

“(1A) The Governor may, after consultation with the Commission, make regulations in respect of the winding down or closing down of operations of a political party or independent candidate who has ceased to be registered under this Ordinance.”

The Independent Candidate Accounting and Expenditure: S 36 (5)S 42,S 47 and S 53.

As an Independent Candidate:

- ◆ **You are solely responsible for recording and reporting all donations, funds, expenditure for the past 365 days prior to registration with supporting documents.**
- ◆ Campaign expenditure can include items or services bought before the election period began, but which are used during it. It can also include items or services given to the party free of charge or at non-commercial discount. : (See Part 1 of Schedule 4 of the Ordinance)
- ◆ **You must include** all costs associated with each activity. Where goods and services are not used exclusively for election purposes, the proportion of the use of goods/services for election purposes must be valued and accounted for under election expenses.
- ◆ If you receive funding via a discount , a record of the discounted amount must be reported, e.g. a discount of 10% or less, the difference in value is \$200 or less, you only need to record the amount you pay.

Campaign Spending Limits: S68

- ◆ **An Independent Candidate contesting an Electoral District can spend up to \$30,000**
- ◆ **An Independent Candidate contesting an All Island seat can spend up to \$100,000.**

Reporting of Donations:-General Election Period

Within 7 days after the first week of the General Election Period all Independent Candidates must submit to the Integrity Commission:

- ◆ A record of all donations (cash, non-cash, property etc.) transferred to him/her and all campaign expenditure incurred by him/her for the preceding week.
- ◆ The identity of the person (Company/ Individual/Group) who paid the money or transferred the property.
- ◆ Seven days after election day, Independent Candidates must have all donations and campaign expenditure for the week immediately preceding the election day submitted to the Commission.

NB. The Independent Candidate must account for all income and expenditure.

- ◆ It is immaterial that the money paid or other property transferred is by way of a loan or other temporary arrangement.

TURKS AND CAICOS ISLANDS



INDEPENDENT CANDIDATES

POLITICAL ACTIVITIES ORDINANCE 2012 [AS AMENDED BY THE POLITICAL ACTIVITIES (AMENDMENT) ORDINANCE OF 2016] PART VII S67A-68

INTEGRITY COMMISSION
FRANKLYN MISSICKS BUILDING.
CHURCH FOLLY, GRAND TURK.
TURKS AND CAICOS ISLANDS.
TEL:649-946-1941 OR 338-3335, FAX: 649-946-1355.
E:MAIL: DEPUTYDIRECTOR@INTEGRITYCOMMISSION.TC
WEBSITE: WWW.INTEGRITYCOMMISSION.TC

Registration of an Independent Candidate

These guidance notes are a part of the Integrity Commission's on-going commitment to assist Independent Candidates and help them comply with their statutory responsibilities in relation to Political Activities and Campaign expenditure.

An individual may apply for registration as an Independent Candidate by completing Form 1A provided by the Integrity Commission. This application form is then signed by the individual, along with supporting documents, and form requests; setting out-

- ◆ The full name and date of birth of the individual
- ◆ The name of the electoral district in which they intend to be an Independent Candidate, and
- ◆ The address to which communications intended for them may be addressed and where their books, records and accounts pertaining to contributions to and expenditures by them or on their behalf are or will be maintained. **S67A**
- ◆ A report of all donations received and all campaign expenses incurred during the 365 days prior to the registration date.

An Independent Candidate is solely responsible for all matters in relation to his/her expenditure. Independent Candidate spending at elections is regulated under the Political Activities Ordinance 2012 (As Amended) and is to be substituted wherever the word "treasurer" appears in the Ordinance.

Where the Commission receives an application from an individual as an Independent Candidate, it shall grant the application unless at the date of the application, the applicant—S67 (2 a-f)

- ◆ Has been adjudged or otherwise declared bankrupt under any law in force in any country and has not been discharged;
- ◆ Is a person certified to be insane or otherwise adjudged to be of unsound mind under any law in force in the Islands;
- ◆ Is serving or has at any time within the period of **fifteen years** immediately preceding that date been serving any part of a sentence of imprisonment of at least **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/her by such a court
- ◆ Has been convicted of an offence of corruption or an offence relating to political party regulation or the misuse of public money under any law in force in the islands;
- ◆ Has not made a report or return as required under S 67.A(2)(7); or
- ◆ Is disqualified for election by any law by reason of his/her holding or acting in any office the functions of which involve-
 - any responsibility for or in connection with, the conduct of any election; or
 - any responsibility for the compilation or revision of any register of electors.

If the Commission grants an application by an individual under this section, it shall include in the individual's entry in the register-

-the particulars given in the application, and

-the date of registration S67 A (4-11)

- ◆ If the Commission refuses an application under this section, it shall notify the individual of the reasons for refusing the application.
- ◆ An application for registration under this section shall be made to the Commission no later than five days from the date of the Election Proclamation.
- ◆ The Independent Candidate is responsible for ensuring all campaign spending rules and guidelines under the Ordinance are followed.
- ◆ An individual applying to be registered under this section **shall, on the date of the application, file a donation report and a campaign expenditure return** with the Commission of any donations received and campaign expenditure incurred during the **365 days prior to the date of the application**.
- ◆ If no donation is received or campaign expenditure incurred during that period stated in subsection (7) it shall be so stated in the report or return.
- ◆ Chapters I and II of Part IV (Donations) apply to any donation received by an Independent Candidate whether registered or unregistered.