

# **2022 Election Amendment Act**

No. 20 of 2022  
Adopted on 16/07/2022

# AN ACT

*Of the Parliament of the Bayer Free State*  
No. 20 of 2022

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*Be it enacted by this Parliament, that, this Act shall be cited as the “2022 Election (Amendment) Act”.*

## Article 1. Correction

In Article 39 of the 2022 Election Act, “Article 37” shall be replaced with “Article 38”, and with which shall be deemed to have always been replaced.

## Article 2. New Election in Case of a Tie

### Section 1

In Article 38 of the 2022 Election Act, “, or if the outcome of the election is inconclusive and no clear winner can be determined” shall be removed.

### Section 2

The following shall be amended to the 2022 Election Act.

#### Article 40.A. New Election in Case of a Tie

If the outcome of an election is inconclusive and no clear winner can be determined, the results of the election shall be invalidated, and the Election Commission shall organize and hold a new election in which only candidates registered in the original election shall participate under the manners prescribed by this Act. If there are less than three candidates in a tie, the result shall be determined by a majority vote. In the event that a second attempt of an election fails to produce a conclusive result, a new election in which all citizens are entitled to register shall be organized and held by the Election Commission under the manner described by this Act.

## Article 3. Election Date

In Article 27 of the 2022 Election Act, “An election shall be held no less than seven days and no more than fourteen days before the end of the term of the incumbent of the office being elected, unless in consequence of the unexpected removal from office of the incumbent.” shall be appended.

## Article 4. No Campaigning on Election Day

### Section 1

In Article 19 of the 2022 Election Act, the last instance of “.” shall be replaced with “, and the campaigning period shall not include the day on which the election is held.”.

### Section 2

In Article 24 of the 2022 Election Act, “, or on the day of the election” shall be inserted after both instances of “the campaigning period”.

## Article 5. Transition Time

### Section 1

In Article 36 of the 2022 Election Act, “12 AM” shall be replaced with “9 AM”.

### Section 2

In Article 37 of the 2022 Election Act, “12 AM” shall be replaced with “9 AM”.

### Section 3

The following shall be amended to the 2022 Election Act.

#### Article 37.A. Inauguration Time

The elected candidate shall assume their office at 9 AM the day following the announcement of the results.

## Article 6. Candidate Removal after the Determination of Ballot Order

The following shall be amended to the 2022 Election Act.

## Article 26.A. Candidate Removal after the Determination of Ballot Order

In the event that a candidate withdraws or is removed for reasons of death, illness, other disabilities, termination of citizenship, or disqualification after the determination of the ballot order, the name of such candidate shall be displayed on the ballot, and votes cast for the candidate shall be valid and counted as usual. In the event that such candidate wins, there shall be a vacancy in that office, and an election to fill such vacancy shall be held as prescribed by law.

## Article 7. No Changing the Number of Winners during the Campaigning Period

In Article 24 of the 2022 Election Act, “the number of elected candidates” shall be inserted after “election procedures, ”.

## Article 8. Fidelissma Council Qualification

In Article 3 Section 3 of the 2022 Fidelissma Act, “No person who is not a lawful resident of Fidelissma shall be a Councilor” shall be appended.

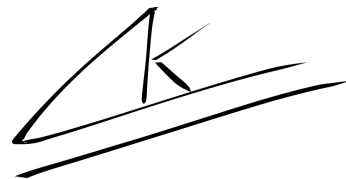
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*I certify that, this document is a fair and authentic copy of an Act which originated from, and is approved by the required majority of Parliament.*



**Speaker of Parliament**

*In witness whereof, I have approved and set my hand on this document on this sixteenth day of the month of July, in the year two thousand and twenty-two.*



**Prime Minister**