

A BILL

entitled

REFERENDUM (SAME SEX RELATIONSHIPS) ACT 2016

WHEREAS it is expedient to provide for the holding of a referendum on whether or not marriage or civil union between two people of the same sex should be permitted in Bermuda;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Referendum (Same Sex Relationships) Act 2016.

Interpretation

2 This Act is to be read and construed as one with the Referendum Act 2012.

Holding of referendum

3 A referendum shall be held on the following questions:

1. Are you in favour of same sex marriage in Bermuda?
2. Are you in favour of same sex civil unions in Bermuda?

Repeals and replaces section 9 of the Referendum Act 2012

4 Section 9 of the Referendum Act 2012 is repealed and replaced by—

“Publication of revised parliamentary register for referendum

9 Where the Premier publishes a referendum notice pursuant to section 7—

- (a) section 26A of the Parliamentary Election Act 1978; and
- (b) for the avoidance of doubt, section 10(4) of that Act,

shall apply with necessary modifications, as if the reference in those sections to the Governor issuing a writ of election were a reference to the Premier publishing the referendum notice.”.

## REFERENDUM (SAME SEX RELATIONSHIPS) BILL 2016

### EXPLANATORY MEMORANDUM

This Bill would require that a referendum be held on the questions set out in clause 3. It would also repeal and replace section 9 of the Referendum Act 2012 to apply to a referendum the procedure for preparing and publishing the register used for a parliamentary election.

The referendum would be conducted in accordance with the Referendum Act 2012.

Clause 1 is self-explanatory.

Clause 2 provides that this Bill must be read and construed as one with the Referendum Act 2012.

Clause 3 requires that a referendum be held and, in accordance with section 6(1) of the Referendum Act 2012, sets out the questions to be asked at the referendum.

Clause 4 repeals and replaces section 9 the Referendum Act 2012. Currently, section 9 provides that the registration of voters closes when the Premier publishes a referendum notice, and that the Registrar must publish the register to be used for the referendum within seven days of the publication of the referendum notice. The amended section provides that section 26A of the Parliamentary Election 1978 (publication of revised parliamentary register at an election) applies with necessary modifications. For the avoidance of doubt, section 10(4) of that Act, which provides for the registration of voters who have not yet attained the age of 18 when the referendum notice is published but will be 18 on or before polling day, is similarly applied.