

GOVERNMENT CIRCULAR No. 97/61.

G.O. Reference No. R.2703/2.

Isle of Man to Wit.

By His Excellency Sir Ronald Herbert Garvey, K.C.M.G., K.C.V.O., M.B.E.,  
Lieutenant Governor of the said Isle, &c., &c., &c.

THE REPRESENTATION OF THE PEOPLE ACTS, 1951 TO 1961

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## The Sick Voters' (Amendment) Regulations 1961

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I, the said Lieutenant Governor, by virtue of the powers conferred upon me by sections 73 and 155 of the Representation of the People Act, 1951, and of all other powers me in this behalf enabling DO hereby make the following regulations:—

1. These regulations may be cited as the Sick Voters' (Amendment) Regulations 1961 and shall come into force on the date they are approved by Tynwald.
2. In these regulations the expression "the principal regulations" means the Sick Voters' Regulations 1951.

### VOTING BY SICK VOTERS

3. The following regulations shall be inserted before regulation 7 of the principal regulations (receipt of sick voters' ballot papers)—

"6A (1) Before marking the ballot paper the sick voter must produce—

- (i) the ballot paper showing the number thereon and stamped with the official mark either embossed or perforated;
- (ii) the declaration of identity and form of instructions in Form 2 in the Schedule to these Regulations; and
- (iii) the envelope in which the sick voter has received the ballot paper, declaration of identity and form of instructions, to a certifying person to whom the voter is known.

(2) The sick voter must sign and make the declaration of identity before a certifying person. If the sick voter is unable to sign the declaration of identity the certifying person shall write the name of the sick voter thereon and add the words "Sick voter unable to sign". The sick voter must then make the declaration of identity before such certifying person.

(3) After making the declaration of identity the sick voter must vote secretly by marking the ballot paper **IN THE PRESENCE, BUT NOT IN THE SIGHT OF** the certifying person. If the sick voter is unable to make the mark personally the certifying person will, on request, mark the ballot paper as the sick voter directs. Subject as aforesaid the sick voter shall not allow any person to see how he or she voted.

(4) A certifying person shall be a Justice of the Peace, Minister of Religion, Advocate, Physician, Surgeon, Dental Surgeon, Chartered Accountant or a police officer of a rank not lower than that of Sergeant. Notwithstanding that he or she holds a qualification to act as a certifying person, a candidate, or a spouse of a candidate, or an agent appointed by a candidate for detecting personation, or to attend at the counting of votes, shall not act as a certifying person.

AMENDMENT OF FORM 2 IN THE SCHEDULE TO THE  
PRINCIPAL REGULATIONS

4. For Form 2 in the Schedule to the principal Regulations there shall be substituted the following:—

**Form 2.**

**The Representation of the People Acts,  
1951 to 1961**

FRONT OF FORM

DO NOT MARK THE BALLOT PAPER UNTIL THIS FORM HAS  
BEEN COMPLETED

Ballot Paper No. ....

I hereby declare that I am the person to whom the ballot paper numbered as above and the envelope in which it was enclosed (both of which I now produce) were sent.

Sick voter's signature .....

I hereby certify that the above named person, who is known to me,

(i) produced the ballot paper and envelope above referred to, no vote having been recorded on the said ballot paper and made the above declaration in my presence; and

(ii) \*marked the said ballot paper in my presence but not in my sight

or

\*declared that he or she was unable personally to mark the ballot paper and requested me to do so and I marked the ballot paper as he or she directed.

\* Delete  
whichever is  
inapplicable.

Signature† .....

Address .....

.....

Qualification .....

† See instructions on the other side of this form.

## BACK OF FORM

### INSTRUCTIONS

1. BEFORE MARKING the accompanying ballot paper the sick voter must produce

- (i) the ballot paper showing the number thereon and stamped with the official mark either embossed or perforated ;
- (ii) this form ; and
- (iii) the envelope in which the sick voter has received this form and the ballot paper ;

to a certifying person as defined in paragraph 6 of these instructions.

2. The sick voter must sign and make the declaration of identity before a certifying person. The certifying person must delete whichever alternative of paragraph (ii) of the declaration of identity is inapplicable.

3. After making the declaration of identity the sick voter must vote secretly by marking the ballot paper on the right hand side with a cross opposite the name of the candidate for whom he or she votes, thus X, **IN THE PRESENCE, BUT NOT IN THE SIGHT OF** the certifying person.

4. Immediately after voting the sick voter must fold the marked ballot paper so as to conceal the voting and place it, **TOGETHER WITH THIS FORM**, in the enclosed envelope addressed to the Returning Officer and despatch the same so as to arrive at the place to which it is addressed between 10 a.m. and 8 p.m. **ON THE DAY OF THE POLL**. It can either be sent through the post or delivered by hand.

5. (1) If the sick voter is unable to sign the declaration of identity the certifying person shall write the name of the sick voter thereon and add the words " Sick voter unable to sign " and the sick voter must then make the declaration of identity before such certifying person.

(2) If the sick voter is unable to mark the ballot paper personally the certifying person will, on request, mark the ballot paper as the sick voter directs.

(3) If the sick voter is unable to do so the certifying person shall, immediately after he has marked the ballot paper on the directions of the sick voter, fold the marked ballot paper so as to conceal the voting thereon and place it, together with this form, in the enclosed envelope addressed to the Returning Officer and despatch it in accordance with the instructions in paragraph 4.

6. A certifying person shall be a Justice of the Peace, Minister of Religion, Advocate, Physician, Surgeon, Dental Surgeon, Chartered Accountant, or a police officer of a rank not lower than that of Sergeant.

NOTWITHSTANDING THAT HE OR SHE HOLDS A QUALIFICATION TO ACT AS A CERTIFYING PERSON, A CANDIDATE, OR SPOUSE OF A CANDIDATE, OR AN AGENT APPOINTED BY A CANDIDATE FOR DETECTING PERSONATION, OR TO ATTEND AT THE COUNTING OF VOTES, SHALL NOT ACT AS A CERTIFYING PERSON.

7. The sick voter may vote for not more than                      candidate.

GIVEN under my hand this 28th day of December, 1961.

R. H. GARVEY,  
Lieutenant Governor.

The foregoing Regulations were approved by Tynwald on the