

## **162. Powers of Court**

- (1) The powers of the Court of Disputed Returns shall include the following: —
  - (a) To adjourn.
  - (b) To compel the attendance of witnesses and the production of documents.
  - (c) To examine witnesses on oath.
  - (ca) To grant to any party to the petition, leave to inspect in the presence of a prescribed officer, the rolls and other documents (except ballot papers) used at or in connection with any elections and to take, in the presence of the prescribed officer, extracts from those rolls and documents.
  - (cb) To permit, at any stage of the proceedings and on such terms as may be just, all such amendments to the petition or other pleadings, as shall appear to the Court to be necessary or convenient.
  - (d) To declare that any person who was returned as elected was not duly elected.
  - (e) To declare any candidate duly elected who was not returned as elected.
  - (f) To declare any election absolutely void.
  - (g) To dismiss or uphold any petition, in whole or in part.
  - (h) To award costs.
  - (i) To punish any contempt of its authority by fine or imprisonment.
- (2) The Court may exercise all or any of its powers under this section on such grounds as the Court in its discretion thinks fit and sufficient.
- (3) Without limiting the powers conferred by this section, it is hereby declared that the power of the Court to declare that any person who was returned as elected was not duly elected, or to declare an election absolutely void, may be exercised on the ground that illegal practices were committed in connection with the election.

*[Section 162<sup>7</sup> amended by No. 63 of 1948 s.24.]*