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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L. D. B. 6/2011

THE INSTITUTE OF CHARTERED ACCOUNTANTS ACT, No 23 OF 1959

Order under Section 7(5)

ORDER made by the Minister of Co-operatives and Internal Trade by virtue of the powers vested in him by Section 7(5) of the Institute of Chartered Accountants Act, No. 23 of 1959 as amended by Act, No. 16 of 1964, Act, No. 34 of 1975 and Act, No. 15 of 1998.

JOHNSTON FERNANDO,
Minister of Co-operatives and Internal Trade.

Colombo,
05th October, 2011.

ORDER

The Order published in *Gazette Extraordinary* No. 14, 874/4 of October 5, 1969 is hereby amended as follows :

(1) paragraph 2 is hereby rescinded and the following paragraph is substituted therefor :

2. (1) The election of the President, Vice President, and the four members of the Council referred to in section 7(4) of the Act, shall take place at a meeting of the members of the Institute which shall be held on a day, and at a place and time fixed by the Council. Such day shall not be more than seven days after the expiration of the period of ten years referred to in section 7(3) of the Act in the case of the first election and shall be not more than seven days after the expiry of the term of office of the members of the Council, in the case of subsequent elections.

(2) The voting at such election shall be conducted manually or electronically :

Provided that any election which has been conducted in either manner shall not invalidate or affect the validity of such election.

(2) by the insertion immediately after sub-paragraph 6 (4) thereof of the following new paragraph :

“(5) The list of candidates shall be displayed on the electronic voting system which is used for the casting of electronic votes and voter may select his preference by entering his choice on such system.”

(3) paragraph 10 is hereby amended by the insertion immediately after sub-paragraph 10(6) thereof of the following paragraph :—

“(7) In case of electronic voting, following procedure shall be adopted as follows :

- (a) The voters shall be registered at eight registration counters or such other number as may be required at any election. The registration of voters shall be carried out manually or electronically by operators :
- (b) After a voter has been duly registered, the operator at the registration counter shall direct the voter to an available voting station and such voter may cast his vote :
- (c) The casting of vote shall be by an Electronic Voting system at each voting station and shall be designed to display information such as names of candidates, and to facilitate voters to indicate the selected candidate by touch screen mechanism or such other method as prescribed by regulations. The voting procedure for the post of President, Vice-President and Council members shall be the same.
- (d) If required the casting of vote for President, Vice President and Council Members, will be recorded by way of a printout and shall be kept as a record for Audit trail”

(4) by the insertion immediately after sub-paragraph 11 (7), thereof of the following new paragraphs :-

“(8) The election at which votes are casted by electronic voting or electronic and manual voting, if any system failure, delay or breakdown occurs during the electronic voting process, voters shall be allowed to use ballot papers which will be provided.

When time period allocated for voting has expired, the Umpire shall be given the results in the form of a printed results sheet signed by an authorized officer appointed by the operator of the electronic voting system. The Umpire shall announce the results within two hours.”

“(9) The Umpire may decide as to whether the process of voting should be switched form electronic voting to manual voting using ballot papers as follows :

- (a) The staff at the registration counters shall issue printed ballot papers for the election of President, Vice President and Council Member to the remaining members who have not voted electronically.
- (b) The voter shall vote by placing his preference in front of the name of preferred candidate and shall insert the ballot paper in a ballot box placed for this purpose.
- (c) After the completion of the manual voting process, the ballot papers and the printout produced, electronically during the voting process shall be counted manually and results shall be announced by the Umpire.”

(5) paragraph 14 is hereby amended as follows :-

(1) by the insertion immediately after the definition of the expression “Act” of the following new definition.

“Audit Trail” means a manual audit of the number of votes cast electronically at any election, and any printout produced during the voting process which would indicate the number of votes cast by voters for each contestant.

(2) by the insertion immediately after the definition of the expression “Council” of the following new definition.

“Electronic Voting System” means a system of casting votes and tabulating ballots employing automatic tabulating equipment or data processing equipment.

(3) by the insertion immediately after the definition of the expression “Practising Accountant,” of the following new definition :-

“Registration Centre” means any centre which is identified by the Council of the Institute of Chartered Accountants as a place where the voters are registered during an election.”

(4) by the insertion immediately after the definition of the expression “Secretary” of the following new definition.

“Voting Station” means any electronic facility which is provided at each registration centre, electronically, using a touch screen to cast vote or any other electronic medium which shall be decided by the Council.”