
PREFACE

There is a growing realisation among members of the Commonwealth of Nations that the holding of free and fair elections is the centrepiece of democratisation. This has caused many Commonwealth countries in the recent past to review their Constitution and election laws. Some countries are in the process of so doing, while others are expected to do so soon. It is believed that this process of reviewing the relevant constitutional provisions relating to elections and the election laws by individual countries of the Commonwealth can be assisted by presenting the current relevant constitutional provisions and election laws of a number of selected Commonwealth countries in a user-friendly format that will facilitate wider discussion as to the means of improving the legislative options available.

It was this thought which triggered this compilation of 37 Commonwealth countries' constitutional provisions dealing with elections and their election laws. These countries were selected at random from geographical regions as follows –

Part 1

Africa –

east (Kenya);
west (Ghana);
southern (Botswana, Malawi, Mozambique, Namibia, South Africa, Zambia and Zimbabwe);
oceanic (Mauritius and Seychelles);

Asia –

south (India, Pakistan and Sri Lanka);
south-east (Malaysia and Singapore);

Europe –

Malta and United Kingdom.

Part 2

Australia and the South Pacific –

(Australia, Nauru, New Zealand, Papua New Guinea, Solomon Islands, Tonga and Western Samoa);

Canada and the Caribbean –

(Antigua and Barbuda, Bahamas, Barbados, Belize, Canada, Dominica, Grenada, Guyana, Jamaica, St Lucia, St Vincent and the Grenadines, and Trinidad and Tobago).

In order to facilitate comparative analyses, each legislative scheme is presented in a common format (to the extent possible), thereby highlighting those features which are considered to be a part of the essential framework of that scheme. The compendium is thus not a mere collection of the election laws concerned.

The form of the presentation of each legislative scheme (which at times takes account of procedures and practice guidelines) focuses on the organisation and conduct of elections for the National Assembly (by whatever name called in the country concerned). In a few cases presidential elections and elections to the Upper House are presented where the procedures therefor are considered appropriate for noting.

The process of change towards deepening the democratic institutions has set in motion an almost continuous review and modification of election laws in some countries. Despite such developments, the basic framework of each legislative scheme and procedure is presented as it stood on 1 January 1995.

The compendium aims to cover two volumes, Volume 1 deals with election laws and practices and Volume 2 will cover election cases.

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