



No. of 2006

No. of 2007

Electoral Law (National Elections) Regulation 2007,

Being a Constitutional Regulation,

MADE by the Head of State, acting with, and in accordance with the advice of the National Executive Council, under the ***Organic Law on National and Local-level Government Elections.***

PART I. – PRELIMINARY.

1. INTERPRETATION.

(1) In this Regulation, unless the context otherwise requires, or some other meaning is clearly intended “the Law” means the ***Organic Law on National and Local-level Government Elections.***

(2) Subject to Section 103, of this Regulation, a reference to a form by number shall be read as a reference to a form so numbered in the Schedule.

2. APPLICATION.

This Regulation applies only to national elections.

PART II – DUTIES AND RESPONSIBILITIES OF OFFICERS.

3. ELECTORAL COMMISSIONER.

The Electoral Commissioner has the overall charge of elections and, unless otherwise provided by the Law, all other electoral officers and officers, including Election Managers, Returning Officers, Assistant Returning Officers, Poll Clerks and other polling and scrutiny officials are subject to the direction and control of the Electoral Commissioner on all matters relating to or connected with elections.

4. ELECTION MANAGER.

(1) An Election Manager is the administrative and management representative of the Electoral Commissioner in a province, and the Electoral Commissioner may appoint an Election Manager to be a Returning Officer for one or more electorates in a province.

(2) An Election Manager is to exercise such powers as are delegated to him by the Electoral Commissioner.

5. RETURNING OFFICER.

(1) A Returning Officer is responsible for-

(a) maintaining the electoral Roll for the electorate; and

- (b) supervising officers and electoral officers junior to him including Assistant Returning Officers, presiding officers, poll clerks and other polling and counting officers; and
 - (c) conduct of elections in the electorate including-
 - (i) preparing a polling schedule and publicising it showing the dates and times when polling will take place; and
 - (ii) appointing presiding officers, assistant presiding officers, poll clerks and door-keepers; and
 - (iii) providing and furnishing proper polling booths; and
 - (iv) providing candidate posters, ballot-papers and all necessary certified lists of voters; and
 - (v) appointing place of scrutiny and count; and
 - (vi) appointing officers to assist in scrutiny and count; and
 - (vii) supervising scrutiny and count; and
 - (viii) declaring a result; and
 - (ix) returning a writ to the Electoral Commissioner; and
 - (d) performing such other duties and responsibilities as are assigned by the Electoral Commissioner to him.
- (2) The appointment of a Returning Officer is to be made in Form 3.

6. ASSISTANT RETURNING OFFICER.

- (1) An Assistant Returning Officer is-
 - (a) to assist the Returning Officer in the conduct of elections in the whole or a part of an electorate as determined by the Electoral Commission or as assigned by the Returning Officer; and
 - (b) subject to the authority of the Returning Officer, to be responsible for supervising electoral officers and officers junior to him; and

- (c) perform such other duties as are determined by the Electoral Commission or as assigned to him by the Returning Officer.
- (2) The appointment of an Assistant Returning Officer is to be made in Form 4.

7. PRESIDING OFFICER.

- (1) A presiding officer is responsible for the conduct of polling at a polling station, including-
 - (a) arranging polling booth or booths in the scheduled polling place that he is responsible for; and
 - (b) supervising the assistant presiding officer, poll clerk, door-keeper and other electoral officers and officers at the polling place; and
 - (c) ensuring that polling is conducted in accordance with law; and
 - (d) properly completing all electoral returns; and
 - (e) properly and safely keeping all electoral documents and other equipment used in the polling; and
 - (f) ensuring that ballot-boxes with marked-ballot papers and unused ballot-papers, marked Rolls, returns and other equipment supplied for polling are returned to the Returning Officer.
- (2) The appointment of a presiding officer is to be made in Form 5.

8. ASSISTANT PRESIDING OFFICER.

- (1) An assistant presiding officer is to assist the presiding officer in polling and in

the return of ballot-boxes with marked ballot-papers and unused ballot-papers, marked Rolls, returns and other materials supplied for polling to the Returning Officer.

(2) An assistant presiding officer is to act as presiding officer if the presiding officer is absent and is then responsible for ensuring proper polling and return of ballot-boxes and electoral documents to the Returning Officer.

(3) The appointment of an assistant presiding officer is to be made in Form 5.

9. OTHER POLLING OFFICERS.

(1) A poll clerk, door keeper and other assistants at a polling place are to assist the presiding officer in the conduct of poll at the polling place and perform such duties as the presiding officer assigns them.

(2) The appointment of a polling clerk , door-keeper and other assistants referred to in Subsection (1) is to be made in Form 5.

10. ACKNOWLEDGMENT OF APPOINTMENT.

A presiding officer, assistant presiding officer or other polling officers referred to in Section 9 may accept an appointment by submitting to a Returning Officer or Assistant Returning Officer an acknowledgement of appointment.

11. OFFICERS.

(1) In this section-

“an officer” means a policeman or officer of the Papua New Guinea Defence
Force;

“election related duties” means providing security –

- (i) in elections from conveyance of election materials to polling places; and
- (ii) ensuring peaceful polling at polling places; and
- (iii) conveying ballot-boxes and other election materials to the Returning Officers and the counting centres; and
- (iv) at counting centres.

(2) An officer assigned to perform election related duties is to perform such additional duties as are determined by the Electoral Commissioner in consultation with the Commissioner of Police in the case of policemen and the Commander of the Papua New Defence Force in the case of an officer of the Papua New Guinea Defence Force.

(3) Except as provided under Subsections (4), (5), (6) and (7), an officer shall not-

- (a) assist a voter to vote; or
- (b) direct a presiding officer or assistant presiding officer in the management of polling at a polling place; or
- (c) direct a Returning Officer, Assistant Returning Officer or other person in charge of scrutiny at a counting centre in the conduct of scrutiny.

(4) A presiding officer may request an officer to assist in polling related duties where a presiding officer considers it necessary to do so.

(5) A Returning Officer, Assistant Returning Officer or other person in charge of scrutiny may request an officer to assist in scrutiny related duties where the Returning Officer, Assistant Returning or other person considers it necessary to do so.

(6) A voter may at a polling place request the assistance of an officer to mark his vote.

(7) It is the normal duty of a policeman to prevent any electoral or other offence from being committed at a polling place or counting centre and to arrest, charge or detain any person from committing or attempting to commit such offences.

PART III. – SCRUTINEERS FOR CANDIDATES.

12. CANDIDATE MAY APPOINT SCRUTINEERS.

(1) A candidate may in writing appoint a scrutineer to represent him in a polling place.

(2) A candidate may in writing appoint a scrutineer to represent him in a counting centre and where there is more than one counting centre, a candidate may appoint one scrutineer to represent him at each counting centre.

(3) The appointment of a scrutineer is to be done by a candidate by submitting to the Returning Officer a completed Form 6.

(4) A scrutineer is not an electoral officer and is not entitled to allowances or to receive other assistance from the Electoral Commission.

13. RESPONSIBILITIES OF SCRUTINEERS AT POLLING PLACE.

(1) Subject to this section, a scrutineer may do such things as he considers necessary at a polling place to represent the interests of his candidate.

(2) A scrutineer shall observe and follow directions given by the presiding officer or assistant presiding officer or other polling officer acting for the presiding officer or assistant presiding officer.

(3) If a scrutineer raises any issues concerning the polling at a polling place, the presiding officer or assistant presiding officer is to address such issues in the way the presiding officer or assistant presiding officer deems appropriate.

(4) If a scrutineer is not satisfied with a response given or action taken by the presiding officer or assistant presiding officer in respect of an issue raised, the scrutineer may refer the matter to the Returning Officer or Assistant Returning Officer but the polling shall not be interrupted.

(5) A scrutineer shall not-

(a) assist a voter to vote; or

(b) persuade or influence a voter at the polling place as to how to vote; or

(c) do such other act to force or threaten a voter at a polling place.

(6) A scrutineer who-

(a) disobeys or fails to follow a lawful direction given under Subsection (2); or

(b) contravenes the prohibition in Subsection (5),

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

14. RESPONSIBILITIES OF SCRUTINEERS AT SCRUTINY.

(1) A scrutineer appointed by a candidate to a counting centre is to observe the

scrutiny, and to raise lawful objections when considered necessary.

(2) Any objections raised by a scrutineer at a scrutiny shall be raised with the Returning Officer or Assistant Returning Officer supervising the scrutiny, and a decision of the Returning Officer or Assistant Returning Officer on an objection is final.

(3) A scrutineer shall not-

- (a) touch a ballot-paper or ballot-box; or
- (b) influence a counting official in the performance of his duties at a scrutiny; or
- (c) be involved in behaviour that disrupts the conduct of scrutiny.

(4) A scrutineer shall observe and follow directions given by the Returning Officer or Assistant Returning Officer or other electoral officer in charge of scrutiny.

(5) A scrutineer who contravenes the prohibition in Subsection (3)-

- (a) may be removed from the counting centre on order of the Returning Officer, Assistant Returning Officer or other electoral officer in charge of scrutiny; and
- (b) is guilty of an offence.

Penalty: A fine not exceeding K200.00.

(6) A scrutineer who disobeys or otherwise fails to follow a lawful direction given under Subsection (4) is guilty of an offence.

Penalty: A fine not exceeding K200.00.

PART IV. – FORM OF ELECTORAL ROLLS.

15. WARD ROLL.

(1) A Roll for an open electorate may be divided into ward Rolls.

(2) Where an open electorate does not have wards proclaimed or only has partly proclaimed wards, the Electoral Commission is to determine the division of the Roll for such an open electorate.

(3) The Rolls for open electorates within a provincial electorate constitute the Roll for the provincial electorate.

16. FORM OF ROLL.

(1) A Roll shall be in such form as is determined by the Electoral Commission, and shall set out the name, address and occupation (or other prescribed particulars) and sex of each elector, and shall contain such further particulars as the Electoral Commission directs.

(2) A Roll may be kept in electronic form.

(3) A Roll kept in electronic form shall set out the information referred to in Subsection (1) and such further particulars as the Electoral Commission directs.

17. PRELIMINARY ROLL.

(1) Where the Electoral Commission prints a new Roll under Section 49 of the Law, it may print a preliminary Roll.

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(2) A preliminary Roll is to be made available for inspection and purchase under Section 50 of the Law.

(3) A preliminary Roll, the Roll or a supplemental Roll may be made available in computer disk or other electronic form as the Electoral Commission determines.

(4) The fee for a copy of a preliminary Roll, Roll or supplemental Roll is to be K0.50 per page and K150.00 for a computer disk or other electronic form, for an electorate.

PART V – ENROLMENT AGENTS.

18. APPOINTMENT OF ENROLMENT AGENTS.

(1) The Electoral Commission may appoint persons to assist in the compilation or revision of a Roll.

(2) The appointment of an enrolment agent shall be in Form 7.

(3) A Returning Officer may recommend to the Electoral Commission names of persons to be appointed enrolment agents.

(4) The Electoral Commission shall publish the names of enrolment agents appointed in the National Gazette or a newspaper circulating in the area.

(5) A person who accepts appointment as an enrolment agent is to sign a written acknowledgement by so signing and endorsing a copy of his appointment in Form 7 and submit

this to the Electoral Commission, a Returning Officer or Assistant Returning Officer, as the case may be.

(6) The Electoral Commission may revoke the appointment of a person appointed as an enrolment agent at any time, and may appoint a replacement person by notice in writing without the need for publication referred to under Subsection (4).

(7) The revocation of appointment of an enrolment agent is to be in Form 8.

19. QUALIFICATIONS OF AN ENROLMENT AGENT.

(1) A Returning Officer shall ensure that a person recommended for appointment as an enrolment agent under Section 18-

- (a) does not hold an office in a registered political party; and
- (b) is not a member of the Parliament representing the electorate; and
- (c) is not a member of a provincial government assembly or a local-level government representing the electorate concerned; and
- (d) has not been a candidate in a national election or local-level government election in the electorate concerned; and
- (e) is not closely related by blood or marriage to a person referred to in Paragraph (a), (b), (c) or (d); and
- (f) is not so obviously closely associated with a person referred to in Paragraph (a), (b), (c) or (d).

(2) A person recommended for appointment as an enrolment agent shall have such other qualifications as determined by the Electoral Commission and must be suitable to perform the duties of an enrolment agent.

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(3) A Returning Officer who recommends to the Electoral Commission a person to be appointed as an enrolment agent knowingly or carelessly acting in disregard of the provisions of Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K200.00.

20. DUTIES OF AN ENROLMENT AGENT.

(1) An enrolment agent is to assist the Returning Officer in-

- (a) identifying eligible voters and complete claims for enrolment for them; and
- (b) identifying eligible voters who have changed address and complete transfers of enrolment for them; and
- (c) identifying names on a Roll against which objections may be made; and
- (d) identifying names on a Roll that are duplicate entries, entered by mistake, or are entries that relate to persons who are deceased or non-existent persons; and
- (e) advising the Returning Officer on the location of villages, hamlets, streets or settlement areas for the purposes of arranging a Roll; and
- (f) identifying names of persons of credible standing and reliability to whom group objections may be sent and from whom answers to objections from groups may be received.

(2) An enrolment agent is to perform the duties only for the area that he is appointed to assist the Returning Officer.

(3) An enrolment agent shall perform such other duties as the Electoral Commission specifies in the appointment.

- (4) An enrolment agent who deliberately-
- (a) completes a claim for enrolment or transfer of enrolment for an ineligible person; or
 - (b) completes a claim for enrolment for a person who is already enrolled on a Roll or who has already completed a claim for enrolment or transfer of enrolment form; or
 - (c) includes in any list the name of a person referred to in Paragraph (a) or (b) with the purpose of having the persons name included on a Roll,

is guilty of an offence as is provided under Section 53(5) of the Law.

(5) A person who encourages, procures, aids or abets an enrolment agent to commit an offence under Subsection (4) is guilty of the offence as provided for under Section 53(6) of the Law.

21. PAYMENT OF ALLOWANCE TO AN ENROLMENT AGENT.

(1) The Electoral Commission may pay an enrolment agent such allowance and at such rate as is determined under this Section.

(2) The Electoral Commission shall, in consultation with the heads of the Department responsible for personnel management matters and treasury matters, determine the rate of allowance payable to an enrolment agent.

(3) The Electoral Commission may require that the whole or a part of an allowance payable to an enrolment agent is to be withheld pending satisfactory completion of his duties as an enrolment agent.

(4) The Electoral Commission may refuse to pay the whole or a part of an allowance to an enrolment agent where it considers that the work done by the enrolment agent is unsatisfactory or is otherwise in breach of the provisions of this Regulation or the Law.

(5) Withholding or refusing to pay an enrolment agent an allowance for the commission of an offence under this Regulation shall not be a bar to a prosecution for an offence.

22. ENGAGEMENT OF OTHER PERSONS.

The Electoral Commission may engage other persons, other than enrolment agents, to assist in the preparation, compilation or revision of a Roll.

PART VI. – ENROLMENT.

23. ADDITION OF NAMES TO ROLLS.

Names may be added to Rolls-

- (a) in accordance with claims for enrolment; and
- (b) claims for transfer of enrolment; and
- (c) by a Returning Officer entering the name of a candidate upon nomination.

24. QUALIFICATIONS FOR ENROLMENT.

A person who has a right to vote under Section 50 (*right to vote and stand for public office*) of the *Constitution* and who-

- (a) has resided in the area of an electorate for a period of not less than six months immediately preceding the date of his claim for enrolment; or
- (b) is nominated for an electorate for which he is not enrolled and was either born in the electorate or lived in the electorate for five years at any time,

is entitled to have his name placed on the Roll for that electorate.

25. COMPULSORY ENROLMENT AND TRANSFER.

(1) A person who is entitled to have his name placed on a Roll and whose name is not already on a Roll shall make application to the Electoral Commission or the Returning Officer to be enrolled.

(2) An application for enrolment is to be made by way of a claim for enrolment or transfer of enrolment.

(3) The Electoral Commission or the Returning Officer is to publish a notice in the National Gazette and a newspaper circulating in the electorate concerned that the Returning Officer is ready to accept claims for enrolment or transfer of enrolment in the whole of the electorate or a part of the electorate and shall state the period within which he is so available and where he is available.

(4) It is the responsibility of a person who is entitled to enrolment and whose name is not already on a Roll to make application for enrolment.

(5) Where a Returning Officer is satisfied that a person has failed to comply with the provisions of Section 57 of the Law, he may notify him, of non-compliance, in Form 9.

(6) A person may reply to a notice under Subsection (5) in Form 10.

(7) Where a person –

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(a) fails to reply to a notice under Subsection (5); or

(b) does not reply to a notice under that subsection in a satisfactory manner, the Returning Officer may, subject to this Regulation, institute proceedings against the person.

26. NEW ROLLS.

(1) Where the Electoral Commission determines that a new Roll is to be created for an electorate under Section 46A of the Law, names on an existing Roll are not automatically transferable to a new Roll.

(2) Entry of names on a new Roll is to be done by persons entitled to enrolment to make claims for enrolment or transfer of enrolment.

(3) Where the Electoral Commission directs, names on an existing Roll may be transferred to a new Roll without the need for making of claims for enrolment or transfer of enrolment by persons whose names are included in the direction.

27. CLAIMS FOR ENROLMENT.

(1) A person who is entitled to be enrolled and who is not already on a Roll shall make application to the Electoral Commission, the Returning Officer or an enrolment agent for enrolment on a Roll.

(2) A claim for enrolment is to be in Form 11.

28. TRANSFER OF ENROLMENT.

(1) A person who is on a Roll of one electorate but has moved to another electorate and becomes qualified to enrol in the second electorate, shall make application to transfer enrolment from the first electorate to the second electorate after becoming so entitled to enrolment in the second electorate.

(2) A claim for transfer of enrolment is to be in Form 12.

(3) If the Returning Officer receipting a claim for transfer of enrolment approves the transfer, he shall notify the Returning Officer for the electorate where the person was enrolled and that Returning Officer shall remove the name of the person from that other Roll.

(4) A notice under Subsection (3) is to be in Form 13.

29. CHANGE OF ADDRESS, ETC.

(1) A person who has changed address from one ward to another ward in an electorate shall notify the Electoral Commission or the Returning Officer of the change.

(2) A person who has changed his name or changed address or occupation shall notify the Electoral Commission or the Returning Officer of the change.

(3) A notice under Subsection (1) or (2) is to be witnessed by an elector or a person who is entitled to be an elector and is to be in Form 14.

30. COMPLETION OF CLAIMS FOR ENROLMENT OR TRANSFER OF ENROLMENT.

(1) A form for claims for enrolment or transfer of enrolment shall be completed by the

person who claims to be entitled to enrolment or transfer of enrolment and shall be witnessed by an elector or a person who is entitled to be an elector.

(2) Where a person is unable to complete a claim for enrolment or transfer of enrolment form, the Returning Officer or an enrolment agent may complete the form for the person.

(3) Where a form of claim for enrolment or transfer of enrolment is completed under Subsection (2), the person for whom the application is completed is to place his mark on the form and this must be witnessed by an elector or a person who is entitled to be an elector.

(4) A person who completes and submits to the Electoral Commission, a Returning Officer or an enrolment agent, a form for claim for enrolment or transfer of enrolment, is guilty of an offence if-

- (a) he is already enrolled on the Roll of the electorate and knowingly submits another claim; or
- (b) except for a transfer of enrolment, he is already on a Roll of another electorate; or
- (c) he uses another persons name or other name or names of fictitious person or persons in a claim for enrolment or transfer of enrolment.

Penalty: A fine not exceeding K200.00.

(5) A Returning Officer who knowingly completes and submits to the Electoral Commission a form of application for enrolment or transfer of enrolment-

- (a) for a person who is not entitled to enrolment on a Roll; or
- (b) for a person who has already completed and submitted a claim for enrolment or transfer of enrolment; or
- (c) for a person who was not present before the Returning Officer at the time and did not authorise him to complete the form; or
- (d) under a name that does not relate to an actual person,

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

(6) An enrolment agent who knowingly completes and submits to the Returning Officer or the Electoral Commission a form of claim for enrolment or transfer of enrolment-

- (a) for a person who is not entitled to enrolment on the Roll; or
- (b) for a person who was not present before the enrolment agent at the time and did not authorise him to complete the form; or
- (c) under a name that does not relate to an actual person,

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

31. PROVISIONAL ENROLMENT.

(1) A Returning Officer or enrolment agent may complete and submit to the Electoral Commission a form of claim for enrolment for a person who is not yet eligible to be on a Roll but who will become eligible to be on a Roll before the issue of writs for the next planned election in the electorate.

(2) A claim for enrolment under this section is to be in Form 15.

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(3) A Returning Officer who knowingly completes and submits to the Electoral Commission a form of application for provisional enrolment-

- (a) for a person who is not eligible to be on a Roll under this section; or

- (b) for a person who has already completed and submitted a claim for enrolment under this section; or
- (c) for a person who was not present before the Returning Officer at the time and did not authorise him to complete the form; or
- (d) under a name that does not relate to an actual person,

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

(4) An enrolment agent who knowingly completes and submits to the Returning Officer or the Electoral Commission a form of application for enrolment-

- (a) for a person who will not become eligible to be on a Roll under this section; or
- (b) for a person who was not present before the enrolment agent at the time and did not specifically authorise him to complete the form; or
- (c) under a name that does not relate to an actual person,

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

32. REGISTRATION OF CLAIM.

(1) The Electoral Commission or the Returning Officer shall without delay register a claim for enrolment, transfer of enrolment or notice of change of address received and must take note of the date of its receipt.

(2) If a claim or notification is in order and the claimant or applicant is entitled to be enrolled, or have his name transferred or have his address changed, the Returning Officer shall enter the name of the claimant or effect the change in address on the Roll.

(3) Subject to Section 34, a claim or application shall not be entered on a Roll under this section if the claim or application is received by the Electoral Commission or the Returning Officer after the issue of writ for an election.

33. REJECTION OF CLAIM.

(1) The Electoral Commission or Returning Officer may reject a claim for enrolment or transfer of enrolment-

- (a) that is not signed by the person making the claim for enrolment; or
- (b) that is not signed by the Returning officer or enrolment agent; or
- (c) that is not made on a form supplied by the Electoral Commission or Returning Officer; or
- (d) that is not a genuine claim for enrolment or transfer of enrolment; or
- (e) is otherwise in contravention of this Regulation or the Law.

(2) The Electoral Commission or Returning Officer shall, as soon as practicable notify the person whose claim is rejected, that his claim has been rejected, specifying the reasons for the rejection, and advise the claimant that he is entitled, at any time within three months after the receipt of the notification, to appeal against the rejection in accordance with law.

(3) A notification under Subsection (2) shall be –

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- (a) sent to the claimant at the postal address; or
- (b) delivered to a place of residence; or
- (c) sent as provided under Section 39(3) relating to notification of objections.

(4) A notification of rejection under Subsection (2) may be made to a group of people.

(5) A notice under Subsection (2) or (3) is to be in Form 16.

(6) A person whose claim for enrolment, transfer of enrolment or change of address is rejected may appeal in accordance with Section 72 of the Law.

34. ENROLMENT OF CANDIDATE.

If a person nominates as a candidate for an electorate and, on the date of nomination, the person's name is not on the Roll for the electorate, upon satisfying himself that the person is otherwise entitled to enrolment on the Roll for the electorate, the Returning Officer shall cause the person to complete a claim for enrolment or transfer of enrolment and enter his name on the Roll for the electorate.

35. ALTERATION OF ROLLS.

The making of any alterations to a Roll is to be done in accordance with Sections 61, 62 and 63 of the Law.

PART VII – OBJECTIONS.

36. NAMES ON ROLL MAY BE OBJECTED TO.

(1) A person may, by written notice to the Electoral Commission or the Returning Officer, object to a name on a Roll.

(2) A notice of objection shall be accompanied by a deposit of K10.00 except where the objection is made by an electoral officer or an enrolment agent.

(3) A notice of objection is to be signed by an elector whose name is on the same Roll or by the Returning Officer or an enrolment agent and is to be in Form 17.

37. DUTY TO OBJECT.

It is the duty of a Returning Officer or Assistant Returning Officer to lodge or make an objection in writing, setting out the grounds of the objection, in respect of any name which he has reason to believe ought not to be retained on the Roll.

38. NOTICE OF OBJECTION.

(1) A Returning Officer is to give notice of the objection to the person objected to and deal with the objection in accordance with Section 68 of the Law.

(2) A notice of objection from the Returning Officer to the person objected to is to be in Form 18.

39. OBJECTION BY ENROLMENT AGENT.

(1) An enrolment agent may, during the time of his appointment to conduct enrolment in a ward, object to a class of persons or a group of people by providing a list to the Returning Officer.

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(2) An objection under Subsection (1) is to be in Form 19.

(3) Upon receipt of an objection under Subsection (1), the Returning Officer may give notice of the objection in a list-

- (a) by forwarding the list to the area where the persons on the list reside; or
- (b) by providing it to a village elder, councillor, village court magistrate or other reliable person who, in the opinion of the Returning Officer, is likely to bring the objection to the notice of the persons named in the notice.

(4) A notice under Subsection (3) is to be in Form 20.

(5) A person to whom a list is provided under Subsection (3) shall bring the objections to the attention of the persons whose names have been objected to and stated on the notice.

(6) An enrolment agent who includes a name of a person on an objection list under Subsection (1) knowing that the name should not be on the list is guilty of an offence.

Penalty: A fine not exceeding K200.00.

(7) A person who encourages or procures an enrolment agent to commit an offence under Subsection (6) is guilty of an offence.

Penalty: A fine not exceeding K200.00.

40. ANSWER TO OBJECTION.

(1) A person objected to may answer the objection orally or in writing.

(2) A Returning Officer or other person in the Electoral Commission receipting an oral answer to an objection shall reduce the answer to writing.

(3) An answer to an objection in writing may be endorsed on Form 18 and is to be signed by the person answering the objection in the presence of an elector or a person qualified to be an elector.

(4) An answer to an objection shall be given or delivered, as the case may be, to the Returning Officer for the electorate to which the Roll relates.

(5) Where the objection is made against a group of persons and, if the answer is made for or on behalf of the group, the answer is to be in Form 21.

(6) A person who purports to answer an objection on behalf of another person or a group of persons without ascertaining the truth of an answer is guilty of an offence.

Penalty: A fine not exceeding K200.00.

41. DETERMINATION OF OBJECTION.

(1) An objection is to be determined in accordance with Section 71 of the Law.

(2) A notice of determination of an objection is to be in Form 22.

(3) A notice under Subsection (2) removing the name of the person objected to or dismissing the objection shall be-

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(a) delivered or posted to the last known place of residence of the objector or the person objected to, or both; or

- (b) by providing it to the village elder, councillor, village court magistrate or other reliable person who, in the opinion of the Returning Officer, is likely to bring the notice to the attention of the objector or the person objected to, or both.

42. APPEAL.

(1) An application to the District Court under Section 72(1) of the Law may be made in accordance with the rules of court.

(2) Service of the notice of application under Section 72(3) of the Law shall be delivered or posted by registered post to the last known place of residence of the objector or the person objected to, as the case requires.

(3) Where the objector or person objected to is resident in a rural area and does not have a postal address or a place of residence to which the notice of application may be delivered, the notice may be delivered to an enrolment agent, village or church elder, local-level government councillor, village court magistrate or other reliable person who is likely to deliver the notice to the objector or person objected to.

PART VIII – WRIT AND NOMINATION.

43. WRIT.

(1) The Electoral Commission may advise a Returning Officer that a writ has been issued for the electorate by sending to the Returning Officer a facsimile copy of the writ.

(2) The Returning Officer on receipt of a writ by facsimile shall act on it as if he had receipted the writ.

44. QUALIFICATIONS FOR NOMINATION.

A person is qualified for nomination if-

- (a) he is a citizen of Papua New Guinea; and
- (b) he is aged 25 years or over on the date of nomination; and
- (c) he was born in the electorate or he has resided in the electorate for a continuous period of two years immediately preceding the nomination or for a period of five years at any time; and
- (d) he is not an insolvent; and
- (e) he has not been convicted of an indictable offence after 25th June 2002; and
- (f) he is not under sentence of death or sentence of imprisonment for a period of more than nine months and against which no appeal is pending; and
- (g) he has not been convicted under the Law or under this Regulation and where the penalty imposed includes ineligibility to hold elective office; and
- (h) he has not, in the three years previous to the date fixed for polling, been convicted of an offence relating to elections prescribed by an Organic Law or Act of Parliament for the purposes of Section 50(1)(b) (*right to vote and stand for public office*) of the *Constitution*; and
- (i) he has not, in the three years previous to the date fixed for polling, has been dismissed from office under the Leadership Code; and
- (j) he is not of unsound mind within the meaning of any law relating to the protection of the persons and property of persons of unsound mind; and

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- (k) he has not nominated for another electorate in the election to which the nomination relates.

45. NOMINATION.

(1) A nomination shall be in Form 23.

(2) A nomination shall be accompanied by the nomination fee of K1,000.00 which shall be in bankers check or the depositor's copy of the bank deposit receipt evidencing payment of the fee into a bank account approved by the Electoral Commission.

(3) A person who signs and submits a nomination when he is not qualified to nominate and thereby makes a false claim as regards his qualification to nominate is guilty of an offence.

Penalty: A fine not exceeding K200.00.

(4) The nomination fee is non-refundable except in the case of the death of a candidate before the end of the polling period.

(5) A person intending to be a candidate, who has not submitted candidate information to the Electoral Commission in pursuance of the notice published under Section 56 shall provide this information at the time of nomination.

46. TO WHOM NOMINATION MADE.

(1) A nomination may be made to-

(a) a Returning Officer; or

(b) an Assistant Returning Officer; or

(c) a Provincial Returning Officer; or

(d) a person authorized by the Electoral Commissioner.

(2) The Electoral Commissioner may appoint a person from his office to accept nominations and the appointment is to be in Form 24.

(3) Nothing prevents the Electoral Commissioner from retaining the authority to accept nominations himself instead of appointing another person.

(4) The place where a nomination is to be made is at the proper offices of the persons referred to in Subsection (1)(a), (b) and (c) and in the office of the Electoral Commissioner in the case of Subsections (1)(d) and (3).

(5) An Assistant Returning Officer, a Provincial Returning Officer or a person authorised by the Electoral Commissioner to accept nominations may refuse to accept a nomination if there is insufficient time left before the hour of nomination within which to notify the Returning Officer of the nomination.

47. FORWARDING NOMINATION TO RETURNING OFFICER.

(1) Where a nomination is made to an Assistant Returning Officer, Provincial Returning Officer (except a nomination for an electorate for which he is the Returning Officer) or a person authorized by the Electoral Commissioner, he shall immediately notify the Returning Officer by electronic advice of the details of the nomination.

(2) A notification under Subsection (1) is to be in Form 25.

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(3) A notification in Form 25 may be sent by facsimile transmission together with a copy of the nomination.

(4) The nomination itself shall be forwarded to the Returning Officer immediately after the notification is sent under Subsections (1) and (3).

48. WITHDRAWAL OF NOMINATION.

- (1) A candidate may withdraw his nomination before the hour of nomination.
- (2) A withdrawal of nomination shall be in Form 26.
- (3) A withdrawal of nomination shall be signed before the Returning Officer, Provincial Returning Officer, Assistant Returning Officer or a person authorised by the Electoral Commissioner to accept nominations.
- (4) Where a withdrawal of nomination is lodged with an Assistant Returning Officer, Provincial Returning Officer (except a withdrawal of nomination for an electorate to which he is the Returning Officer) or a person authorized by the Electoral Commissioner, he shall immediately notify the Returning Officer by electronic advice of the details of the withdrawal of nomination.
- (5) A notification under Subsection (4) is to be in Form 27.
- (6) A notification in Form 27 may be sent by facsimile together with a copy of the withdrawal of nomination.
- (7) The withdrawal of nomination itself shall be forwarded to the Returning Officer immediately after the notification is sent under Subsections (4) and (6).
- (8) A nomination shall not be withdrawn after the hour of nomination.

49. HOUR OF NOMINATION.

The hour of nomination is 4:00pm on the last day fixed for nominations to end.

50. REJECTION OF NOMINATION.

(1) The Electoral Commissioner may, at any time, accept or reject a nomination of a person who is not qualified to nominate.

(2) A Returning Officer who receives a nomination from a person who he believes on reasonable grounds is not qualified to nominate shall refer to the Electoral Commissioner the nomination and a statement of grounds and relevant supporting evidence.

(3) The receipt by a Returning Officer of a nomination and nomination fee shall not prevent the Electoral Commissioner from rejecting a nomination under this section.

51. MORE THAN ONE NOMINATION.

Where the Returning Officer receives more than one nomination from a person and the additional nominations have not been withdrawn, the Returning Officer is to accept the nomination submitted first in time.

52. DECLARATION OF NOMINATIONS.

The Returning Officer shall, at the hour of nomination-

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- (a) attend at the place of nomination for the electorate; and
- (b) there publicly produce all nomination papers and electronic advices of nominations received by him; and
- (c) declare the names, addresses and occupations of all candidates nominated.

PART IX. – CANDIDATE POSTER.

53. CANDIDATE POSTER.

(1) The Electoral Commission or a Returning Officer is to arrange the printing of a candidate poster within such time as the Electoral Commissioner determines after the declaration of nominations.

(2) A candidate poster shall contain-

- (a) the name of the electorate; and
- (b) the name of the election, whether it is a general election or a by-election; and
- (c) the names of all candidates contesting the election set out in the order determined by the draw done under Section 59; and
- (d) a candidate identification number beside a candidate name; and
- (e) in respect of a candidate endorsed by a registered political party-
 - (i) the name of the political party; and
 - (ii) the name of the political party leader; and
 - (iii) the photograph of the political party leader; and
- (f) in respect of a candidate who is not endorsed by a registered political party, the word “Independent”; and
- (g) any other features or information as the Electoral Commissioner considers desirable or necessary.

(3) Candidate identification numbers shall commence with number 10 in respect of the candidate appearing first on the candidate poster and consecutive numbers following the candidate numbered 10 in respect of each candidate appearing next until all candidates are so numbered.

(4) Entries or instructions on a candidate poster may be in English, Pidgin or Motu as determined by the Electoral Commission.

(5) A candidate poster is to be in Form 28.

54. POLITICAL PARTY LEADER.

(1) The name and photograph of a political party leader required under Section 53(2)(e)(ii) and (iii) shall be that of the Parliamentary Leader of the registered political party.

(2) If there is no Parliamentary Leader, the name and photograph of the President of the registered political party shall be used.

(3) Where there is dispute as to the person who is-

(a) the Parliamentary Leader; or

(b) the President,

of a registered political party, the Electoral Commission may seek and shall act on the advice of the Registrar of Political Parties.

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55. CANDIDATE PHOTOGRAPH.

(1) At such time as the Electoral Commission determines, before the issue of a writ for an election, by notice in a newspaper or other medium, the Electoral Commission may require any person intending to be a candidate in an election to supply to the Electoral Commission a photograph of the type specified in the notice.

(2) A person intending to be a candidate in an election shall supply to the Electoral Commission within the time set by the Electoral Commission a photograph of the type specified in the notice referred to under Subsection (1).

(3) If a photograph supplied by a candidate to the Electoral Commission does not comply with the set specifications, the Electoral Commission may-

- (a) reject the photograph so supplied and require the candidate to supply another photograph of the specification required within such time as the Electoral Commission determines; or
- (b) require a candidate to attend at such place as is determined by the Electoral Commission where a photograph of the type specified to be taken of the candidate.

(4) A candidate who is referred under Subsection (3)(b) for a photograph to be taken shall meet the cost associated with it.

56. CANDIDATE INFORMATION.

(1) A notice by the Electoral Commission published under Section 55(1) may include a request for candidates to supply to the Electoral Commission their personal particulars.

(2) A person intending to be a candidate shall supply to the Electoral Commission the personal particulars required under Subsection (1).

(3) The personal particulars shall be supplied in Form 29.

57. POLITICAL PARTY LEADER PHOTOGRAPH.

(1) At such time as the Electoral Commission determines before the issue of a writ for an election, by notice in a newspaper or other medium, the Electoral Commission may require

registered political parties intending to endorse candidates in an election, to supply to the Electoral Commission, photographs of the respective political party leaders of the type specified in the notice.

(2) A registered political party intending to endorse a candidate in an election shall supply to the Electoral Commission within the time determined by the Electoral Commission a photograph of the type specified in the notice referred to under Subsection (1).

(3) If a photograph supplied by a registered political party to the Electoral Commission does not comply with the set specifications, the Electoral Commission may-

- (a) reject the photograph so supplied and require the registered political party to supply another photograph of the specification required within such time as the Electoral Commission determines; or
- (b) require the political party leader concerned to attend at such place as is determined by the Electoral Commission where a photograph of the type specified to be taken of him.

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(4) A political party leader who is referred under Subsection (3)(b) for a photograph to be taken shall meet the cost associated with it.

58. POLITICAL PARTY INFORMATION.

(1) A notice by the Electoral Commission published under Section 57(1) may include a request for a registered political party to supply to the Electoral Commission-

- (a) the proper registered name of the party, the name of the Parliamentary Leader (if any), President, Secretary, Treasurer and public officer, together with details of current registered address, residential address, email

address, a current telephone contact number (including a mobile phone number) of the public officer that is manned and is operational; and

- (b) the personal particulars of the political party leader whose name and photograph will appear in the candidate poster.

(2) A registered political party intending to endorse candidates in an election shall supply to the Electoral Commission the information and personal particulars required under Subsection (1).

(3) A registered political party intending to endorse candidates in an election shall supply to the Electoral Commission an imprint of the proper seal of the political party and a clear imprint of the signature of the public officer.

(4) The information and personal particulars required under this section shall be in Form 30.

59. ORDER OF CANDIDATES ON CANDIDATE POSTER.

(1) The order of candidates to be printed on a candidate poster shall be determined as follows-

- (a) the Returning Officer shall, at the place of nomination, immediately after the close of nominations and before all persons present, make out in respect of each candidate a slip bearing the name of the candidate as shown on his nomination or the electronic advice on his nomination, enclose the respective slips in separate blank envelopes in a locked ballot-box; and
- (b) the Returning Officer shall then thoroughly shake and rotate the ballot-box and shall permit any other person, if he so desires, to do the same; and
- (c) the ballot-box shall then be opened and an officer shall take out and open the envelopes from the ballot-box one by one; and
- (d) the candidate whose name appears on the slip enclosed in the envelope first taken from the ballot-box shall be placed first on the candidate poster, the candidate whose name appears on the slip enclosed in the envelope

next taken from the ballot-box shall be placed next on the candidate poster, and so on until the placing of all the candidates has been determined.

(2) Where similarity in the names of two or more candidates is likely to cause confusion, the names of those candidates may be set out with such description or addition as will distinguish them from one another.

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60. PROVISION OF CANDIDATE POSTERS TO CANDIDATES.

(1) The Electoral Commission shall endeavour to print candidate posters as soon as possible after the declaration of nominations.

(2) The Electoral Commission is to provide to each candidate posters printed under this section in such quantity as the Electoral Commission determines after the candidate posters are printed.

61. USE OF CANDIDATE POSTERS IN CAMPAIGNING.

(1) Candidate posters provided by the Electoral Commission may be used by any candidate or registered political party to campaign during the campaign period.

(2) A candidate poster provided by the Electoral Commission or a document similar to it shall not be printed by any candidate, registered political party or any other person except as authorised by this Regulations.

(3) A person who, without the approval of the Electoral Commission, prints, copies or otherwise produces a candidate poster or a document similar to a candidate poster during the period between the issue of writs and end of polling is guilty of an offence.

Penalty: A fine not exceeding K200.00.

62. PRINTING OF CANDIDATE POSTERS BY CANDIDATES AND OTHERS.

(1) A candidate, registered political party or other person may apply to the Electoral Commission or a Returning Officer, for approval to print, at the cost of the person making the application, candidate posters for use in an election.

(2) An application under Subsection (1) is to be in Form 31.

(3) The Electoral Commission or Returning Officer may approve in writing for a candidate poster to be printed at the cost of an applicant under Subsection (1) by an approved printer.

(4) An approval under Subsection (3) shall be in Form 32.

(5) The Electoral Commission or the Returning Officer shall notify the approved printers of each approval given for printing of candidate posters under this section.

63. APPROVED PRINTERS.

(1) The Electoral Commission may approve and appoint such persons or companies carrying on printing business in Papua New Guinea as it considers reputable to print candidate posters.

(2) An approval under Subsection (1) shall be published in the National Gazette and a newspaper circulating throughout the country.

(3) An approved printer shall print candidate posters strictly under such conditions as the Electoral Commission sets in writing, and in particular, a printer shall-

- (a) print a candidate poster in exactly the same size, format and print as the candidate poster provided by the Electoral Commission under Section 60; and

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- (b) have endorsed at the end of the poster the words “commissioned by [candidate, registered political party or other person’s name], by authority of the Electoral Commission or the Returning Officer given in approval dated [insert date]”; and
- (c) any other conditions as the Electoral Commission determines for an approved printer to comply with.

(4) An approved printer who fails to comply with this Subsection (3) is guilty of an offence.

Penalty: A fine not exceeding K200.00.

64. OFFENCES RELATING TO CANDIDATE POSTERS.

A person-

- (a) who writes or puts any other mark on a candidate poster printed under Section 60 or 62 that is likely to confuse or mislead a voter; and

- (b) who displays, or in other ways causes such marked candidate poster to be brought to the view of voters in the relevant electorate during the period between the issue of writ and end of polling in an election,

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

PART X. – BALLOT-PAPER AND BALLOT-BOX.

65. BALLOT-PAPER.

(1) A ballot-paper shall have three spaces or boxes for a voter to indicate his preferences – 1, 2 and 3 – either by the prescribed candidate identification number or by candidate name.

(2) The size of the ballot-paper and the colour and type of paper used shall be as determined by the Electoral Commission.

(3) The Electoral Commission may in its discretion decide to include in a ballot-paper serial numbers and bar coding.

(4) The Electoral Commission may include in a ballot-paper instructions in English, Pidgin or Motu as it determines.

(5) A ballot-paper is to be in Form 33.

66. BALLOT-BOX.

(1) A ballot-box shall have a cleft in the cover through which ballot-papers may be deposited in the box, and shall be provided with means for securely closing the cleft so that,

when the cleft is so closed, no ballot-papers or other matters or things can be deposited in the box or withdrawn from it.

(2) A ballot-box shall be capable of being securely fastened with a lock.

(3) The Electoral Commission shall determine the type of material used to make a ballot-box and the size of a ballot-box.

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PART XI – VOTING BY POST.

67. VOTING BY POST.

(1) A Returning Officer may, together with a postal vote certificate and a ballot-paper under Section 100 of the Law, forward to an elector who has applied for postal vote certificate and postal ballot-paper a candidate poster where the Returning Officer considers that the elector is not familiar with the candidate names or codes.

(2) The Electoral Commission may publish candidate posters on the internet on its website for voters living abroad to consult.

(3) A postal vote certificate and declaration by an elector is to be in Form 34.

PART XII – VOTER IDENTIFICATION.

68. VOTER IDENTIFICATION SYSTEMS.

(1) The Electoral Commission or an authorised person may maintain and administer such manual, electronic or other identification systems as the Electoral Commission determines, to-

- (a) verify the identity of persons claiming a right to vote; and
- (b) prevent persons falsely claiming the identity or name entries of others on a Roll living or deceased to vote; and
- (c) prevent electors voting more than once; and
- (d) prevent other similar abuse in voting.

(2) Without limiting the number and types of systems that the Electoral Commission may determine under Subsection (1), the systems may include one, more or a combination of the following:-

- (a) marking voters by indelible ink; or
- (b) use of finger prints; or
- (c) use of identification cards for voters; or
- (d) use of photographic images; or
- (e) use of electronic identity cards or other similar instruments.

(3) The Electoral Commission may, in addition to the provisions made in this Regulation on voter identification systems, publish in the National Gazette further guidelines additional to this Regulation on the establishment, administration, management and use of one or more voter identification systems.

(4) The Electoral Commission may make and publish amendments to guidelines referred to in Subsection (3) as and when it considers this necessary.

(5) Guidelines made and published under Subsections (3) and (4) shall have the same status and effect as if the guidelines so made were part of this Regulation.

69. INDELIBLE INK.

The Electoral Commission may approve such indelible ink as it considers appropriate for use as provided under this Regulation.

70. MARKING FINGER WITH INDELIBLE INK.

(1) The Electoral Commission may determine that a marking system using

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indelible ink be used in an election to mark the fingers of persons who are issued with a ballot-paper.

(2) Where the Electoral Commission makes a determination under Subsection (1), a presiding officer or poll clerk is to require an elector who claims a right to vote to dip in ink at least one-quarter of the length of the finger prescribed under Subsection (3).

(3) The finger of an elector referred to in Subsection (2) shall be-

- (a) the little finger of his left hand, or if such little finger is missing, any other finger of his left hand; or
- (b) if all the fingers of his left hand are missing, the little finger of his right hand or, if such little finger is missing, any other finger of his right hand; or
- (c) if all the fingers of his right hand are missing, such extremity of his left or right hand as such voter possess.

71. PERSONS RECEIVING BALLOT-PAPER TO BE MARKED.

(1) A presiding officer or poll clerk is to first determine the right of an elector who attends at a polling booth to vote by asking the questions referred to under Section 134(1) of the Law and by verifying the name of the elector on the Roll.

(2) After complying with Subsection (1), the presiding officer or poll clerk is to mark the finger of the voter as referred to under Section 70(2) and allow time for the ink to properly dry.

(3) After the ink is dry, the presiding officer or poll clerk is to give to the voter a ballot-paper to mark his vote.

72. CERTAIN PARTICULARS TO BE RECORDED.

(1) Where a person claiming to vote-

(a) refuses to allow an inspection to his fingers under Sections 70 and 71; or

(b) refuses to allow the mark to be made under Section 71; or

(c) is found to have on his finger a mark which is, in the opinion of the presiding officer or a poll clerk, resembles a mark required under this Regulation,

the presiding officer is to prepare a report for the inspection of the Electoral Commission and the Returning Officer.

(2) A report under Subsection (1) is to specify –

(a) the name given by the person; and

(b) the reason why the report is made.

- (3) A person who –
- (a) refuses to allow an inspection of his fingers; or
 - (b) refuses to allow the mark to be made on his fingers; or
 - (c) presents himself to vote when he already has on his finger the indelible ink mark indicating that he has voted,

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

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73. FINGER PRINT.

The Electoral Commission may determine that a finger print system is to be used to identify voters.

74. VOTER TO GIVE PRINTS.

(1) The Electoral Commission may require electors to give to the Commission or to an authorised person such finger and palm prints as the Electoral Commission determines.

(2) The finger or palm prints may be given in such form and manner as determined by the Electoral Commission and, without limiting the generality of this provision, the print or prints may be provided on paper, the images taken on photograph, or by any electronic device such as computers.

(3) The Electoral Commission may require finger prints to be given under Subsection (1), either-

- (a) at any time prior to an election; or
- (b) during an election; or
- (c) some, at any time prior to an election, and some during an election.

75. MAINTAINING FINGER PRINT RECORDS.

(1) The Electoral Commission or an authorised person shall keep and manage the records of finger prints in such form and manner as considered appropriate.

(2) The Electoral Commission or an authorised person shall ensure that the records of finger prints:-

- (a) are kept safe and secure from unauthorised use; and
- (b) are not deliberately tampered with; and
- (c) are not used by any person for a reason other than for election related purposes and for the purpose referred to under Subsection (3).

(3) The Electoral Commission or an authorised person may permit access to the finger print records of any person for the purposes of investigating or prosecuting a criminal offence as permitted by the Law.

76. IDENTIFICATION OF VOTER PRIOR TO VOTING.

(1) Where the Electoral Commission determines that finger print identification be used to identify voters, a presiding officer or poll clerk is to-

- (a) determine the right of an elector who attends at a polling booth to vote by asking the questions referred to under Section 134(1) of the Law and by verifying the name of the elector on the Roll; and
- (b) require the voter to place his finger, fingers or palm on any material or instrument supplied; and

- (c) do such other things as are considered necessary and desirable to check and verify the finger prints of the voter against records held or to obtain the prints of the voter and record these on such material or instrument,

and on being satisfied that Paragraphs (a), (b), and (c) have been complied with, the presiding Officer or poll clerk is to determine if the voter is entitled to vote.

(2) Where a person claiming to vote refuses to allow his finger prints to be recorded or checked, the presiding officer or poll clerk is to prepare a report for the Electoral Commission and the Returning Officer.

- (3) A report under Subsection (1) is to specify –

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- (a) the name given by the person; and
- (b) the reason why the report is made.

- (4) A person who –

- (a) refuses to allow his finger prints to be taken; or
- (b) presents himself to vote under some name other than his name or in the name of another person or under a fictitious name; or
- (c) presents himself to vote when he has already voted,

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

77. PHOTOGRAPH IDENTIFICATION.

The Electoral Commission may determine that a photo identity card is to be used to identify voters.

78. VOTER TO GIVE PHOTOGRAPH.

(1) The Electoral Commission may require electors to provide a photograph or permit the Electoral Commission or an authorised person to obtain photographs of the face and neck part of the body as the Electoral Commission determines.

(2) The photograph is to be provided to the Commission or by an authorised person or to be taken of an elector by the Commission or authorised person in such form and in such manner as determined by the Electoral Commission.

(3) The Electoral Commission may require photographs to be provided or taken under this section either-

- (a) at any time prior to an election; or
- (b) during an election; or
- (c) some at any time prior to an election and others during an election.

79. IDENTIFICATION OF VOTER PRIOR TO VOTING.

(1) Where the Electoral Commission determines that photograph identification be used to identify voters, a presiding officer or poll clerk is to-

- (a) determine the right of an elector who attends at a polling booth to vote by asking the questions referred to under Section 134(1) of the Law and by verifying the name of the elector on the Roll; and
- (b) require the voter to allow a photograph to be taken of him; and
- (c) do such other things as are considered necessary and desirable to check and verify the identity of the voter against any records held or to obtain the photograph of the voter and record these on such material or instrument,

an on being satisfied that Paragraphs (a), (b), and (e) have been complied with, the presiding Officer or poll clerk is to determine if the voter is entitled to vote.

(2) Where a person claiming to vote refuses to allow a photograph to be taken or a photograph identification to be checked or recorded, the presiding officer or polling clerk is to prepare a report for the Electoral Commission and the Returning Officer.

(3) A report under Subsection (1) is to specify –

- (a) the name given by the person; and
- (b) the reason why the report is made.

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(4) A person who –

- (a) refuses to allow his photograph identification card or instrument to be checked or recorded; or
- (b) presents himself to vote under some name other than his name or in the name of another person or under a fictitious name; or
- (c) presents himself to vote when he has already voted,

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

80. AUTHORISED PERSON TO MAINTAIN IDENTIFICATION SYSTEM.

The Electoral Commission may in writing authorise any person to establish, maintain and administer any one or more of the voter identification systems and on such conditions as the

Electoral Commission determines and as provided under Sections 51A, 51B, 71A and 71B of the Law.

PART XIII– POLLING.

81. ARRANGEMENTS AT POLLING.

(1) A presiding officer is to ensure that all materials required for polling are available, including-

- (a) ballot-papers; and
- (b) ballot-box; and
- (c) candidate posters; and
- (d) voting compartments; and
- (e) indelible ink; and
- (f) such other materials as are required by the presiding officer.

(2) A presiding officer is in charge of polling at a polling place and where he is unavailable the assistant presiding officer is in charge.

82. CANDIDATE POSTER.

(1) A presiding officer or assistant presiding officer shall place at the polling place candidate posters in adequate numbers and at such prominent places as possible for voters to consult.

(2) A candidate poster displayed in a polling place shall not have on it a mark or writing (other than the approved printed contents) that is likely to influence voters on how to vote.

(3) A person who places a candidate poster at a polling place that contains a mark or writing (other than the approved printed content) that is likely to influence voters on how to vote is guilty of an offence.

Penalty: A fine not exceeding K200.00.

83. ASSISTANCE TO VOTERS.

(1) An elector is to mark his ballot-paper personally.

(2) An elector who is unable to mark his ballot-paper personally may seek the assistance of a relative or friend who is to accompany him to the voting compartment and the

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relative or friend may, in accordance with the elector's instructions, mark the ballot-paper for the elector.

(3) Where an elector does not have a friend or relative to assist him to mark his ballot-paper, he may seek the assistance of a policeman or the assistance of the presiding officer, assistant presiding officer or poll clerk.

(4) Where a ballot-paper is marked for an elector, the person marking the ballot-paper shall mark the ballot-paper in strict compliance with the elector's instructions as to the three candidates the elector wishes to give his first, second and third preference votes.

(5) A person assisting an elector under this section who fails to mark a ballot-paper in compliance with the elector's instructions is guilty of an offence.

Penalty: A fine not exceeding K200.00.

(6) An elector may present to a presiding officer or other polling officer a list indicating the names of the three candidates that the elector wants to vote and upon receipt of such a list and in the presence of another polling officer, the presiding officer or other polling officer shall read the candidates names on the list and confirm if the voter wishes to mark votes for these candidates and in the order of preference so indicated and only after this can the presiding officer or other polling officer complete a ballot-paper for the elector in accordance with the electors instructions.

84. DECLARATION WHERE NAME HAS BEEN MARKED.

(1) A voter shall, before he is permitted to vote under Section 141 of the Law, make a declaration in Form 35.

(2) A voter shall, before he is permitted to vote under Section 142(1) of the Law, make a declaration in Form 36.

85. PRESERVATION OF BALLOT-PAPERS.

(1) At the end of the polling period, a presiding officer at each polling place is to-

- (a) place the certified list of voters for the polling place in a sealed parcel; and
- (b) endorse on the parcel a description of its contents; and
- (c) transmit to the Returning Officer the parcel with the least possible delay.

(2) All cast ballot-papers, unused ballot-papers, certified list of voters and declarations in connection with an election shall be preserved by the Returning Officer until the election can no longer be questioned.

86. PRESIDING OFFICER TO RETURN ELECTION MATERIALS.

(1) A presiding officer is to properly complete all election forms and documents that he is required to complete and, at the end of polling, return these together with the ballot-box to the Returning Officer.

(2) A presiding officer and assistant presiding officer are not to be paid their allowances or other remuneration payable to them for conducting polling until all electoral documents are properly completed and returned to the Returning Officer together with other electoral materials.

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87. CONVEYANCE OF BALLOT-BOX.

Where police are available to assist in polling in a polling place, the conveyance of a ballot-box from a place of polling to a counting centre or a holding place for counting is to be conveyed in the presence of police.

PART XIV – SCRUTINY.

88. APPOINTMENT OF SCRUTINY OFFICIALS.

A Returning Officer shall ensure that a person appointed as a counting official to count votes at a counting centre-

- (a) does not hold an office in a registered political party; and
- (b) is not a member of the Parliament representing the electorate; and
- (c) is not a member of a provincial government assembly or local-level

government representing the electorate concerned; and

- (d) has not been a candidate in a national election or local-level government election in the electorate concerned; and
- (e) is not closely related by blood or marriage to a person referred to under Paragraphs (a), (b), (c) or (d); and
- (f) is not so obviously closely associated with a person referred to under Paragraphs (a), (b), (c) or (d).

89. SCRUTINY PROCEDURES.

(1) In a scrutiny, a Returning Officer, Assistant Returning Officer or other person appointed to be in charge of scrutiny is to conduct the scrutiny by following as much as possible the procedures set out here-below-

- (a) in the presence of the presiding officer or other polling officer and authorised scrutineers as are present and any other person as approved by the Returning Officer, the Returning Officer, Assistant Officer or other person appointed to be in charge of scrutiny, is to-
 - (i) receive into scrutiny a ballot-box at a time in the order determined by the Returning Officer, Assistant Returning Officer or other person in charge of scrutiny; and
 - (ii) identify and confirm the ballot-box as having been used at the polling, its seals and locks, or some of them, are intact; and
 - (iii) open the ballot-box and remove ballot-papers; and
 - (iv) determine and reject informal ballot-papers and arrange the unrejected ballot-papers under the names of the respective candidates by placing in separate trays or parcels all those on which a first preference is indicated for the same candidate; and
 - (v) count the first preference votes on the unrejected ballot-papers; and
 - (vi) make out and sign a statement (which may be counter-signed by the presiding officer, poll clerk or officer present and, if they so desire, by such scrutineers as are present) setting out the number of first preference votes given for each candidate, and the number of informal ballot-papers; and

- (vii) record the number of votes received by each candidate onto a tally sheet (kept manually or electronically by computer); and
- (viii) place the unrejected ballot-papers counted to each candidate in separate parcels in a box labelled for each candidate; and
- (ix) place in a separate parcel all the ballot-papers which have been rejected as informal and place this in a box for keeping informal votes; and

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Electoral Laws (National Elections)

- (b) receive and deal with each ballot-box under Paragraph (a); and
- (c) after dealing with the last ballot-box in the manner described in Paragraphs (a) and (b), tally the first preference votes recorded to each candidate; and
- (d) go through each box holding ballot-papers counted to each candidate and re-check the ballot-papers and figures recorded and correct any mistakes made and tally the first preference votes recorded to each candidate again; and
- (e) after a re-check count under Paragraph (d), determine if a candidate has received an absolute majority of votes (50 percent plus 1 of the unrejected votes) to be declared elected; and
- (f) if there is no candidate who receives an absolute majority of first preference votes, a second count is to be held in accordance with the provisions of Section 168 of the Law.

(2) If, during the count, an objection is raised by a scrutineer or presiding officer, poll clerk or other electoral officer, on any aspect of a scrutiny including on a consideration or decision as to whether a ballot-paper is formal or informal, the decision of a Returning Officer, Assistant Returning Officer or other approved person in charge of scrutiny is final.

90. OBJECTION TO ADMISSION OF BALLOT-BOX TO SCRUTINY.

(1) A scrutineer who wishes to object to a ballot-box being admitted to scrutiny shall lodge the objection in writing with their reasons to the Returning Officer or Assistant Returning Officer.

(2) An objection under Subsection (1) is to be made by a scrutineer who was present at the polling place where the ballot-box was used for polling.

(3) A candidate who did not have a scrutineer at a polling place where a ballot-box is used for polling and who wishes to object to the ballot-box from being admitted to scrutiny shall lodge the objection in writing with the Returning Officer or Assistant Returning Officer.

(4) A scrutineer or candidate who lodges an objection under Subsection (1) or (3) shall state in a statutory declaration the facts supporting the objection.

(5) An objection under this section shall be made within three days of the end of polling or within such further period as the Returning Officer or Assistant Returning Officer extends.

(6) A Returning Officer or Assistant Returning Officer, upon receipt of an objection under Subsection (1) or (3), shall register the objection and may require the presiding officer, other polling officials or such other person as he considers necessary to comment on or respond to the objection in writing.

(7) The Returning Officer or Assistant Returning Officer is to receive a ballot-box the subject of an objection under this section at the scrutiny centre and is to make a decision on the objection as to whether or not the ballot-box will be admitted to scrutiny.

(8) A decision of a Returning Officer or Assistant Returning Officer on an objected ballot-box made under Subsection (7) shall not be challenged other than by way of petition.

(9) The Electoral Commissioner may require a Returning Officer or Assistant Returning Officer not to make a decision on an objection under this section, until the Electoral

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Electoral Laws (National Elections)

Commissioner or other person acting under the Electoral Commissioners authority for the purpose reviews an objection.

(10) Where an objection is reviewed under Subsection (9), the Electoral Commissioner may direct a Returning Officer or Assistant Returning Officer to accept or not to accept a ballot-box into scrutiny and a Returning Officer or Assistant Returning Officer is to give effect to such direction.

PART XV. – ELECTRONIC SCRUTINY.

91. INTERPRETATION.

In this Part-

“approved electronic scrutiny system” means an electronic scrutiny system
approved under Section 92;

“electronic scrutiny system” means a computer programme designed to perform all
or some of the steps required in a scrutiny as provided by law.

92. APPROVED ELECTRONIC SCRUTINY SYSTEM.

(1) The Electoral Commission may approve an electronic scrutiny system to be used in a scrutiny.

(2) An electronic scrutiny system approved by the Electoral Commission must be programmed to comply with the provisions of the Law and this Regulation taking into account the scrutiny rules and in particular as regards-

- (a) the count of first preference votes; and
- (b) if necessary, the count of next preference votes; and
- (c) the exclusion of candidates (including the resolution of draws between the candidates to be excluded); and
- (d) the election of a candidate (including the resolution of a draw between the remaining two candidates to be elected).

(3) An electronic scrutiny system may have such report producing features as determined by the Electoral Commission.

(4) The Electoral Commission shall publish in the National Gazette at least 14 days before an approved electronic system is used the main features of the approved electronic system and the necessary procedures involved in its use.

93. RETURNING OFFICER TO AUTHORISE USE OF ELECTRONIC SCRUTINY SYSTEM.

(1) Subject to Subsection (3), a Returning Officer may, where he considers it desirable, authorise that a scrutiny or a part of a scrutiny be done using an approved electronic scrutiny system.

(2) Where an approved electronic scrutiny system is used in a scrutiny, no changes are to be made to the electronic scrutiny system unless approved in writing by the Electoral Commissioner.

(3) The Electoral Commissioner may direct that-

- (a) a scrutiny or a part of a scrutiny be done using an approved electronic scrutiny system; or

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Electoral Laws (National Elections)

- (b) a scrutiny or a part of a scrutiny not be done using an approved electronic scrutiny system.

94. DEMAND FOR RE-COUNT.

(1) Within 24 hours of a declaration of result, a candidate may, where the result was determined following scrutiny or part of a scrutiny done by an approved electronic scrutiny system, demand that a re-count be done without the electronic scrutiny system.

(2) A demand for a re-count under Subsection (1) shall relate to the whole of the count unless the Returning Officer or Assistant Returning Officer determines that a re-count without the electronic scrutiny system can reasonably and conveniently be done on a part of the count.

(3) Upon receipt of a demand under Subsection (1), a Returning Officer or Assistant Returning Officer is to-

- (a) provide to the candidate making the demand an estimate of how much it will cost to conduct a re-count under this section, detailing all costs including the likely cost of-
 - (i) hire of venue (if any); and
 - (ii) allowances payable to counting officials; and
 - (iii) allowances payable to police or other personnel providing security; and
 - (iv) transport; and

- (v) telephone communication; and
 - (vi) hiring of other equipment; and
 - (vii) such other costs as the Returning Officer or Assistant Returning Officer determines; and
- (b) prescribe such period, being not less than 24 hours, for the candidate to pay the deposit or provide a guarantee from a bank.

(4) The candidate who has demanded a re-count under this section is to pay to the Electoral Commission by bank check or by guarantee from a financial institution acceptable to the Electoral Commission a deposit of the full amount stated in the quotation provided under Subsection (3) within the period set by the Returning Officer or Assistant Returning Officer providing the quotation.

(5) Where a re-count is done under this section as demanded by a candidate, any cost incurred over and above the deposit referred to in Subsection (4) may be recovered from the candidate as a debt if the result does not change.

(6) The whole of the deposit paid under this section is to be refunded to the candidate demanding the re-count only if the result is changed by the re-count.

(7) A demand by a candidate under Subsection (1) is to be made in Form 37.

(8) A quotation for a deposit under Subsection (3) is to be in Form 38.

PART XVI – RETURN OF WRIT.

95. RETURN OF COPY OF WRIT.

(1) Where it is difficult or impractical for a Returning Officer to return a Writ to the Electoral Commission in time for it to be returned to the Head of State, the Returning Officer

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Electoral Laws (National Elections)

may send the Writ by facsimile to the Electoral Commission, and with the endorsement referred to in Subsection (2), the Electoral Commission may return the facsimile copy of the Writ to the Head of State.

(2) The Electoral Commission may endorse on a copy of a writ received under Subsection (1) the words “This is a true copy of the Writ for the (name electorate) received from the Returning Officer (name Returning Officer)” and this endorsement shall be witnessed by a Commissioner for Oaths.

(3) The return of a copy of a certified true Writ to the Head of State under Subsection (1) shall have the same effect as if the copy were the Writ.

(4) The Electoral Commissioner shall forward to the Head of State the Writ referred to in this section upon its receipt.

PART XVII – PROSECUTION FOR OFFENCES.

96. PROSECUTION FOR OFFENCES BY ELECTORAL COMMISSION.

The Electoral Commission may prosecute an offence-

- (a) referred to under Section 178(4) of the Law; and
- (b) under this Regulation.

97. APPROVAL OF THE PUBLIC PROSECUTOR.

The Electoral Commission may seek the approval of the Public Prosecutor to prosecute an offence referred to under Section 96 with respect to-

- (a) an offence; or
- (b) a category or class of offences; or
- (c) offences arising from an election; or
- (d) all electoral or election-related offences.

98. PROSECUTION FOR OFFENCES GENERALLY.

(1) The Electoral Commission is to commence and prosecute offences in accordance with this Part and as otherwise provided by law.

(2) A prosecution under this Part may be commenced, prosecuted and proceeded with in the National Court, whether by way of committal or otherwise, and in accordance with rules of practice established by the Court or in accordance with directions of the Court or a judge.

(3) A prosecution under this Part may be prosecuted in the District Court in accordance with the rules of practice applicable in the Court.

99. INFORMATION, ETC., TO BE VALID IF IN WORDS OF OFFENCE.

All informations, summonses, convictions and warrants shall suffice if the offence is set forth as nearly as may be in the words of the Law or this Regulation.

100. NO OBJECTION FOR INFOMALITY.

(1) An objection shall not be taken or allowed to any information or summons for any alleged defect in the information or summons in substance or in form or for any variance between the information or summons and the evidence adduced at the hearing in support of the information or summons, and the court shall at all times make any amendment necessary to determine the real question in dispute or which may appear desirable.

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Electoral Laws (National Elections)

(2) If any such defect or variance appears to the court to be such that the defendant has been deceived or misled, it is lawful for the court, upon such terms as it thinks just, to adjourn the hearing of the case to a future day.

101. APPEARANCE BY ELECTORAL COMMISSION.

(1) In an action, prosecution or other proceeding in any court by the Electoral Commission, the Electoral Commission may appear by an employee of the Commission or by a lawyer.

(2) The appearance of a person referred to in Subsection (1) and his statement that he appears by authority of the Electoral Commission are sufficient evidence of that authority.

PART XVIII. – OFFENCES.

102. INELIGIBILITY TO HOLD PUBLIC OFFICE.

(1) Where a Court imposes a penalty under the Law ordering that a person convicted of an offence is ineligible or disqualified to hold elective public office or being employed in the Public Service, in a provincial government or in a local-level government under Sections 53, 69, 178 and 289 of the Law, the Court shall forward a copy of the order to-

- (a) the Department responsible for public service matters; and
- (b) the Department responsible for provincial and local-level government affairs; and

(c) the Electoral Commission.

(2) Where a Court imposes a penalty under Section 96B of the Law, the Court shall forward a copy of the order to the Clerk of Parliament and to the Electoral Commission.

PART XIX. - MISCELLANEOUS.

103. FORMS.

(1) The Electoral Commission may modify the forms as and when necessary to meet changing needs and circumstances.

(2) The forms required under this Regulation are to be called Regulation Forms or by the abbreviation “R Forms.”

(3) The Electoral Commissioner may approve other forms to be used for any purpose in the management and administration of elections, which forms are to be referred to as Electoral Commission Forms or by the abbreviation “EC Forms.”

104. REPEAL.

The *National and Local-level Government Electoral Regulation 1997* is repealed.

Electoral Laws (National Elections)

SCHEDULE

Law.Sect.19
Reg.Sec.5(2)

Form 3

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

*Organic Law on National and Local-level Government
Elections*

APPOINTMENT OF RETURNING OFFICER

National Parliament Elections

The Electoral Commission, by virtue of the powers conferred by Sections 19 and 20 of the *Organic Law on National and Local-level Government Elections*, hereby appoints

(Name of Officer)

[] as Returning Officer,

[] to perform duties of Returning Officer during the period of:-

- (a) vacancy in that office from _____ to _____; or
(b) absence from duty of the Returning Officer from _____ to _____;
for the following electorates:-

1. _____

2. _____

3. _____

Electoral Commissioner

Dated the ____ day of _____ 20 _____.

Acknowledgement of Appointment

I, _____ accept this appointment and undertake to perform

(insert name)

the duties of Returning Officer faithfully and in full compliance with the requirements of the *Organic Law on National and Local-level Government Elections* and the *Regulations*.

(Returning Officer's signature)

Dated the _____ of _____ 20 _____.

Electoral Laws (National Elections)

Law.Sec.20
Reg.Sec.6(2)

Form 4

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law on National and Local-level Government
Elections***

**APPOINTMENT OF ASSISTANT RETURNING
OFFICER**

National Parliament Elections

The Electoral Commission, by virtue of the powers conferred by Section 20 of the *Organic Law on National and Local-level Government Elections*, hereby appoints

(Name of Officer)

[] Assistant Returning Officer,

[] perform duties of Assistant Returning Officer during the period of:-

(a) vacancy in that office from _____ to _____; or

(b) absence from duty of the Assistant Returning Officer from _____ to _____;

for the following part(s) of the electorate:-

(Name of Electorate)

*(Name of part(s) of Electorate to
which appointment relates)*

Electoral Commissioner

Dated the ____ day of _____ 20 _____.

Acknowledgement of Appointment

I, _____ accept this appointment and undertake to perform

(Insert name)

the duties of Assistant Returning Officer faithfully and in full compliance with the requirements of the *Organic Law on National and Local-level Government Elections* and the *Regulations*.

(Assistant Returning Officer's signature)

Dated the _____ of _____ 20 _____.

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Electoral Laws (National Elections)

Law.Sec.19,118

Form 5

Reg.Sec.7,8,9

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

*Organic Law on National and Local-level Government
Elections*

APPOINTMENT OF POLLING OFFICIAL

National Parliament Elections

The Returning Officer/Assistant Returning Officer, by virtue of the powers conferred by Sections 19 and 118 of the *Organic Law on National and Local-level Government Elections* and by Sections 7, 8 and 9 of the Regulations, hereby appoints

(Insert Name of Polling Official)

- Presiding Officer,
- Assistant/Substitute Presiding Officer
- Poll Clerk
- Door Keeper
- Interpreter

(tick whichever is applicable and delete others)

at the polling place on the date and time hereunder indicated:-

Polling place: _____

Date: _____

Time: _____

Name of Returning Officer

Dated the _____20_____.

Acknowledgement of Appointment

I, _____ accept this appointment and undertake to perform

(insert name)

the lawful duties of a polling officer faithfully and in full compliance with the requirements of the *Organic Law on National and Local-level Government Elections* and the Regulations.

(Signature)

Dated the _____ of _____ 20 _____.

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Electoral Laws (National Elections)

Law.Sec.127
Reg.Sec.12(3)

Form 6

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law on National and Local-level Government
Elections***

APPOINTMENT OF SCRUTINEER

National Parliament Elections

.....electorate general election/by-election.

I am a candidate in the above mentioned election, and I hereby appoint the person whose name appears below as my scrutineer at the polling place/scrutiny centre listed below.

(Name of candidate)

(Date)

Name of Scrutineer: _____

Polling Place/Scrutiny Centre: _____

Acknowledgement of Appointment

I, _____, will serve as the scrutineer for the above named

(insert name)

candidate in the named election and I undertake to perform the dut

ies of a scrutineer in full compliance with the requirements of the *Organic Law on National and Local-level Government Elections and the Regulations*.

(Scrutineers signature)

Dated the _____ of _____ 20 _____.

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Electoral Laws (National Elections)

Law.Sec.53
Reg.Sec.18(2)

Form 7

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law On National and Local-level Government
Elections***

APPOINTMENT OF ENROLMENT AGENT

National Elections

The Electoral Commission, by virtue of the powers conferred by Section 53 of the *Organic Law on National and Local-level Government Elections* and Section 18 of the Regulation hereby appoints the person named as an enrolment agent for the ward of the electorate described and for the period indicated.

Name of agent: _____

Ward/electorate: _____

Period: _____

Signature: _____

Name: _____

Electoral Commission.

Dated the ____ of _____ 20____.

Acknowledgement of Appointment

I, _____ will serve as an enrolment agent for the above

(insert name)

named ward/electorate and I undertake to perform the duties of enrolment agent faithfully in full compliance with the requirements of the *Organic Law on National and Local-level Government Elections and the Regulations*.

(Enrolment agent's signature)

Dated the _____ of _____ 20 _____.

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Electoral Laws (National Elections)

Law.Sec.53

Form 8

Reg.Sec.18(7)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

Organic Law On National and Local-level Government Elections

REVOCATION OF APPOINTMENT OF ENROLMENT AGENT

National Elections

The Electoral Commission revokes the appointment of the persons(s) named below as enrolment agent(s) for the ward(s) of the electorate(s) described, effective on the date of this notice.

Name of enrolment agent	Ward	Electorate
1.		
2.		
3.		
4.		
5.		

(Signature)

(Name)

Dated the ____ of _____ 20__.

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Electoral Laws (National Elections)

Law Sec.57

Form 9

Reg.Sec.25(5)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

Organic Law on National and Local-level Government Elections

NOTICE TO PERSON ALLEGED TO HAVE FAILED TO COMPLY WITH SECTION 57 OF THE ORGANIC LAW ON NATIONAL AND LOCAL-LEVEL GOVERNMENT ELECTIONS

To: _____

(Insert name and address)

1. It appears that you have failed to comply with the provisions of Section 57 of the Law concerning *(tick whichever is applicable and delete others) :-*
 - enrolment,
 - transfer of enrolment,
 - change of address.

2. An offence against Section 57 carries a fine not exceeding –
 - (a) K10.00 for a first offence; and
 - (b) K25.00 for any subsequent offence.

3. Please complete the declaration on the back of this notice and return it to me promptly at the address shown at paragraph (7), below.

4. If your reply is satisfactory, no further action will be taken, and no further notice will be sent to you.

5. If your reply –
- (a) is not received within 21 days of the date of this notice; or
 - (b) is unsatisfactory,
- you may be prosecuted.
6. If you have completed a declaration, and proceedings are instituted, your declaration will be produced as evidence in the proceedings.
7. Address where notice is to be returned to: _____
- _____

Returning Officer

Electorate

Dated the ____ of _____ 20 ____.

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law on National and Local-level Government
Elections***

**DECLARATION IN REPLY TO NOTICE OF ALLEGED FAILURE TO COMPLY
WITH SECTION 57 OF THE ORGANIC LAW ON NATIONAL AND LOCAL-LEVEL
GOVERNMENT ELECTIONS**

To: Returning Officer/Assistant Returning Officer

(Insert name and address)

I, _____ declare that –

(Insert name)

- my non-enrolment is not in consequence of my failure to comply with the provisions of Section 57 of the Law;
- I did not know, and had no reasonable opportunity of knowing, that my name was not on the Roll for which I am entitled to be enrolled;

- the reasons for not being aware are *(here state reason(s))*:

(Personal Signature or mark of declarant)

(Date)

WITNESS

I, the undersigned, being an elector, or qualified to be an elector, certify that I have seen the person making this declaration sign the declaration.

(Personal Signature of witness)

(Witness name)

Dated the ____ of _____ 20 ____.

Electoral Laws (National Elections)

Law Sec 55,57

Form 11

Reg.Sec.27

(Side 1)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

Organic Law on National and Local-level Government Elections.

CLAIM FOR ENROLMENT

(NOTE: Before competing this form you must read over the page).

To the Returning Officer for _____ Electorate.

(insert electorate name)

1. I make application for enrolment.

Given name(s):

Surname i.e., family
name: _____

Age (in years): _____ Date of Birth (if known):

Gender: _____ Occupation:

Place of residence:

Province: _____ District:

LLG: _____ Ward:

Location (Village/Suburb/Locality):

Lot No: _____ Section No: _____ Street name:

2. I, the claimant named above, state that:

Please tick []

- I am a citizen of Papua New Guinea. Yes[] No[]
- I have lived in the electorate for at least the last six months. Yes[] No[]
- I am at least 18 years of age. Yes[] No[]
- I am not under sentence of death or sentence of imprisonment for a period of more than nine months. Yes[] No[]
- I have not, in the last three years, been convicted of an offence

- relating to elections prescribed by an Organic Law or an Act of
the Parliament for the purposes of Section 50(1)(b) *Constitution*. Yes[] No[]
- I am of full capacity. Yes[] No[]
 - I am not now enrolled on the Roll for this or any other Electorate. Yes[] No[]
]

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Electoral Laws (National Elections)

3. I hereby claim enrolment as an elector and I declare that all of the statements made in this claim are true to the best of my knowledge and belief.

(Personal signature or mark of a claimant)

Dated the _____ of _____ 20 ____

WITNESS

(NOTE: The witness must not sign his name until he has read the instructions below).

I, the undersigned, am an elector or am qualified to be an elector, and certify that I have seen the above-named claimant sign the above claim, and that I either know the statements made by him to be true or have satisfied myself by asking the claimant, or in some other way, that they are true.

(Personal signature of witness who is an elector)

Occupation: _____

Address: _____

Dated the ____ of _____ 20____.

TO BE FILLED IN BY RETURNING OFFICER.

Rec'd (date): _____ Reg'd (date): _____ Ack'd (date): _____

INSTRUCTIONS AND WARNINGS.

1. Instructions to Claimant

The claimant, when filling in his place of residence, must state any house number, Lot and Section numbers, name of house, name of street, suburb and home or name of village or settlement, ward, LLG, District (previously sub-District) and province.

2. Warning to Claimants

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Electoral Laws (National Elections)

A claimant who knowingly makes a false statement on this form may be imprisoned for up to two years.

Any person who signs the name of another person as claimant may be fined up to K200.00.

3. Warning to Witness

A witness who knowingly makes a false statement on this form may be imprisoned for up to two years.

A witness who –

- (a) signs as witness on this form when it has not been completed and signed by the claimant;
or
- (b) signs this form as witness when he has not seen the claimant sign it; or
- (c) signs any one else's name or a name not being that of the witness on this form; or
- (d) signs this form without first being satisfied, by asking the claimant in this form are true, unless he knows they are true,

is liable to a fine not exceeding K400.00 under Section 55(7) of the Law.

(Note: Claims for enrolment forms and envelopes in which the forms may be sent post free to the Returning Officer may be obtained at any Electoral Office).

Electoral Laws (National Elections)

Law Sec.57(1)

Reg.Sec.28(2)

Form 12

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law On National and Local-level Government
Elections***

CLAIM FOR TRANSFER OF ENROLMENT.

(Note: Before completing this form you must read the instructions over the page).

To: The Returning Officer,

_____ Electorate.

(Insert electorate name)

1. I am enrolled on the Roll for the _____ as follows:-

(insert electorate name currently enrolled)

- Elector ID number: _____
- Given name: _____
- Surname or family name: _____
- Age: _____ Sex: _____
- Occupation: _____

● Address: _____

2. I request you to transfer my enrolment to your electorate on the grounds that I have resided in that electorate for at least the last six months, and I have not been disqualified, and I submit the following particulars: -

● Given name(s): _____

● Surname i.e., family name: _____

● Age (in years): _____ Date of birth (if known): _____

● Gender: _____ Occupation: _____

● Address: _____

● Place or residence:

● Province: _____ ● District: _____

● LLG: _____ ● Ward: _____

● Location (Village/Suburb/Locality): _____

● Lot No: _____ Section No: _____ Street name: _____

(Personal signature or mark of claimant)

Dated the ____ of _____ 20__.

(Side 2)

WITNESS

(NOTE: The witness must not sign his name until he has read the instructions below).

I, the undersigned, am an elector or am qualified to be an elector, and certify that I have seen the above-named claimant sign the above claim, and that I either know the statements made by him to be true or have satisfied myself by asking the claimant, or in some other way, that they are true.

(Signature)

(Address)

Name: _____

Occupation: _____

ACTION BY RETURNING OFFICER

Date received: _____ Date registered: _____ Date acknowledged: _____

INSTRUCTIONS & WARNINGS

1. **Instructions to Claimant**

The claimant, when filling in his place of residence, must state any house number, Lot and Section numbers, name of house, name of street, suburb and town or name of village or settlement, District, LLG (previously sub-District) and province.

2. **Warning for Claimants**

A claimant who knowingly makes a false statement on this form may be imprisoned for up to two years.

3. **Warning for witness**

A witness who knowingly makes a false statement on this form may be imprisoned for up to two years.

A witness who –

- (a) signs as witness on this form when it has not been completed and signed by the claimant; or
- (b) signs this form as witness when he has not seen the claimant sign it; or

Electoral Laws (National Elections)

- (c) signs anyone else's name or a name not being that of the witness on this form; or
- (d) signs this form without first being satisfied, by asking the claimant or in some other way, that the statements made by the claimant in this form are true, unless he knows they are true,

is liable to a fine not exceeding K400.00.

4. Note: Claims for enrolment forms and envelopes in which the forms may be sent post free to the Returning Officer may be obtained at any Electoral Office.

Electoral Laws (National Elections)

Law Sec.58(1)(c)
Reg.Sec.28(4)

Form 13

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

*Organic Law on National and Local-level Government
Elections*

NOTICE OF TRANSFER OF ENROLMENT

To: The Returning Officer,

_____ Electorate.

(Insert Electorate name)

As each elector whose particulars are shown in the Schedule has now been enrolled for this electorate pursuant to a claim for transfer of enrolment, you are required to remove his/their name(s) from the Roll kept by you.

SCHEDULE

No.	Surname or family name	Given name	Occupation	Sex	Previous Address Province, District, LLG, Ward, village/Suburb/Locality, Lot, Section, Street

Returning Officer for _____

(insert electorate name)

Name: _____ Signature: _____

Dated the ____ of _____ 20 ____.

ACTION TAKEN ON RECEIPT OF NOTICE

Names removed	No. on Roll if printed or date of enrolment (if	Remarks (if any)

	any)	

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Electoral Laws (National Elections)

Law Sec.62

Form 14

Reg.Sec.29(3)

(Side 1)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law On National and Local-level Government
Elections***

**CLAIM FOR ALTERATION OF ENROLLED ADDRESS WITHIN SAME
ELECTORATE OR FOR ALTERATION OF INCORRECT PARTICULARS SHOWN
ON ROLL**

To: The Returning Officer,

_____ Electorate.

(electorate name)

(1) I am enrolled on the Roll for the above Electorate as follows: -

- Elector ID number: _____

- Occupation: _____
- Sex: _____
- Address: _____
- Place of Residence: _____
- District: _____
- LLG: _____
- Ward: _____
- Village/Suburb/Locality: _____
- Lot: _____ Section: _____ Street: _____

2. I request you to alter my enrolment to the following:-

- Province: _____ ● District: _____
- LLG: _____ ● Ward: _____
- Location (Village/Suburb/Locality): _____
- Lot No: _____ Section No: _____ Street name: _____

 (Personal signature or mark of claimant)

Dated the ____ day of _____
20__.

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Electoral Laws (National Elections)

WITNESS

(NOTE: The witness should not sign his name until he has read the instructions on the reverse side).

I, the undersigned, am an elector or am qualified to be an elector, and certify that I have seen the above-named claimant sign the above claim, and that I either know the statements made by him to be true or have satisfied myself by asking the claimant, or in some other way, that they are true.

Personal Signature of Witness: _____

Name: _____

Address:

Occupation: _____

ACTION BY RETURNING OFFICER

Date received: _____ Date registered: _____ Date acknowledged:

Returning Officer

Date the ___ of _____ 20 __.

Side 2.

INSTRUCTIONS AND WARNING.

1. Instructions.

The claimant, when filling in his place of residence, must state any house number, Lot and Section numbers, name of house, name of street, suburb and town or name of village or settlement, District, LLG (previously sub-District) and province.

2. Warning for Claimants.

A claimant who knowingly makes a false statement on this form may be imprisoned for up to two years.

3. Warning for witness.

Any person who signs the name of another person as claimant may be fined up to K400.00.

WARNING FOR WITNESS.

A witness who knowingly makes a false statement on this form may be imprisoned for up to two years.

A witness who –

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Electoral Laws (National Elections)

- (a) signs as witness on this form when it has not been completed and signed by the claimant;
or
- (b) signs this form as witness when he has not seen the claimant sign it; or
- (c) signs any one else's name or a name not being that of the witness on this form; or
- (d) signs this form without first being satisfied, by asking the claimant in this form are true, unless he knows they are true,

is liable to a fine not exceeding K400.00.

NOTE: Claims for enrolment forms and envelopes in which the forms may be sent post free to the Returning Officer may be obtained at any Electoral Office.

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Electoral Laws (National Elections)

Law Sec.56
Form 15

Reg.Sec.31(2)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

***Organic Law on National and Local-level Government
Elections***

CLAIM FOR PROVISIONAL ENROLMENT.

(NOTE: Read the instructions on the reverse side before completing this form).

To: Returning Officer,

..... Electorate.

1. I make application for provisional enrolment.

Name:

Surname or family
name:

Age: _____ Sex: _____

Occupation:

Place of residence:

Province: _____

District: _____

LLG: _____

Ward: _____

Village/Suburb/Locality: _____

Lot: _____ Section: _____ Street:

2. I will turn 18 years of age on _____ and I will be eligible to vote in the general/by –
election
(insert date)
likely to be held by _____.
(insert date)

3. I, the claimant named above, state that: Please tick []
- I am a citizen of Papua New Guinea. Yes[] No[]
 - I have resided in the electorate for at least the last six months. Yes[] No[]
 - I am not under sentence of death or sentence of imprisonment for a period
of more than nine months. Yes[] No[]
 - I have not, in the last three years, been convicted of an offence relating to
elections prescribed by an Organic Law or an Act of the Parliament for the
purposes of Section 50(1)(b) *Constitution*. Yes[] No[]

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Electoral Laws (National Elections)

- I am of full capacity. Yes[] No[]
- I am not now enrolled on the Roll for this or any other Electorate. Yes[] No[]

I hereby claim enrolment as an elector and I declare that all of the statements made in this claim are true to the best of my knowledge and belief.

(Personal signature or mark of claimant)

Dated the _____ of _____ 20 ____

WITNESS

(NOTE: The witness must not sign his name until he has read the instructions on the reverse side).

I, the undersigned, am an elector or am qualified to be an elector, and certify that I have seen the above-named claimant sign the above claim, and that I either know the statements made by him to be true or have satisfied myself by asking the claimant, or in some other way, that they are true.

(Personal signature of witness)

Occupation: _____

Address: _____

Dated the ____ of _____ 20____.

ACTION BY RETURNING OFFICER.

Date received: _____ Dated registered: _____ Date acknowledged:

SIDE 2.

INSTRUCTIONS AND WARNINGS.

1. Instructions to Claimant

The claimant, when filling in his place of residence, must state any house number, Lot and Section numbers, name of house, name of street, suburb and home or name of village or settlement, Ward, District, LLG (previously sub-District) and province.

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Electoral Laws (National Elections)

2. Warning to Claimants

A claimant who knowingly makes a false statement on this form may be imprisoned for up to two years.

Any person who signs the name of another person as claimant may be fined up to K400.00.

3. Warning to Witness

A witness who knowingly makes a false statement on this form may be imprisoned for up to two years.

A witness who –

- (a) signs as witness on this form when it has not been completed and signed by the claimant; or
- (b) signs this form as witness when he has not seen the claimant sign it; or
- (c) signs anyone else's name or a name not being that of the witness on this form; or
- (d) signs this form without first being satisfied, by asking the claimant in this form are true, unless he knows they are true,

is liable to a fine not exceeding K400.00.

(NOTE: Claims for enrolment forms and envelopes in which the forms may be sent post free to the Returning Officer may be obtained at any Electoral Office).

Electoral Laws (National Elections)

Law Sec.59
Reg.Sec.33(3)

Form 16

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

*Organic Law on National and Local-level Government
Elections*

**NOTIFICATION TO CLAIMANT OF REJECTION OF
CLAIM FOR ENROLMENT (INCLUDING TRANSFER)**

To: (1) _____
(2) _____
(3) _____

(Claimants' names)

Address: _____

(1) You are hereby notified that your claim to be enrolled on the electoral Roll for the _____ Electorate has been rejected because I am satisfied that you are not entitled to enrolment/transfer of enrolment on the ground that (*here specify reason for rejection*):

(2) You are entitled, at any time within three months after the receipt of this notification, to appeal against the rejection to the District Court.

(Returning Officer's signature)

(Returning Officer's name)

(Electorate name)

Address: _____

Dated the ____ of _____ 20 ____.

Electoral Laws (National Elections)

Law Sec.67
Reg.Sec.36(3)

Form 17

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law on National and Local-level Government
Elections***

NOTICE OF OBJECTION TO NAME ON ROLL

To: The Returning Officer,

_____ Electorate.

1. I, being

[] an elector enrolled,

[] the Returning Officer,

[] an enrolment agent

for the _____ Electorate object to the name of: -

No. on Roll	Surname or family name	Given name	Place of residence as appearing on Roll	Occupation	Place of residence at present if known

being kept on that Roll on the ground that – (*tick whichever is applicable*)-

he is not a citizen,

he is not of full capacity,

he has not reached voting age,

he is under sentence of death or imprisonment for a period of more than nine months,

he has been convicted by the Court at _____ on the ___ day of _____ 20 ___ of an offence prescribed by an Organic Law or an Act of the Parliament for the purposes of Section on 50(1)(b) of the *Constitution*,

he has not resided in the area of the electorate for the period necessary to qualify him for enrolment,

although he is nominated for the electorate he has not resided in the electorate for the period necessary to qualify him for enrolment and was not born in the electorate and has not lived in the electorate for five years at any time.

(here insert any other ground of objection)

2. I enclose herewith [] banker's cheque,

[] postal order,

[] cash,

for K10.00 required by Section 66(2) of the Law and understand that it will be forfeited to Papua New Guinea if my objection is held by the Returning Officer to be frivolous.

(Signature of person making objection)

(Name)

Dated the ___ day of _____ 20 ___.

Electoral Laws (National Elections)

**Law Sec.
68(2),70
Form 18**

Reg.Sec.38(2)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

Organic Law on National and Local-level Government Elections

NOTICE OF OBJECTION TO PERSON OBJECTED TO

To: _____

(Name of person objected to)

Address:

(Address of person objected to)

Name of Electorate: _____

1. Notice is hereby given that objection has been taken by the person whose name, occupation and address appears under paragraph (6) below, to your name being kept on the Roll for the above named Electorate on the ground that (*here insert ground(s) of objection*):-

1. _____
2. _____
3. _____

2. Unless I receive an answer from you within one month after the posting or delivery to you of this notice, I may remove your name from the Roll.
3. If you intend to answer the objection orally, you should attend at my office during the hours indicated before the end of one month after the posting or delivery of this notice to you:

Location of

Office: _____

Office hours:

4. If you want to answer the objection but do not want to attend at my office, you should before the end of one month after the posting or delivery of this notice to you –
 - (a) complete, sign and date the answer in the presence of a witness; and
 - (b) fold and seal the notice,so that the address “Returning Officer, Electorate” can be seen, and send or deliver the notice to me with the reply attached.
5. I will send you notice of the decision on the objection.
6. The name, occupation and address of the person who has lodged the objection is:

Electoral Laws (National Elections)

(a) Name: _____

(b) Occupation: _____

(c) _____ Address:

_____ Returning Officer.

_____ Electorate.

Address: _____

Date: _____

(backside)

ANSWER TO OBJECTION

I am the elector whose enrolment is objected to in this notice and I claim that I am qualified for enrolment because (here write out reasons why objection is wrong):

1. _____

2. _____

3. _____

.....

(Personal signature of elector)

WITNESS

.....

(Personal signature of witness

who is an elector or entitled to be an elector)

Address:

Occupation:

Dated the ____ of _____ 20 ____

Electoral Laws (National Elections)

Law Sec. 69

Form 19

Reg.Sec.39(2)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law on National and Local-level Government
Elections***

**NOTICE OF OBJECTION TO GROUP OF PERSONS BY
ENROLMENT AGENT**

To: The Returning Officer

_____Electorate.

_____Ward.

I, being an enrolment agent for the Ward and Electorate named below, object to the names listed in the Schedule being kept on the Roll on the following grounds applicable to each of the persons as indicated besides their respective names in the Schedule.

Grounds:-

- (a) he is not a citizen;
- (b) he is not of full capacity;
- (c) he has not reached voting age;
- (d) he is under sentence of death or imprisonment for a period of more than nine months;
- (e) he has been convicted by the Court of an offence prescribed by an Organic Law or an Act of the Parliament for the purposes of Section 50(1)(b) of the *Constitution*; and
- (f) he has not resided in the area of the electorate for the period necessary to qualify him for enrolment.

(Signature of Enrolment Agent)

Dated the ____ of _____ 20__.

SCHEDULE

LIST OF NAMES OBJECTED TO.

No.	Name	Ground of objection (insert paragraph letter applicable to each person objected to)
1.		
2.		
3.		
4.		
5.		
6.		
7.		

(Note: Attach list if more names to be added).

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Electoral Laws (National Elections)

Law Sec. 69

Form 20

Reg.Sec.39(4)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law on National and Local-level Government
Elections***

NOTICE OF OBJECTION TO GROUP OF PERSONS OBJECTED TO

To: _____

(Name of elder, councillor, village court magistrate or other reliable person)

1. Notice is hereby given that objection has been taken by the enrolment agent, whose name appears under the next paragraph, to the names listed in the Schedule being kept on the Roll on the grounds as listed under paragraph (7) below, and specified against each objected name in the Schedule.
2. The name and address of the enrolment agent who lodged the objection is -
Name: _____
Address: _____

3. You are requested to bring this notice to the attention of the persons named in the Schedule and either:
 - (a) advise them to answer the objection individually; or
 - (b) you provide an answer on their behalf.

4. If any person whose name is on the list wishes to answer an objection orally, the person should attend at my office at the place on the days and times as follows:-

Place: _____

Hours: _____

Days: _____

5. Answers to the objections, whether orally or in writing, must be made within one month after posting or delivery of this notice.

6. I will send you notice of the decision of the objections.

7. The grounds of objection are:

- (a) he is not a citizen;
- (b) he is not of full capacity;
- (c) he has not reached voting age;
- (d) he is under sentence of death or imprisonment for a period of more than nine months;
- (f) he has been convicted by the Court of an offence prescribed by an Organic Law or an Act of the Parliament for the purposes of Section 50(1)(b) of the *Constitution*; and
- (g) he has not resided in the area of the electorate for the period necessary to qualify him for enrolment.

(Returning Officer's signature)

_____ Electorate.

Address:

Dated the _____ day of _____ 2006.

SCHEDULE

LIST OF NAMES OBJECTED TO.

No.	Name	Ground of objection (<i>insert paragraph letter applicable to each person objected to</i>)
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18.		

19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		
30.		
31.		
32.		
33.		
34.		
35.		

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Electoral Laws (National Elections)

No.	Name	Ground of objection (insert paragraph letter applicable to each person objected to)
36.		
37.		
38.		
39.		
40.		
41.		
42.		
43.		
44.		
45.		

(Instructions:

1. Indicate applicable ground by inserting paragraph letter of ground listed under paragraph (7).
2. Note: Attach further list of more names to be added)

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Electoral Laws (National Elections)

Law.Sec.70

Form 21

Reg.Sec.40(5)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

***Organic Law on National and Local-level Government
Elections***

ANSWERS BY GROUP TO OBJECTION

To: Returning Officer

_____ Electorate.

(Insert Electorate name)

1. I _____ am:
 a Councillor;
 Village Court Magistrate;
 Church Pastor;
 other elder being a _____ *(specify elder position)*
and I am an elector on the Roll in the Ward.
2. I have brought the objection(s) taken by the enrolment agent to the attention of the persons whose names have been objected to and the answers to the objections from each of these persons are set out in the Schedule against each respective name.
3. I confirm that the answers stated are as instructed by the persons concerned.
4. The persons whose names have been objected to and appear under column 2 of the Schedule claim that each of them are qualified for enrolment because of one or more of the reasons listed below as indicated besides their names in Column 3 of the Schedule.
5. The grounds of objection are:
 - (a) he is a citizen;
 - (b) he is of full capacity;
 - (c) he has reached voting age;
 - (d) he is not under sentence of death or imprisonment for a period of more than nine months;

- (f) he has not been convicted by the Court of an offence prescribed by an Organic Law or an Act of the Parliament for the purposes of Section 50(1)(b) of the *Constitution*; and
- (g) he has resided in the area of the electorate for the period necessary to qualify him for enrolment.

 (Signature of Councillor/Village Court Magistrate/Pastor/Other Elder)

 Position

Dated the ____ of _____ 20 __.

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Electoral Laws (National Elections)

SCHEDULE

No.	Name	Ground(s) (<i>Insert relevant paragraph letter of the applicable ground against each name</i>).
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		

12.

13.

14.

15.

16.

17.

18.

19.

20.

21.

22.

23.

24.

25.

26.

27.

28.

29.

30.

31.

32.

33.

34.

35.		
36.		
37.		
38.		
39.		
40.		
41.		
42.		
43.		
44.		
45.		

(Attach list if more names are to be added).

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Electoral Laws (National Elections)

**Law Sec.
71**

Form 22

Reg.Sec.41(2)

Organic Law on National and Local-level Government Elections

NOTICE OF DETERMINATION OF OBJECTION

To: _____ or _____

(Name of person objected to or person who lodged objection – enrolment agent if group of persons, list in Schedule). (Councillor/Village Court Magistrate/ Pastor or other elder who lodged objection).

1. I give you notice that I have considered the objection(s) lodged by the person(s) named below to the retention of the name(s) on the Roll for the electorate:

Name of objector: _____

Ward: _____

Electorate: _____

2. I have determined that: -

[] the name(s) of the person(s) objected to be removed from the Roll; or

[] the objection(s) be dismissed and retain the name(s) of the person(s) objected to on the Roll.

3. You may appeal against this determination by making application to the District Court within two months after receipt by you of this notice for –

- an Order directing that your name be reinstated on the Roll; or
- an Order sustaining your objection.

SCHEDULE

DETERMINATION

No.	Name	Name be Removed from Roll	Objection be Dismissed

Electoral Laws (National Elections)

Law Sec.85
Form 23

Reg.Sec.45(1)

Organic Law on National and Local-level Government Elections

NOMINATION OF CANDIDATE FOR ELECTION

AS MEMBER OF NATIONAL PARLIAMENT.

- To: The Returning Officer
 The Assistant Returning Officer
 Provincial Returning Officer
 Person authorized by the Electoral Commission

(Tick whichever is applicable).

_____ Electorate.

I hereby nominate as a candidate to the National Parliament for the _____
Electorate.

Name (to appear on candidate poster): _____

Place of Nomination: _____

Occupation: _____

Qualifications

1. I am enrolled on the electorate Roll for the said electorate; or
 am entitled to enrolment on the electorate Roll for the said electorate and I have submitted a claims for enrolment or transfer of enrolment together with this nomination.
2. I have I was born in the electorate on the date and place stated below.
- Born on _____ at _____.
- I have resided in the said electorate for a continuous period of two years immediately preceding this nomination; or
 resided in the said electorate for a period of five years during the periods and at the places stated below; or
- Resided for continuous period of 5 years -
 - at _____ between _____ and _____
 - at _____ between _____ and _____
 - at _____ between _____ and _____

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Electoral Laws (National Elections)

3. I have not nominated for another electorate; or
 nominated for the electorate named but that nomination has been withdrawn.
- (Name of electorate nomination made and withdrawn:) _____.
4. I am not under 25 years of age, having been born on the date and at the place named below.
- Dated of birth: _____
Place of birth: _____
5. And I declare that: -
- I am a citizen of Papua New Guinea. Yes No
 - I am entitled to vote in elections to the Parliament. Yes No
 - I am not under sentence of death or sentence of

- imprisonment for a period of more than nine months. Yes [] No []
- I have not, in the last three years, been convicted of an offence relating to elections prescribed by an Organic Law or an Act of the Parliament for the purposes of Section 50(1)(b) *Constitution*. Yes [] No []
- I have not been dismissed from office for misconduct in office under Division 111.2 of the *Constitution* within the three years immediately preceding the date fixed for the return of the writ for this election. Yes [] No []
- I am not insolvent. Yes [] No []
- I have not been convicted for an indictable offence after 25th June 2002. Yes [] No []
- I am of full capacity. Yes [] No []

6. I declare that I am otherwise qualified under the laws of Papua New Guinea to be elected as a member and I consent to act if elected.

Nomination Fee.

7. I submit payment of the required K1,000.00 nomination fee: -

- [] in bank check; or
- [] attach the original of bank deposit receipt evidencing payment of the fee into bank account approved by the Electoral Commission.

Candidate Status.

8. I am [] not endorsed by a registered political party and therefore the word “independent” is to be stated beside my name on the candidate poster; or [] endorsed by the registered political party named below.

(Political Party name)

Electoral Laws (National Elections)

9. I have [] already submitted a candidate information Form 29; [] not submitted Form 29 and I attach it now.

(Candidate's signature)

(Candidate's name)

Dated the _____ day of _____ 20____.

Witness: - Signature: _____
- Name: _____
- Occupation: _____
- Address: _____

POLITICAL PARTY ENDORSEMENT

- (a) I am the Public Officer of the registered political party:_____.
- (b) I have [] already submitted to the Electoral Commission the registered political party information in Form 30; or
[] not submitted Form 30 and it is now attached.
- (c) I confirm that the named candidate has been endorsed by the registered political party for the named electorate and the political party has not endorsed any other candidate in the said electorate.

Registered political party name: _____

Public Officer's signature: _____

Public Officer's name: _____

Dated the _____ day of _____ 20____.

RECEIPT BY RETURNING OFFICER

- Received by [] Returning Officer
[] Assistant Returning Officer Name: _____
[] Provincial Returning Officer
[] Authorised person
- Received at: _____
- Received on: _____ at _____ am/pm.

Electoral Laws (National Elections)

**Law Sec.91(c)
Form 24**

Reg.Sec.46(2)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

***Organic Law on National and Local-level Government
Elections***

**APPOINTMENT OF PERSON TO ACCEPT NOMINATION AT ELECTORAL
COMMISSION.**

The Electoral Commissioner, by virtue of the powers conferred by Section 91(c) of the ***Organic Law on National and Local-level Government Elections***, and Section 46(2) of the ***Regulation***, and all other powers him enabling hereby appoint the officer named to accept nominations for the general election indicated for all electorates at the place indicated.

Name of Authorised officer: _____

Place of nomination: _____

General election: _____

Electoral Commissioner

Dated the _____ day of _____ 20____.

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Electoral Laws (National Elections)

**Law Sec.86(3)
Form 25**

Reg.Sec.47(3) & (4)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

***Organic Law on National and Local-level Government
Elections***

FORWARDING NOMINATION TO RETURNING OFFICER

To: The Returning Officer
_____ Electorate.

1. Enclosed is a nomination received by me from the person named who has nominated for the election and electorate indicated: -

- Nominated person's name: _____
- Electorate: _____
- Election: _____
- Date nomination received: _____
- Place nomination received: _____
- Nomination fee received: [] Yes.

2. I am authorized to receive nominations.

3. Attached are: (1) Completed nomination Form 23.
(2) Evidence of payment of nomination fee.
(3) Candidate information form (*if any*).

(Signature of person receiving nomination)

(Name of person receiving nomination)

(Position)

Dated the _____ day of _____ 20____.

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Electoral Laws (National Elections)

Law Sec.94 (1)
Form 26

Reg.Sec.48(2)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

***Organic Law on National and Local-level Government
Elections***

WITHDRAWAL BY CANDIDATE OF CONSENT TO NOMINATION

- To: The Returning Officer
 The Assistant Returning Officer
 Provincial Returning Officer
 Authorized person,

_____ Electorate

I _____ hereby withdraw my consent to nomination as candidate for election to the National Parliament dated _____ day of _____ 20____.

(Personal signature of candidate)

Dated:_____/_____/_____

(Personal signature of witness)

Place of residence:_____

Received on the _____ at _____

(*date*)

(*time*)

(Signature of Returning Officer/Assistant

Returning Officer/Provincial Returning

Officer/Authorized Person).

(Name of Returning Officer/Assistant

Returning Officer/ Provincial Returning

Authorized Person).

**Law Sec.94 (3)
Form 27**

Reg.Sec.48(5) & (6)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

***Organic Law on National and Local-level Government
Elections***

FORWARDING NOMINATION WITHDRAWAL TO RETURNING OFFICER

To: The Returning Officer
_____ Electorate.

1. The candidate named has withdrawn his nomination:

Candidate name: _____

2. Form 26 constituting the withdrawal of nomination is enclosed.

Signature of - Assistant Returning Officer.

- Provincial Returning Officer, or
- Authorized person.

Name of - Assistant Returning Officer,

- Provincial Returning Officer, or
- Authorized person.

(Position)

Dated the _____ day of _____ 20____.

Electoral Laws (National Elections)

**Law Sec.125
Form 28**

Reg.Sec.53(5)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

Organic Law on National and Local-level Government Elections

CANDIDATE POSTER

_____ Electorate.

By –election or General Election 20_____.

DIRECTIONS:

- This is a candidate poster, do not write on it.

- Write your vote on the BALLOT PAPER.

- Choose three preferred candidates from this poster.
- Write the code numbers or the names of the three candidates of your choice beside the numbers 1, 2 and 3 on the Ballot Paper.

(Name of candidate and other particulars added under Section 125 of Law).

Electoral Laws (National Elections)

Law, Sec 125
Form 29

Reg.Sec.56(3)

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Organic Law on National and Local-level Government Elections.

CANDIDATE INFORMATION

To: The Electoral Commission

1. I will nominate as a candidate in the election named and I provide my personal particulars as required.

(a) Name (as will appear in candidate poster): _____

(b) Occupation: _____

(c) Date of birth: _____ Age: _____

(d) Place of birth: _____

(e) Address: _____

(f) Contact – Telephone: _____ Mobile: _____
Facsimile: _____

2. I will nominate as a candidate in the _____ electorate in the general election/by-election.

3. I will meet the residential qualifications for election in the named electorate in that I either:

[] will have resided in the said electorate for a continuous period of two (2) years by the date of nomination; or

[] will have resided in the said electorate for a period of five years by the date of nomination; or

[] I was born in the electorate.

4. I declare that I meet the other qualifications to nominate as a candidate as set out below: -

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Electoral Laws (National Elections)

- | | | |
|---|---------|--------|
| ● I am a citizen of Papua New Guinea. | Yes [] | No [] |
| ● I am not under sentence of death or sentence of imprisonment for a period of more than nine months | Yes [] | No [] |
| ● I have not, in the last three years, been convicted of an offence relating to elections prescribed by an Organic Law or an Act of the Parliament for the purposes of Section 50(1)(b) <i>Constitution</i> . | Yes [] | No [] |
| ● I am over 25 years of age. | Yes [] | No [] |
| ● I am entitled to vote in elections to the Parliament. | Yes [] | No [] |
| ● I have not been dismissed from office under Division III.2 of the <i>Constitution</i> within the three years immediately preceding the date fixed for the return of the writ. | Yes [] | No [] |
| ● I am not an insolvent. | Yes [] | No [] |
| ● I have not been convicted for an indictable offence after 25 th June 2002. | Yes [] | No [] |
| ● I am of full capacity. | Yes [] | No [] |

5. I have/have not contested an election in the past.

(Complete following if you have contested an election before)

Election	Year	Successful/Unsuccessful

6. I will not seek endorsement from a registered political party and therefore the word “independent” is to be stated in the candidate poster beside my name: or

seek endorsement from a registered political party, namely: - _____

7. I attach a recent photograph of myself, which photograph meets the requirements specified by the Electoral Commission.

(Signature)

(Name)

Dated the _____ day of _____ 20__.

Attachment: - Photograph.

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Electoral Laws (National Elections)

**Law, Sec 125
Form 30**

Reg.Sec.58(4)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

Organic Law on National and Local-level Government Elections.

POLITICAL PARTY INFORMATION

To: The Electoral Commission

2. I, _____ am the Public Officer of the registered political party named _____ which will endorse candidates in the election.

- (a) Registered political party name: _____
- (b) Registered office: _____
- (c) Date when political party registered: _____
- (d) Name of Parliamentary Leader (as will appear in candidate poster): _____
- (e) Name of President: _____
- (f) Name of Secretary: _____

2. I attach a photograph (in the specification required by the Electoral Commission) of: -

the Parliamentary leader of the party;

the President of the Party as the Party does not currently have a Parliamentary Leader.

3. My contact details for the period between now and to the end of the election are: -

• Telephone no: _____ Mobile: _____ Fax: _____

• Email: _____

4. A sample of my signature and a print of the seal of the registered political party are as printed below: -

(Public officer's signature)

(Seal of Political Party)

Dated the _____ day of _____ 20____.

- Attachments - Photograph of Parliamentary Leader.
- Photograph of Political Party President if there is no Parliamentary Leader.

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Electoral Laws (National Elections)

**Law.Sec.125
Form 31**

Reg.Sec.62(2)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

Organic Law on National and Local-level Government Elections.

REQUEST FOR AUTHORISATION TO PRINT CANDIDATE

POSTER

To: The Electoral Commission/Returning Officer

3. I, _____ make application for authorisation for the printing of the candidate poster for the _____ Electorate.

2. The approved printer that will print the candidate poster is _____.

3. The printer will print _____ (*insert number*) copies.

4. I acknowledge that: -
 - (a) I will meet the full costs of the printing and distribution; and
 - (b) no changes will be made to the candidate poster except the addition of the words “Commissioned by _____ (my name inserted) by authority of the Electoral Commission or Returning Officer given in approval dated _____ (*date to be inserted*)”.

(Signature of person making application)

(Name of person making application)

Dated the _____ day of _____ 20__.

Received by the Electoral Commission/ Returning Officer

Date: _____

Officer receipting application: _____

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Electoral Laws (National Elections)

Law.Sec. 125
Form 32

Reg.Sec.62(4)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

Organic Law on National and Local-level Government Elections.

APPROVAL TO PRINT CANDIDATE POSTER

Approval is given to the person named under paragraph (1) to print the candidate poster for the Electorate stated under the paragraph (2) with the approved printer named in paragraph (3) and with the conditions set out under paragraph (4).

1. Name of person: _____

2. Electorate: _____

3. Approved printer: _____

4. Conditions:

- (a) Except for the endorsement referred to under paragraph (d), the candidate poster must be the same in content, size, colour and print size as the candidate poster for the electorate printed by authority of the Electoral Commission.
- (b) Only the approved printer named under paragraph (3) is to print the candidate poster.
- (c) The Electoral Commission is not responsible for any costs involved in printing the candidate poster under this approval.

- (d) The following must be stated in the candidate poster – “commissioned by the _____ (*name of person to whom approval given*) by authority of the Electoral Commission or Returning Officer given in approval dated _____.” (*insert date*)

Electoral Commissioner/Returning Officer

Dated the ____ day of _____ 20 ____.

Law Sec. 124
Form 33

Reg.Sec.65(5)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

Organic Law on National and Local-level Government Elections.

BALLOT-PAPER

_____ Electorate

General Election or By-election.

HOW TO VOTE



- Write the code or name of your first choice candidate beside number 1.

- Write the code or name of your second choice candidate beside number 2.

- Write the code or name of your third choice candidate beside number 3.

DO NOT PUT AN OTHER MARK ON THIS BALLOT PAPER!

1

--

2

--

3

()

Electoral Laws (National Elections)

Law Sec. 100
Form 34

Reg.Sec.67(3)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

Organic Law on National and Local-level Government Elections.

POSTAL VOTE CERTIFICATE

No:.....

I certify that the elector whose personal details are: -

- (a) Elector ID number: _____
- (b) Surname or family name: _____
- (c) Given name: _____
- (d) Sex: _____
- (e) Occupation: _____
- (f) Place of residence appearing on Roll: _____

is entitled to vote by post subject to the provisions of the Law in respect of the Electorate at the election for the National Parliament to be held from the _____ day of _____ 20____ to the _____ day of _____ 20____.

Returning Officer

_____ Electorate

Dated the _____ day of _____ 20____.

Electoral Laws (National Elections)

DECLARATION BY ELECTOR

I have not already voted in connection with the election referred to in the above certificate.

The reason I wish to vote by post is (*tick applicable paragraph*) –

[] I will not throughout the hour of polling be -

[] within the electorate for which I am enrolled; or

[] within 16 km by the nearest practicable route of a polling booth in the electorate for which I am enrolled.

[] I am seriously ill or infirm and by reason for that illness or infirmity will be precluded from attending at a polling booth in the electorate for which I am enrolled.

[] I will, by reason of approaching maternity or caring for my infant, be precluded from attending at a polling booth for the electorate for which I am enrolled.

[] By reason of membership of a religious order or my religious belief I am precluded from
—

[] attending at a polling booth; or

[] voting at a reasonably accessible polling place.

[] I am a citizen of Papua New Guinea residing abroad.

I am aware that if I falsely personate or attempt to personate any other person for the purpose of securing a ballot-paper to which I am not entitled or for the purpose of voting at an election, or willfully make any false statement in this declaration, I am liable to imprisonment for two years.

(*Personal signature of elector*)

(*Personal signature of witness*)

Occupation:_____

Address:_____

Dated the _____ day of _____ 20_____.

Where vote is recorded outside Papua New Guinea, the witness need not be an elector or entitled to be an elector but shall be a person to whom the elector is well known.

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Electoral Laws (National Elections)

**Law Sec.141 (1)
Form 35**

Reg.Sec.84(1)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

***Organic Law on National and Local-level Government
Elections***

**DECLARATION AND CLAIM TO VOTE UNDER PROVISIONS OF SECTION 141(1)
OF THE *ORGANIC LAW ON NATIONAL AND LOCAL-LEVEL GOVERNMENT
ELECTIONS.***

Polling place where elector claims to vote:

_____ Electorate.

I, _____(Name) of _____(Place of residence)
_____ (Occupation)

declare that –

- (1) my name appears on the certified list of voters at the above-named polling place;
- (2) I claim to vote under the provision of Section 141(1) of the Law; and
- (3) I have not previously voted in connection with the election being held, notwithstanding that a mark has been placed opposite my name on the certified list of voters to indicate that a ballot-paper has been issued to me at the polling.

Personal signature or mark of voter.

Signed before me at _____ Polling Place_____.

Dated the _____ day of _____ 20____.

Presiding Officer.

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Electoral Laws (National Elections)

Law Sec.142 (1)
Form 36

Reg.Sec.84(2)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

***Organic Law on National and Local-level Government
Elections***

**DECLARATION AND CLAIM TO VOTE UNDER PROVISIONS OF SECTION 142(1)
OF THE *ORGANIC LAW ON NATIONAL AND LOCAL-LEVEL GOVERNMENT
ELECTIONS*.**

Polling place where elector claims to vote:

_____ Electorate.

I, _____(Name) of _____(Place of residence)
_____ (Occupation)

declare that –

- (1) my name appears on the certified list of voters at the above-named polling place;
- (2) I claim to vote under the provision of Section 141(1) of the Law; and
- (3) I have not previously voted in connection with the election being held, notwithstanding that a mark has been placed opposite my name on the certified list of voters to indicate that a ballot-paper has been issued to me at the polling.

(Personal signature or mark of voter).

Signed before me at _____ Polling Place_____.

Dated the _____ day of _____ 20__.

Presiding Officer.

DATED this _____ day of _____ 20__.

Law, Sec 170
Form 37

Reg.Sec.94(7)

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

Organic Law on National and Local-level Government Elections.

RE-COUNT DEMAND

To: The Returning Officer

_____ Electorate

5. I am a candidate in the election named in which the result was determined wholly or partly by electronic scrutiny.
6. I demand that a full manual count be conducted to re-count all votes for the electorate.
7. I will pay the full cost of the re-count and therefore I request that you provide an estimate of the likely cost of re-count. I will pay a deposit of the estimate cost in full:
 - (a) I will be liable for any cost incurred over and above the estimate if the deposit is insufficient to meet the full cost of a recount; or
 - (b) I will be reimbursed any part of the deposit over and above the actual cost of the re-count.

8. The full deposit paid will be refunded to me only if the result of the election determined by the electronic scrutiny is different from the manual scrutiny.

(Signature of candidate making demand)

(Name of candidate making demand)

Dated the _____ day of _____ 20____.

Electoral Laws (National Elections)

Law, Sec 170
Form 38

Reg.Sec.94(8)

COST ESTIMATE FOR RE-COUNT

To: _____ (Name of candidate demanding re-count)

_____ Electorate

9. In response to your demand for re-count made on _____(*insert date*), the estimated cost of such recount is K_____.

10. A break-down of the cost estimate is attached to this Form.

11. You must pay by bank cheque a deposit of an amount equivalent to the amount stated under paragraph (1) -
- (a) if the deposit funds are insufficient to meet the full cost of the re-count, the balance will be recovered from you;
 - (b) if the deposit funds are in excess of the cost of re-count, the balance will be refunded to you.
12. The whole of the deposit funds will be refunded to you if the result of the election as determined by the electronic scrutiny is changed by the recount. Otherwise, the deposit funds will go to meet the cost of re-count.
13. You must arrange this payment to be made in full by _____. A recount will not be done if the deposit is not paid by 4:00pm on this date.

Signature of Returning Officer

Name of Returning Officer

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Electoral Laws (National Elections)

Dated the _____ day of _____ 20__.

Attach – cost estimate break-down.

DATED this _____ day of _____ 2007.

GOVERNOR-GENERAL.



No of 2007

Electoral Law (National Elections) Regulation 2007,

ARRANGEMENT OF CLAUSES,

PART I. – PRELIMINARY.

1. Interpretation.
2. Application.

PART II. – DUTIES AND RESPONSIBILITIES OF OFFICERS.

3. Electoral Commissioner.
4. Election Manager.
5. Returning Officer.

6. Assistant Returning Officer
7. Presiding Officer.
8. Assistant Presiding Officer.
9. Other Polling Officers.
10. Acknowledgment of appointment.
11. Officers.

PART III. – SCRUTINEERS FOR CANDIDATES.

12. Candidate may appoint scrutineers.
13. Responsibilities of scrutineers at polling place.
14. Responsibilities of scrutiners at scrutiny.

PART IV. – FORM OF ELECTORAL ROLLS.

15. Ward Roll.
16. Form of Roll.
17. Preliminary Roll.

PART V. – ENROLMENT AGENTS.

18. Appointment of enrolment agents.
19. Qualifications of an enrolment agent.

20. Duties of an enrolment agent.
21. Payment of allowance to an enrolment agent.
22. Engagement of other persons.

PART VI. – ENROLMENT.

23. Addition of names to Rolls.

Electoral Laws (National Elections)

24. Qualifications for enrolment.
25. Compulsory enrolment and transfer.
26. New Rolls.
27. Claims for enrolment.
28. Transfer of enrolment.
29. Change of address, etc.
30. Completion of claims for enrolment or transfer of enrolment.
31. Provisional enrolment.
32. Registration of claim.
33. Rejection of claim.
34. Enrolment of candidate.
35. Alteration of Rolls.

PART VII. – OBJECTIONS.

36. Names on Rolls may be objected to.
37. Duty to object.
38. Notice of objection.
39. Objection by enrolment agent.
40. Answer to objection.
41. Determination of objection.
42. Appeal.

PART VIII. – WRIT AND NOMINATION.

43. Writ.
44. Qualifications for nomination.
45. Nomination.
46. To whom nomination made.
47. Forwarding nomination to returning officer.
48. Withdrawal of nomination.
49. Hour of nomination.
50. Rejection of nomination.
51. More than one nomination.
52. Declaration of nominations.

PART IX. – CANDIDATE POSTER.

53. Candidate Poster.
54. Political party leader.
55. Candidate photograph.
56. Candidate information.
57. Political Party leader photograph.
58. Political Party information.
59. Order of candidates on candidate poster.
60. Provision of candidate posters to candidates.
61. Use of candidate posters in campaigning.
62. Printing of candidate posters by candidates and others.
63. Approved printers.
64. Offences relating to candidate posters.

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PART X. – BALLOT-PAPER AND BALLOT-BOX.

65. Ballot-Paper.
66. Ballot-Box.

PART XI. – VOTING BY POST.

- 67. Voting by Post.

PART XII. – VOTER IDENTIFICATION.

- 68. Voter identification systems.
- 69. Indelible ink.
- 70. Marking finger with indelible ink.
- 71. Persons receiving ballot-paper to be marked.
- 72. Certain particulars to be recorded.
- 73. Finger print.
- 74. Voter to give prints.
- 75. Maintaining finger print records.
- 76. Identification of voter prior to voting.
- 77. Photograph identification.
- 78. Voter to give photograph.
- 79. Identification of voter prior to voting.
- 80. Authorised person to maintain identification system.

PART XIII. – POLLING.

- 81. Arrangements at polling.

82. Candidate poster.
83. Assistance to voters.
84. Declaration where name has been marked.
85. Preservation of Ballot-Papers.
86. Presiding Officer to return election materials.
87. Conveyance of Ballot-Box.

PART XIV. – SCRUTINY.

88. Appointment of Scrutiny Officials.
89. Scrutiny procedures.
90. Objection to admission of Ballot-Box to scrutiny.

PART XV. – ELECTRONIC SCRUTINY.

91. Interpretation.
92. Approved electronic scrutiny system.
93. Returning Officer to authorize use of electronic scrutiny system.
94. Demand for re-count.

PART XVI. – RETURN OF WRIT.

95. Return of copy of Writ.

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PART XVII. – PROSECUTION FOR OFFENCES.

- 96. Prosecution for offences by Electoral Commission.
- 97. Approval of the Public Prosecutor.
- 98. Prosecution for offences generally.
- 99. Information, etc., to be valid if in words of offence.
- 100. No objection for informality.
- 101. Appearance by Electoral Commission.

PART XVIII. OFFENCES.

- 102. Ineligibility to hold public office.

PART XIX. – MISCELLANEOUS.

- 103. Forms.
- 104. Repeal.

SCHEDULE.

- Form 3 Appointment of Returning Officer.
- Form 4 Appointment of Assistant Returning Officer.
- Form 5 Appointment of Polling Official.
- Form 6 Appointment of Scrutineer.
- Form 7 Appointment of Enrolment Agent.
- Form 8 Revocation of appointment of enrolment agent.
- Form 9 Notice to person alleged to have failed to comply with Section 57 of the ***Organic Law on National and Local-level Government Elections***.
- Form 10 Declaration in reply to notice of alleged failure to comply with Section 57 of the ***Organic Law on National and Local-level Government Elections***.
- Form 11 Claim for enrolment.
- Form 12 Claim for transfer of enrolment.
- Form 13 Notice of transfer of enrolment.
- Form 14 Claim for alteration of enrolled address within same electorate or for alteration of incorrect particulars shown on roll.
- Form 15 Claim for provisional enrolment.
- Form 16 Notification to claimant of rejection of claim for enrolment (including transfer).
- Form 17 Notice of objection to name on roll.
- Form 18 Notice of objection to person objected to.
- Form 19 Notice of objection to group of persons by enrolment agent.
- Form 20 Notice of objection to group of persons objected to.
- Form 21 Answers by group to objection.
- Form 22 Notice of determination of objection.
- Form 23 Nomination of candidate for election as member of National Parliament.

- Form 24 Appointment of person to accept nomination at Electoral Commission.
- Form 25 Forwarding nomination to returning officer.
- Form 26 Withdrawal by candidate of consent to nomination.
- Form 27 Forwarding nomination withdrawal to returning officer.
- Form 28 Candidate poster.
- Form 29 Candidate information.
- Form 30 Political Party information.

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- Form 31 Request for authorization to print candidate poster.
- Form 32 Approval to print candidate poster.
- Form 33 Ballot-Paper.
- Form 34 Postal vote certificate.
- Form 35 Declaration and claim to vote under provisions of Section 141(1) of the *Organic Law on National and Local-level Government Elections*.
- Form 36 Declaration and claim to vote under provisions of Section 142(1) of the *Organic Law on National and Local-level Government Elections*.
- Form 37 Recount demand.
- Form 38 Cost estimate for re-count.

