



Section 75 lot 76, Frangipani Street, Hohola  
P.O. Box 5348  
BOROKO, National Capital District  
Papua New Guinea  
Tel: (675) 303 1560/7005 9348  
Email: [ssinal@pngec.gov.pg](mailto:ssinal@pngec.gov.pg)  
Website: [www.pngec.gov.pg](http://www.pngec.gov.pg)

## OFFICE OF ELECTORAL COMMISSIONER

4<sup>th</sup> July 2022

### Media Release Notice

#### **PNGEC Policy for Handling Votes for Deceased and Disqualified Candidates during the 2022 National General Election**

During the 2022 National General Election, the Papua New Guinea Electoral Commission (PNGEC) established official policies for handling any votes received by candidates who became deceased or were disqualified after the end of the nomination period on 26<sup>th</sup> May 2022. The Electoral Commissioner discourages voters from casting a vote for any deceased or disqualified candidates.

#### **Deceased Candidates**

The PNGEC is aware of the death of at least four candidates from four separate electorates after the nomination period. In the case of the death of a candidate before the end of the polling period, Section 95 of the *Organic Law on National and Local-level Government Elections* ("Electoral Law") provides for the return of the candidate nomination fee to his/her legal representative. The legal framework, however, provides no guidance on how to address any formal votes cast for a deceased candidate on a ballot during the scrutiny and counting process. Thus the PNGEC is setting a policy to address this lack of legal guidance.

Furthermore, Section 94(2)(a) of the Electoral Law only allows for the withdrawal of nomination before the hour of nomination with no provisions for withdrawal after close of nomination. Therefore, once a candidate is nominated, he/she remains nominated, whether alive or deceased, until a winning candidate is declared elected and the corresponding writ returned to the Governor-General.

The PNGEC establishes the following policy on counting any votes cast for a deceased candidate from the close of the nomination period (26 May) until the return of the electoral writ (29 July): "Any votes for deceased candidates will be treated as formal votes and counted pursuant with the standard PNGEC scrutiny procedures." The policy is consistent with the intent of Section 139(3) of the Electoral Law on marking a ballot paper and international standards to protect the voter's franchise by preserving the other two votes on the ballot.

Manager Elections  
P.O. Box 794  
MT HAGEN  
Western Highlands  
Phone: 542 2349

Manager Elections  
P.O. Box 73  
MENDI  
Southern Highlands  
Phone: 549 1378

Manager Elections  
P.O. Box 109  
WABAG  
Etnia Province  
Phone: 547 1144

Manager Elections  
P.O. Box 1031  
GOROKA  
Eastern Highlands  
Phone: 532 2349

Manager Elections  
P.O. Box 446  
KUNDIWA  
Chimbu Province  
Phone: 535 1204

Manager Elections  
P.O. Box 424  
MADANG  
Eastern Highlands  
Phone: 422 2349

Manager Elections  
P.O. Box 224  
LAE  
Eastern Highlands  
Phone: 422 2349

Manager Elections  
P.O. Box 672  
WEWAK  
East Sepik Province  
Phone: 436 2090

Manager Elections  
P.O. Box 355  
VANIMO  
West Sepik Province  
Phone: 457 1187

Manager Elections  
P.O. Box 811  
RABAUL  
East New Britain  
Phone: 982 8357

Manager Elections  
P.O. Box 488  
KIMBE  
West New Britain  
Phone: 983 5484

Manager Elections  
P.O. Box 981  
ALOTAU  
Milne Bay Province  
Phone: 944 6355

Manager Elections  
P.O. Box 226  
LORENGAU  
Milne Province  
Phone: 970 9494

Manager Elections  
P.O. Box 295  
KAVIENG  
New Ireland Province  
Phone: 984 2317

Manager Elections  
P.O. Box 62  
KEREMA  
Guif Province  
Phone: 984 0574

Manager Elections  
P.O. Box 86  
LAE  
Western Province  
Phone: 328 1037

Manager Elections  
P.O. Box 136  
POPONDETTA  
New Britain Province  
Phone: 629 7167

Manager Elections  
P.O. Box 5348  
BOROKO  
Central Province  
Phone: 321 2653

The PNGEC is aware of the unfortunate demise of candidates from the following electorates:

1. New Ireland Provincial (Augustine Molonges);
2. Chuave Open (Paul Sirigine);
3. Sumkar Open (Chris Yer Naugoi); and
4. Ambunti-Dreikikier Open (Misimbi Lawrence Wang).

Note, other candidates may pass on before, during, or after the polling period and during the scrutiny and counting process. The same PNGEC policy above holds true if other candidates may become deceased.

Note, the PNGEC inserted a blank square marked “DECEASED” on to the candidate poster in replace of the draw number, name and photo of the deceased candidate, and party affiliation or independent status to inform the voters of the death of the candidate.

The PNGEC acknowledges the risk that a deceased candidate could win the corresponding election and be declared elected, but if this happens, then Section 106 of the Constitution provides for a by-election if the office of an elected member becomes vacant. The PNGEC will then conduct a by-election pursuant to Section 74 of the Electoral Law.

### **Disqualified Candidates**

The PNGEC has rejected three unqualified candidates from three separate electorates pursuant to Section 83 of the Electoral Law. The Electoral Commission is enforcing Sections 50 and 103 of the Constitution as they relate to qualifications for standing for office. The PNGEC is also complying with the 31 May 2022 decision of the Supreme Court, which ruled that persons with prior criminal convictions do not qualify as a Member of Parliament and thus cannot nominate to stand for that office. Consequently, anyone convicted under any law of an indicatable offence since 25 June 2002 should not have nominated.,

The PNGEC established the following policy on invalidating any ballots with votes cast for a disqualified candidate during the polling period: “Any votes for disqualified candidates will result in the entire ballot paper being made informal.” This policy on voting for a disqualified candidate is based on Section 153(1)(b) of the Electoral Law, which stipulates that marking a ballot with an invalid preference is considered an informal ballot.

The PNGEC is aware of at least three disqualified candidates from the following electorates:


1. Madang Provincial (James Yali);
2. Western Provincial (Ati Wobiro); and
3. Anglimp-South Waghi (Justine Parker).

Note, Paul Teinstein of Pomio Open Electorate was granted an “Absolute Pardon” by the Governor-General in National Gazette No. G360 (11 May 2022) and is thus eligible to stand for office as a Member of Parliament.

Note, the PNGEC inserted a blank square marked “DISQUALIFIED” on to the candidate poster in replace of the draw number, name and photo of the disqualified candidate, and party affiliation or independent status to inform the voters that this person is no longer qualified to stand for office as a candidate.

affiliation or independent status to inform the voters that this person is no longer qualified to stand for office as a candidate.

Note, other candidates may be identified as disqualified by the Court Registrar and shall be treated with the same PNGEC policy above.

  
**SIMON SINAI, ML**  
**Electoral Commissioner**

