOTICE OF REVOCATION OF LICENCE**

Please be advised that the Financial Services Commission has, on 30th October 2020, revoked the license issued under the Company Management (Licensing) Ordinance for the listed entity pursuant to Section 34(1) of the Financial Services Commission Ordinance:

**Regent Corporate Management Ltd****Niguel Streete****30th October 2020****Managing Director****Financial Services Commission**

G.N. 781

**IN THE SUPREME COURT  
TURKS AND CAICOS ISLANDS  
IN PROBATE AND ADMINISTRATION**

PA 36/2019

Where **THOMAS ADOLPHUS SIMMS** deceased late of Grand Turk, Turks and Caicos Islands, died on or about the **6<sup>th</sup> Day of July, 1989 without leaving a Will** and whereas **MARJORIE SIMMS the lawful daughter** on the **30<sup>th</sup> day of November, 1990** was granted Letters of Administration in the estate of her father **THOMAS ADOLPHUS SIMMS**, and whereas on the **10<sup>th</sup> day of February 1996**, **MARJORIE SIMMS** died leaving assets residual in her father's estate, and whereas **GLAADYS EMMA G. SIMMS** the lawful daughter of the deceased who is the Petitioner, hath petitioned the said Court for a Grant of Letters of Administration de bonis non to be granted to her upon the Estate of the said Deceased.

These are therefore to cite and admonish all whom it may concern that they appear before the Registrar of the said Court on or before the **27<sup>th</sup> day of August, 2020** to show cause why such Letters of Administration should not be granted. Witness by my hand and sealed in the Supreme Court this 16<sup>th</sup> day of July, 2020.

**CB SKIPPINGS  
DEPUTY REGISTRAR  
SUPREME COURT**

G.N. 782

**REGISTRATION OF TRADE MARKS ORDINANCE 2007  
NOTICE OF  
RENEWAL OF REGISTERED PROPRIETORS**

Notice is given that the undermentioned Trade Marks were renewed in the Trade Marks Registry on the 3<sup>rd</sup> day of September, 2020 and will now be in force until 18<sup>th</sup> day of November, 2030.

<b><i>TRADE MARK NO.</i></b>	<b><i>NAME OF TRADE MARK</i></b>	<b><i>CLASS</i></b>
T.M. NO. 11394	F (STYLIZED)	09
T.M. NO. 11395	FILA SPECIAL SCRIPT	09

**Name of Proprietor: FILA LUXEMBOURG S.a.r.L.**

For REGISTRAR

G.N. 783

**REGISTRATION OF TRADE MARKS ORDINANCE 2007  
NOTICE OF  
RENEWAL OF REGISTERED PROPRIETORS**

Notice is given that the undermentioned Trade Marks were renewed in the Trade Marks Registry on the 21<sup>st</sup> day of January, 2020 and will now be in force until 22<sup>nd</sup> day of March, 2030 and 13<sup>th</sup> April, 2030, respectively

<i>TRADE MARK NO.</i>	<i>NAME OF TRADE MARK</i>	<i>CLASS</i>
T.M. NO. 11253	TURNING LEAF (WORDS)	33
T.M. NO. 16117	MIRASSOU	33

Name of Proprietor: E. & J. GALLO WINERY

For REGISTRAR

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G.N. 784

**REGISTRATION OF TRADE MARKS ORDINANCE 2007  
NOTICE OF  
RENEWAL OF REGISTERED PROPRIETORS**

Notice is given that the undermentioned Trade Marks were renewed in the Trade Marks Registry on the 13<sup>th</sup> day of March, 2020 and will now be in force until 22<sup>nd</sup> day of March, 2030.

<i>TRADE MARK NO.</i>	<i>NAME OF TRADE MARK</i>	<i>CLASS</i>
T.M. NO. 16095	ARMANI	11
T.M. NO. 16096	ARMANI	20
T.M. NO. 16097	ARMANI	21

Name of Proprietor: GIORGIO ARMANI S.p.A.

For REGISTRAR

G.N. 785

**THE REGISTRATION OF PATENTS ORDINANCE 2007  
NOTICE OF SUPPLEMENTARY PROTECTION CERTIFICATE**

Notice is hereby given that on the *28th day of October, 2020* an application for a Supplementary Protection Certificate (SPC) has been registered in the name of **Pharmacia & Upjohn Company LLC & Sugem, Inc. of 7000 Portage Road, Kalamazoo, MI 49001, United States in America** as proprietors of the patent registered as a European (UK) in the United Kingdom No. **1255752**. This term of this EP(UK) Patent has been extended in the UK by virtue of a Supplementary Protection Number **SPC/GB088/007 until 23rd July, 2021**.

PATENT APPLICATION NO. 10127

DATE REGISTERED IN THE ISLAND: 8th July, 2010

For REGISTRAR

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G.N. 786

**TURKS AND CAICOS PATENTS ORDINANCE 2007  
CORRIGENDUM**

Notice is hereby given that on the **16<sup>th</sup>** day of **October, 2020**, there inadvertently appeared in the Government Gazette *Vol. 171 No. 82* for the under-mentioned **ASSIGNEE'S ADDRESS** for:

*Registration Nos. 18942-18947*Assignee's address **should** have read:**BROADWATER PARK, BUCKINGHAMSHIRE, UB9 5HR, DENHAM, UNITED KINGDOM****Not****BROADWATER PARK, BUCKINGHAMSHIRE, UB 5HR, DENHAM, UNITED KINGDOM**

For REGISTRAR

G.N. 787

**TURKS AND CAICOS PATENTS ORDINANCE 2007  
CORRIGENDUM**

Notice is hereby given that on the 24<sup>th</sup> day of **September, 2020**, there inadvertently appeared in the Government Gazette *Vol. 171 No. 76* for the under-mentioned **ASSIGNOR'S ADDRESS** for:

**Registration Nos. 11842-11843**

Assignor's address **should** have read:

**15-1, KYOBASHI 1-CHOME, CHUO-KU, TOKYO, JAPAN**

**Not**

15-1, KYOBASHI 1-CHOME, CHO-KU, TOKYO, JAPAN

**For REGISTRAR**

G.N. 788

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**APPOINTMENT OF A DIRECTOR TO THE TURKS AND CAICOS NATIONAL  
WEALTH FUND**

I, **SHARLENE CARTWRIGHT-ROBINSON**, Minister responsible for finance, in exercise of the powers conferred on me by section 19(2) of the Turks and Caicos National Wealth Fund Ordinance, appoint the following person as a Director of the Turks and Caicos National Wealth Fund Board for a period of three years with effect from 11<sup>th</sup> October 2019 –

Trevor Cooke

Director (Leader of the Opposition appointee)\*

\* The appointment of Kenrick Walters of 15 January 2019 is revoked and  
The instrument of appointment (Trevor Cooke) dated 9<sup>th</sup> October 2019 is revoked.

**MADE** this 3<sup>rd</sup> day of November 2020.

**SHARLENE CARTWRIGHT-ROBINSON  
MINISTER RESPONSIBLE FOR FINANCE**

**G.N. 789****APPOINTMENT OF THE INVESTMENT AND RISK COMMITTEE  
OF THE TURKS AND CAICOS NATIONAL WEALTH FUND**

I, **SHARLENE CARTWRIGHT-ROBINSON**, Minister responsible for finance, in exercise of the powers conferred on me by section 24(1) of the Turks and Caicos National Wealth Fund Ordinance, appoint the following persons as members of the Investment and Risk Committee of the Turks and Caicos National Wealth Fund Board for a period of one year with effect from 15<sup>th</sup> December 2019 to 31<sup>st</sup> March 2021 –

Floyd Seymour	Chairman
Diandre Mills	Board Member
Trevor Cooke	Board Member
Shonia Thomas-Been	Committee Member

**MADE** this 3<sup>rd</sup> day of November 2020.

**SHARLENE CARTWRIGHT-ROBINSON**  
**MINISTER RESPONSIBLE FOR FINANCE**

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**G.N. 790****APPOINTMENT OF THE AUDIT COMMITTEE  
OF THE TURKS AND CAICOS NATIONAL WEALTH FUND**

I, **SHARLENE CARTWRIGHT-ROBINSON**, Minister responsible for finance, in exercise of the powers conferred on me by section 25(1) of the Turks and Caicos National Wealth Fund Ordinance, appoint the following persons as members of the Investment and Risk Committee of the Turks and Caicos National Wealth Fund Board for a period of one year with effect from 15<sup>th</sup> December 2019 to 31<sup>st</sup> March 2021 –

Floyd Seymour	Chairman
Joseph Connolly	Board Member
Athenee Harvey-Basden	Board Member (PS-Finance)
Rhondalee Braithwaite-Knowles	Board Member (Hon. Attorney General)

**MADE** this 3<sup>rd</sup> day of November 2020.

**SHARLENE CARTWRIGHT-ROBINSON**  
**MINISTER RESPONSIBLE FOR FINANCE**



G.N. 791

**APPOINTMENT OF THE PHYSICAL PLANNING BOARD**

I, **ANYA WILLIAMS**, Acting Governor of the Turks and Caicos Islands, in exercise of the powers conferred on me by section 4(2) of the Physical Planning Ordinance, and acting on the advice of the Cabinet, hereby appoint the following persons as members of the Physical Planning Board beginning 26 October 2020 until 31 March 2022—

Derry Handfield	Chairman
Charlie Garland	Vice Chairman
Lewis W. Parker	Member
Carl Jolly	Member
Director of Planning	Member
Director of Department of Environment and Coastal Resources or his designate	Member
Director of Department of Disaster Management and Emergencies or his designate	Member

**MADE** this 26<sup>th</sup> day of October 2020.

**ANYA WILLIAMS**  
**ACTING GOVERNOR**

G.N. 792

**APPOINTMENT OF SECRETARY OF  
THE PHYSICAL PLANNING BOARD**

I, **ANYA WILLIAMS**, Acting Governor of the Turks and Caicos Islands, in exercise of the powers conferred on me by section 6 of the Physical Planning Ordinance, hereby appoint **REGINALD CHARLES** as Secretary to the Physical Planning Board beginning 26 October 2020 until 31 March 2022.

**MADE** this 26<sup>th</sup> day of October 2020.

**ANYA WILLIAMS**  
**ACTING GOVERNOR**

G.N. 793

**APPOINTMENT OF THE PHYSICAL PLANNING  
APPEAL TRIBUNAL**

I, **ANYA WILLIAMS**, Acting Governor of the Turks and Caicos Islands, in exercise of the powers conferred on me by section 16(1) of the Physical Planning Ordinance, hereby appoint the following persons to the Physical Planning Appeal Tribunal beginning 26 October 2020 until 31 March 2022—

Andre Malcolm	Chairman
Thomas Duncan	Member
Willard H. Williams	Member
Clyde Ewing	Member
Max E. Garland	Member

**MADE** this 26<sup>th</sup> day of October 2020.

**ANYA WILLIAMS**  
**ACTING GOVERNOR**

G.N. 794

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**NOTICE**  
**JURY (AMENDMENT) ORDINANCE 2020**  
**(ORDINANCE 26 OF 2020)**

**NOTICE** is given that Her Excellency the Acting Governor assented to Jury (Amendment) Ordinance 2020 on 4<sup>th</sup> November 2020. The Ordinance is published as a supplement to this Gazette.

**Tracey Parker**  
**Clerk to the House of Assembly**  
4<sup>th</sup> November 2020

G.N. 795

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**TURKS AND CAICOS ISLANDS SUPREME COURT/COURT OF APPEAL COURT**  
**CALENDAR 2021-2023 (NATIONAL HOLIDAYS APPLY)**

**This notice is published as a Supplement to this Gazette.**

**MABEL M. AGYEMANG**  
**CHIEF JUSTICE**

G.N. 796

**Turks and Caicos Islands**  
**Companies Limited Partnership (Economic Substance)**  
**(Amendment) Bill 2020**

Notice is given that the Companies Limited Partnership (Economic Substance) (Amendment) Bill 2020 considered by Cabinet and submitted to the House of Assembly where it has been read for a first time pursuant to S.O. 91.4.

The Bill is published as a Supplement to this Gazette.

**Tracey I. Parker**  
**Clerk to House of Assembly**

G.N. 797

—————  
**Turks and Caicos Islands**  
**Insurance (Amendment) Bill 2020**

Notice is given that the Insurance (Amendment) Bill 2020 considered by Cabinet and submitted to the House of Assembly where it has been read for a first time pursuant to S.O. 91.4.

The Bill is published as a Supplement to this Gazette.

**Tracey I. Parker**  
**Clerk to House of Assembly**

G.N. 798

—————  
**Turks and Caicos Islands**  
**Electoral Districts Boundaries Bill 2020**

Notice is given that the Electoral Districts Boundaries Bill 2020 considered by Cabinet and submitted to the House of Assembly where it has been read for a first time pursuant to S.O. 91.4.

The Bill is published as a Supplement to this Gazette.

**Tracey I. Parker**  
**Clerk to House of Assembly**

G.N. 799

**Turks and Caicos Islands**  
**Elections (Amendment) Bill 2020**

Notice is given that the Elections (Amendment) Bill 2020 considered by Cabinet and submitted to the House of Assembly where it has been read for a first time pursuant to S.O. 91.4.

The Bill is published as a Supplement to this Gazette.

**Tracey I. Parker**  
**Clerk to House of Assembly**

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G.N. 800

**IN THE SUPREME COURT**  
**TURKS AND CAICOS ISLANDS**  
**IN PROBATE AND ADMINISTRATION**

**G/PA/21/2020**

Whereas **HORACE GEORGE WIGNAL** deceased, late of Providenciales, Turks and Caicos Islands, who died on or about the **21<sup>st</sup> day of January, 2020 without leaving a Will** and that **HORACE GEORGE WIGNAL** the lawful **father** of the deceased who is the Petitioner hath petitioned the said Court for a Grant for Letters of Administration to be issued to him upon the Estate of the said Deceased.

These are therefore to cite and admonish all whom it may concern that they appear before the Registrar of the said Court on or before the **16<sup>th</sup> day of December, 2020** to show caused why such Letters of Administration should not be granted.

Witness by my hand and sealed in the Supreme Court this **4<sup>th</sup> day of November, 2020.**

**CBSKIPPINGS**  
**Deputy Registrar**  
**Supreme Court**

**G.N. 801****IN THE SUPREME COURT  
TURKS AND CAICOS ISLANDS  
IN PROBATE AND ADMINISTRATION****PA 42/19**

Whereas **FREDERICK BRAYTON KRIEBLE** late of Providenciales, Turks & Caicos Islands, deceased died on or about the 18<sup>th</sup> day of October, 2018 leaving a Will and whereas **CORIATS TRUST COMPANY LIMITED** Executor appointed under the Will hath petitioned the said Court for a Grant of Probate to be issued to it upon the Estate of the said deceased.

These are therefore to cite and admonish all whom it may concern that they appear before me Registrar of the said Court on or before the 18<sup>th</sup> day of December, 2020, to show cause why such Letters of Administration should not be granted.

Witnessed by my hand and sealed in the Supreme Court this 4<sup>th</sup> day of November, 2020

**Renée McLean**  
**Registrar**  
**Supreme Court**

**G.N. 802****IN THE SUPREME COURT  
TURKS AND CAICOS ISLANDS  
IN PROBATE AND ADMINISTRATION****PA 31/19**

Whereas **MAUQUENCY MAURICESON SAMUEL CARTER** deceased, late of Grace Bay, Providenciales in the Turks and Caicos Islands, **who died on or about the 11<sup>th</sup> day of March, 2019 without leaving a Will** and **LAREESA ALEXANDRIA ROBINSON** Court appointed Administrator of the Estate of the deceased hath petitioned the said Court for a Limited Grant of Letters of Administration to be issued to her upon the Estate of the said deceased, for the use and benefit of the deceased's lawful minor children A'Zhi Quintae Walter Carter and Adonai Zehki Brycen Carter

These are therefore to cite and admonish all whom it may concern that they appear before the Registrar of the said Court on or before the **18<sup>th</sup> December, 2020** to show cause why such Letters of Administration should not be granted.

Witnessed by my hand and sealed in the Supreme Court this **4<sup>th</sup> day of November, 2020**

**/s/Renée McLean**  
**Registrar**  
**Supreme Court**

**G.N. 803**

**Turks and Caicos Islands Government  
REMISSION OF STAMP DUTY**

**THE SIX A HOLDINGS LTD.**

**This notice is published as a Supplement to this Gazette.**

**Sharlene Cartwright-Robinson  
Minister of Finance**

**G.N. 804**

**Turks and Caicos Islands Government  
REMISSION OF STAMP DUTY**

**Robert T. Brown; Trustee for the Robert T Brown Revocable Trust (Hereinafter Referred  
To As “Robert T. Brown”)**

**This notice is published as a Supplement to this Gazette.**

**Sharlene Cartwright-Robinson  
Minister of Finance**

**G.N. 805**

**Turks and Caicos Islands Government  
REMISSION OF STAMP DUTY**

**FULL CIRCLE LTD.**

**This notice is published as a Supplement to this Gazette.**

**Sharlene Cartwright-Robinson  
Minister of Finance**

**G.N. 806**

**Turks and Caicos Islands Government  
REMISSION OF STAMP DUTY**

**JOHN ALEXANDER WILLIAMS**

**This notice is published as a Supplement to this Gazette.**

**Sharlene Cartwright-Robinson  
Minister of Finance**

**G.N. 807**

**Turks and Caicos Islands Government  
REMISSION OF STAMP DUTY**

**HUSZCZO HOLDINGS LTD.**

**This notice is published as a Supplement to this Gazette.**

**Sharlene Cartwright-Robinson  
Minister of Finance**

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**G.N. 808**

**Turks and Caicos Islands Government  
REMISSION OF STAMP DUTY**

**HENRY MCNEAN HARVEY & WALNER REGISTRE**

**This notice is published as a Supplement to this Gazette.**

**Sharlene Cartwright-Robinson  
Minister of Finance**

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**G.N. 809**

**Turks and Caicos Islands Government  
REMISSION OF STAMP DUTY**

**DIEDERIC JAN COOK**

**This notice is published as a Supplement to this Gazette.**

**Sharlene Cartwright-Robinson  
Minister of Finance**

G.N. 810

**TURKS AND CAICOS ISLANDS GOVERNMENT  
TENDER NOTICES**

The **TURKS AND CAICOS ISLANDS GOVERNMENT** invites open tenders for the following Contracts, closing on **Wednesday, 9 December 2020**:

**Ministry of Health, Agriculture and Human Services**

- **LEEWARD PARK PHASE II, TENDER REFERENCE NUMBER TR 20/40**

**Royal Turks and Caicos Islands Police Force**

- **VEHICLE FOR DRONES (REISSUE), TENDER REFERENCE NUMBER TR 20/30**

The **TURKS AND CAICOS ISLANDS GOVERNMENT** invites open tenders for the following Contract, closing on **Wednesday, 20 January 2021**:

**Office of the Deputy Premier, Ministry of Infrastructure, Housing, Planning and Development**

- **BLUE HILLS CRAFT MARKET, TENDER REFERENCE NUMBER TR 20/39**

Additional information for these Contracts may be obtained from the Turks and Caicos Islands Government's website at <http://www.gov.tc/government-tenders>.

The Tenders are to be submitted in a sealed envelope by **9:00 A.M.** on the respective closing dates, directly to:

**The Secretary to the Procurement Board  
Office of the Deputy Governor  
Waterloo Plaza  
Waterloo Road  
Grand Turk  
Turks and Caicos Islands**

*The Turks and Caicos Islands Government is not bound to accept any tender, and reserves the right to annul the tender process at any time prior to award of Contract.*

**SECRETARY TO THE PROCUREMENT BOARD**

Friday, 6 November 2020



**NON - OFFICIAL NOTICES****DEED POLL**

By the Deed poll made this **24** day of **August 2020** A.D by **Tammie Terrall Francis**, the undersigned of **Providenciales, Turks and Caicos Islands**, it is witnessed.

- (i) I **Tammie Terrall Francis**, of the Turks and Caicos Islands, absolutely and entirely renounce, relinquish and abandon the use of my former name **Tammie Terrall Francis**, and in lieu thereof assume the name of **Tammie Terrall Forbes**.
- (ii) In pursuance of such change of name as aforesaid. I hereby declare that I shall at all times hereafter in all records, deeds and instruments of writing and in all actions and proceedings and in all dealings and transactions and upon all occasion whatsoever use sign subscribe the name of **Tammie Terrall Forbes**, as my name in the lieu of said name of **Tammie Terrall Francis**, as renounced as aforesaid to the intent that I may hereafter be known and distinguished not by my former name of **Tammie Terrall Francis** but by the name of **Tammie Terrall Forbes** only.
- (iii) I hereby authorize and request all persons at all times to designate describe and address me by such assumed name of **Tammie Terrall Forbes**.

**IN WITNESS** whereof I, **Beatrice Robinson-Beam** have hereunto subscribe my name and affix my seal this 24 day of August 2020.

Signed, Sealed and delivered }  
 In the presence of:- }  
 }  
 }  
 }  
 }

**Tammie Terrall Forbes**

**BEATRICE ROBINSON-BEAM**  
 Notary Public/Justice of the Peace

**Tammie Terrall Francis**

**TURKS AND CAICOS ISLANDS**

**JURY (AMENDMENT) ORDINANCE 2020**

**(Ordinance 26 of 2020)**

**ARRANGEMENT OF SECTIONS**

SECTION

1. Short title and commencement
2. Interpretation
3. Section 21 substituted
4. Section 24A inserted



**TURKS AND CAICOS ISLANDS**  
**JURY (AMENDMENT) ORDINANCE 2020**  
**(Ordinance 26 of 2020)**

*Assent*.....4<sup>th</sup> November 2020  
*Publication in Gazette*.....6<sup>th</sup> November 2020  
*Commencement*..... in accordance with section 1

AN ORDINANCE TO AMEND THE JURY ORDINANCE.

**ENACTED** by the Legislature of the Turks and Caicos Islands.

**Short title and commencement**

1. This Ordinance may be cited as the Jury (Amendment) Ordinance 2020 and shall come into operation on such day as the Governor may appoint by Notice published in the *Gazette*.

**Interpretation**

2. In this Ordinance “principal Ordinance” means the Jury Ordinance.

**Section 21 substituted**

3. The principal Ordinance is amended by repealing section 21 and substituting—

### **“When and how jurors to be summoned**

**21.** (1) The summons to service on juries in the Court shall be made by the Bailiff, or his deputy, at least ten days before the day on which the juror is to attend—

- (a) by delivering to the person to be summoned; or
- (b) in case the person is absent from the usual place of his abode by leaving with some person there inhabiting, a note in writing under the hand of the Bailiff, or his deputy, containing the substance of such summons.

(2) Notwithstanding subsection (1), the Registrar may cause the summons to service on juries in the Court to be made—

- (a) by publication in at least three issues of a newspaper of wide circulation in the Islands;
- (b) through at least three announcements made on the radio;
- (c) by email to the person summoned, which shall be sent at least three times; or
- (d) by publishing the name of the person summoned on the government website, at least three times,

with the last service made at least ten days before the day on which the juror is to attend.

(3) The summons for every person to serve on special juries, and of every additional juror summoned after the commencement of the sittings of the Court to serve on common juries, shall be made in the same manner as in subsections (1) and (2), but shall be made at least three days before the day on which the special or additional juror is to attend.”.

### **Section 24A inserted**

**4.** The principal Ordinance is amended by inserting immediately after section 24, the following—

#### **“Special provisions for jury sitting**

**24A.** (1) The Court may sit with a panel of a full jury, with jurors sitting in a separate place by means of a live link.

(2) The Court sitting in a separate place in accordance with subsection (1) shall sit in such arrangements as may be determined and specified in any rules of court or any practice direction made by the Chief Justice.

(3) A jury may participate in the proceedings whilst sitting in a separate place by means of a live link.

(4) A jury may for purposes of deliberation, sit in separate jury rooms and conduct its deliberation by means of a live link.

(5) A jury sitting in a separate place determined in terms of subsection (2) shall be regarded as being in the presence of the Court.

(6) The separate place determined in terms of subsection (2), including the place where the court presides is to be regarded as the Court.

(7) For purposes of this section—

“live link” means a live television link or other arrangement which enables persons taking part in the proceedings, who are not in the same place or room where the proceedings are being held, to see and hear each other, as if they were in the same place or room;

“persons taking part in the proceedings” includes—

- (a) a Judge or Magistrate;
- (b) a member of the jury;
- (c) attorneys acting in the proceedings;
- (d) an accused person;
- (e) a witness;
- (f) any interpreter or other person appointed by the Court to assist in the proceedings;
- (g) any other person directly involved the proceedings whom the court considers appropriate.”.

**JURY (AMENDMENT) ORDINANCE 2020**

**NOTICE OF COMMENCEMENT 2020**

*(Legal Notice 109 of 2020)*

**MADE** by the Acting Governor under section 1 of the Jury (Amendment) Ordinance 2020. *Ord. 26 of 2020*

The 15<sup>th</sup> day of November 2020 is appointed as the day on which the Jury (Amendment) Ordinance 2020 shall come into operation.

**MADE** this 4<sup>th</sup> day of November 2020.

**ANYA WILLIAMS  
ACTING GOVERNOR**

**TURKS AND CAICOS ISLANDS**

**COMPANIES AND LIMITED PARTNERSHIPS  
(ECONOMIC SUBSTANCE) (AMENDMENT) BILL 2020**

**ARRANGEMENT OF CLAUSES**

CLAUSE

1. Short title and commencement
2. Interpretation
3. Section 2 amended
4. Section 5 amended
5. Section 8 amended
6. Section 18 amended
7. Section 19 amended

**TURKS AND CAICOS ISLANDS**

A

PROPOSAL

FOR

A

**BILL**

FOR

**AN ORDINANCE** TO AMEND THE COMPANIES AND LIMITED PARTNERSHIPS (ECONOMIC SUBSTANCE) ORDINANCE 2018 AND FOR CONNECTED PURPOSES.

**ENACTED** by the Legislature of the Turks and Caicos Islands.

**Short title and commencement**

1. This Ordinance may be cited as the Companies and Limited Partnerships (Economic Substance)(Amendment) Ordinance 2020 and shall come into operation on such day as the Governor may appoint by Notice published in the Gazette.

**Interpretation**

2. In this Ordinance, “principal Ordinance” means the Companies and Limited Partnerships (Economic Substance) Ordinance 2018.

**Section 2 amended**

3. Section 2 is amended by inserting in its appropriate alphabetical position, the following—

““Inclusive Framework on Base Erosion and Profit Shifting (BEPS)” means the OECD/G20 initiative and collaboration to put an end to tax avoidance strategies that exploit gaps and mismatches in tax rules to avoid paying tax;

“OECD” means the Organisation for Economic Cooperation and Development;”.



**Section 5 amended**

4. Section 5 of the principal Ordinance is amended in paragraph (a), by inserting the words “(the “first entity”)” immediately after the word “entity” appearing for the first time.

**Section 8 amended**

5. Section 8(1) of the principal Ordinance is amended by inserting the word “under” immediately before the words “subsection (5)”.

**Section 18 amended**

6. Section 18(1)(a) and (2)(a) of the principal Ordinance is amended by inserting immediately after the words “European Union”, the words “or members of the Inclusive Framework on Base Erosion and Profit Shifting (BEPS)”.

**Section 19 amended**

7. Section 19(2)(a) of the principal Ordinance is amended by inserting immediately after the words “European Union”, the words “or members of the Inclusive Framework on Base Erosion and Profit Shifting (BEPS)”.

**PASSED** by the House of Assembly this      day of      2020.

.....  
Tracey Parker  
Clerk of the House of Assembly

.....  
Dwayne Taylor  
Speaker

### **EXPLANATORY AMENDMENT**

This Bill seeks to amend the Companies and Limited Partnerships (Economic Substance) Ordinance 2018 (“the Ordinance”). The Bill mainly seeks to extend the exchange of information and arrangements under the Ordinance to other jurisdictions outside the European Union. This is a recommendation which was made by the OECD when the Turks And Caicos Islands were reviewed for the OECD/G20 Inclusive Framework on Base Erosion and Profit Shading (BEPS), Action on Harmful Tax Practices.

### **BILL**

**Clause 1 and 2** provides for the short title and commencement and Interpretation provisions of the proposed Ordinance.

**Clause 3** seeks to amend section 2 of the Ordinance to include the definitions of “Inclusive Framework on Base Erosion and Profit Shading (BEPS)” and “OECD”.

**Clause 4** seeks to amend section 5 to insert the words (“first entity” in order to give clarity to its use later on in the provision. This was omitted in the Ordinance.

**Clause 5** seek to amend section 8(1) of the Ordinance to insert the word “under” to correct an error caused by an omission of the word.

**Clause 6** seeks to amend section 18(1)(a) and (2)(a) of the Ordinance to include the members the Inclusive Framework on Base Erosion and Profit Shading (BEPS) as jurisdictions the TCI can exchange information with.

**Clause 7** seeks to amend section 19(2)(a) of the Ordinance to include the members the Inclusive Framework on Base Erosion and Profit Shading (BEPS) as jurisdictions the TCI can exchange information specifically relating to high risk IP entities.

**TURKS AND CAICOS ISLANDS**

**ELECTIONS (AMENDMENT) BILL 2020**

**ARRANGEMENT OF CLAUSES**

CLAUSES

1. Short title and commencement
2. Interpretation
3. Section 2 amended
4. Section 6 amended
5. Section 10 amended
6. Section 11 amended
7. Section 12 amended
8. Sections 12A and 12 B inserted
9. Section 15 amended
10. Section 18 amended
11. Section 21 amended
12. Section 29 amended
13. Section 32 amended
14. Section 35 amended
15. Section 35A inserted
16. Section 36 amended
17. Section 39 amended
18. Section 42 amended
19. Sections 42A and 42B inserted
20. Section 43 amended
21. Section 43A inserted
22. Section 45 substituted
23. Section 45A inserted
24. Section 48 substituted
25. Section 49 amended
26. Sections 49A, 49B and 49C inserted
27. Section 54 amended
28. Section 54A inserted
29. Section 55 amended
30. Section 55A inserted
31. Section 56 amended
32. Section 57 substituted

- 33. Section 81 amended
- 34. Schedule 1 amended

**SCHEDULE**

**TURKS AND CAICOS ISLANDS**

**A**

**PROPOSAL**

**FOR**

**A**

**BILL**

**AN ORDINANCE TO AMEND THE ELECTIONS ORDINANCE; AND FOR CONNECTED PURPOSES.**

**ENACTED** by the Legislature of the Turks and Caicos Islands.

**Short title and commencement**

**1.** (1) This Ordinance may be cited as the Elections (Amendment) Ordinance 2020 and shall come into operation on such day as the Governor may appoint by Notice published in the *Gazette*.

(2) Different dates of commencement may be appointed for different provisions and different purposes.

**Interpretation**

**2.** In this Ordinance, the “principal Ordinance” means the Elections Ordinance.

**Section 2 amended**

**3.** Section 2(1) of the principal Ordinance is amended—

(a) under the definition of “all Islands district” by repealing the words “section 46(2)(a)” and substituting “section 45(2)(a)”;

(b) by repealing the definition of “rejected ballot paper” and substituting—

““rejected ballot paper (manual voting system)” when using the manual voting system, means a ballot paper which has been handed by the Presiding Officer to a voter to cast his vote but which at the close of the poll has been found in the ballot box unmarked or so improperly marked that in the opinion of the returning officer, it cannot be counted;

“rejected ballot paper (electronic tabulating system)” when using the electronic tabulating system, means a ballot paper which has been handed by the Presiding Officer to a voter to cast his vote but which at the close of the poll has been found in the ballot box unmarked or so improperly marked that the electronic tabulating system cannot count it as a valid vote;” and

(c) by inserting the following definitions in their appropriate alphabetical order—

““electronic poll book” means the electronic device in which the name and other particulars of every person registered to vote are consecutively entered by the poll clerk as soon as the person’s right to vote at the polling station has been ascertained and before any such applicant is allowed to vote;

“electronic tabulating system” means the use of a machine for casting, scanning and tabulating of ballots and reporting of voting results by electronic means;

“manual voting system” means the method of casting and tabulating ballots by hand and the culmination and reporting of voting results by hand;

“poll book” means the book in the form set out as Form No. 16 in Schedule 1 in which the name and other particulars of every person registered to vote are consecutively entered by the poll clerk as soon as the person’s right to vote at the polling station has been ascertained and before any such person is allowed to vote;”.

#### **Section 6 amended**

4. Section 6(1)(b) of the principal Ordinance is amended by repealing the words “section 46(2)(b)” and substituting “section 45(2)(b)”.

#### **Section 10 amended**

5. Section 10(3) of the principal Ordinance is amended by repealing paragraph (c) and substituting—

“(c)determine all claims for registration made by any person, and all objections to a person’s registration duly made by another person appearing from the elector’s list in any electoral district, including claims and objections asking for omission, insertion or alteration of a date on which a person will become eighteen years and entitled to be treated as a an elector.”.

**Section 11 amended**

6. Section 11 of the principal Ordinance is amended by repealing subsection (2) and substituting—

“(2) An application made under this section must—

- (a) be in the form set out as Form No. 1 in Schedule 1;
- (b) be accompanied by the following—
  - (i) proof of the residential address stated in the duly completed Form No. 1; and
  - (ii) proof of identification; and
- (c) be signed by the applicant.”.

**Section 12 amended**

7. Section 12(6) of the principal Ordinance is amended by repealing paragraph (b) and substituting—

“(b) in any other case, he produces—

- (i) an acceptance letter from an educational establishment;
- (ii) receipts indicating payments of tuition fees;
- (iii) proof of residence overseas;
- (iv) an affidavit sworn before a Notary Public by a student, confirming attendance at the educational establishment; and
- (v) any other proof as may be required by the Supervisor.”.

**Sections 12A and 12B inserted**

8. The principal Ordinance is amended by inserting immediately after section 12, the following—

**“Notification of change of particulars**

**12A.** (1) Where there is a change in the registered particulars of an elector, the elector shall within thirty days from the date of such change, give notice to the Supervisor in the form set out as Form. 1A in Schedule 1.

(2) On receipt of the notification under subsection (1), the Supervisor shall amend the register accordingly.

**Transfer of registration**

**12B.** (1) Where an elector moves from an electoral district in which he is presently registered and the voter has resided in another electoral district for a period of more than six months, the voter shall notify the Supervisor and apply for transfer of his registration to the electoral district with which he has moved to, not later than 31 December of every year.

(2) An elector shall make an application to transfer his registration in the form set out as Form No. 1B in Schedule 1.

(3) Upon receipt of the notification and application referred to in subsection (1), the Supervisor shall transfer the elector's registration particulars to the register of the electoral district he has moved to, by the date of publication of the electors lists every year, but not later than the date of publication of the electors lists which is the final list published for an election year.”.

**Section 15 amended**

**9.** Section 15 of the principal Ordinance is amended by repealing subsections (1) and (2) and substituting—

“(1) A person who is qualified to be included in the electors lists whose name or particulars have been omitted or wrongly stated may make a claim for himself, or the claim may be made on his behalf by another person, in the form set out as Form No. 3 in Schedule 1.

(2) A person whose name appears in the electors list in any electoral district may object to any other person whose name also appears therein as not being entitled to have his name therein, in the form set out as Form No. 4 in Schedule 1.”.

**Section 18 amended**

**10.** Section 18(3) of the principal Ordinance is amended by inserting the words ‘, in the form set out as Form No. 5A in Schedule 1,’ immediately after the words “complained of”.

**Section 21 amended**

**11.** Section 21(2)(b) is amended by repealing the words “electoral list” and substituting “electors list”.



**Section 29 amended**

**12.** Section 29(4) of the principal Ordinance is amended by repealing the words “section 27(8)” and substituting “section 27(11)”.

**Section 32 amended**

**13.** Section 32 of the principal Ordinance is amended by inserting immediately after subsection (2), the following—

“(2A) Every polling station shall have a standard layout as may be determined by the Supervisor from time to time, and this layout shall provide for one entrance and one exit, where a voter shall have a one-way progression through the voting area.”.

**Section 35 amended**

**14.** Section 35 of the principal Ordinance is amended—

(a) by repealing the headnote and substituting—

“**Ballot boxes: manual voting system**”; and

(b) in subsection (1), by inserting the words “Where the manual voting system is used,” immediately before the words “The Supervisor”.

**Section 35A inserted**

**15.** The principal Ordinance is amended by inserting immediately after section 35, the following—

**“Electronic tabulating machines**

**35A.** (1) The Supervisor shall supply to each returning officer a number of electronic tabulating machines not less than the number of polling stations in his electoral district.

(2) Each machine shall have a ballot box attached to it, which ballot box must have a lock and key or some other device to ensure that it can be kept securely closed.

(3) Every machine must have a slit or narrow opening on the top through which ballots papers may be inserted into the machine.

(4) Every machine must be constructed that—

(a) the contents of the attached ballot box cannot be removed without detaching the ballot box from the machine; and

- (b) a seal can be used to seal the opening to prevent any person inserting any ballot papers into the ballot box following the close of poll.”

### **Section 36 amended**

**16.** Section 36 of the principal Ordinance is amended—

- (a) in subsection (1), by inserting the words “Where the manual voting system is used,” immediately before the words “The returning officer ” where it first occurs;
- (b) by inserting the following subsection immediately after subsection (1)—

“(1A) Where the electronic tabulating system is used, the returning officer shall provide each Presiding Officer with an electronic tabulating machine and such number of ballot papers as in the opinion of the returning officer may be necessary.”; and

- (c) in subsection (2)—
- (i) in paragraph (c) by repealing the words “and in the form set out in Form 16 of Schedule 1”;
- (ii) by repealing paragraph (d) and substituting—
- “(d) a blank poll book or where the electronic tabulating system is used, an electronic poll book, in the form set out in Form 16 of Schedule 1, showing only the names, occupation, addresses and date of birth of the voters,
- (iii) by repealing paragraph (e) and substituting—
- “(e) at least five copies of the directions for the guidance of voters—
- (i) for the manual voting system, in the form set out as Form No. 15 in Schedule 1; and
- (ii) for the electronic tabulating system, in the form set out as Form No. 15A in Schedule 1.”.

### **Section 39 amended**

**17.** Section 39 of the principal Ordinance is amended—

- (a) in subsections (2) and (3), by inserting the words “Where the manual voting system is used,” immediately before the words “The ballot”; and
- (b) by inserting the following subsection immediately after subsection (3)—

“(3A) Where the electronic tabulating system is used, the ballot of each voter shall be a printed paper in the form set out as Form No. 18A (in this Ordinance called “a ballot paper”) in which the names, occupations, residences and voting symbols (if any) of the candidates, alphabetically arranged in the order of their surnames and numbered accordingly shall be printed exactly as they are set out in the nomination paper.”.

### **Section 42 amended**

**18.** Section 42(1) of the principal Ordinance is amended by repealing the words “section 46(2)(b)” and substituting “section 45(2)(b)”.

### **Sections 42A and 42B inserted**

**19.** The principal Ordinance is amended by inserting immediately after section 42, the following—

#### **Use of Manual and electronic tabulating system**

**42A.** The manual voting system or electronic tabulating system may be used for general elections or in any other election under this Ordinance.

#### **Testing of electronic tabulating system**

**42B.** (1) Where the electronic tabulating system is to be used for general elections, on any day not more than ten days prior to the advance poll of an election day, the Supervisor shall conduct the testing of the electronic tabulating system to ascertain that the machine will be without error and count the votes cast for each candidate and on all measures.

(2) A public notice of the time and place for the testing of the electronic tabulating system under subsection (1) shall be provided by the Supervisor at least forty-eight hours prior to such testing, by publication or announcement in designated media services of general circulation in the Islands.

(3) Upon testing of the electronic tabulating system the Supervisor shall certify the accuracy of the test and such test shall be open to representatives of political parties, members of the press and the general public.

(4) Where any error is detected upon the testing of the electronic tabulating system, the cause for such error shall be ascertained and corrected, and an errorless count shall be made

before the electronic tabulating system is approved for use in the election.

(5) For the purposes of this section the electronic tabulating system shall be tested with or without the use of electricity.”.

### **Section 43 amended**

20. Section 43 of the principal Ordinance is amended by repealing the headnote and substituting—

**“Proceedings at general poll: manual voting system”.**

### **Section 43A inserted**

21. The principal Ordinance is amended by inserting immediately after section 43, the following—

#### **“Proceedings at general poll: electronic tabulating system**

**43A.** (1) Where the electronic tabulating system is used, the process under section 43 shall apply, subject to the necessary modifications as set out in this section.

(2) At the time fixed for the opening of the poll the Presiding Officer and the poll clerk must, in the presence of such candidates, their agents and the voters as are present, unlock the electronic tabulating machine to confirm that there are no ballot papers or other papers inside the ballot box attached to the machine.

(3) After the Presiding officer and poll clerk have confirmed that there are no ballot papers or other papers under subsection (2), the Presiding Officer shall in the view of the candidates, their agents and the voters present—

- (a) lock the machine and ensure the machine shall remain locked and in full view of all present until the close of the poll;
- (b) secure the ballot box attached to the machine either by locking it and keeping safe the key or attaching to the box such other device as is mentioned in section 35(2);
- (c) verify and record the serial number of the machine delivered to the polling station on a form supplied by the returning officer;
- (d) verify that the public count is zero on each machine;

- (e) verify the accuracy of the date and time on the machine;
  - (f) confirm that each machine is open for voting or counting, as applicable; and
  - (g) correctly insert the media stick into the machine;
  - (h) record the serial number of the media stick referred to in paragraph (g) on the form supplied by the returning officer in paragraph (c), which form shall be dated and initialled by the Presiding Officer and the agents present;
  - (i) at a minimum, cause each machine to generate a report for written confirmation that the public count on each machine is zero and the Presiding Officer, poll clerk and candidates or agents present shall sign the report; and
  - (j) insert the report into a designated pouch and store in a secure location to be returned with elections materials.
- (4) The Presiding Officer must—
- (a) secure the admittance of every voter to the polling station (subject to section 44(1)); and
  - (b) ensure that they are not impeded or molested at or about the polling station.”.

### **Section 45 substituted**

**22.** The principal Ordinance is amended by repealing section 45 and substituting—

#### **“General mode of taking ballot: manual voting system**

**45.** (1) Where the manual voting system is used, when a voter enters the polling station the following procedure applies—

- (a) the voter must declare his name, address, occupation and date of birth;
- (b) the poll clerk must ascertain if the name of the voter appears on the official list of voters used at the polling station;
- (c) the voter must present his electoral registration card;
- (d) if the polling station is equipped with a device for reading the electoral registration card, the poll

clerk must use the device to verify the authenticity of the card and record on the card that the voter is voting at the election;

- (e) the voter is to be allowed to vote unless an election officer or agent of a candidate present at the polling station asks for the voter first to be sworn;
- (f) if paragraph (e) applies the voter must be allowed to vote on taking the oath or affirming (as the case may be).

(2) The poll clerk must proceed to enter information in the poll book in the appropriate column as follows—

- (a) the voter's name, address, occupation, date of birth and a number corresponding to the number allotted to the voter on the official list of voters;
- (b) as soon as the voter has placed his ballot paper in the ballot box, mark that the voter has voted;
- (c) if an oath or affirmation has been administered to the voter, record the nature of the oath or affirmation;
- (d) if the voter has refused to take an oath or affirm when lawfully required to do so, record that fact;
- (e) if the voter has refused to answer any question lawfully required of the voter, record that fact.

(3) Each voter shall receive from the Presiding Officer a ballot paper.

(4) The Presiding Officer shall—

- (a) instruct the voter how to make his mark;
- (b) properly fold the voter's ballot paper; and
- (c) direct him to return it, when marked, folded as shown.

(5) The Presiding Officer must not enquire or see for whom the voter intends to vote.

(6) When the voter receives the ballot paper—

- (a) he shall enter one of the polling compartments in the polling station and there secretly mark his ballot paper by marking with a black lead pencil, and not otherwise, a cross within the space opposite the name of the candidate for whom he intends to vote;

- (b) he shall then fold the ballot paper as directed and show the paper to the Presiding Officer (without handing it to him), so as to show the numbers appearing on the ballot paper; and
- (c) the Presiding Officer shall, without taking the ballot paper, ascertain by looking at the numbers appearing on the ballot paper, that it is the same paper as that delivered to the voter and, if it is the same, the voter shall place the ballot so folded in the ballot box.

(7) A voter who has inadvertently dealt with the ballot paper delivered to him such that it cannot conveniently be used shall return it to the Presiding Officer who shall—

- (a) cancel it by writing or stamping the word “Spoiled” across its face; and
- (b) deliver another ballot paper to the voter.

(8) Every voter shall vote without undue delay and shall leave the polling station as soon as his ballot paper has been put into the ballot box.

(9) Before the coming into force of section 25, for paragraphs (c) and (d) of subsection (1) substitute—

- “(c) the voter must produce his passport, driver’s licence or such other official form of picture identification as will enable the Presiding Officer to confirm the voter’s identity;
- (d) the Presiding Officer shall require the voter to have his finger to be marked with ink or a dye and shall not allow the voter to vote if the voter refuses to have his finger so marked;”.

### **Section 45A inserted**

**23.** (1) The principal Ordinance is amended by inserting immediately after section 45, the following—

#### **“General mode of taking ballot: electronic tabulating system**

**45A.** (1) Where the electronic tabulating system is used, the process under section 45 shall apply, subject to the necessary modifications as set out in this section.

(2) Each voter shall receive from the Presiding Officer a ballot paper in the form set out as Form No. 18A set out in Schedule 1.

- (3) The Presiding Officer shall—
- (a) instruct the voter how to make his mark which shall be by shading the designated oval sign; and
  - (b) direct the voter to insert the ballot paper in the electronic tabulating system.
- (4) When the voter receives the ballot paper—
- (a) he shall enter one of the polling compartments in the polling station and there secretly mark his ballot paper by shading the oval sign with a pen provided for that purpose, within the space opposite the name of the candidate for whom he intends to vote; and
  - (b) as directed by the Presiding Officer insert the ballot paper in the electronic tabulating system.
- (5) A voter who has inadvertently dealt with the ballot paper delivered to him such that it cannot conveniently be used shall return it to the Presiding Officer who shall—
- (a) cancel it by writing or stamping the word “Spoiled” across its face; and
  - (b) deliver another ballot paper to the voter.
- (6) Every voter shall vote without undue delay and shall leave the polling station as soon as his ballot paper has been put into the electronic tabulating system.
- (7) An electronic poll book shall be used to enter the voter's details as specified in section 45.”.

### **Section 48 substituted**

**24.** The principal Ordinance is amended by repealing section 48 and substituting—

#### **“Mode of taking ballot in special cases**

**48.** (1) Subject to the provisions of this Ordinance as to proof of qualifications as a voter, and as to the administration of oaths, if a person representing himself to be a particular voter applies for a ballot paper after another person has voted as such person, he shall be entitled to receive a ballot paper and to vote after taking the oath of identity in the form set out in Form No. 19 in Schedule 1 and otherwise establishing his identity to the satisfaction of the Presiding Officer.

(2) In such case, the Presiding Officer shall put on the ballot paper, a number corresponding to the number allotted to the voter on the official list of voters and entered in the poll



book or electronic poll book opposite to the name of such voter, and the poll clerk shall enter in the poll book or electronic poll book in the appropriate column of the entry relating to the voter—

- (a) a note of the person having voted on a second ballot paper issued under the same name;
- (b) the fact of the oath of identity having been required and taken and the fact of any other oaths being so required and taken; and
- (c) any objections made on behalf of any candidate, and of which candidate.

(3) The Presiding Officer, on the request of a voter who is unable to mark his ballot by reason of incapacity from a physical cause, blindness or by reason of illiteracy, or who is unable from voting in the manner prescribed by this Ordinance, may on the request of the voter who is accompanied by a friend who is a voter in the same electoral district as the voter, permit the friend to accompany the voter into the voting compartment and mark the voter's ballot paper for him.

(4) In a case where subsection (3) applies—

- (a) the Presiding Officer must satisfy himself as to the identity of the friend;
- (b) before accompanying the voter into the voting compartment, the friend must take an oath in the form set out in Form No. 20 in Schedule 1; and
- (c) a person must not act as a friend to more than one voter.

(5) Whenever a voter has had his ballot paper marked as provided in subsection (3), the poll clerk (in addition to any other requisite entry) shall enter in the poll book or electronic poll book in the appropriate column of the entry relating to the voter—

- (a) the reason why such ballot paper was so marked; and
- (b) record the name, occupation and address of the friend.”.

#### **Section 49 amended**

**25.** Section 49 of the principal Ordinance is amended—

(a) in subsection (1), by deleting the words “and occupation” wherever they appear and substituting “, occupation and date of birth”;

(b) repealing subsection (3) and substituting—

“(3) The name, address, occupation and date of birth shall be correctly entered in the poll book or electronic poll book, and the fact that the oath has been taken shall be entered in the appropriate column of the entry relating to the voter in that poll book or electronic poll book.”.

### **Sections 49A, 49B and 49C inserted**

26. The principal Ordinance is amended by inserting immediately after section 49, the following—

#### **“Advanced poll**

**49A.** (1) An advance poll may be held one day prior to the day named as the polling day under section 31(2).

(2) It shall be lawful for a voter to record his vote at an advance poll—

(a) if the voter is 70 years or older;

(b) if the voter has a physical incapacity or blindness;

(c) if the voter being a police officer, doctor, nurse or emergency medical technician is required to be working on polling day;

(d) if the voter is a person serving a sentence of imprisonment who is qualified to vote;

(e) in the midst of a pandemic, if the voter has tested positive to the disease or has been placed under quarantine by order of the Chief Medical Officer;  
or

(f) if the voter expects to be travelling outside the Islands on polling day, provided that the voter submits proof of travel.

(3) A voter referred to under subsection (2) who wishes to vote at an advance poll shall, not later than ten days after the issue of the writ of election, make an application for approval to the Supervisor in the form set out as Form No. 18B in Schedule 1.

(4) A voter who is approved to vote at an advance poll shall be allowed to vote in like manner as he would have been entitled to do on the day appointed for taking the poll, except that he shall not be allowed to vote at an advance poll

unless he produces proof of approval to vote at an advance poll.

(5) Unless the writ otherwise directs, polling stations established for the purpose of an advance poll shall be opened between 8:00am and 4:00pm.

(6) The Supervisor may direct that all polling stations established for the purpose of an advance poll be placed at the same location.

### **Conduct of advance poll**

**49B.** (1) At an advance poll, a separate ballot box shall be provided for each polling division of each electoral district.

(2) The Presiding Officer shall complete the form set out as Form No. 21A in Schedule 1, in accordance with section 54(1)(f).

(3) At the close of the poll the Presiding Officer shall—

(a) without examination, count and place the ballot papers in separate packets;

(b) seal the packets and clearly designate the number of ballot papers it contains and the polling division and electoral district to which it relates; and

(c) complete the form set out as Form No. 21A in Schedule 1 in accordance with section 54(1)(f).

(4) The Presiding Officer shall immediately give every sealed packet of ballot papers taken at an advance poll along with all the relevant forms to the returning officer to be kept intact and secured in a vault, until delivery by him on polling day in the election to the Presiding Officer at the polling station identified for the casting of votes within the electoral district to which the packet relates.

(5) The Presiding Officer shall open every packet of ballot papers referred to in subsection (4) immediately before the commencement of the poll at an election in the presence of any persons who are authorised under the Ordinance to be present at the time and shall place the ballot papers without examining them into an empty ballot box at his poll station before locking it up and placing a seal upon it.

(6) The ballot boxes, poll books, envelopes containing the spoiled and unused ballot papers, official list of voters, reports and other documents used at a polling station shall be transmitted to returning officer.

(7) For the avoidance of doubt it is declared that the provisions of this Ordinance which applies to voters, the voting procedure and to elections shall apply so far as is convenient to the taking place of an advance poll as they apply to the taking of a poll at an election.

### **Conduct of advance poll: electronic tabulating system**

**49C.** (1) At an advance poll, where the electronic tabulating system is used, one ballot box may be used for each district and the electronic tabulating system shall tabulate the votes for each polling station.

(2) The Presiding Officer shall secure the ballot box attached to the machine either by locking it and keeping safe the key or attaching to the box such other device as is mentioned in section 35(2).

(3) The Presiding Officer shall complete the form set out as Form No. 21A in Schedule 1, in accordance with section 54 (1)(f).

(4) Before commencing an advance poll the returning officer shall provide the Presiding Officer the form on which the seal numbers and the protective counter numbers for each machine are recorded and the Presiding Officer shall—

(a) conduct the set up procedures for the electronic tabulating system; and

(b) verify that the number registered on the protective counters and the numbers on the seals which the machines are sealed correspond with the numbers recorded on the form.

(5) Upon completion of the process under subsection (4) the Presiding Officer shall with the agents and other officials observing run the paper tape to verify that all counters are registered at zero, and the Presiding officer shall thereafter—

(a) print a zero totals report;

(b) verify that the date, time, election and polling station name are accurate;

(c) sign the paper tape for certificate and proceed to the voting mode.

(6) At the close of the advance poll after the last voter has voted the Presiding officer shall forthwith act in the following order—

- (a) the ballot papers shall remain in their boxes and the presiding officer shall seal the ballot boxes with the seals provided by the returning officer;
- (c) close the poll on the electronic tabulating system and run the paper tape;
- (d) remove the media stick placing it with the printed report in a designated pouch;
- (e) seal the designated pouch and place it in a second pouch which shall be sealed and thereafter placed with other elections materials in the designated carrying case;
- (f) verify and document the public count on the relevant machine by verifying that the public counts match the number of votes on the electronic poll book;
- (g) lock and secure the machine and election materials from any physical access to prepare for transportation;
- (h) count the spoiled ballot papers, if any, place them in the special envelope supplied for that purpose and indicate thereon in words the number of such spoiled ballot papers and seal the envelope and initial it;
- (i) count the unused ballot papers, place them with all the counterfoils of all used ballot papers in the special envelope supplied for that purpose and indicate thereon in words the number of such unused ballot papers, then seal the envelope and initial it;
- (j) check the number of ballot papers supplied by the returning officer against the number of spoiled ballot papers, if any, the number of unused ballot papers and the number of voters whose names appear in the electronic poll book as having voted in order to ascertain that all ballot papers are accounted for; and
- (k) record the number of ballot boxes in his possession, the number of ballot papers issued to electors, the number of unused ballot papers, the number of spoiled ballot papers and all other information required in the form set out as Form No. 21A in Schedule 1 and attach his signature thereto.

(7) The Presiding Officer shall immediately give each sealed pouch to the returning officer to be kept intact and secured in a vault, until delivered by him to the polling station designated for counting votes on polling day.

(8) The electronic tabulating machines, ballot boxes, electronic poll books, envelopes containing the spoiled and unused ballot papers, official list of voters, pouches containing media sticks, reports and other documents used at a polling station shall be transmitted to the returning officer.

(9) For the avoidance of doubt, it is hereby declared that the other provisions of this Ordinance applying to voters, to voting procedure and to elections shall apply so far as is convenient to the taking of an advance poll as they apply to the taking of a poll at an election.”.

**Section 54 amended**

27. Section 54 of principal Ordinance is amended—

(a) by repealing the headnote and substituting—

**“Proceedings after poll: manual voting system”;**

(b) in subsection (1) —

(i) in the chapeau, by repealing the words “Forthwith upon the close of the poll, the Presiding Officer shall in the following order” and substituting “Where the manual voting system is used, after the last voter has voted, the Presiding Officer shall forthwith act in the following order”;

(ii) by repealing paragraph (b) and substituting—

“(b) count the number of voters whose names appear in the poll book as having voted and make an entry thereof on the line immediately below the name of the voter who voted last, thus “The number of voters who voted at this election in this polling station is .....” (stating the number), and sign his name thereto;” and

(iii) in paragraph (e), by repealing the words “official list of voters” and substituting “poll book”;

(c) in subsection (2), by inserting the words “, poll books” immediately after the words “lists of voters”.

(d) by inserting a new paragraph immediately after paragraph (e) as follows—

“(f) record the number of ballot boxes in his possession, the number of ballot papers issued to voters, the number of unused ballot papers, the number of spoiled ballot papers and all other information required in the form set out as Form. No. 21A in Schedule 1.”.

### **Section 54A inserted**

**28.** The principal Ordinance is amended by inserting immediately after section 54, the following—

#### **“Proceedings after poll: electronic tabulating system**

**54A.** (1) Where the electronic tabulating system is used, after the last voter has voted, the Presiding Officer shall forthwith act in the following order—

- (a) seal the ballot boxes with the seal provided by the Supervisor;
- (b) close the poll on the electronic tabulating system and run the paper tape;
- (c) remove the media stick placing it with the printed report in a designated pouch;
- (d) seal the designated pouch and place it in a second pouch which shall be sealed and thereafter with other elections materials in the designated carrying case;
- (e) verify and document the public count on the relevant machine by verifying that the public counts match the number of votes on the electronic poll book;
- (f) lock and secure the machine and election materials from any physical access to prepare for transportation;
- (g) count the spoiled ballot papers, if any, place them in the special envelope supplied for that purpose and indicate thereon in words the number of such spoiled ballot papers and seal the envelope and initial it;
- (h) count the unused ballot papers, place them in the special envelope supplied for that purpose and indicate thereon in words the number of such

unused ballot papers, then seal the envelope and initial it;

- (i) check the number of ballot papers supplied by the returning officer against the number of spoiled ballot papers, if any, the number of unused ballot papers and the number of voters whose names appear in the electronic poll book as having voted in order to ascertain that all ballot papers are accounted for; and
- (j) record the number of ballot boxes in his possession, the number of ballot papers issued to voters, the number of unused ballot papers, the number of spoiled ballot papers and all other information required in the form set out in Form No. 21A in Schedule 1 and attach his signature thereto.

(2) The ballot boxes, electronic poll books, envelopes containing the spoiled and unused ballot papers, official list of voters, pouches containing media sticks, reports and other documents used at a polling station shall be delivered to the returning officer.

(3) The Presiding Officer shall, with the ballot boxes and papers aforesaid, deliver to the returning officer, in the envelope provided for that purpose, the keys of such ballot boxes.

(4) In this section references to a returning officer include references to an assistant returning officer referred to in section 6(2) or (4).”.

### **Section 55 amended**

**29.** Section 55 of the principal Ordinance is amended—

(a) by repealing the headnote and substituting—

**“Counting votes: manual voting system”;**

- (b) in subsection (4)(b) by repealing subparagraph (ii);
- (c) in subsections (7), (10), (11) and (12), by inserting the words “(manual voting system)” immediately after the words “rejected ballot papers”;
- (d) in subsections (11)(b) and (12)(b), by inserting the words “, poll books” immediately after the words “lists of voters”;
- (e) by inserting immediately after subsection (13), the following—



“(13A) A request for a recount made under subsection (13) may be made in the form set out as Form No. 22A n Schedule 1.”; and

(f) by inserting immediately after subsection (15), the following—

“(15A) A declaration of the outcome of the poll made by the returning officer in sections subsections (14) and (15) shall be made publicly and the results thereof shall be displayed at each polling station.”.

### **Section 55A inserted**

**30.** The principal Ordinance is amended by inserting immediately after section 55, the following—

#### **“Counting of votes: electronic tabulating system**

**55A.** (1) Where the electronic tabulating system is used, the votes cast at a polling station must be counted at that polling station.

(2) As soon as the ballot boxes from the polling stations have been received—

(a) the returning officer shall, in the presence of the candidates or their agents that are present, and if the candidates or any of them are absent, then in the presence of those present, and of at least two voters if none of the candidates is represented—

(i) examine the ballot boxes, and envelopes received from each polling station one at a time, ensuring that the seals thereon are securely affixed;

(ii) count and record the number of ballot boxes and envelopes received from each polling station, ensuring that all ballot boxes and envelopes are accounted for in accordance with the form set out as Form No. 21A in Schedule 1;

(iii) record the number of votes for each candidate, including in the case of the all islands district, those blanks contained in ballot papers that reflect unmarked ballots in accordance with the form set out as Form No. 21A in Schedule 1; and

(b) in the presence of the candidates or their agents that are present, and if the candidates or any of

them are absent, then in the presence of those present, and of at least two voters if none of the candidates is represented, the electronic tabulating system will reject all ballot papers—

- (i) which have not been marked for any candidate;
- (ii) on which votes have been given for more than the number of candidates to be selected for the electoral district and the all islands district; or
- (iii) on which more than one vote has been cast for any one candidate.

(3) In the case of an electoral district where there is more than one polling station, the returning officer must record the number of votes cast for each candidate at that polling station.

(4) In the case of an election for the all Islands district, the assistant returning officer must record the number of votes cast for each candidate at the polling station for which he is appointed.

(5) All ballot papers which have been counted shall be put into an envelope and all rejected ballot papers shall be put in a separate envelope and all such envelopes shall be sealed by the returning officer and by such agents as may desire to seal them or sign their names thereon in addition.

(6) In the case of an election in an electoral district where there is more than one polling station, or in the case of an election in the all Islands electoral district, the following must be transmitted to the returning officer at the central location designated for counting—

- (a) the envelopes containing the counted ballot papers and rejected ballot papers;
- (b) the official lists of voters, electronic poll books and other documents used at the poll; and
- (c) the returning officer's record of the number of votes cast for each candidate.

(7) Any of the candidates or their agent who is not satisfied with the accuracy of the count may, on completion of the count, by completing the form set out as Form No. 22A in Schedule 1, immediately demand a recount at the following places—

- (a) in the case of an election for an electoral district where there is only one polling station, at that polling station;

(b) in the case of an election in an electoral district where there is more than one polling station, or in the case of an election in the all Islands electoral district, at the central location designated for counting.

(8) No candidate may demand a recount more than once at any election.

(9) Where a recount has been demanded in terms of subsection (7), unless the returning officer considers the demand to be unreasonable having regard to the result of the first count, the returning officer shall proceed to recount the votes to ascertain the result of the poll by use of an automatic electronic re-tabulation of the votes.

(10) Section 55(14), (15), (16) and (17) shall apply to this section.

(11) In subsection (5) a reference to the returning officer includes a reference to an assistant returning officer referred to in section 6(2) or (4).”.

### **Section 56 amended**

**31.** Section 56 of the principal Ordinance is amended—

- (a) by repealing subsections (4) and (5); and
- (b) in subsection (7), by repealing the words “and initialled by the returning officer”.

### **Section 57 substituted**

**32.** The principal Ordinance is amended by repealing section 57 and substituting —

#### **“Election Return**

**57.** (1) This section shall apply to an election where either the manual voting system or electronic tabulating system has been used

(2) The returning officer, within the time specified for the return of any writ, shall forward to the Supervisor—

- (a) the writ with his return, in the form set out as Form No. 23 in Schedule 1, endorsed thereon with the name of the candidate declared to be elected in accordance with section 55(14) to (16) or section 55A(10).
- (b) a report of his proceedings showing the number of votes cast for each candidate at each polling

station, and making such observations as the returning officer may think proper as to the state of the election papers as received from the Presiding Officer;

- (c) where a manual voting system is used, the number of persons to whom it appears from the counterfoils that ballot papers have been supplied in the electoral district;
- (d) where an electronic tabulating system is used, a statement of the number of persons to whom, it appears from the electronic poll book and electronic tabulating system have been supplied in the electoral district;
- (e) the reserve supply of undistributed blank ballot papers;
- (f) where a manual voting system is used—
  - (i) the poll book used at each polling station;
  - (ii) a packet containing the counterfoils and unused ballot papers;
  - (iii) a packet containing the ballot papers cast for the several candidates;
  - (iii) a packet containing the spoiled ballot papers;
  - (iv) a packet containing the rejected ballot papers (manual voting system);
- (g) where the electronic tabulating system is used—
  - (i) the electronic poll book used at each polling station;
  - (ii) a packet containing the unused ballot papers;
  - (iii) a packet containing the spoiled ballot papers; and
  - (iv) a packet containing the rejected ballot papers (electronic tabulated system); and
- (h) the written appointments of candidates' agents and all other documents used for the election.

(2) The Supervisor shall, on receiving the return of any member elected to serve in the House of Assembly cause it to be entered, in the order in which such return is received by him, in a book to be kept by him for such purposes.

(3) The Supervisor shall cause to be published in the *Gazette* a notice of the names of the candidates elected at the election.

(4) The Supervisor shall, on receiving the return of any member elected to serve in the House of Assembly, transmit the writ with the return endorsed thereon to the Governor within the time specified in such writ.

(5) The Governor shall on receipt of the writ in terms of subsection (4), within seven days of receipt of the said writ, return the same to the Supervisor for safe custody in accordance with section 58.

(6) The Supervisor shall immediately after each general election cause to be printed a report giving, by polling divisions—

- (a) the number of votes polled for each candidate;
- (b) the number of rejected ballot papers for both the manual voting system and the electronic tabulating system; and
- (c) the number of names on the official list of voters together with any other information that he may deem fit to include.

(7) The Supervisor shall before the end of each year, cause to be printed a similar report to that in subsection (6) on the by-elections held during the year.

(8) A returning officer shall forfeit to the person aggrieved the sum of \$500 and costs in addition to all damages sustained if—

- (a) the returning officer wilfully delays, neglects or refuses duly to return a person who ought to be returned to serve in the House of Assembly for an electoral district; and
- (b) it has been determined on the hearing of an election petition respecting the election for such electoral district that the person was entitled to have been returned.”.

### **Section 81 amended**

**33.** Section 81 of the principal Ordinance is amended—

- (a) in the heading and the section, by repealing the words “officials list of voters” and substituting “Register of Electors”; and

- (b) by repealing the word “list” appearing in the third line and substituting “Register”.

### **Schedule 1 amended**

**34.** Schedule 1 of the principal Ordinance is amended as indicated below with forms set out in the Schedule to this Ordinance, as follows—

- (a) by repealing Form No. 1 and substituting a new Form No. 1;
- (b) by inserting immediately after Form No. 1, new Forms 1A and 1B;
- (c) by repealing Form No. 4 and substituting a new Form No. 4;
- (d) by inserting immediately after Form No. 5, a new Form No. 5A;
- (e) in Form No. 15—
- (i) in the heading of the Form by inserting immediately after the word “voters”, the words “for manual voting system”.
- (ii) by repealing paragraph 5 and substituting—
- “5. The voter shall then fold his ballot paper so that the numbers on the counterfoil can be seen, he shall show the paper to the Presiding Officer (without handing it to the Presiding Officer) so as to show the numbers appearing on the ballot paper and the voter shall then place the ballot paper in the box. The voter shall forthwith exit the polling station.”.
- (d) by repealing Form No. 16 and substituting a new Form No. 16;
- (e) by inserting immediately after Form No. 18, new Forms No. 18A and 18B;
- (f) in Form No. 21 by repealing the words “Official list of Voters” wherever it appears, and substituting the words “Poll book or electronic poll book”.
- (g) by inserting immediately after Form No. 21, a new Form No. 21A; and
- (h) by inserting immediately after Form No. 22, a new Form No. 22A.

**SCHEDULE**

**FORM NO. 1**

*(Section 11(2))*

“Date received by officer .....

Time .....

Officer signature .....

**APPLICATION FOR REGISTRATION AS AN ELECTOR**

To the Supervisor of Elections Grand Turk

I .....

(Given and family names in block capitals)

of.....

(Street address)

Whose occupation is .....  
being of the male/female sex do hereby apply to be registered as an elector for  
the electoral district of ..... and do  
declare that the following particulars are, to the best of my knowledge and  
belief, true and correct in all respects.

1. My date of birth is .....

(Day/month/year)

(I attach documentary evidence to support my claim)

2. My place of birth is .....

(Place and Country)

3. My proof of identification:

National Turks and Caicos Islands Status Card No .....

National Health Insurance Card No .....

National Insurance Card No .....

Any other form of identification .....

- 4. I have been resident in the Turks and Caicos Islands since the.....day of .....20..... for a period or periods amounting to not less than 12 months in aggregate out of the last two (2) years immediately preceding the qualifying date of November 30.
- 5. Postal Address: .....
- 6. E-mail .....
- 7. Home Telephone .....
- 8. Cell .....
- 9. Place of Employment .....
- 10. Telephone No. ....
- 11. Do any of the following apply to you, if so, state which one:
  - (a) Member of Her Majesty's Forces Yes/No
  - (b) Working abroad on Government business Yes/No
  - (c) Student resident abroad in the prescribed circumstances Yes/No
- 12. Were you serving a sentence of imprisonment for a term of 12 months on the qualifying date Yes/No

Date.....

Signature of applicant .....

WARNING

The applicant's attention is drawn to Section 11(6) of the Elections Ordinance which makes it an offence to make a false statement or to submit a document which is false in a material particular or which has been unlawfully altered.

FOR OFFICIAL USE ONLY

Applicant is qualified for registration and his/her name has been placed on the List.

Applicant is not qualified because

.....  
.....  
.....



Supervisor of Elections

TO *(name of person objected to)*

.....

of *(address)* .....

I, ..... of ..... being a person whose name is included in the electors list for the ..... electoral district hereby give you notice that I object to your name being retained on the electors list for the ..... electoral district above mentioned on the ..... grounds that

.....

*(state grounds)*

and that you will be required to prove your qualifications.

Signature of Objector .....

Date.....

\_\_\_\_\_

**FORM NO. 1A**

*(section 12A)*

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NOTIFICATION OF CHANGE OF PARTICULARS

---

To the Supervisor of Elections, Grand Turk

I .....

(Insert full first and surnames in block capitals)

Whose address is .....

Solemnly and sincerely declare that:

Contact No. Home ..... work ..... other .....

NAME \*(a) on or about the ..... day of ..... 20 .....\*delete as applicable

I changed my name from .....

(Insert full previous names)

to .....

(Insert new full first name and surnames)

and change of name occurred by reason of – marriage/divorce/a deed poll (other reasons)

namely .....

(Complete as appropriate)

OR

OCCUPATION \*(b) on or about the ..... day of ....., 20 .....

I changed my occupation from .....

(Insert previous occupation)

To .....

(Insert new occupation)

OR

RESIDENCE \*(c) on or about the ..... day of ....., 20 .....

I ceased to reside at .....

(Insert full street address of previous residence)

In the said electoral district and now reside at .....

.....

(Insert full street address of new residence)

In the said electoral district .....

And I hereby apply for such change to be made and entered on the Register of Electors.

Dated this ..... day of ....., 20 .....

(Month)

(Year)

Signature of Applicant .....

Signature of Witness .....

Name of Witness .....

WARNING

The applicant's attention is drawn to Section 11(6) of the Elections Ordinance which makes it an offence to make a false statement or to submit a document which is false in a material particular or which has been unlawfully altered.

FOR OFFICIAL USE ONLY

Applicant name, occupation and place of residence has been placed on the Register of Electors in accordance with the application.

.....

Supervisor of Elections

**FORM NO. 1B**

*(Section 12B(2))*

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APPLICATION FOR TRANSFER OF ELECTORAL DISTRICT

---

To the Supervisor of Elections, Grand Turk

I [name] .....

(Insert full first and surnames in block capitals)

of [address] .....

[occupation] .....

hereby make application to the Supervisor to have my registration transferred from the ..... electoral district to the ..... electoral district and subscribe my name to the Statement below in certification of the truth of the content thereof.

STATEMENT

I [name] ..... do

solemnly and sincerely declare that—

1. My name appears on the Register of Electors for the ..... electoral district.

2. I have moved my place of residence from [former address] ..... to

[present address] ..... which to the best of my knowledge, information and belief is within the ..... electoral district as the same is defined by the Electoral Districts (Boundaries) Ordinance.

3. I have attached hereto documentation confirming my change of address.

.....  
Signature of Applicant

.....  
Date

WARNING

The applicant's attention is drawn to Section 11(6) of the Elections Ordinance which makes it an offence to make a false statement or to submit a document which is false in a material particular or which has been unlawfully altered.

FOR OFFICIAL USE ONLY

Applicant name, occupation and place of residence has been placed on the Register of Electors in accordance with the application.

---

Supervisor of Elections

**FORM NO. 4**

*(Section 15(2))*

---

**(1) NOTICE OF OBJECTION**

---

To the Supervisor of Elections

**TAKE NOTICE** that I .....  
*(Name of Objector)*

of.....  
*(Place of residence)*

.....  
*(Occupation)*

am qualified for inclusion in the electors list for the .....  
electoral district and am so included:

And that I object to the inclusion of ..... on the ground that  
such person is disqualified for inclusion in the electors list for the .....  
electoral district by reason of .....

Dated this ..... day of ..... 20 .....

.....

Signature of Objector

---

**(2) NOTICE TO PERSON OBJECTED TO**

---

TO *(name of person objected to)*  
.....

of *(address)* .....

I, ..... of ..... being a  
person whose name is included in the electors list for the .....  
electoral district hereby give you notice that I object to your name being retained  
on the electors list for the ..... electoral district above mentioned  
on the grounds that

.....  
*(state grounds)*

and that you will be required to prove your qualifications.

.....  
Signature of Objector

.....

Date

**FORM NO. 5A**

*(Section 18(3))*

---

NOTICE OF APPEAL TO ADJUDICATORS

---

APPEAL #.....

I .....being registered in  
the electoral district for ....., hereby appeal  
against the decision of the Supervisor of Elections made on  
..... , on a claim of registration or objection\* made  
against ....., who is registered in the  
electoral district for .....

The grounds of appeal are:

---

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---

---

---

---

---

---

Appellant’s signature .....

Date .....

\*Select as appropriate

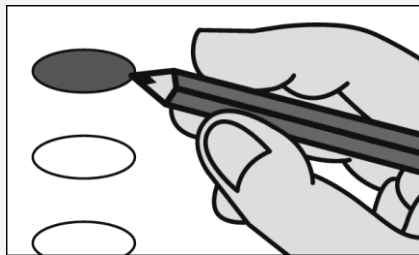
**FORM NO. 15A***(sections 36(2)(e)(ii))*

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**DIRECTION FOR VOTING BY ELECTRONIC TABULATING SYSTEM**

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1. Each voter may vote only at one polling station.
2. In an election in an electoral district which is not the all Islands district, each voter may vote for only one candidate.
3. In an election for the all Islands electoral district, each voter may vote for as many Candidates as there are vacancies in all Islands district.
4. Each voter will go into one of the compartments and, with the pencil provided shade the oval sign.
5. The voter shall then insert the ballot paper in the electronic tabulating system and follow the instructions on the machine until completion, thereupon the vote shall leave the polling station.
6. If the voter inadvertently spoils a ballot paper, he can return it to the Presiding Officer who will, if satisfied of such inadvertence, give him another paper.
7. If the voter places any mark on the paper by which he may afterwards be identified or if he votes for more than one candidate than his ballot paper will be void.
8. If the voter takes a ballot paper out of the polling station or deposits in the ballot box any other paper than the one given him by the Presiding Officer, he commits an offence and is liable on summary conviction to a fine or imprisonment or to both punishments.

**EXAMPLE OF SINGLE BALLOT FOR ELECTORAL DISTRICT AND ALL ISLANDS DISTRICT (VOTING SHADING THE OVAL)****Instructions****Making Selections**

Fill in the oval to the right of the name of your choice. You must blacken the oval completely, and do not make any marks outside of the oval.

Do not cross out or erase, or your vote may not count. If you make a mistake or a stray mark, ask for a new ballot from the Presiding Officer.



**FORM NO. 16**

*(Sections 36(2)(d))*

**POLL BOOK (MANUAL OR ELECTRONIC)**

<i>Particulars of voter</i>							<i>Particulars of persons applying for Ballot papers after another person has voted as such person</i>				
<i>Voter No. on List of Voters</i>	<i>Name of voter</i>	<i>Occupation</i>	<i>Postal Address</i>	<i>Date of Birth</i>	<i>(a) Record that oath sworn or refused</i>	<i>(b) Record that voter had voted</i>	<i>Name</i>	<i>Consecutive number of voter on list of voters</i>	<i>Record that oath sworn</i>	<i>Objections if any made on behalf of any candidate</i>	<i>Remarks</i>

**FORM NO. 18A**

(Sections 39(3A), 45A(2))

**BALLOT PAPER: ELECTRONIC TABULATING SYSTEM**

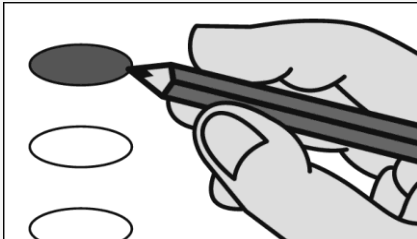
GENERAL ELECTIONS.....  
 .....Electoral District

Consecutive number given voter in Official List of Voters.....

No.00000  
 Turks and Caicos General Election  
 Electoral District Ballot and All Islands District Ballot  
 Polling Day:

**Instructions**

**Making Selections**



Fill in the oval to the right of the name of your choice. You must blacken the oval completely, and do not make any marks outside of the oval.

Do not cross out or erase, or your vote may not count. If you make a mistake or a stray mark, ask for a new ballot from the Presiding Officer.

Electoral District Vote for One			
1.	<b>BROWN, John</b> (Occupation)	Voting Symbol	<input type="radio"/>
2.	<b>GRAY, Sandra</b> (Occupation)	Voting Symbol	<input type="radio"/>
3.	<b>PIERRE, Jean</b> (Occupation)	Voting Symbol	<input type="radio"/>
4.	<b>SANDS, Susan</b> (Occupation)	Voting Symbol	<input type="radio"/>

All Islands District Vote for NO MORE than Five candidates.			
1.	<b>ARTHUR, Sarah</b> (Occupation)	Voting Symbol	<input type="radio"/>
2.	<b>BROWN, Max</b> (Occupation)	Voting Symbol	<input type="radio"/>
3.	<b>CAMPBELL, Sam</b> (Occupation)	Voting Symbol	<input type="radio"/>
4.	<b>MOSES, Mable</b> (Occupation)	Voting Symbol	<input type="radio"/>
5.	<b>NELSON, June</b> (Occupation)	Voting Symbol	<input type="radio"/>
6.	<b>APPLES, Larissa</b> (Occupation)	Voting Symbol	<input type="radio"/>
7.	<b>CARTER, Ali</b> (Occupation)	Voting Symbol	<input type="radio"/>
8.	<b>DIXY, John</b> (Occupation)	Voting Symbol	<input type="radio"/>
9.	<b>FARMER, Louis</b> (Occupation)	Voting Symbol	<input type="radio"/>
10.	<b>CHEESE, Clinton</b> (Occupation)	Voting Symbol	<input type="radio"/>
11.	<b>BROWN, John</b> (Occupation)	Voting Symbol	<input type="radio"/>

**FORM NO. 18B**

*(Section 49A(3))*

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APPLICATION FOR ADVANCE POLL

---

I, (Surname) .....

(Other names) ..... of

(Address).....

.....

I am a registered voter for electoral district .....

I am

- (a) 70 years or older
- (b) Physically incapacitated or blind
- (c) A person serving a sentence of imprisonment
- (d) A Police Officer
- (e) A Doctor
- (f) An Emergency Medical Technician
- (g) A Nurse
- (h) in the midst of a pandemic, a person who has tested positive to the disease or has been placed under quarantine by order of the Chief Medical Officer.
- (i) A person travelling on polling day

I apply to be treated as a voter at an advance for electoral district ..... because I am unlikely to be able to go to the polling station on the day appointed for taking of the poll because\*

.....

.....

.....

*\*Set out appropriate reason for paragraphs (d) to (i)*

I declare that the above statements are correct.

Applicant's Name .....

(Please print)

Applicant's signature .....

Date .....

FOR OFFICIAL USE ONLY

APPLICATION APPROVED BY SUPERVISOR OF ELECTIONS

I ..... Supervisor of Elections this ..... day  
of ..... 20 .....

Approve the application of ..... a Registered Voter  
for electoral district .....  
to be treated as a voter for advance poll.

.....  
Supervisor of Elections

.....  
Date

**FORM NO. 21A**

*(Sections 49B(2) & (3)(c), 49C(3) & (6)(k), 54(1)(f), 54A(1)(j) and 55A(2)(a))*

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BALLOT PAPER AND BALLOT BOX ACCOUNT

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General Election or other Election: .....

Polling Station: .....

Place: .....

**BEFORE POLL**

<u>Number</u>	<u>Total</u>
1. Ballot papers received	.....
Electoral District	.....
All Island	.....

2. Ballot boxes received	.....
Electoral District	.....
All Island	.....

**AFTER POLL**

3. Ballot boxes in possession	.....
4. Ballot papers unused	.....
5. Ballot papers issued to electors	.....
6. Ballot papers spoilt	.....
7. Ballot papers which should be in ballot boxes	.....

.....  
Signature of Returning Officer/Presiding Officer

Date .....

**FORM NO. 22A**

*(Sections 55(13A) and 55A(7))*

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REQUEST FOR RECOUNT

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I, .....

One of the Candidates/a Counting Agent\* for

.....

At the election of member/members\* to serve in the House of Assembly for  
Electoral District/All Island District

.....

held on the.....day of ,..... 20....., being  
dissatisfied with the accuracy of the count **HEREBY DEMAND** a recount and  
set forth below the reasons for my demand.

REASONS

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Signature of Candidate or Agent .....

Date: .....

\*Delete as appropriate

Attorney General's Chambers

6<sup>th</sup> October 2020

**PASSED** by the House of Assembly this    day of    2020.

Tracey Parker  
Clerk to the House of Assembly

Dwayne Taylor  
Speaker

### **EXPLANATORY MEMORANDUM**

This Bill seeks to amend the Elections Ordinance. The Ordinance is amended in accordance with the observations and recommendations made by Elections Adjudicator's appointed by the Governor, the Supervisor and Election Observer Mission to the Turks and Caicos Islands carried out by the British Islands and Mediterranean Region of the Commonwealth Parliamentary Association of the (CPA BIRMR) during 2016 General Elections. Proposals also include recommendations from the office of the Supervisor of Elections. These include provisions to provide for advance poll and introduction of the electronic tabulating system which is the equipment to be used for casting, scanning and tabulating ballots and reporting of voting results by electronic means.

### **THE BILL**

**Clause 1 and 2** provides for the short title and commencement and interpretation respectively.

**Clause 3** seeks to amend section 2 of the Ordinance to insert new definitions connected with the provisions for the electronic tabulating system; and along with **clause 4** which amends section 6 of the Ordinance, to correct a cross-referencing made to the Constitution. Section 2 is also amend to include reference to the 'poll book' and electronic poll book, as proposed to be inserted in the body of the Ordinance.

**Clause 5** seeks to amend section 10(3) of the Ordinance to change the requirement which provided that only a person registered in the same electoral district as another can raise a claim or object to another person within the same electoral district, to allow any person registered in any electoral district to raise a claim or objection, irrespective of whether they are registered in the same district as the person claiming or objecting against, or not.

**Clause 6** seeks to amend section 11 of the Ordinance to require proof of residential address to be submitted along with application to register as an elector.

**Clause 7** seeks to amend section 12 of the Ordinance to include other forms of proof to be submitted by a student who seeks to register as an elector, who is studying abroad.

**Clause 8** seeks to amend the Ordinance to insert provisions for notice of change of particulars and for transfer of registration to another electoral district.



**Clause 9** seeks to amend section 15 of the Ordinance to make it clearer what is the process of claims and objections in elections; and to substitute the form to indicate who can claim or object.

**Clause 10** seeks to amend section 18 to include the form of appeals to the adjudicators.

**Clause 11** seeks to amend section 21 to correct reference of "electoral list" to "electors list" as used in the Ordinance.

**Clause 12** seeks to amend section 29 to correct the cross-referencing.

**Clause 13** seeks to amend section 32 of the Ordinance to provide for a requirement for a standard layout of a polling station.

**Clause 14** seeks to amend section 35 to distinguish the provisions for manual voting system from the electronic tabulating system for ballot boxes.

**Clause 15** seeks to insert section 35A which introduces provisions for the supply of electronic tabulating machines.

**Clause 16** seeks to amend section 36 to distinguish the provisions for manual voting system from the electronic tabulating system and provide provisions for the system, for supply of elections materials. This section is also amended to separate the official list of voters derived from the Register of Electors and the poll books (manual or electronic) which shall be used at the polling stations.

**Clause 17** seeks to amend section 39 to distinguish the provisions for manual voting system from the electronic tabulating system, and provide provisions for the system for taking of poll and the ballot.

**Clause 18** seeks to amend section 42 to correct a cross-referencing made to the Constitution.

**Clause 19** seeks to insert sections 42A and 42B which are provisions for introductions of the electronic tabulating system, testing of system before use; and providing that the elections may be conducted either by the manual voting system or the electronic tabulating system.

**Clause 20** seeks to amend section 43 to distinguish the provisions for manual voting system from the electronic tabulating system, for proceeding at the general poll.

**Clause 21** seeks to insert section 43A to provide for proceeding at the general poll for electronic tabulating system.

**Clause 22** seeks to substitute and amend section 45 of the Ordinance to remove requirement for the Presiding Officer to initial the ballot paper; and to distinguish the provisions for manual voting system from the electronic tabulating system, for

general mode of taking ballot. The amendment also seeks to mandate the voter to have his or her finger dyed, which consequences of refusal would be not to allow the voter to vote.

**Clause 23** seeks to insertion section 45A to provide for provisions for electronic tabulating system: general mode of taking ballot.

**Clause 24** seeks to amend section 48 to remove further requirement for initialling a ballot paper.

**Clause 25** seeks to amend section 49 to remove reference for entry in "official list of voters" but to substitute with reference to entry in "poll book", whether manual or electronic.

**Clause 26** seeks to amend the Ordinance to insert sections 49A, 49B and 49C for the provisions for the advance poll and process;

**Clause 27** seeks to amend section 54 to distinguish the provisions for manual voting system from the electronic tabulating system, for proceedings after poll, and make necessary amendments for reference to poll books.

**Clause 28** seeks to insert section 54A to provide for proceedings after poll for electronic tabulating system.

**Clause 29** seeks to amend section 55 to require display of results at each polling station; and to distinguish the provisions for manual voting system from the electronic tabulating system, for counting of vote; and make necessary amendments for reference to poll books.

**Clause 30** seeks to insert section 55A to provide for counting of votes for electronic tabulating system.

**Clause 31** seeks to amend section 56 to remove further requirement for initialling a ballot paper.

**Clause 32** seeks to amend section 57 to merge the section to provide for election return for both manual voting system and the electronic tabulating seem.

**Clause 33** seeks to amend section 81 of the Ordinance to make it clear that the conclusiveness of one's entitlement to vote is if a person is registered in the Register of Electors. The official list of Voters provided in Form 16 as specified in section 36(2)(c) is derived from the Registered of Electors and used for purposes of an electoral district applicable to the electoral district the Presiding Officer is presiding over. The Register of Electors gives authority to the list, and the Register is only called the "Official list of Voters" and must satisfy the requirements specified in section 36(2)(c) and does not erase the authority of the Register of Electors. Thus, section 81 must properly be in reference to the Register and not the list.

**Clause 34** seeks to amend Schedule 1 to the Ordinance to substitute the forms and add new forms, as provided therein. The Clause also makes amendments to existing forms such as Form 15 to remove the reference to initials made by the Presiding Officer to align with the amendment made to the sections in the Ordinance removing that reference; and Form No. 21 to remove reference to entry in “official list of voters” and substitute “poll book”.

**TURKS AND CAICOS ISLANDS**  
**ELECTORAL DISTRICTS (BOUNDARIES) BILL 2020**

**ARRANGEMENT OF CLAUSES**

CLAUSE

1. Short title and commencement
2. Boundaries of electoral districts
3. Repeal

**TURKS AND CAICOS ISLANDS**

**A**

**PROPOSAL**

**FOR**

**A**

**BILL**

**FOR**

AN **ORDINANCE** TO GIVE EFFECT TO THE RECOMMENDATIONS OF THE ELECTORAL DISTRICT BOUNDARY COMMISSION REVIEWING THE ELECTORAL DISTRICT BOUNDARIES INTO WHICH THE ISLANDS ARE DIVIDED.

**WHEREAS** a Commission appointed under section 3(2) of the Turks and Caicos Islands (Electoral District Boundary Commission) Order 2011 (UK S.I. 2011 No. 2719) (“the Order”) reported on the 7<sup>th</sup> day of August 2012 with its recommendations of the boundaries of the ten electoral districts into which the Islands should be divided;

**AND WHEREAS** pursuant to section 4(3) of the Order effect was given to those recommendations by the enactment of the Electoral Districts (Boundaries Amendment) Ordinance 2012;

**AND WHEREAS** a subsequent Commission appointed under section 60(1) of the Turks and Caicos Islands Constitution 2011 reported on the 23<sup>rd</sup> October 2019 with its recommendations including changes in the boundaries of six electoral districts (i.e. electoral districts 1, 2, 7, 8, 9 and 10);

**AND WHEREAS** section 61(3) of the Constitution requires the Governor to cause a bill to be introduced into the House of Assembly for giving effect to the recommendations contained in the report:

**NOW THEREFORE, BE IT ENACTED** by the Legislature of the Turks and Caicos Islands as follows:

**Short title**

1. This Ordinance may be cited as the Electoral Districts (Boundaries) Ordinance 2020 and shall come into operation on such day as the Governor may appoint by Notice published in the *Gazette*.

**Boundaries of electoral districts**

2. For the purposes of section 61 (2) of the Turks and Caicos Islands Constitution 2011, the ten electoral districts shall be as defined in the Schedule.

**Repeal**

3. The Electoral Districts (Boundaries Amendment) Ordinance 2012 is repealed.

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**SCHEDULE**

*(Section 2)*

**TURKS AND CAICOS ISLANDS ELECTORIAL DISTRICTS****Electoral District 1: Grand Turk, North**

Comprising all that land in the northern part of the island of Grand Turk, north of a line starting at a point on the west coast of Grand Turk then proceeding along the common boundary between blocks 10305 and 10306 to Pond street; then in a north easterly direction along Moxie Road to the junction of Talbots Folly; then along Talbots Folly to Church Folly; Along Church Folly to Osborne Road, then along Osborne Road to the unnamed road between parcels 10406/58 and 10406/79. Then easterly along that road to the intersection of the unnamed road beyond parcel 10406/48; then due north along that road to the edge of parcel 10406/78; then east to the western boundary line of parcel 10406/18; then generally south along the parcel boundary line of parcels 19, 20, to the intersection of the common boundary lines between blocks 10406 and 10410; then along the common boundary line between blocks 10406 and 10411; then following the boundary line between 10411 and 10410 to a point on the eastern coast.

**Electoral District 2: Grand Turk, South**

Comprising all that land in the southern part of the island of Grand Turk, south of a line starting at a point on the west coast of Grand Turk then proceeding along the common boundary between blocks 10305 and 10306 to Pond street; then in an north easterly direction along Moxie Road to the junction of Talbots Folly; then along Talbots Folly to Church Folly; Along Church Folly to Osborne Road, then along Osborne Road to the unnamed road between parcels 10406/58 and 10406/79. Then easterly along that road to the intersection of the unnamed road beyond parcel 10406/48; then due north along that road to the edge of parcel 10406/78; then east to the western boundary line of parcel 10406/18; then generally south along the parcel boundary line of parcels 19, 20, to the intersection of the common boundary lines between 10406 and 10410; then along the common boundary line between blocks 10406 and 10411 then following the boundary line between blocks 10411 and 10410 to a point on the eastern coast; and the island of Salt Cay.

**Electoral District 3: South Caicos**

Comprising of the Islands of South Caicos and East Caicos, and Big Ambergris Cay and Little Ambergris Cay.

**Electoral District 4: Middle Caicos and North Caicos**

Comprising of the Islands of North Caicos and Middle (or Grand) Caicos; and Parrot Cay and other neighbouring Cays.

**Electoral District 5: Leeward, Providenciales**

Comprising that part of Providenciales bounded by the line commencing from the point on the eastern coastline of Providenciales where the Leeward Highway meets with the coastline; then due north west along the eastern coastline of Providenciales, and continuing in that general direction to the extreme north easterly point on the coastline of Providenciales, called the Leeward Going Through Point; then due south west along the northern coastline of Providenciales, and continuing in that general direction to the point of intersection with the common boundary between Blocks 60906 and 60907; then due south east along the common boundary between Blocks 60906 and 60907, and continuing in that general direction along the said common boundary to the point of intersection with the northern boundary of Block 60810; then due north east along the common boundary between Blocks 60907 and 60810 to the point where the boundaries of Blocks 60810, 60907 and 60900 converge; then due south along the common boundary between Blocks 60810 and 60900 to its intersection with the Leeward Highway; then due north east along the centre line of the Leeward Highway to the point of intersection with the common boundary between Blocks 60811 and 61112; thence continuing in a general southerly direction along the latter common boundary, and continuing in that general direction along the common boundary between Blocks 61110 and 61112, and Blocks 61109 and 61112 to the point of intersection with the southern coastline of Providenciales; then due north east along the southern coastline, and continuing in that general direction along the southern coastline of Providenciales to Crist Point (the north eastern most point of Providenciales); then due north west along the eastern coastline of Providenciales, and continuing in that general direction to the point of commencement; and the Islands of Pine Cay, Water Cay and the East Cays, including Dellis Cay.

**Electoral District 6: The Bight, Providenciales**

Comprising that part of Providenciales bounded by the line commencing from the point of intersection of the common boundary between Blocks 60906 and 60907 with the northern coastline of Providenciales; then due south east along the common boundary between Blocks 60906 and 60907, and continuing in that general direction along the said common boundary to the point of intersection with the northern boundary of Block 60810; then due north east along the common boundary between Blocks 60907 and 60810 to the point where the boundaries of Blocks 60810, 60907 and 60900 converge; then due south along the common boundary between Blocks 60810 and 60900 to its intersection with the Leeward Highway; then due north east along the centre line of the Leeward Highway to the point of intersection with the common boundary between Blocks 60811 and 61112; thence continuing in a general southerly direction along the latter common boundary, and continuing in that general direction along the common boundary between Blocks 61110 and 61112, and Blocks

61109 and 61112 to the point of intersection with the southern coastline of Providenciales; then due south west along the southern coastline of Providenciales, and continuing in that general direction along the southern coastline to the point of intersection of the common boundary between Blocks 61002 and 61101 and the southern coastline; and continuing in a general westerly direction along the entire seaward boundary of Block 61002 to the point on the southern coastline, where the common boundary between Blocks 61005 and 61002 meets at Sugar Loaf Hill; then continuing due west along the southern coastline of Providenciales to a point at Cooper Jack Bight where the seaward boundary of Block 60721 intersects the boundary of Block 61003 at a point along the southern coastline; then due north, then east and continuing in a general northerly direction along the common boundary between Blocks 60721 and 61003 to its intersection with Turtle Tail Drive; thence due west along the centerline of Turtle Tail Drive to the point of intersection with Venetian Road and Brook Close; thence in a general northerly direction along the centerline of Venetian Road to the point of intersection with the Leeward Highway; then due east along the centerline of the Leeward Highway to its intersection with Pratt Road; thence in a general northerly direction along the centerline of Pratt Road to the point where it intersects with the Lower Bight Road and the common boundary between Blocks 60714 and 60812; thence due north along the latter common boundary to the point of intersection with the northern coastline of Providenciales; thence in a north easterly direction along the northern coastline of Providenciales to the point of commencement.

**Electoral District 7: Cheshire Hall and Richmond Hill, Providenciales**

Comprising that part of Providenciales bounded by the line commencing at a point on the northern coast of the island of Providenciales, and proceeding along the common boundary between blocks 60714 and 60812 to the junction of Turtle Cove Drive and Pratt's Road; then following Pratt's Road to Leeward highway, and proceeding east along Leeward highway to the common boundary between 60718 and 60805; following that boundary line to the point it intersects with the boundary of block 61001, with a straight line from that point to the intersection of the common boundary between 61003 and 61004; following that boundary south to the coast and then heading south west and following the coast all the way to intersection of the boundary eastern boundary of Electoral District 9 at the mouth of the Cheshire Hall Creek, then north along that line to the Felix Morley Roundabout then along Aviation way to Old airport road; then north east along parade avenue to the Gus Lightbourne roundabout; then following Leeward highway to Blue Mountain Road to Sapphire Close, along the boundary between parcels 60702/156 and 311, to the coast.

**Electoral District 8: Blue Hills, Providenciales**

All that land in the central part of the island of Providenciales, bounded by a line starting from a point on the north coast, proceeding along the common boundary between parcels 60702/311 and 156 to Sapphire Close, to Blue Mountain Road, to Leeward Highway, then in a



generally westerly direction along Leeward Highway to the Gus Lightbourne Roundabout at Parade Avenue and Millennium Highway; continuing along Parade Avenue to Aviation Drive; then in a south easterly direction to the intersection of the northern and southern boundaries of parcel 60602/381; then west along the southern boundary of parcel 60602/381 and 382, in a straight line to the common boundary between 60602 and 60601; then following that boundary line to the point where it intersects with the common boundary between parcels 60601/73 and 79, following that boundary line and the southern boundary line of parcels 52, 17, and 53-58 to the intersection of the common boundary line between blocks 60601 and 60513; then south along that boundary line to the intersection of the southern boundary line of parcel 60513/28 ; then west along that line to the intersection of the common boundary between blocks 60513 and 60514; then following the line as drawn for the eastern boundary of Electoral District 10, to the starting point of that line on the north coast.

### **Electoral District 9: Five Cays, Providenciales**

Comprising that part of the Island of Providenciales bounded by the line commencing at a point where the common boundary between blocks 60513 and 60514 meets the boundary between parcels 60513/27 and 30, then continuing east along the line drawn as the southern boundary of Electoral District 8, to the Felix Morley roundabout; then by a line drawn from the roundabout to the mouth of Cheshire Hall Creek on the southern coastline of Providenciales; then heading south west, follow the coast of the island past the port at South Dock, continuing along the coast to the intersection of the boundary line of block 60612 and that of 60400; then following the boundary of block 60400 to the point the boundary line of 60400 intersects the common boundary between 60513 and 69514; then, following that boundary line to the point where the common boundary between blocks 60513 and 60514 meets the boundary between parcel 60513/27 and 30.

### **Electoral District 10: Wheeland, Providenciales**

Comprising all that area of land in the north western section of the island of Providenciales, starting at a point on the northern coast proceeding south along Church Avenue following the eastern boundary of parcel 60503/17 to a point where it intersects the common boundary between blocks 60503 and 60509; then following along that boundary line in a westerly direction to the intersection of the common boundary between blocks 60508 and 60509; then southerly along the boundary between parcels 60509/1 and 60509/2, to a point where the boundary lines of parcels 1, 2, 3, and 4 meet; and proceeding along the boundary line between parcels 3 and 4, to the point where that boundary line intersects with the northern boundary line of parcel 60509/7; then west along the northern boundary of parcel 7 to the point where it meets the eastern boundary of parcel 6; then southerly along the common boundary line between parcels 6 and 7, continuing southerly along the western boundary of parcel 18 to the intersection of the common boundary line between blocks 60509 and 60512; following that boundary line in an easterly direction to the western boundary of parcel 60512/62, then heading south along the western boundary of parcels

60512/63, 64, and 65 to intersect the common boundary between blocks 60512 and 60514; proceeding along that boundary line to parcel 60512/54; then west along the common boundary between blocks 60512 and 60514 to the intersection of the eastern boundary of parcel 60512/18; then south along that boundary to the intersection of parcel 60513/29, then west along the boundary of parcel 60513/25 to the point of intersection with the common boundary between blocks 60513 and 60514; then following along that boundary line till it meets the northern boundary line of block 60400; following along that boundary line until it intersects with the southern boundary line of block 60300, and then following along that boundary line to the junction of block 60000; then following the coastline in a northerly direction around North West Point and then generally south to the point of commencement on the north coast; and the island of West Caicos.



**PASSED** by the House of Assembly this \_\_\_\_\_ day of 2020.

.....  
Tracey Parker  
Clerk of the House of Assembly

.....  
Dwayne Taylor  
Speaker

**EXPLANATORY MEMORANDUM**

Section 61(3) of the Constitution states that as soon after the Electoral Districts Boundary Commission has submitted a report containing recommendations in relation to the boundaries of the electoral districts or any changes in those boundaries, a bill shall be introduced in the House of Assembly to give effect to the recommendations. The Commission submitted its report on 23<sup>rd</sup> October 2019 outlining the boundaries of the electoral districts and certain changes to the boundaries of electoral districts 1, 2, 7, 8, 9, 10.

This Bill seeks to give effect to the recommendations contained in the Report.

**TURKS AND CAICOS ISLANDS  
INSURANCE (AMENDMENT) BILL 2020**

**ARRANGEMENT OF CLAUSES**

CLAUSE

1. Short title and commencement
2. Interpretation
3. Section 9 substituted
4. Section 16 amended

**TURKS AND CAICOS ISLANDS**

**A**

**PROPOSAL**

**FOR**

**A**

**BILL**

**FOR**

AN ORDINANCE TO AMEND THE INSURANCE ORDINANCE.

ENACTED by the Legislature of the Turks and Caicos Islands.

**Short title and commencement**

1. This Ordinance may be cited as the Insurance (Amendment) Ordinance 2020 and shall come into operation on such day as the Governor may appoint by Notice published in the *Gazette*.

**Interpretation**

2. In this Ordinance “principal Ordinance” means the Insurance Ordinance.

**Section 9 substituted**

3. The principal Ordinance is amended by repealing section 9 and substituting the following—

**“Producer affiliated reinsurance company**

9. (1) For the purpose of this section “a producer affiliated reinsurance company” is a company—

- (a) which carries on the business of reinsurance of the risks specified in the Regulations;
- (b) whose affairs are under control of a direct writer; and
- (c) which is beneficially owned by one or more affiliates as specified in the Regulations.

(2) A producer affiliated reinsurance company shall—

- (a) submit annual financial statements to the Commission in such form as may be approved; and
- (b) deposit with the Commission an undertaking satisfactory to the Commission that the company shall not engage in business other than the reinsurance of risks covered by an insurer approved by the Commission.

- (3) The insurer referred to in subsection (1)(b) shall—
  - (a) be licensed by the Commission; or
  - (b) be registered with the Commission, or
  - (c) have a financial strength rating of at least B+ or its equivalent from an approved rating agency; and
  - (d) meet such other requirements as may be reasonably required by the Commission.

(4) An agreement between the producer affiliated reinsurance company and the insurer referred to in subsection (1)(b) shall have the prior approval of the Commission.

(5) Section 8(3), (6), (7), (9) and (10)(a) and section 12 shall not apply to a producer affiliated reinsurance company.

**Section 16 amended**

4. Section 16 of the principal Ordinance is amended by inserting after paragraph (f) the following—

“(fa) empowering the Commission to issue guidelines on such matters as the Governor considers appropriate and any guidelines so issued by the Commission shall be given effect to.”.

**PASSED** by the House of Assembly this \_\_\_\_\_ day of 2020.

.....  
Tracey Parker  
Clerk of the House of Assembly

.....  
Dwayne Taylor  
Speaker

**EXPLANATORY MEMORANDUM**

This Bill seeks to amend the Insurance Ordinance (“the Ordinance”) to repeal and replace section 9 of the Ordinance by changing “producer owned reinsurance company” to “producer affiliated reinsurance company”, thereby expanding the categories of persons who can be owners of the reinsurer. This change would more accurately reflect the ownership structure in the insurance industry and the basis for which producer owns reinsurance companies are established.

**THE BILL**

Clauses 1 and 2 of the Bill make provision for the short title, commencement and interpretation of the Bill.

Clauses 3 seeks to repeal and replace section 9 of the Ordinance in the manner stated above.

Clause 4 seeks to amend section 16 to empower the Commission to issue guidelines and directions on certain matters.

REGISTERED LAND ORDINANCE, CAP 9.01

NOTICE LOST LAND CERTIFICATE

TITLE NUMBER

SECTION

ISLAND

61105/88

LONG BAY HILLS

PROVIDENCIALES

Whereas, **ANTHONY PATRICK FEDERICI** of Connecticut, United States of America, as Personal Representative of **DOMINIC FRANK FEDERICI** deceased, has declared that the Land Certificate for the above mentioned title number(s) issued in the name of **DOMINIC FRANK FEDERICI** was inadvertently mislaid and cannot be found.

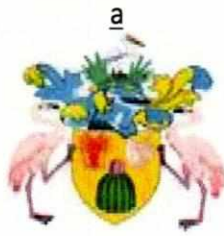
Take notice that I, **Toni-Ann Foster, Acting Registrar of Lands**, shall issue a New Land Certificate for the said title six weeks of the date of the first publication of this Notice in a Local Newspaper and the Gazette.

Dated this *20<sup>th</sup>* day of *October* 2020

Signed.....  
*Toni-Ann Foster*  
Acting Registrar of Lands

Witnessed.....  
*Beer*





a

**NOTICE OF CAUTION**  
Section 128 (1) of the Registered Land Ordinance

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TO: HEDLEY FORBES  
BAMBARRA  
MIDDLE CAICOS  
TURKS AND CAICOS ISLANDS

TAKE NOTICE that an application has been of **MICHAEL ROBERT SCHWALLER AND DONNA JO SCHWALLER**, care of T. Chal Misick Associates, Suite A1, Windsor Place, 895 Leeward Highway, Providenciales, Turks and Caicos Islands, to enter a Caution against the below mentioned property-

BLOCK : 40203  
PARCEL : 4 (1/5 Share)  
SECTION : Central  
ISLAND : Middle Caicos

Claims an interest as the purchaser under an Extended Payment Agreement dated August 14, 2020, in the land comprised in the above mentioned parcel.

The caution forbids the registration of dealings and the making of entries in the register relating thereto absolutely without its consent, until this caution has been withdrawn by it or removed by order of the Court or of the Registrar.

This Notice is served pursuant to section 128 (1) of the Registered Land Ordinance on you as the proprietor of land whose land is affected by the said Caution.

Dated this 23<sup>rd</sup> day of October 2020

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TONI-ANN FOSTER (Ms.)  
ACTING REGISTRAR OF LANDS

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**ACKNOWLEDGEMENT OF NOTICE**

HEDLEY FORBES hereby acknowledges receipt of the Notice of application for entry of caution on property registered at 40203/4 on the Land Register.

Signed by the proprietor ]  
In the presence of:

.....  
HEDLEY FORBES

.....  
(Name)

**G. N.**

**TURKS AND CAICOS ISLANDS SUPREME COURT/COURT OF APPEAL COURT  
CALENDAR 2021-2023 (NATIONAL HOLIDAYS APPLY)**

In accordance with S. 3 of the Supreme Court (Amendment) Ordinance 2020 which substitutes a new S. 15 for the Principal Ordinance; and in accordance with S. 3 of the Court of Appeal (Amendment) Ordinance which introduces S.20A into the Principal Ordinance, the following mechanism for the arrangement of the Supreme Court/Court of Appeal Calendar is set out:

**1. MECHANISM**

- i. The First Term of the Court' Calendar will commence on the 4th of January each year after a Christmas recess which will begin on the 23rd of December of each year.
  - ii. The First Term will end on the Thursday before Easter.
  - iii. The Second Term will commence after the Easter Recess, on the first Monday after Easter Monday, and will end on the 31st day of July of each year.
  - iv. Where 31st July of a year is a non-working day, the Second Term will end on the last working day before the 31st of July of that year. This will be followed by a six-week Long Vacation which will end on the third Tuesday of September.
  - v. There is now established a three-day Continuing Judicial Education period commencing on the third Wednesday of September of every year, during which Judges/Magistrates and Registrars must attend seminars and workshops organised for greater efficiency.
  - vi. The Third Term will begin on the last Monday of September, and will end on the 22nd of December of every year.
  - vii. The Christmas Recess which commences on the 23<sup>rd</sup> of December of each year, will end on the 3<sup>rd</sup> .January.
2. The following dates are set out in the Supreme Court/Court of Appeal Calendar for 2020-2023.

## 2021 CALENDAR

**FIRST TERM:** **Monday 4 January – Thursday 1 April, 2021**

Easter Recess Good Friday 2 April -9 April, 2021

**SECOND TERM** **Monday 12 April – Friday 30 July, 2021**

Long Vacation Monday 2nd August – Tuesday 21 September, 2021

CONTINUING

**JUDICIAL EDUCATION** **Wednesday 22nd September -Friday 24<sup>th</sup> September, 2021**

**THIRD TERM** **Monday 27<sup>th</sup> September – Wednesday 22 December, 2021**

Christmas Recess 23 December, 2021 – 3 January 2022

## 3. 2022 CALENDAR

**FIRST TERM:** **Tuesday 4 January 2022– Thursday 14 April, 2022**

Easter Recess Good Friday 15 April 2022 – 22 April, 2022

**SECOND TERM** **Monday 25 April 2022 – Friday 29 July, 2022**

Long Vacation Monday 1 August 2022 – Tuesday 20th September, 2022

CONTINUING JUDICIAL EDUCATION Wednesday 21 September 2022 – Friday 23rd  
September, 2022

**THIRD TERM** **Monday 26th September 2022 – Thursday 22nd December, 2022**

Christmas Recess Friday 23 December, 2022 – 3 January, 2023

## 4. 2023 CALENDAR

**FIRST TERM:** **4 January 2023– Thursday 6 April, 2023**

Easter Recess Good Friday 7 April 2023 – Friday 14 April, 2023

**SECOND TERM**

Monday 17 April 2023 – Friday 28 July, 2023

Long Vacation Tuesday 1 August 2023 – Tuesday 19 September, 2023

CONTINUING JUDICIAL EDUCATION Wednesday 20 September– Friday 22nd September, 2023

**THIRD TERM**

Monday 25th September – Friday 22nd December, 2023

Christmas Recess Saturday 23 December, 2023 – Wednesday 3 January, 2024

**5. TRANSITIONING**

In order to bring the provisions of the Supreme Court (Amendment) Ordinance 2020 which came into force on 1<sup>st</sup> November 2020 into effect, and to transition the Supreme Court onto a Term Calendar, there will be a Christmas Recess in 2020 which begins on 22<sup>nd</sup> December 2020, and ends on the 3<sup>rd</sup> of January 2021.

ISSUED ON 2<sup>ND</sup> NOVEMBER 2020

BY

MABEL M. AGYEMANG

CHIEF JUSTICE