

SECOND SCHEDULE

[Article 48]

Election of President

1. *The Chief Election Commissioner (in this Schedule referred to as "the Commissioner") shall hold and conduct any election to the office of President, and shall be the returning officer for such election.*

2. *The Commissioner shall appoint a presiding officer to preside at the meeting of the members of Parliament held pursuant to the provisions of this Schedule.*

3. *The Commissioner shall by public notification fix the time and place for delivering nomination papers, holding a scrutiny, making withdrawals, and (if necessary) holding a poll.*

4. *At any time before noon on the day fixed for depositing nomination papers any member of Parliament may nominate for election as President a person qualified for such election, by delivering to the returning officer a nomination paper signed by himself as proposer and by another member of Parliament as seconder, together with a statement signed by the person nominated that he consents to the nomination:*

Provided that no person shall sign, whether as proposer or as seconder, more than one nomination paper at any one election.

5. *A scrutiny of nomination papers shall be held by the Commissioner at the time and place fixed by him, and if after a scrutiny only one person remains validly nominated, the Commissioner shall declare that person elected, but if more than one person remains validly nominated he shall announce, by public notification, the names of the persons validly nominated (in this Schedule referred to as the candidates).*

6. A candidate may withdraw his candidature at any time before noon on the day fixed for this purpose by delivering a notice in writing under his hand to the presiding officer, and a candidate who has so withdrawn shall not be allowed to cancel such notice.

7. If all but one of the candidates have withdrawn, that one shall be declared by the Commissioner to be elected.

8. If there is no withdrawal or if, after withdrawals have taken place, two or more candidates remain validly nominated, the Commissioner shall announce by public notification the names of the candidates and their proposers and seconders, and shall proceed to hold a poll by secret ballot in accordance with the provisions of the succeeding paragraphs.

9. If, before the close of the poll, a candidate who has been validly nominated dies and a report of his death is received by the presiding officer, the presiding officer, if he is satisfied that the candidate has died, shall countermand the poll and report the facts to the Commissioner, and all proceedings with reference to the election shall be commenced anew.

10. A poll shall be taken at a meeting of members of Parliament and the presiding officer shall conduct the poll with the assistance of such officers as he may, with the approval of the Commissioner, appoint.

11. A ballot paper, bearing the names of the candidates, shall be issued to every member of Parliament who presents himself for voting at the meeting of Parliament (hereinafter referred to as a person voting), and he shall exercise his vote personally by marking the paper with a cross against the name of the candidate for whom he wishes to vote.

12. A ballot paper shall be invalid if—

- (a) there is upon it any name, word or mark, other than the official number, by which the person voting may be identified; or

(b) it does not contain the initials of the presiding officer; or

(c) it does not contain a cross; or

(d) a cross is placed against the names of two or more candidates; or

(e) there is any uncertainty as to the identity of the candidate against whose name the cross is placed.

13. After the close of the poll the presiding officer shall, in the presence of such of the candidates or their authorised representatives as may desire to be present, open and empty the ballot boxes, count in the manner prescribed by law under article 124 the number of votes recorded for each candidate on the valid ballot papers, and communicate the number of the votes so recorded to the Commissioner.

14. If there are only two candidates the candidate who has obtained the larger number of votes shall be declared by the Commissioner to be elected.

15. If there are three or more candidates and one of those candidates has obtained a larger number of votes than the aggregate number of votes obtained by the remaining candidates, he shall be declared by the Commissioner to be elected.

16. If there are three or more candidates and the last preceding paragraph does not apply, a further poll shall be held in accordance with the preceding provisions of this Schedule, at which the candidate who obtained the smallest number of votes at the previous poll shall be excluded.

17. The three last preceding paragraphs shall apply in relation to the further poll and any subsequent poll which may be necessary under the provisions of those paragraphs.

18. Where at any poll any two or more candidates obtain an equal number of votes, then—

(a) if there are only two candidates for election, or

(b) if one of the candidates who obtained equal number of votes is required to be excluded from a further poll under paragraph 16 of this Schedule;

the selection of the candidate to be elected or, as the case may be, excluded, shall be made by the drawing of lots.

19. When, after any poll, the counting of the votes has been completed and the result of the voting determined, the Commissioner shall forthwith announce the result to those present, and shall forthwith cause it to be declared by public notification.

20. The Commissioner may by public notification, with the approval of the President, make rules for carrying out the purposes of this Schedule.