

Chapter:	576A	Title:	VILLAGE REPRESENTATIVE ELECTION (REGISTRATION OF ELECTORS) (APPEALS) REGULATION	Gazette Number:	L.N. 49 of 2003
Section:	2	Heading:	<b>Fixing a hearing date and notifying the appellant</b>	Version Date:	21/02/2003

(1) When the Revising Officer receives a copy of a notice of claim or a notice of objection from the Electoral Registration Officer, he shall, as soon as practicable-

- (a) subject to ~~subsections (4) and subsection~~ (5), fix a date, time and place for holding a hearing in respect of the claim or the objection to which the notice relates; and
- (b) send by post, a notice of hearing-
  - (i) to the appellant; and
  - (ii) if the hearing is in respect of a notice of objection, also to the person in respect of whom the objection is made.

(2) A notice of hearing sent to a party shall-

- (a) state that a hearing is to be held in respect of the claim or the objection;
- (b) specify the date, time and place fixed for the hearing; and
- (c) state that the party-
  - (i) may appear in person at the hearing and make representations to the Revising Officer regarding the claim or objection;
  - (ii) may be represented at the hearing by a legal practitioner or an authorized representative who may make representations on his behalf; or
  - (iii) whether or not he appears or is represented, may make representations in writing regarding the claim or objection and submit them, by post or by hand, at an address (which shall be specified in the notice) to reach the Revising Officer not later than 1 day before the date fixed for the hearing.

(3) A notice of hearing sent to an appellant shall also state that if-

- (a) the Electoral Registration Officer does not make representations to the Revising Officer at the hearing; and
- (b) the appellant-
  - (i) does not appear at the hearing;
  - (ii) is not represented at the hearing by a legal practitioner or an authorized representative; and
  - (iii) does not make representations in writing regarding the claim or objection to be received by the Revising Officer not later than 1 day before the hearing date,

the decision of the Electoral Registration Officer to which the notice of claim or the notice of objection relates shall stand.

~~(4) If a copy of a notice of claim or notice of objection is lodged with the Revising Officer in respect of the first provisional register on or before 5 May 2003, the hearing date in respect of that notice—~~  
~~(a) shall be after 22 April 2003 but not later than 15 May 2003; and~~  
~~(b) shall not be earlier than the third day after the date on which the notice is received.~~

(5) If ~~a copy of~~ a notice of claim or notice of objection is lodged ~~with the Revising Officer under Part 5 of the EAC Regulation~~ in respect of a ~~subsequent~~ provisional register on or before ~~23 September~~ 9 September of the year for which the relevant register is being compiled, the hearing date in respect of that notice—  
(a) shall be after ~~10 September~~ 27 August but not later than ~~30 September~~ 23 September in that year; and  
(b) shall not be earlier than the third day after the day on which the copy of the notice is received by the Revising Officer.