

5C. Removal or Suspension of Electoral Commissioner or Deputy Electoral Commissioner

- (1) The Electoral Commissioner may, at any time, be suspended or removed from his office by the Governor on addresses from both Houses of Parliament.
- (2) Where the Governor is satisfied that the Electoral Commissioner —
 - (a) is incapable of properly performing the duties of his office;
 - (b) has shown himself incompetent properly to perform, or has neglected, those duties;
 - (c) has applied to take, or has taken, advantage of any law relating to bankruptcy, or has compounded, or entered into any arrangement, with his creditors; or
 - (d) has been guilty of misconduct,the Governor may suspend him from his office.
- (3) When the Electoral Commissioner has been suspended from his office under subsection (2) he shall be restored to office unless —
 - (a) a statement of the grounds of his suspension is laid before each House of Parliament during the first 7 sitting days of that House following the suspension; and
 - (b) each House of Parliament, during the session in which the statement is so laid, and within 30 sitting days of that statement being so laid, passes an address praying for his removal from his office.

[Section 5C inserted by No. 40 of 1987 s.20.]