

**Register of Political Parties**  
The Integrity Commission of the Turks and Caicos Islands (TCI) must establish and maintain a register of political parties that intend to contest elections to the House of Assembly.

### Office Holders of Registry

Each registered party must have a: (S 5) Leader and a Treasurer; however, the same person can be both.

### Functions of the Leader:

- Stands for election in the name of a registered party (S 4 (3))
- Gives the approval of descriptions and symbols used on nomination and ballot papers at elections.

### Functions of the Treasurer:

- Responsible for compliance on the part of the party of *Parts III and IV*.

**NB:** If the party treasurer dies or his appointment is terminated for any reason, until another person is registered; the person registered as the party leader will be treated for all purposes as if he were registered as treasurer. In the case of the Independent Candidate “Treasurer” is used interchangeably with Independent Candidate. (See campaign and party expenditure Brochure).

### Accounting Records: S 12

- Treasurer must keep and be able to disclose at any time with reasonable accuracy all day to day expenditure, assets and liabilities of the parties.
- The Treasurer must keep accounting documents for six (6) years, even if a party ceases.
- **Financial year**
- This is the twelve (12) month period stipulated by the Integrity Commission (1<sup>st</sup> April to 31<sup>st</sup> March).

- Treasurer/Independent Candidate must prepare an annual Statement of Accounts within 4 or 6 months of the end of the financial year depending on whether an Audit is required and/or the amount of total income and expenditure. *S 13*.

### Annual Audit

- An Audited Statement of Accounts is required to be submitted for an income or expenditure over \$500,000 within 6 months after 31<sup>st</sup> March. *Section 14*

In this case if the treasurer/Independent Candidate recognizes the need for more time, an application should be made within the specified period (March 31<sup>st</sup> to September 31<sup>st</sup>) for consideration by the Commission. *Section 16(3)*

If the income or expenditure is under \$500,000, no Audit is necessary UNLESS the Commission REQUESTS an audit. The IC will give such an instruction and the audit must then be done within the 6 months from 31<sup>st</sup> March, or within 3 months from the date the direction was requested by the IC. Whichever is the longer. *S. 14(3)*

### No audit is required if:

There is less than \$500,000 income or expenditure. The Statement of Accounts is to be submitted within 4 months after 31<sup>st</sup> March *S 16(1)*.

If the treasurer/Independent Candidate recognizes the need for more time, an application should be made within the specified period (March 31<sup>st</sup> to July 31<sup>st</sup>) for consideration by the Commission.

- Treasurer/Independent Candidate can be summarily convicted of non-submission of statement of accounts and is liable to a fine of \$5000 or imprisonment for 12 months or both.

### Relevant Period S 46 (7)

The “relevant period” in relation to an election for reporting donations and expenditure is the 365 days prior to voting day.

- In the case of a party the specified amount in relation to electoral district is \$30,000 for each district contested by the party; in relation to the all Island district is \$40,000 per candidate; and in relation to the leader of the party is \$100,000. *S 46 (8)*
- In the case of an independent candidate, the specified amount in relation to an electoral district which is not the all Islands electoral district is \$30,000, and in relation to the all Islands district is \$100,000. *S 68 (4) Subsection 8*

### General Election Period S 33

During the general election period weekly reports are necessary from the treasurers of the Registered Parties and all Independent Candidates:

1. The starting period begins at the grand publication of the proclamation is published in the gazette announcing the dissolution of the House of Assembly.
2. The period ends with the date of the poll of the next general election.(election day).

A party not intending to field candidates makes an exemption declaration before the beginning of the general election period. This declaration must be:

- a) Signed by the responsible officer of the party and
- b) Submitted to the Commission up to 7 days after the gazette of the proclamation.

If the party chooses to take part it must withdraw with a notice signed by the responsible leader and send to the Integrity Commission.

**Restriction on incurring campaign expenditure: S 42**

No campaign expenditure is to be incurred by or on behalf of a registered party unless it is incurred with the authority of-

- a) the treasurer of the party
- b) A deputy treasurer of the party; or
- c) A person authorized in writing by the treasurer or a deputy treasurer

**Restriction on payments in respect of campaign expenditure: S 43**

No payment may be made in respect of campaign expenditure incurred or to be incurred by or on behalf of a registered party unless it is made by-

- a) The treasurer of the party
- b) A deputy treasurer of the party; or
- c) A person authorized in writing by the treasurer or a deputy treasurer

NB. Treasurer in the case of the Independent Candidate refers to the individual/candidate.

**Donation Values S 24 (13-15)**

- Any donation which does not exceed \$150 presumes a permissible donor
- Any donation which exceeds \$150 but does not exceed \$3000 the party must verify that the donor is a permissible donor.
- Any donation over \$3000, the party must verify that the donor is a permissible donor, and make a publication of the amount donated and the identity of the donor.

## **For Political Parties and Independent Candidate Qualifying Expenses: -**

Expenses incurred in respect of any of the matters listed below:

1. Party political broadcasts- agency fees, design costs and other affiliations.
2. Advertising of any nature- same as above.
3. Unsolicited material addressed to electors- household deliveries.
4. A manifesto or other document setting out the party's policies.
5. Market research or canvassing
6. Services or facilities provided by third party for press conferences or media outreach.
7. Transportation- of persons, items, with a view to obtain publicity in connection with an election campaign
8. Rallies, public meetings and other events- not annual conferences or other party conferences.
9. Temporary election staff
  - All claims have to be sent to the treasurer in order to be paid.
  - All claims must be logged within 30 days of end of campaign period.
  - All claims submitted in proper procedure must be paid within 60 days of the end of the relevant campaign period.

NB. Under Part II -The Governor may make amendments to Part I as he/she sees fit.

TURKS AND CAICOS ISLANDS



## **The Political Activities Ordinance as Amended by Political Activities (Amendment) Ordinance 2016**

**(References to "Treasurer" apply to "Independent Candidates")**

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*"Promoting Integrity, Honesty and Good Faith in Public Life"*