



**ELECTIONS OFFICE**

CAYMAN ISLANDS ▶▶▶

## **GENERAL ELECTION 2025**

# **CANDIDATES AND AGENTS HANDBOOK**

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## FOREWORD

I am pleased to present this Candidates and Agents Handbook, designed to guide prospective candidates and their representatives through the Cayman Islands' electoral process. This handbook provides general information on the key aspects of the Elections Act (2022 revision) and relevant sections of the Cayman Islands Constitution Order, with a particular focus on the procedures for nomination, polling, counting of votes, the count and other essential electoral requirements.

This is not a legal document. All candidates should consult the official legislation—the Elections Act, the Cayman Islands Constitution, the Standards in Public Life Act—and, if necessary, seek independent legal advice, particularly regarding the qualifications and disqualifications for elected office. Individual circumstances can vary, and strict compliance with the law is paramount. I encourage every candidate and agent to familiarize themselves thoroughly with the legal provisions to help uphold the integrity of our democratic process.

Returning Officers play a central, impartial role in administering the election within their respective districts. Their duties include overseeing nominations, conducting the poll, managing the counting of votes, and declaring the official results. Returning Officers, Presiding Officers, and other election officials are required by law to carry out their responsibilities with the utmost integrity and independence. Candidates and their agents must show due respect for the authority and judgment of these officials. Any effort to influence, intimidate, or otherwise interfere with the performance of their duties undermines the democratic principles upon which our elections are founded.

On behalf of the Elections Office, I thank you for your commitment to fair and transparent elections. This handbook will serve as a valuable starting point for understanding your responsibilities and duties as candidates and agents in the Cayman Islands.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Wesley Howell'.

Wesley Howell, MBA, JP  
*Supervisor of Elections*

## **PRE-NOMINATION REGISTER OF INTERESTS**

All prospective candidates are reminded that, prior to being formally nominated, they must file a Register of Interest with the Standards in Public Life Commission. This requirement ensures transparency and upholds the principles of accountability, integrity, and responsibility expected of all individuals seeking public office. By declaring financial interests, directorships, and other relevant affiliations, prospective candidates help maintain the trust of the electorate and promote higher standards in public life.

**Please be sure to acquaint yourself with the provisions and penalties of the Standards in Public Life Act (2021 Revision)**

If you have questions in relation to register of interest declarations, please contact the Commissions Secretariat at 244-3685 or [roi@standardsinpubliclifecommission.ky](mailto:roi@standardsinpubliclifecommission.ky).

## **RETURNING OFFICERS**

Returning Officers, appointed by the Governor are responsible for the organisation and conduct of elections in their respective electoral districts. Their duties include but are not limited to the following:

- a) The receipt of candidates' nomination papers on Nomination Day
- b) The establishment and staffing of polling stations
- c) The issue and receipt of postal ballots
- d) The supervision of mobile polling
- e) Providing advice to presiding officers on Elections Day
- f) Conducting the Count
- g) Declaring the winner of the Election
- h) Certifying the Election results

The names and addresses of the Returning Officers and the electoral district to which they are appointed are available from the Elections Office and listed below.

Candidates are advised to contact the Returning Officer for their electoral district to discuss matters such as the issue and receipt of postal ballots, polling stations, appointment of agents, mobile polling, taking of the polls and the count.

## LIST OF APPOINTED RETURNING OFFICERS

<b><u>District</u></b>	<b><u>Returning Officer</u></b>	<b><u>Deputy Returning Officer</u></b>
West Bay South	Delano Oliver Solomon	Katherine Whittaker
West Bay West	Mitzi Watson-Jervis	Sharla Morgan Berry
West Bay Central	Philip Jackson	Natasha Lyn Powell
West Bay North	Nathania Sharika Pearson	Ravee Kapoor
George Town North	Tamara Danille Hurlston	Lois Kellyman
George Town South	Philip A. Barnes	Colin Uche Obi
George Town Central	Michael Nixon	Keisha Powery- Roberts
George Town West	Debbie Ann L. Whittaker	Peter Quinland
George Town East	Shirley Lynne Whittaker	Grace Giron
Red Bay	Bradley Anthony Erskine	Sarah Movita Jervis
Prospect	Judith Grace Witter	Nicola Antoinette Hunter
Bodden Town East	Ida Jane Ebanks	Jonina Aprille Frederick
Bodden Town West	Lyneth Monteith	Salomie Avay Henry
Newlands	Tristica Lynn Ebanks	Shushan O'Connor
Savannah	Kim Ann Bullings	Wendy Fisher
North Side	Alice Ann Louise Kirchman	Antoinette Johnson
East End	Ina Felicia Deslandes	
Cayman Brac West & Little Cayman	Dave T. Tatum	
Cayman Brac East	Chevala Lawanda Burke	

## WRITS OF ELECTIONS

A writ for a general election is the document issued under seal by the Governor of the Cayman Islands directing the Returning Officers to conduct an election (section 28). The writ for the upcoming 30<sup>th</sup> April 2025 election was issued on the 5 December 2024.

The writ signals the commencement of the “Election Period” which expires when the elections returns are served by the Returning Officers on the Supervisor of Elections, Friday 2nd May 2025.

The writ sets -

- a) The date, time and place for nominations
- b) The date for polling, if necessary
- c) The time for the opening and closing of the polls
- d) The date for the return of the writ to the Governor

Polling day must be set within two months after the Dissolution of Parliament in the case of General Elections.

## NOMINATIONS

### **Qualifications for elected membership - Section 61 C.I. (Constitution) Order 2009**

61(1) Subject to Section 62, a person shall be qualified to be elected as a member of the Cayman Islands Parliament if, and shall not be qualified to be so elected unless-

- (a) he or she is Caymanian; and
- (b) he has attained the age of 21 years; and
- (c) he or she is, at the date of his or her nomination for election, domiciled and resident in the Cayman Islands; and
- (d) he is a qualified citizen; and either
- (e) he or she was born in the Cayman Islands, or was born outside the Cayman Islands in the circumstances mentioned in Subsection (2)(b), has resided in the Cayman Islands for a period of not less than seven years immediately preceding the date of his or her nomination for election and, subject to Subsections (3), the number of days on which he was absent from the Cayman Islands in that period does not exceed 400; or
- (f) if he or she was born outside the Cayman Islands, has resided in the Cayman Islands for a period or periods amounting to not less than fifteen years out of the twenty years immediately preceding the date of his or her nomination for election, and subject to Subsections (3), in the seven years immediately preceding the date of his or her nomination for election the number of days on which he was absent from the Islands does not exceed 400.

(2) For the purposes of Subsection (1)(d), a qualified citizen is a British Overseas Territories citizen by virtue of a connection with the Cayman Islands, who either

- (a) at the date of his or her nomination for election possesses no other citizenship and is pursuing no claim to any other citizenship for which he may be eligible; or
- (b) was born outside the Cayman Islands, has or had at least one parent or grandparent who was born in the Islands and is a Caymanian (or if deceased would if alive have been a Caymanian at the date of nomination for election), and who at the date of his or her nomination for election possesses no other citizenship save for any right he or she may have to some other citizenship by virtue of his birth outside the Cayman Islands;

and in this subsection the words “other citizenship” does not include British citizenship acquired by virtue of section (3) the British Overseas Territories Act 2002(c.8).

(3) In ascertaining whether a person has been absent from the Cayman Islands for the purposes of subsection (1)(e) or (f), any period of absence by reason of the following shall be disregarded-

- (a) the performance of duty on behalf of the Government;
- (b) attendance as a pupil at any educational establishment;
- (c) employment as a seaman aboard an ocean-going vessel; or
- (d) employment as a crew member on any aircraft.
- (e) attendance as a patient at any hospital, clinic or other medical institution;

## **Disqualification for elected membership - Section 62 C.I. (Constitution) Order 2009**

- 62 (1) No person shall be qualified to be elected as a member of the Cayman Islands Parliament who-
- (a) is, by virtue of his or her own act, under any acknowledgment of allegiance, obedience or adherence to a foreign power or state;
  - (b) holds, or is acting in, any public office;
  - (c) has been adjudged or otherwise declared bankrupt under any law in force in any part of the Commonwealth or the United States of America and has not been discharged;
  - (d) is a person certified to be insane or otherwise adjudged to be of unsound mind under any law in force in the Cayman Islands;
  - (e) subject to subsection (2) is serving or has served a sentence of imprisonment (by whatever name called) exceeding twelve months imposed on him or her by a court in any country or substituted by competent authority for some other sentence imposed on him or her by such a court, or has been convicted by any court in any country of an offence involving dishonesty;
  - (f) is disqualified for election by any law in force in the Cayman Islands by reason of his or her holding, or acting in, any office the functions of which involve -
    - (i) any responsibility for, or in connection with, the conduct of any election; or
    - (ii) any responsibility for the compilation or revision of any electoral register;
  - (g) is a party to, or a partner in a firm or a director or manager of a company which is a party to, any contract with the Government for or on account of the public service and has not, within the period of one month immediately the date of an election in which he or she is a candidate, caused to be published a Government Notice setting out the nature of such contract and his or her interest, or the interest of any such firm or company, in it; or
  - (h) is disqualified for membership of the Cayman Islands Parliament by any law in force in the Islands relating to offenses connected with elections.
- (2) For the purposes of subsection (1)(e) and section 63 (g)-
- (a) where a person is serving two or more sentences of imprisonment that are required to be served consecutively, he or she shall, throughout the whole time during which he or she so serves, be regarded as serving a sentence exceeding twelve months if (but not unless) any one of those sentences exceeds that term; and
  - (b) no account shall be taken of a sentence of imprisonment imposed as an alternative to or in default of the payment of a fine.



## **Nomination Day**

Nomination day is Monday, 3<sup>rd</sup> March 2025 between the hours of 8:00 o'clock in the forenoon and 3:00 o'clock in the afternoon. The Returning Officers will be sitting at nomination stations during the specified period. **Nomination papers shall not be accepted after 3:00 P.M. on that day.**

## **Nomination Locations**

Duly completed nomination papers accompanied by the requisite deposit must be filed with the Returning Officer for the electoral district.

The places set for Nominations are as follows:

- **West Bay South** - Shirley Kidd Memorial Hall, 44 Fountain Rd. West Bay
- **West Bay Central** - Shirley Kidd Memorial Hall, 44 Fountain Rd. West Bay
- **West Bay North** - Shirley Kidd Memorial Hall, 44 Fountain Rd. West Bay
- **West Bay West** - Shirley Kidd Memorial Hall, 44 Fountain Rd. West Bay
  
- **George Town West** - John Gray Gymnasium, 135 Olympic Way, George Town
- **George Town South** - John Gray Gymnasium, 135 Olympic Way, George Town
- **George Town Central** - John Gray Gymnasium, 135 Olympic Way, George Town
- **George Town North** - John Gray Gymnasium, 135 Olympic Way, George Town
- **George Town East** - John Gray Gymnasium, 135 Olympic Way, George Town
- **Red Bay** - Seafarers Hall, 11 Victory Ave, Prospect, George Town
- **Prospect** - Seafarers Hall, 11 Victory Ave, Prospect, George Town
  
- **Bodden Town East** - Bodden Town Chapel Community Centre, 3083 Shamrock Rd.
- **Bodden Town West** - Bodden Town Chapel Community Centre, 3083 Shamrock Rd.
- **Savannah** - Bodden Town Chapel Community Centre, 3083 Shamrock Rd.
- **Newlands** - Bodden Town Chapel Community Centre, 3083 Shamrock Rd.
  
- **North Side** - Craddock Ebanks Civic Centre, 923 North Side Road.
  
- **East End** - William Allen McLaughlin Civic Centre, 80 John McLean Drive.
  
- **Cayman Brac West & Little Cayman** - Aston Rutty Centre, 264 Ashton Reid Drive
  
- **Cayman Brac East** - Aston Rutty Centre, 264 Ashton Reid Drive

## **How to Nominate a Candidate**

Candidates must be duly nominated, Section 29 Elections Act (2022 Revision)

Section 29 (5)

A candidate for election shall –

- (a) be nominated on a nomination paper in Form 18 by at least two persons who, at the time of signing the nomination paper, are registered electors of the electoral district for which the candidate seeks election; and
- (b) signify his consent to the nomination by signing the nomination paper in the presence of a witness who must also sign the nomination paper.

Nomination Papers shall be provided by the Returning Officer and are also available from the Elections Office at Baytown Office Suites, 68 West Bay Road and the Elections Office website at [www.elections.ky](http://www.elections.ky).

### **The nomination paper must include:**

- The candidate's name as he wishes it to appear on the ballot paper.
- Street Address of candidate residence.
- The consent of the person being nominated and declaration that he/ she is qualified for election as a member of Parliament, and
- Names and signatures of at least 2 electors registered in the relevant electoral district.

29A (1) The Supervisor may, where he has sufficient evidence that a person who has been nominated as a candidate does not qualify pursuant to section 61 of the Schedule 2 to the Cayman Islands Constitution Order, 2009 or is disqualified pursuant to section 62 of the Schedule 2 to the Cayman Islands Constitution Order, 2009, apply to the Grand Court for a declaration as to the qualification or disqualification of that candidate.

- (2) An application for a declaration under subsection (1) shall be determined by the Grand Court whose decision shall be final and not subject to appeal.
- (3) The Chief Justice shall make rules for the better carrying out of this section, for the procedure and forms to be used for the admission of the evidence and for fees to be paid (if any) on an application under this section.

## **Offences in respect of nomination papers**

Section 30 (1) A person -

- (a) who signs a nomination paper nominating a candidate for election in an electoral district, and
- (b) who at the date of signing the nomination paper-
  - (i) is not a registered elector of that electoral district, or
  - (ii) knows that the person nominated is not qualified pursuant to section 61 of the Schedule 2 to the Cayman Islands Constitution Order, 2009 or is disqualified pursuant to Section 62 of the said schedule to be elected as a member of Parliament, commits an offence and is liable on conviction to a fine of two thousand dollars.

(2) A Person-

- (a) who signs a nomination paper to signify his consent being nominated as a candidate for election; and
- (b) who, at the time of signing the nomination form, knows that he is not qualified pursuant to section 61 of Schedule 2 to the Cayman Islands Constitution Order, 2009 or is disqualified pursuant to section 62 of the said Schedule to be elected as a member of the Cayman Islands Parliament, commits an offence and is liable on conviction to a fine of five thousand dollars,

## **CANDIDATE'S DEPOSIT**

(Section 32)

- Each nomination must be accompanied by a deposit, which is returned in certain circumstances (see below).
- The deposit must be made in legal tender, which in this case shall be Cayman Islands Dollars.
- The deposit shall be the sum of Cayman Islands Currency \$1,000.00.
- If after the deposit is made the candidature is withdrawn in accordance with Section 31 (1), or if the candidate is elected or received more than one-tenth of the total of votes polled, the deposit shall be returned.

## **Withdrawal of candidature**

(Section 31)

- A candidate may withdraw his candidature if he gives the Returning Officer notice in writing, of his intention to do so. **This must be done at least ten (10) clear days before that date set for the taking of the polls.** The candidate must also produce his receipt for his deposit with such notice to allow the Returning Officer to process his refund.

# FORM OF BALLOT PAPERS

For the purposes of the General Election and Referendum of 2025, the combined ballot paper design is set out in the Elections (Forms for the General Election and Referendum of 2025) Rules, 2025, as follows

(rule 4(b))

## FORM 26

### FORM OF BALLOT PAPER TO BE USED DURING THE GENERAL ELECTION AND THE REFERENDUM OF 2025

#### GENERAL ELECTION OF 2025

NO. \_\_\_\_\_  
GENERAL ELECTION \_\_\_\_\_ electoral district  
Consecutive number given elector in poll book \_\_\_\_\_

Polling day \_\_\_\_\_

No. \_\_\_\_\_ Initial of presiding officer \_\_\_\_\_

Name	<i>(Insert photo of candidate)</i>	<i>(Insert symbol of party/candidate)</i>	
Name	<i>(Insert photo of candidate)</i>	<i>(Insert symbol of party/candidate)</i>	

#### REFERENDUM OF 2025

##### REFERENDUM QUESTIONS

###### QUESTION 1

Should the Cayman Islands develop cruise berthing infrastructure?

YES	
NO	

###### QUESTION 2

Do you support the introduction of a National Lottery in the Islands?

YES	
NO	

###### QUESTION 3

Do you support the decriminalisation of the consumption and possession of small amounts of cannabis?

YES	
NO	

*Ballot paper layout*

**Restrictions placed on candidates/agents in relation to absent electors voting by post or at a mobile station.**

Rule 3 (6)

**Any candidate for election** (whether standing in the district where the applicant will vote or in any other district) or an agent of any such candidate who -

- a) completes any part of the ***application to be treated as an absent elector***;
- b) signs any such application on behalf of an applicant; or
- c) acts as the witness to the signing of such an application, or of a ***declaration of a person who assists an applicant***, commits an offence and is liable on conviction a fine of five hundred dollars or to imprisonment for six months and such application is also void.

Rule 8

- (1) The declaration of identity sent with the ballot paper to postal elector shall be in Form D set out in the Appendix or a form to the like effect.
- (2) The **declaration of identity** **MUST NOT BE WITNESSED BY A CANDIDATE** for election (whether standing in the district where the applicant will vote or any other district) or by an agent of any such candidate. **Contravention of this provision renders the ballot to which it relates void.**
- (3) A candidate for election (whether standing in the district where the elector will vote or any other district) or agent of any such candidate who acts as the witness to the signing of any ***Declaration of Identity, commits an offence*** and is liable on conviction to a fine of five hundred dollars or to imprisonment for six months.

**Role of Candidate during the issue of Mobile Ballots/Postal Ballots/the Polls/the Count-**

Rule (9)

- (1) No person other than -
  - (a) the returning officer and his clerk;
  - (b) a candidate;
  - (c) an election agent or any person appointed by a candidate to attend in his election agent's place; or
  - (d) any agent appointed under subrule (2), may be present at the proceedings on the issue or receipt of postal ballots.
- (2) Where postal ballot papers are to be issued, or the envelopes contained in the postal electors' ballot boxes are to be opened simultaneously in two or more batches, each candidate may appoint one or more agents up to the number he may be authorized by the Returning Officer to appoint not exceeding the number of such batches so, however, that the number authorised shall be the same in the case of each candidate.

- (3) Notice of the appointment of each agent must state the name and address of the person appointed and must be given by the candidate to the Returning Officer before the time set for the issue of postal ballots or the opening of postal electors' ballot boxes, as the case may be.
- (4) If an agent dies or becomes incapable of acting, the candidate may appoint another agent in his place and notify the Returning Officer accordingly.
- (5) A candidate may himself do any act or thing which any agent of his, if appointed, would have been authorized to do, or may assist his agent in doing any such act.
- (6) Where in this Part any act or thing is required or authorized to be done in the presence of the candidates or their agents, the non-attendance of any such candidate or agent at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

#### Rule 10

- (1) Every person, **(including an agent or a candidate)**, attending the proceedings on the issue or receipt of postal ballot papers must make a ***Declaration of Secrecy*** in Form "E" as set out in the Appendix, or in a form as near thereto as circumstances admit, before the issue of postal ballot papers.
- (2) Any person contravening any declaration, commits an offense and is liable on conviction by a magistrate to a fine not exceeding five hundred dollars or six months imprisonment.

**Note: Rules 12-17 of the Elections Act (2022 Revision) covers the procedures in relation to the issuing of postal ballot papers.**

## DEFINITION AND ROLE OF AGENT OF A CANDIDATE

*An agent is a person appointed by a candidate or candidates to act on their behalf for the purpose of observing the proceedings in the interest of the candidate(s). However, an agent may not play any part in the conduct of the election other than as provided by the Elections Act (2022 Revision) The Law also provides for a Candidate to appoint an Elections Agent before the day of Elections. **This Agent would be able to perform any of the tasks required of the Candidate. (Sec. 64 (1))***

## APPOINTMENT OF AGENTS

(Section 40 Elections Act (2022 Revision))

(1) A candidate may at any time after being nominated but at least ten (10) days before the commencement of the poll, appoint-

Two polling agents to attend each polling station; and

Two counting agents to attend the counting of the votes at each counting station,

being persons who are entitled to vote in the same electoral district as that in which the candidate has been nominated.

(3) Every appointment of an agent shall be in writing in Form 25 and shall state the name and street address of the person appointed and the electoral district in which the agent is registered as an elector, and shall be duly signed by the candidate and the agent and given to the Returning Officer.

(4) The agent of each candidate, on being admitted to the polling station, shall take an oath in form 25A to keep secret the name of the candidate for whom an elector has marked that elector's ballot paper in the agent's presence.

### **Qualifications of an AGENT**

Section 40 (1)

An agent must be an elector in the same electoral district as that in which the candidate for whom he is the agent has been nominated.

### **Election “Super” AGENT**

Section 64 (1)

A candidate may, on or before the day fixed for the election, by notice given to the Returning Officer, appoint some other person as his election agent.



## POLLING ON ELECTION DAY

### Seating arrangements at the polls

Section 46 (2)

Agents must be posted in such a place that they can see and keep a written record of each person who presents himself as an elector and hear his name as given by him, but so that they cannot see how any elector votes. They shall not interfere in the proceedings other than is allowed under this Act.



### **General Layout of Polling Station**

### Preservation of order

Section 46 (3)

Any person, including the agent of a candidate, may be removed from a polling station if after being warned he continues to disobey the instructions of the Presiding Officer.

### Questions which may be put to an elector

Section 48

(1) The Presiding Officer may, and shall if requested by a candidate or his agent, put to an elector the following questions:

- a) ***Are you the same person whose name appears as (insert name) on the official list of electors now in force for this polling division?***
- b) ***Have you already voted at this election either here or elsewhere?***

(2) If any person refuses to answer to any such questions, the Presiding Officer shall refuse to give him a ballot paper.

(3) A person who knowingly makes a false answer to any such questions commits an offense and is liable, on summary conviction before a magistrate, to a fine of five hundred dollars or to imprisonment for six months.

### **Vote of disabled person**

#### Section 49(3)

The Presiding Officer, on the application of any elector who is incapacitated from physical or other disability from voting without assistance in the manner prescribed by the Law, shall require the elector making such application to make oath in Form 28 of his incapacity to vote without assistance and shall thereafter deal with such votes in the manner specified below.

(4) If any such elector as is referred to in subsection 3 requests the assistance of the Presiding Officer in marking his ballot, the Presiding Officer shall thereafter assist such elector by marking his ballot paper in the manner directed by such elector in the presence of the Poll Clerk, and if so, requested by the elector, the presence of a friend.

***The marking of the ballot paper by the Presiding Officer takes place at the Elections workers table, never in the poll booth.***

(5) Where an elector requires the presence of a friend, in accordance with subsection 4 that person shall not be allowed to be present unless he first takes the oath in Form 29.

(5A) A person who assists an elector as a friend in accordance with subsection (4), shall not assist another elector as a friend.

(5B) A person who contravenes subsection (5A) commits an offence and is liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months, or to both.

### **Restrictions on communications equipment**

**No communications equipment is allowed in the polling stations. This includes two-way radios, cell phones, I-pads, cameras, or any other communications equipment. These must all be left outside the polling station and may be left with the Field Officer who will secure the item and give you a receipt for it, to reclaim it on your departure.**

## POLLING STATIONS

- There will be a minimum of 2 polling stations in each electoral district.
- All polling stations are configured to accommodate handicapped electors.
- Polling stations will open at 7:00 a.m. and close at 6:00 p.m. on polling day.
- Elections officials will be outside as well as inside polling stations to accommodate the electorate.
- Agents for candidates shall be posted at each polling station in such a place that they can see and keep a written record of each person who presents himself as an elector and hear his name as given by him but so that they cannot see how any elector votes.

Electoral District	# Polling stations	# Counting Stations	Max Polling Agents per Candidate	Max Counting Agens per Candidate
West Bay West	3	2	6	4
West Bay North	3	2	6	4
West Bay Central	3	2	6	4
West Bay South	5	2	10	4
George Town North	3	2	6	4
George Town Central	4	2	8	4
George Town West	3	2	6	4
George Town South	3	2	6	4
George Town East	4	2	8	4
Red Bay	3	2	6	4
Prospect	3	2	6	4
Newlands	5	2	10	4
Savannah	5	2	10	4
Bodden Town West	5	2	10	4
Bodden Town East	5	2	10	4
North Side	2	1	4	2
East End	2	1	4	2
Cayman Brac West and Little Cayman	2	1	4	2
Cayman Brac East	2	1	4	2
<b>Total</b>	<b>65</b>	<b>34</b>	<b>130</b>	<b>68</b>

## VOTING

- Voting is in the electoral district in which the elector is registered.
- Voting is either by attending at the poll on polling day, the Mobile Polling Station or by postal ballot.
- To qualify as an absent elector an elector must fall within one of the categories outlined in Section 50 & 52, Mobile Polling and Postal Polling respectively.
- Candidates and Agents must familiarise themselves with Rule 3 (6) in the Election Act ((2022 Revision), dealing with their involvement with the postal ballot process.
- Assistance to elector
  - Interpreters are available to assist the hearing and speech impaired. Once a request is made an officer will be summoned to the specific polling station.
  - Presiding Officers at the polls will explain the ballot paper and the method of marking it to each elector and will fold it and have the elector mark it in the privacy of a poll booth, after which it will be brought back to the Presiding Officer, the counterfoil will then be removed and the ballot paper returned to the elector, who deposits it in the ballot box.
  - The voting method for the general elections is the "Single X" system which has always been used.

### VIEW 1.



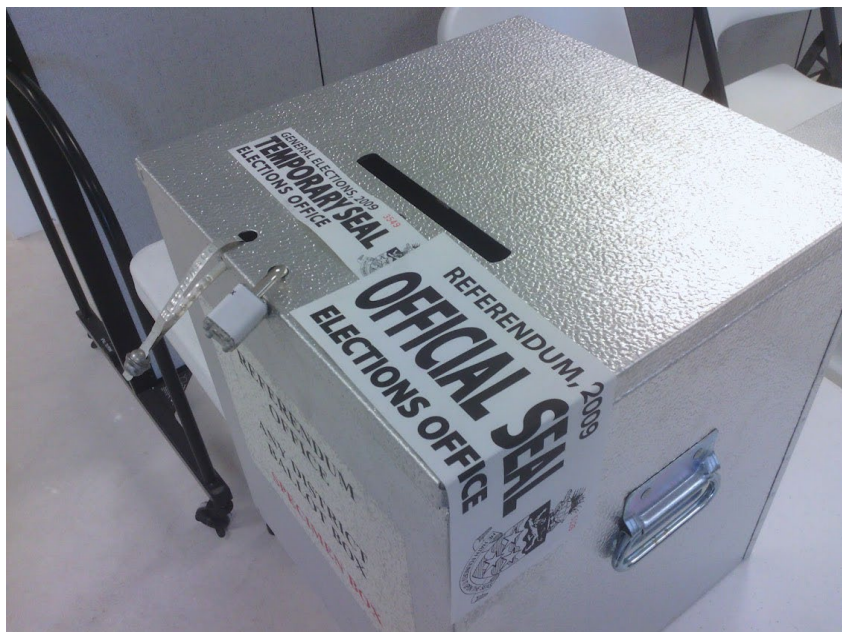
**Ballot Box Shown Open & Empty**

### Proceedings at the polls

The Presiding Officer is in charge of the proceeding at the poll and is assisted by the poll clerks. Any instructions given by the Elections staff must be complied with. There is a uniformed Police Officer stationed in the polling station to keep order and ensure security.

Shortly before the opening of the polls a countdown to polling will start, this is to prepare the elections staff for the opening of the polls. **Promptly at 7:00 am the Presiding Officer will show the Ballot Box open and empty for all present to verify that there is nothing in the ballot box.**

**VIEW 2.**



**Ballot box shown locked, secured and sealed, ready for polling**

**The Presiding Officer will then proceed to lock and seal the box for polling. The Presiding Officer will also invite any Candidates or Agents present to affix their signature on the paper seal used on the Ballot Box. The seal numbers are recorded in the poll book and Candidates/Agents may also record the seal numbers. The Presiding Officer will then declare the Polls open and invite electors present to come forward and cast their vote.**

**During the polling, no candidate or agent should interfere with any elector in the station, or the elections staff, or in no way interfere with the proceedings.** When there is a doubt, a Candidate or agent may ask the Presiding Officer to ask the elector the questions as stated in Section 48 (1) on page 17 above.

**Who may be present at the polls**

Sec. 56 (1)

The following persons shall be permitted to remain in the polling station during the time the poll remains open –

- (a) The Presiding Officer;
- (b) The Poll Clerk;
- (c) The Supervisor;
- (d) The Deputy Supervisors of Elections;
- (e) The Returning Officer and Deputy Returning Officer of the electoral district;
- (f) The Candidates;
- (g) One agent of each candidate in each polling station;
- (h) The constables in uniform on duty; and
- (i) Such field officers, logistics officers, emergency personnel and observers as may be authorised in writing by the Supervisor,

**No candidate and his agent or two agents of the same candidate shall be in the same polling station at the same time for more than fifteen consecutive minutes.**

(2) Agents of candidates may, with the permission of the Presiding Officer, absent themselves from and return to the polling station at any time before one hour prior to the close of the poll.

### **INTERFERING WITH VOTERS WITHIN 100 YARDS OF A POLLING STATION**

Section 60 (1&2)

During the hours that the poll is open upon polling day, no person shall, upon any public road or in any public place within one hundred yards of any building in which a polling station is situate, seek to influence any elector to vote for any candidate or to ascertain for what candidate any elector intends to vote or has voted. A person who contravenes subsection (1) commits an offence and is liable on summary conviction before a magistrate to a fine of five hundred dollars and to imprisonment for six months.

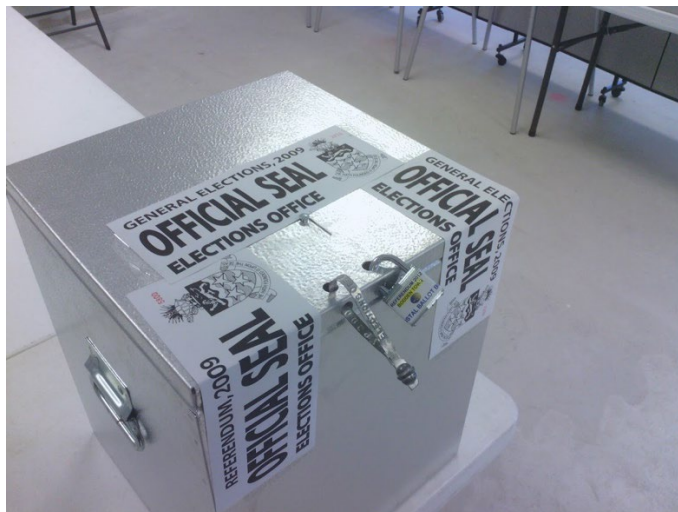
In keeping with Section 60 of the Elections Act, **candidates and their agents are hereby reminded that loitering, canvassing, or persistent interaction with voters within one hundred yards of a polling station is strictly prohibited.** This provision is in place to preserve the integrity and impartiality of the voting process by ensuring that electors can cast their ballots without undue influence or disruption. Candidates found violating this rule risk being asked to be removed and may face legal consequences. All campaign activities must be conducted at the appropriate distance and in a manner that upholds the spirit of free and fair elections.

### **PROCEEDINGS AT THE CLOSE OF THE POLLS**

Shortly before 6:00 pm a countdown to closing will start. This is to prepare the election staff for the closing of the polls. Promptly at 6:00 pm the Presiding Officer will check with the field officer to ascertain if there are any electors in line waiting to cast their vote. At this time, the Presiding Officer will announce, **“The Polls are now closed”**. However, if there are electors still in line the station must remain open until all persons in line have been dealt with.

The Presiding Officer will then proceed to seal and secure the Ballot Box for transport to the counting station.

### VIEW 3.



**Ballot Box Shown Sealed & Secured for Transport**

After sealing and securing the Ballot Box, the Presiding Officer will invite candidates or agents to affix their signatures to the seals on the box. The Presiding Officer will then proceed to count and balance the unused ballot papers and other polling materials placing them in specially prepared envelopes and sealing them up. This process should normally take a short while, but the polling process is not complete until all the paperwork is done. (The Presiding Officer has to account for all the ballot papers issued him/her by the Returning Officer.)

### **Closing of the poll**

57 (2)

A candidate or his polling agent may request that they accompany the persons appointed to deliver ballot boxes to the place assigned for the counting of votes, at the close of the poll.

## **SECURITY OF VOTING**

### **Section 104 (1)**

Every agent appointed under Section 40 (1) or Section 64 (1) in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station and no person shall interfere with or attempt to interfere with an elector when marking his vote, or otherwise attempt to obtain in the polling station any information as to the candidate for whom any elector in such station is about to vote or has voted.

### **Section 104 (2)**

Every Election Officer and every such agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting and shall not attempt to communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

**Section 104 (3)**

No person shall, directly, or indirectly, induce any elector to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom or against whose name he has marked his vote.

**Section (4)**

Any person who contravenes this section commits an offence and is liable, on summary conviction before a magistrate, to a fine of five hundred dollars, or to imprisonment for six months.



## THE COUNT

### **Sect 58 (1)**

Each Returning Officer or Deputy Returning Officer shall, upon receipt by him of each of the ballot boxes place his seal thereon in the presence of the candidates or their agents, and shall take every precaution for its safekeeping until the count commences.

### **Sect 58 (2)**

After the ballot boxes have been received by the Returning Officer for the count he shall, in the presence of such of the candidates and their agents as are present, or, if no candidates are present or represented, two electors-

- (a) Open the boxes;
- (b) Record and count the number of votes given to each candidate (allowing the candidates or their agents or, in the absence of the candidates and their agents, the two electors present, full opportunity to see such votes but not the official number on the back of the ballot paper) and a poll clerk and no fewer than two witnesses shall be supplied with tally sheets upon which they may keep their own scores as each vote is called out by the Returning Officer; and
- (c) Reject all ballot papers –
  - (i) Which have not been marked for any candidate;
  - (ii) On which votes have been given for more than one candidate; or
  - (iii) Upon which there is any writing or mark by which the elector could be identified, but no ballot paper shall be rejected on account of any writing, number or mark placed thereon by any Presiding Officer.

### **Sect 58 (3)**

In addition to the people who are permitted or required by subsection (2) to be present when the ballot boxes are opened and the votes are counted no other persons, except the Supervisor, the Deputy Supervisors of Elections and any other person authorised in writing by the Supervisor, shall be allowed to enter or remain in the place where the boxes are opened and the votes are counted during the time when the boxes are being opened or the votes are being counted.

### **Sect 58 (4)**

Nothing in subsection (2) or (3) shall be taken as prohibiting a person referred to in those subsections from entering or leaving at any time, a place where votes are being counted.

**Sec 58 (5)**

Persons **shall not assemble or congregate within one hundred yards** of a place where votes are being counted, and any person who assembles or congregate commits an offence and is liable on conviction to a fine of five hundred dollars or to imprisonment for six months.

**Sec 58 (6)**

If, in the course of counting the votes, any ballot paper is found with the counterfoil still attached thereto, the Returning Officer shall (carefully concealing the numbers thereon from all persons present and without examining them themselves) remove such counterfoil. He shall not reject the ballot paper merely by reason of the failure of the Presiding Officer to remove the counterfoil.

**Sect 58 (7)**

If, in the course of counting the votes, the Returning Officer discovers that the Presiding Officer has omitted to affix his initials to any ballot paper as provided by section 47 (1), he shall, in the presence of the poll clerk and such of the candidates or their counting agents as are present, affix his initials to such ballot paper and shall count such ballot paper as if it had been initialled by the Presiding Officer in the first place, provided that he is satisfied that the ballot paper is one that has been supplied by the Presiding Officer, and also that every ballot paper supplied to such Presiding Officer has been accounted for as provided by paragraph (f) of section 57 (1).

**Sect 58 (8)**

Where the vote is marked –

- (a) otherwise than in the proper place;
- (b) otherwise than by way of an **X**; or
- (c) by more than one mark, the vote is valid if it clearly appears that it was intended for a particular candidate, and that candidate shall be awarded the vote accordingly.

**Sect 58 (9)**

The Returning Officer shall keep a record, in the special form printed in the poll book, of every objection made by the candidate or his counting agent or any elector present, to any ballot paper found in a ballot box, and shall decide every question arising out of the objection. The decision of the Returning Officer shall be final, subject to reversal on petition under section 83 questioning the election or return; and every such objection shall be numbered and a corresponding number placed on the back of the ballot paper and initialled by the Returning Officer.

**Sect 58 (10)**

All the ballot papers not rejected by the Returning Officer shall be counted and a list shall be kept of the number of votes given to each candidate and of the number of rejected ballot papers. The rejected ballot papers must be put into one packet and the remaining used ballot papers into another, both of which must be sealed by the Returning Officer and may be sealed or signed by such agents or witnesses present as desire to seal or sign the packets.

**Sect 58 (11)**

Any of the candidates, if not satisfied with the accuracy of the count of a particular ballot box, may, on completion of the count of that ballot box, immediately demand a recount which shall thereupon be carried out in the same manner as the original count; but no candidate may demand such a recount more than once in respect of a particular box.

**Sect 58 (12)**

The Returning Officer shall, on the completion of the count, declare the candidate who is found to have the largest number of votes as the member for the electoral district.

**Sect. 58 (13)**

When there is an equality of votes between two or more candidates and the addition of a vote would entitle one of such candidates to be elected, then the Returning Officer shall declare that there has been an equality of votes between such candidates and that none of the candidates having such equality of votes has been elected and shall, as soon as possible thereafter, hold a special by-election in that electoral district and at such by-election this Law shall apply mutatis mutandis except that only the persons having such equality of votes shall be eligible to be candidates and such candidates shall not be required to be nominated in accordance with section 29 nor to pay any further deposit.

## OPENING OF POSTAL BALLOT PAPERS

After the close of the polls, Returning Officers gather all postal ballot envelopes received before the deadline and keep them securely stored until processing begins. Each postal ballot is checked for validity, including verification of the voter's eligibility and required declarations. Once confirmed, the ballot envelope is opened in the presence of authorized observers and agents, ensuring transparency. The valid postal ballots are then placed with other ballots to be counted, maintaining strict procedures to preserve secrecy and integrity at every stage of the process.

### Rule 18

**The Returning Officer shall, immediately upon receipt (either by hand or by post) of a covering envelope before the close of the poll, place it unopened in a postal electors' box locked and sealed in accordance with rule 16.**

### Rule 19 (1)

Each postal electors' ballot box shall be opened by the Returning Officer in the presence of the agents at the close of the poll.

### Rule 19 (2)

When the postal electors' box has been opened, the Returning Officer shall count and note the number of covering envelopes.

### Rule 20 (1)

Before proceeding to open the covering envelopes, the Returning Officer shall, for the purpose of receiving the accepted ballots of the postal electors, prepare a ballot box by showing it open and empty to the agents present and by locking it and having affixed thereto the seal of the Returning Officer and the seals of such agents as desire to affix their seals in such manner as to prevent the box being opened without breaking the seals.

### Rule 20 (2)

The Returning Officer shall open each covering envelope separately.

### Rule 20 (3)

Where a covering envelope does not contain both a declaration of identity and a ballot paper envelope or, there being no ballot paper envelope, a ballot paper, he shall mark the covering envelope **"Rejected"**, attach thereto the contents (if any) of the covering envelope and place it in a separate receptacle (hereinafter referred to as **"the receptacle for votes rejected"**). If the covering envelope does not contain

the declaration separately, the Returning Officer shall open the ballot paper envelope to ascertain if the declaration is inside that envelope.

**Rule 20 (4)**

On determining that an envelope contains both a declaration of identity and a ballot paper envelope or, if there is no such envelope, the ballot paper, the Returning Officer shall first satisfy himself that the declaration has been duly signed and authenticated and, if he is not so satisfied, he shall mark the declaration “**Declaration rejected**”, attach thereto the ballot paper envelope or, if there is no such envelope, the ballot paper, and place it in **the receptacle for votes rejected**. *Provided that before so doing he shall show the declaration to the agents and, if any objection is made by any agent to his decision, he shall add the words “**Rejection objected**”.*

**Rule 20 (5)**

Where the number on the declaration of identity duly signed and authenticated agrees with the numbers on the ballot paper envelope, the Returning Officer shall place the declaration in a separate receptacle (hereinafter referred to as “the receptacle for valid declaration of identity”) and the ballot paper envelope in another separate receptacle (hereinafter referred to as “the receptacle for valid ballot paper envelopes”).

**Rule 20 (6)**

Where there is no “ballot paper envelope” or the ballot paper envelope has been opened under sub-rule (3) the Returning Officer shall-

- a) If the number of the declaration of identity duly signed and authenticated agrees with the number on the ballot paper, place the declaration in the **receptacle for valid declarations of identity** and the ballot paper in the ballot box referred to in sub-rule (1); and
- b) If the number on the said declaration does not agree with the number on the ballot paper, mark the declaration “**vote rejected**”, attach thereto the ballot paper and place it in the **receptacle for votes rejected**.

**Rule 20 (7)**

Where the number on the declaration of identity duly signed and authenticated does not agree with the number on the ballot paper envelope or that envelope has no number on it, he shall open the envelope and shall-

- a) If the number on the declaration agrees with the number on the ballot paper, place the declaration in the **receptacle for valid declarations of identity** and the ballot paper in the ballot box referred to in sub-rule (1); and
- b) If the number on the declaration does not agree with the number on the ballot paper, or if there is no ballot paper, mark the declaration “**Vote rejected**”, attach thereto the ballot paper (if any) and place it in the **receptacle for votes rejected**.

**Rule 20 (8)**

Except for the purposes of ascertaining under sub-rule (3) whether a ballot envelope contains a declaration of identity or under sub-rule (7) whether the number on the declaration agrees with the number on the ballot paper, the Returning Officer shall not open the ballot paper envelopes before they are opened under rule 22.

**Rule 21**

On the conclusion of the proceedings under rule 20, the Returning Officer shall put the contents of the receptacle for votes rejected and the contents of the receptacle for valid declarations of identity into two separate packets and shall seal up such packets.

**Rule 22 (1)**

After sealing up the said packets the Returning Officer shall open separately each ballot paper envelope placed in the receptacle for valid ballot paper envelopes.

**Rule 22(2)**

Where the ballot paper envelope does not contain a ballot paper, he shall mark the envelope **“Empty”**.

**Rule 22 (3)**

Where the number on a ballot paper envelope agrees with the number on the ballot paper contained therein, he shall place the ballot paper in the ballot box referred to in rule 20(1).

**Rule 22 (4)**

Where the number on the ballot paper envelope does not agree with the number on the ballot contained therein, he shall mark the ballot **“rejected”** and attach the ballot paper envelope thereto.

**Rule 22 (5)**

He shall put into a separate packet the envelopes marked **“empty”** and the ballot papers marked **“rejected”** under this rule and shall seal up such packets.

**Rule 23**

The ballot box referred to in rule 20 (1) and the ballot papers placed therein under rules 20 and 22 shall respectively be treated in all respects as a ballot box and ballot papers for the purposes of Section 58.

### **Rule 24 (1)**

The Returning Officer shall, at the same time as he forwards the documents mentioned in section 61, forward to the Supervisor-

- a) Any packet referred to in rule 17, 21 or 22 endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the electoral district for which the election was held; and
- b) A statement of the number of postal ballots issued in such form and giving such other particulars with respect to such papers as the Supervisor may require.

### **Rule 24 (2)**

Where the covering envelopes are received by the Returning Officer after the close of the poll or any envelopes addressed to postal electors are returned as undeliverable too late to be re-addressed, he shall put them unopened into a separate packet, seal up such packet and forward it at a subsequent date in the manner described in sub-rule (1).

## **CANDIDATES EXPENSES**

Candidates, their supporters and party members should become fully conversant with Sections 64 to 73 of the Elections Act (2022 Revision), which deals with election expenses.

67 (1) Election expenses shall not exceed the sum stipulated in subsection 2.

- (2) The maximum amount of election expenses to be incurred in respect of a candidate at an election shall be-

Cayman Islands dollars forty thousand dollars. (C.I \$40,000.00)

- (3) In determining the total expenditure incurred in relation to the candidature of any person at any election no account shall be taken of-

- (a) any deposit made by the candidate on his nomination in compliance with the law; and
- (b) any expenditure incurred before the date of nomination of the candidate with respect to services rendered or material supplied before such notification

- (4) A candidate who knowingly acts in contravention of this section is guilty of an illegal practice.

- (5) A political party which acts in contravention of this section commits an offence and liable on summary conviction to a fine of twenty-five thousand dollars.

## POLITICAL BROADCASTS

Candidates, their supporters, and party members should become fully conversant with Sections 74 to 80 of the Law, which deals with political broadcasts.

### Section 75

- (1) A political broadcast or political announcement shall not include –
  - (a) Any matter in contravention of the Laws of the Islands;
  - (b) Any abusive comment upon any race or religion;
  - (c) Any blasphemous, obscene, indecent or profane matter;
  - (d) Any scandalous or defamatory matter;
  - (e) Any scenes of nudity, eroticism, crime or violence;
  - (f) Any scenes or sounds of private grief or human suffering; or
  - (g) Any harrowing sights or sounds.
  
- (2) During a political broadcast or political announcement, there shall be indicated visually or aurally, as appropriate –
  - (a) The name of the party of candidate responsible for the broadcast or announcement; and
  - (b) The fact that the broadcast or announcement has been paid for.

### **Restriction on Broadcasting**

#### Section 76

No political broadcast, election advertising or political announcement shall be permitted on polling day.



## **VOLUNTARY POLITICAL CODE OF CONDUCT**

This voluntary Code of Conduct is provided as a guide for Political Parties, candidates and their agents in assisting with the orderly conduct of the election processes from prior to nomination through to the polls and ending at the announcement of election results. Subscription to such a code of conduct, individually and collectively, for candidates, their agents and supporters will benefit all concerned and contribute significantly to orderly general elections on April 30, 2025.

### **Code of conduct for candidates**

**In the belief that the manner in which an election is conducted is crucial to the wellbeing of our Islands and to its functioning as a democracy, we the candidates do solemnly declare:**

#### **1. POLITICAL ATMOSPHERE**

We the candidates, our agents and supporters will contribute positively to a peaceful political atmosphere conducive to free and fair elections.

#### **2. LAW, RULES AND PROCEDURES**

We will act in accordance with the existing laws, rules and procedures governing the election process.

#### **2. RESPECT FOR OTHERS**

We, our agents and supporters will respect the rights of others and in particular the right to hold and express contrary views.

#### **4. RELATIONSHIP WITH OFFICE OF THE SUPERVISOR OF ELECTIONS AND ELECTION OFFICERS**

We, our agents and supporters will cooperate with and give support to the Supervisor of Elections and his election officers in the proper execution of their election duties.

#### **5. CONTRIBUTION TO A PEACEFUL CAMPAIGN**

We will contribute positively to the goal of a peaceful election campaign in every way and especially with respect to:

- a) urging supporters to show restraint against excessive exuberance in language and behaviour which could be provocative; and
- b) ensuring that every effort is made to avoid any threats, harassment, violence that might cause disruption whether at political rallies or elsewhere, or any other form of intimidatory behaviour towards political opponents.

**6. UNLAWFUL AND UNETHICAL PRACTICES**

We, our agents and supporters will refrain from illegal and corrupt practices designed to influence electors.

**7. PRESERVATION OF THE INTEGRITY OF CIVIL SERVANTS AND OTHER PUBLIC OFFICERS**

We will refrain from attacks, threats and other improper treatment of civil servants and other public officers during the campaign.

**8. RESPECT FOR AND COOPERATION WITH LAW ENFORCEMENT AND SECURITY AUTHORITIES**

We will show respect for and give support to the law enforcement and security authorities in the proper discharge of their duties during the election period. We agree that obstructive behaviour by candidates, agents and supporters towards these authorities should be avoided.

**9. RESPECT FOR POLLING MATERIALS AND POLLING STATIONS**

We urge that our supporters show respect for polling materials and polling stations and not remove or damage any materials or cause damage in any way to any polling premises.

**10. RESPECT FOR THE INTEGRITY OF THE ELECTION PROCESS**

We and our supporters will at all times refrain from interfering in any way with the polling and counting proceedings and refrain from attempts to spread false rumours about the election activities.

**11. COMMITMENT TO IMPLEMENTATION OF CODE**

We agree that the proper implementation of this code by all political parties will significantly enhance the prospects of free and fair elections and pledge ourselves to undertake to abide by and act according to its spirit and letter.

**12. ACCEPTANCE OF VALID ELECTIONS**

On the declaration of the results by the Returning Officers to the satisfaction of the majority of candidates, agents and other accredited observers, the losing candidates will show magnanimity in their acceptance of the election results and the winning candidates will pledge to govern in the interest of all.

