



United Progressive Party
10 Castle Street
Roseau, Dominica
+1 767 277 6272
info@uppdominica.com
www.uppdominica.com

Electoral Commission
Commission's Building
Jewel Street
Roseau
Dominica

July 1, 2026

Dear Mr. Stowe,

I write on behalf of the United Progressive Party to express concerns regarding the interpretation of the **Registration of Electors Act, 2025 (Act No. 1 of 2025)** and the **Registration of Electors (Amendment) Act, 2025**, particularly as it relates to whether an election held during the voter confirmation period should be conducted using the existing voters' list or the new register.

Having carefully reviewed the legislation, one is compelled to ask whether the Act is sufficiently clear or whether parliamentary intervention may be necessary to clarify which voters' list should be used during an election held while the voter confirmation process is still ongoing.

The provisions of the Act suggest that the existing voters' list is merely transitional and was never intended to be used indefinitely for future elections.

Section 13(1) provides that, on the effective date, "the existing lists shall be adopted as the first register of electors under this Act..." However, that provision immediately qualifies the adoption by stating that the register shall remain in force only "**until it is superseded by the preliminary register constituted and published under section 15.**"

This language is significant. The existing register is not declared to be the permanent register but rather a temporary mechanism intended solely to facilitate the transition to the new statutory regime. In that regard, does Section 49 empower the Chief Elections Officer to determine when the existing voters' list is to be superseded?

Section 13(3) further demonstrates the temporary nature of the existing register.

The Chief Registering Officer is required to revise the adopted register by adding persons who became entitled to registration after publication of the previous list and by removing persons who fall within the categories identified in Section 13(4), including those who no longer appear entitled to remain on the register. The revised register must then be published within forty-five (45) days of the effective date.

Clearly, the legislation did not simply adopt the existing register and leave it untouched. Instead, it required that the register be actively revised and cleansed almost immediately—something the Electoral Office has failed to do. The legislative assumption is therefore that the inherited register is imperfect and requires revision.



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Section 15 represents the next major stage of the process. The Chief Registering Officer must prepare and publish a preliminary register containing the names of persons entitled to vote. Section 15(2) provides that the preliminary register shall consist of:

- persons appearing on the existing register;
- persons appearing on supplementary lists;
- persons added through the confirmation process; and
- persons included through other statutory procedures.

The publication of the preliminary register marks the commencement of a confirmation and objection process intended to produce a more accurate and reliable register of electors.

Section 14 appears to recognize that the transition to the new register may not be completed within the ordinary statutory timetable. Accordingly, it permits adjustments to timelines and procedures to facilitate completion and publication of the new register. The existence of this provision demonstrates that the legislative focus was on ensuring the successful completion of the new register rather than preserving the old register indefinitely.

Section 17(2) provides for supplementary lists to be published after the preliminary register. These lists ensure that persons who become eligible after publication of the register are not disenfranchised. Importantly, Section 17 forms part of a dynamic updating process leading to the final register.

Section 14(7) is particularly significant. It provides that:

"If a writ for an election is issued during the confirmation period, the register of electors to be used for that election shall be the register published under section 13(3), together with such monthly lists and supplementary lists as have been published."

This provision appears to answer the question directly.

The legislation clearly contemplates the possibility that an election may be called before completion of the confirmation process. Rather than requiring the use of the final register, Section 14(7) expressly identifies the register that should be used during the transition period.

The crucial point, however, is that Section 14(7) does **not** refer to the unrevised existing register. Instead, it refers specifically to **the register published under Section 13(3)**—that is, the register that has already undergone revision and cleansing.



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Consequently, an election held during the confirmation period appears to require the use of the revised register produced under Section 13(3), together with the relevant monthly and supplementary lists.

It is my respectful view that Section 49 does not empower the Chief Elections Officer to resolve what appears to be a significant legal ambiguity within the legislation itself.

Furthermore, what becomes of those individuals who registered under the new law? These newly registered voters cannot lawfully be disenfranchised. Yet the Registration of Electors Act, 2025 does not appear to provide a mechanism for integrating these new electors into the existing register for the purpose of voting during the confirmation period.

Additionally, if the Electoral Commission proposes to apply the **Registration of Electors Act Chapter 2025**, together with the provisions of the former **Registration of Electors Act Chapter 2.01**, what statutory authority permits such an approach?

The bottom line is as follows:

1. The issuance of voter identification cards ought not to have been so significantly delayed.
2. The Chief Elections Officer has already published at least five (5) monthly voters' lists since October 2025.
3. There remains sufficient time for all eligible voters to confirm their registration and receive voter identification cards, subject to appropriate announcements by the Electoral Commission of Dominica before any election held prior to October 2026.
4. The spirit and intent of the Registration of Electors Act, 2025 can and should be implemented so as to eliminate, or at the very least minimize, the electoral irregularities associated with the existing voters' list.
5. The Electoral Commission may find it necessary to recommend that the Government return to Parliament to remove the unnecessary ambiguity surrounding the interpretation of the Registration of Electors Act, 2025.

I thank you for your usual cooperation and offer these observations in the spirit of contributing constructively to the national discussion. My sincere hope is that any uncertainty surrounding the interpretation of the legislation will be resolved so as to avoid legal challenges to the outcome of any future election in the Commonwealth of Dominica arising from the absence of clear legal direction on this important issue.

Yours sincerely,

Joshua Francis