

Issuance

Provisional Voting

26 September 2019

Section 62 of the *Organic Law on Peace-Building in Bougainville-Autonomous Bougainville Government and Bougainville Referendum 2002* (hereafter "Organic Law") provides that the BRC may resolve difficulties arising from an inconsistency, gap or uncertainty in the operation of the provisions of the Organic Law.

The BRC has determined that there is a difficulty in the operation of Schedule 1 of the Organic Law arising from an inconsistency and a gap, regarding when a voter's name cannot be located on the roll at a polling place but the voter maintains they should be on the referendum roll.

To remedy this difficulty, the following administrative process will apply to ensure that the referendum provides for free and fair participation in accordance with section 341 of the Constitution of Papua New Guinea and that all eligible voters are entitled to vote:

POLLING

Where a voter's name cannot be located on the roll at a polling place, the voter will make a declaration (marked 'provisional') and cast their vote in the same manner as votes cast under Sch. 1.88 to Sch. 1.91 and as further set out in the BRC Issuance on *Transmission and Scrutiny of Postal and Declaration Votes* dated 20 August 2019. The voter will be declaring that they are enrolled for the referendum and that they have not already voted in the referendum. The voter will have their finger marked with indelible ink, as set out in the Bougainville Referendum Regulations 2019.

THE SCRUTINY

The Returning Officer will mark the voter off the roll and accept the vote for further scrutiny if, following an examination of the declaration, the Returning Officer is satisfied that the voter should have appeared on the roll for the voting district, the declaration indicates that the voter has not already voted elsewhere and/or received a postal ballot-paper, and the declaration is signed or marked by the voter and witnessed by an authorised witness to verify authenticity.

The further scrutiny will be conducted in the same manner as for other declaration votes under Division 5 of PART XIII and as set out in the BRC Issuance on *Transmission and Scrutiny of Postal and Declaration Votes*.