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OF THE

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Government Notices

MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING

No. 146 2003

COMMENCEMENT OF THE ELECTORAL AMENDMENT ACT, 2003 (ACT NO. 7 OF 2003)

In terms of section 40 of the Electoral Amendment Act, 2003 (Act No. 7 of 2003), I determine that the said Act comes into operation on the date of publication of this notice in the *Gazette*.

J. KAAPANDA
MINISTER OF REGIONAL AND LOCAL
GOVERNMENT AND HOUSING

Windhoek, 7th July 2003

ELECTORAL COMMISSION

No. 147 2003

REGULATIONS RELATING TO THE REGISTRATION OF VOTERS AND POLITICAL PARTIES

The Electoral Commission has under section 130 of the Electoral Act, 1992 (Act No. 24 of 1992) -

- (a) made the regulations as set out in the Schedule; and
- (b) repealed the regulations promulgated under Government Notice No. 128 of 19 September 1992, as amended by Government Notice No. 197 of 21 October 1994.

SCHEDULE

ARRANGEMENT OF REGULATIONS

PART I PRELIMINARY

1. Definitions

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8. Amount payable in respect of registration
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ANNEXURE

PART I PRELIMINARY

Definitions

1. In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act shall bear the meaning so assigned, and -

“Annexure” means the Annexure to these regulations; and

“the Act” means the Electoral Act, 1992 (Act No. 24 of 1992).

PART II REGISTRATION OF VOTERS

Application for registration

2. (1) A registration officer shall, upon an application for registration as a voter being made in terms of section 16 of the Act to that registration officer by a person contemplated in that section, complete in respect of that person an application form that is substantially in the form set out in form Elect 1 in the Annexure.

(2) If an application for registration is -

- (a) refused by a registration officer in terms of section 18 of the Act, that registration officer shall -

- (i) record such refusal on the application form referred to in subregulation (1); and
 - (ii) complete a refusal form that is substantially in the form set out in form Elect 2 in the Annexure;
- (b) accepted by a registration officer in terms of section 20 of the Act, that registration officer shall record such acceptance on the application form referred to in subregulation (1).

Statements, documents and accounts to prove compliance with residence qualification

3. For the purposes of subsection (3)(c) of section 16 of the Act read with subsection (4)(d) of that section there may be submitted to a registration officer -

- (a) by any two persons to whom voter registration cards have been issued under section 20 of the Act in respect of the local authority area in question, statements under oath or affirmation in which it is expressed that-
 - (i) the applicant is known to the declarant; and
 - (ii) to the best of the declarant's knowledge the applicant complies, with regard to that area, with the applicable qualification relating to residence; or
- (b) by an applicant, a water and electricity account or a telephone account issued to that applicant and containing his or her name, residential address and other particulars.

Allowal or dismissal of appeal

4. If an appeal is allowed or dismissed by a magistrate in terms of section 19 of the Act, that magistrate shall record the reasons for any such decision on the refusal form referred to in regulation 2(2)(a)(ii).

Voters' and duplicate voters' registration cards

5. A voter registration card or duplicate voter registration card, as the case may be, shall be completed and issued as contemplated in sections 20 and 25 of the Act, respectively, and shall be issued substantially in the form set out in the attachment to the application form referred to in regulation 2(1) and when issued-

- (a) in respect of any election referred to in paragraph (a) of section 13(1) of the Act, have a blue background; and
- (b) in respect of any election referred to in paragraph (b) of section 13(1) of the Act, have a yellow background,

but a duplicate voter registration card so issued shall be endorsed with the words "duplicate in substitution for voter registration card no." (state number of original card).

Voters' lists and voters' registers

6. (1) The names of persons to be included in -
- (a) any voters' list referred to in section 20(4) of the Act; or
 - (b) any provisional voters' register referred to in section 21 of the Act; or
 - (c) any voters' register referred to in section 26 of the Act,

shall be so included in alphabetical order according to their surnames and -

- (i) all surnames which are identical shall be grouped together and the order of the names in the group shall be determined by the alphabetical order of the first names which shall be deemed to be one word;
- (ii) where several persons have surnames beginning with the same letter, the order shall be determined by the second letter of the surname of each of these persons in alphabetical order;
- (iii) where the first two letters of the surnames of several persons are identical, the order shall be determined by the third letter or the following letter of the surname of each of these persons in alphabetical order;
- (iv) a surname consisting of two parts with a hyphen separating them shall be deemed to be one word;
- (v) a surname which is written with an unattached prefix shall be deemed to be one word.

(2) Opposite the surname and first names of a person referred to in subregulation (1), there shall be included in separate columns the residential and postal address and the voter registration number of that person.

(3) When a provisional voters' register or voters' register is printed the pages thereof shall be numbered consecutively at the top of each page and the name of the constituency or local authority area shall appear at the bottom and top of each page of that register.

(4) The certification referred to in section 26(1)(b) of the Act shall appear at the end of a voters' register and shall substantially be in the following form:

"I hereby certify that the national voters' register/local authority voters' register has been checked and that it is the correct voters' register for the constituency/local authority area of

Place:.....

Date:.....

.....

Signature of Director of Elections".

PART III REGISTRATION OF POLITICAL PARTIES

Application for registration

7. An application for registration -
 - (a) as a political party in terms of section 39 of the Act shall be made on a form that is similar to the form Elect 3 set out in the Annexure;
 - (b) as an association or organization in terms of section 42 of the Act, shall be made on a form that is similar to the form Elect 4 set out in the Annexure.

Amount payable in respect of registration

8. The amount payable in respect of the registration of -
 - (a) a political party in terms of section 39 of the Act, shall be N\$5 000;

- (b) an association or organization in terms of section 42 of the Act, shall be N\$500,

and shall be paid into the State Revenue Fund and the receipt issued in respect of such payment shall accompany any application for registration referred to in regulation 7.

Certificate of registration

9. The certificate of registration referred to in section 39(6)(a) of the Act shall be issued -

- (a) in respect of a political party referred to in section 39 of the Act, substantially in the form set out in form Elect 5 in the Annexure;
- (b) in respect of an association or organization referred to in section 42 of the Act, substantially in the form set out in form Elect 6 in the Annexure.

Disclosure of receipt of moneys to the public

10. The disclosure of money to the public as contemplated in section 46(1) of the Act, shall be made by a political party or other body or institution, or member of such party, body or institution, or other person referred to in that section, within a period of 30 days after it was received, by publishing a notice in two newspapers circulating in Namibia, specifying -

- (a) the amount of money received;
- (b) the source from which such money was received;
- (c) any conditions upon which such money was donated or otherwise received; and
- (d) the manner in which such money is intended to be used.

Short title

11. These regulations shall be called the Regulations relating to the Registration of Voters and Political Parties.

ANNEXURE**ARRANGEMENT OF FORMS**

Form		Regulation
Elect 1	Application for registration as a voter	2
Elect 2	Refusal to register applicant as a voter	2(2)(a)(ii) and 4
Elect 3	Application for registration as a political party	7(a)
Elect 4	Application for registration as an association or organization	7(b)
Elect 5	Certificate of registration as a political party	9(a)
Elect 6	Certificate of registration as an association or organization	9(b)

Elect 2

REFUSAL TO REGISTER APPLICANT AS A VOTER
(Regulations 2(2)(a)(ii) and 4)

PART A: PERSONAL PARTICULARS OF APPLICANT

Surname:

First names:

ID number:

Date of birth:

Residential address:

Gender:

M	F
---	---

PART B: FOR REGISTRATION OFFICER'S USE

The applicant has been refused registration as a voter in the Region of
in respect of the -

- Constituency of

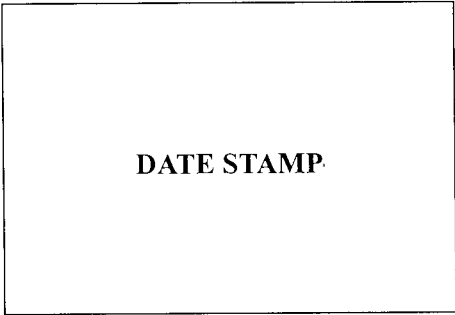
- Local Authority Area of

The reason(s) for refusal being:

.....
.....

.....
Full Name of Registration Officer (print)

.....
Signature of Registration Officer

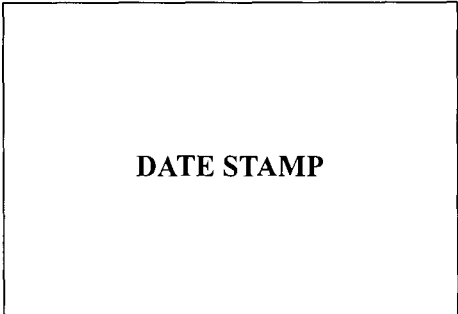


PART C: FOR MAGISTRATE'S USE IN CASE OF APPEAL

Appeal by applicant against refusal of registration: ALLOWED/DISMISSED for the following reasons:

.....
.....

.....
Signature of Magistrate



.....
Constituency/Local Authority Area

Elect 3

APPLICATION FOR REGISTRATION AS A POLITICAL PARTY
(Regulation 7(a))

A. PARTICULARS OF POLITICAL PARTY

1. Name of political party:

2. Abbreviated name of political party (if any)
and state whether the political party desires that name to appear
on any ballot paper in question:

Yes	No
-----	----

3. Authorized representative of political party:
Surname:
First names:

Business address of office of authorized representative:
.....

Postal address of office of authorized representative:
.....

4. State full names, residential and postal addresses, and capacity or designation of office in political party of other office-bearers of political party and attach hereto as Annexure A.

5. Attach distinctive symbol of political party (if any) as Annexure B hereto. If the political party has a distinctive symbol, state whether the political party desires that the symbol should appear on the relevant ballot paper:

Yes	No
-----	----

6. Has the prescribed amount been paid for registration? If, affirmative attach the relevant receipt as Annexure C hereto.

7. Attach the constitution of the political party as Annexure D hereto.

8. Attach the declaration required, in terms of subsection (1)(b)(iii) of section 39 of the Electoral Act, 1992 (Act No. 24 of 1992) and complying with subsection (4) of that section, as Annexure E hereto.

9. Irrespective of whether the constitution of the political party contains any provision to the contrary or not:

(a) Is it the principal object of the political party to participate in or promote elections under the Electoral Act, 1992, as contemplated in section 39(1)(a)(i) of that Act?

Yes	No
-----	----

(b) Is any object of the political party prejudicial to the safety of the State, the public welfare or the peace and good order as contemplated in section 39(1)(a)(ii) of that Act?

Yes	No
-----	----

- (c) Is the membership of the political party excluded or restricted on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status as contemplated in section 39(1)(a)(iii) of that Act?

Yes	No
-----	----

B. DECLARATION BY AUTHORIZED REPRESENTATIVE OF POLITICAL PARTY

I,, (state full names) in my capacity as the authorized representative of
..... (state the name of the political party) hereby declare that the information contained in this application, including the Annexures thereto, are true and correct.

.....
Signature of authorized representative

.....
Date

Elect 4

**APPLICATION FOR REGISTRATION AS AN
ASSOCIATION OR ORGANIZATION**
(Regulation 7(b))

A. PARTICULARS OF ASSOCIATION OR ORGANIZATION

1. Name of association or organization
2. Local authority council in respect of which registration is applied for
3. Abbreviated name of association or organization (if any)
and state whether the association or organization desires that
name to appear on any ballot paper in question:

Yes	No
-----	----
4. Authorized representative of association or organization:
Surname:
First names:

Business address of office of authorized representative:

Postal address of office of authorized representative:
5. State full names, residential and postal addresses, and capacity or designation of office in political party of other office-bearers of association or organization and attach hereto as Annexure A.
6. Attach distinctive symbol of association or organization (if any) as Annexure B hereto. If the association or organization has a distinctive symbol, state whether the association or organization desires that the symbol should appear on the relevant ballot paper:

Yes	No
-----	----
7. Has the prescribed amount been paid for registration? If affirmative, attach the relevant receipt as Annexure C hereto.
8. Attach the constitution of the association or organization as Annexure D hereto.
9. Attach the declaration required, in terms of subsection (1)(b)(iii) of section 39 of the Electoral Act, 1992 (Act No. 24 of 1992) as applied by section 42(1)(b)(iii) of that Act and complying with subsection (4) of section 39 of that Act, as Annexure E hereto.
10. Irrespective of whether the constitution of the association or organization contains any provision to the contrary or not:

- (a) Is any object of the association or organization prejudicial to the safety of the State, the public welfare or the peace and good order as contemplated in section 39(1)(a)(ii) of the Electoral Act, 1992, as applied by section 42(1)(a) of that Act?

Yes	No
-----	----

- (b) Is the membership of the association or organization excluded or restricted on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status as contemplated in section 39(1)(a)(iii) of the Electoral Act, 1992, as applied by section 42(1)(a) of that Act?

Yes	No
-----	----

B. DECLARATION BY AUTHORIZED REPRESENTATIVE OF ASSOCIATION OR ORGANIZATION

I,, (state full names) in my capacity as the authorized representative of (state the name of the association or organization) hereby declare that the information contained in this application, including the Annexures thereto, are true and correct.

.....
Signature of authorized representative

.....
Date

Elect 5

CERTIFICATE OF REGISTRATION AS A POLITICAL PARTY
(Regulation 9(a))

It is hereby certified that the political party of which the particulars are furnished below, has been registered, with effect from the date hereof, as political party in terms of section 39 of the Electoral Act, 1992 (Act No. 24 of 1992):

Particulars of political party:

1. Name of political party:
2. Abbreviated name of political party (if any):

.....
Director of Elections

.....
Date

**CERTIFICATE OF REGISTRATION AS AN ASSOCIATION
OR ORGANIZATION**
(Regulation 9(b))

It is hereby certified that the association or organization of which the particulars are furnished below, has been registered, with effect from the date hereof, as an association or organization in respect of the local authority council ofin terms of section 42 of the Electoral Act, 1992 (Act No. 24 of 1992):

Particulars of association or organization:

1. Name of association or organization:
2. Abbreviated name of association or organization (if any):

.....
Director of Elections

.....
Date

