

ELECTIONS

Electoral Act 5 of 2014

Summary: This Act ([GG 5583](#)) governs elections for the office of President, the National Assembly, regional councils and local authority councils. It provides for the establishment of an Electoral Commission, for the registration of voters and political parties, for the funding of political parties and for the conduct of elections and referenda. It also establishes electoral tribunals and an Electoral Court. The Act, with the exception of section 97(3) and (4) (which require verifiable paper trails for voting machines), was brought into force on 17 October 2014 by GN 208/2014 ([GG 5593](#)). The remaining provisions were brought into force on 21 March 2020 by GN 85/2020 ([GG 7149](#)). (See the 2020 *Itula* case discussed below concerning these provisions.)

Repeals: The Act repeals the Electoral Act 24 of 1992 ([GG 471](#)), as amended.

Savings Section 208(b) of this Act provides that –
any notice, regulation, authorisation, order or certificate issued, made or granted or any other thing done” in terms of any law repealed or amended by the Act, “except in so far as may be otherwise required by this Act, is deemed to have been issued, made, granted or done under the corresponding provision of this Act.

The Electoral Act 24 of 1992 repealed various election-related laws, but it contained no savings clause for regulations or other subsidiary enactments issued under any of these laws.

Regulations: The following regulations were issued in terms of the current Act:

Regulations relating to Registration of Voters, Political Parties or Organisations are contained in GN 71/2015 ([GG 5735](#)), which repeals regulations on this topic made under the previous Act.

Regulations relating to Nomination of Candidates for Elections are contained in GN 223/2015 ([GG 5847](#)), which repeals the regulations contained in GN 141/1992 ([GG 504](#)), as amended by GN 149/1992 ([GG 513](#)), GN 196/1994 ([GG 956](#)) and GN 271/1998 ([GG 1985](#)).

Regulations relating to Authorisation Voting and Announcement of Results of Elections are contained in GN 252/2015 ([GG 5873](#)), which repeals the regulations contained in GN 152/1992 ([GG 518](#)), as amended by GN 205/1994 ([GG 965](#)).

Regulations relating to Declaration of Assets and Liabilities of Political Parties and Disclosure of Foreign and Domestic Financing of Political Parties, Organisations, Members or Other Persons are contained in GN 357/2019 ([GG 7053](#)).

Regulations for the conduct of elections are contained in GN 297/2020 ([GG 7396](#)).

The following regulations made under the previous Electoral Act 24 of 1992 remain in force:

Regulations relating to Use of Voting Machines at Elections are contained in GN 117/2014 ([GG 5524](#)), as amended by GN 209/2014 ([GG 5593](#)) and GN 299/2019 ([GG 7023](#)).

Rules: Rules, Codes of Conduct and guidelines made under the previous Electoral Act 24 of 1992 which remain in force pursuant to section 208(b) of the current Act are as follows:

Guidelines for the conduct of political activity by political parties are published in General

Notice 143/1992 ([GG 503](#)).

A **Code of Conduct Governing Persons Accredited to Provide Voter Education for or in Respect of Elections** is contained in General Notice 241/2009 ([GG 4352](#)).

A **Code of Conduct Governing Accredited Observers and Persons Appointed by Accredited Observers** is contained in General Notice 242/2009 ([GG 4352](#)).

Those issued in terms of the 2014 Act are as follows:

Rules for the Electoral Court are contained in GN 228/2014 ([GG 5608](#)).

Rules for the Electoral Tribunal are contained in GN 191/2018 ([GG 6684](#)).

A **Code of Conduct for Election Agents and Counting Agents** is published in GN 69/2015 ([GG 5729](#)).

See also **Rules of the Supreme Court relating to Presidential Election Challenges**, issued in terms of section 37 of the Supreme Court Act 15 of 1990, read with section 172(3) of the Electoral Act 5 of 2014, in GN 118/2015 ([GG 5761](#)).

Notices: Notices made under the previous Electoral Act 24 of 1992 which remain in force pursuant to section 208(b) of the current Act, are as follows:

GN 172/1992 ([GG 530](#)) states that the **Directorate of Elections** will resort under the Office of the Prime Minister.

It was announced in GN 116/2014 ([GG 5524](#)), pursuant to section 79B of the 1992 Act, that the Electoral Commission has adopted **voting by way of voting machines** for all Presidential, National Assembly, regional council and local authority area elections. (However, this notice was withdrawn by GN 63/2020 ([GG 7133](#)), following on the 2020 *Itula* case discussed below.)

A notice announcing that the **Namibia Economic Freedom Fighters** applied for registration as a political party appears in GN 144/2014 ([GG 5555](#)).

Notices issued in terms of the 2014 Act are as follows:

The **formula for funding of political parties represented in Parliament**, the percentage of unspent money that may be retained by political parties at the end of each financial year and ancillary matters are set out in GN 89/2015 ([GG 5750](#)), as amended by GN 352/2019 ([GG 7050](#)) and by GN 275/2020 ([GG 7385](#)), which repeals GN 352/2019 ([GG 7050](#)).

GN 272/2015 ([GG 5879](#)) contains a notice of an intended change in the **symbol of the political party Rally for Democracy and Progress (RDP)**.

GN 319/2017 ([GG 6487](#)) contains a notice of an intended **change of name, abbreviated name and symbol** for the political party **DTA of Namibia**. The proposed new name is **Popular Democratic Movement (PDM)**.

A notice announcing that the **Landless People's Movement** applied for registration as a political party appears in GN 340/2018 ([GG 6791](#)).

A notice announcing that **National Empowerment Fighting Corruption** applied for registration as a political party appears in GN 361/2019 ([GG 7063](#)).

Regional court magistrates are designated as **electoral tribunals** and district magistrates as

presiding officers in GN 313/2019 ([GG 7034](#)), which withdraws GN 56/2014 ([GG 5449](#)), which in turn withdrew GN 260/1998 ([GG 1976](#)).

GN 63/2020 ([GG 7133](#)) repealed GN 116/2014 (issued under the 1992 Act) and announced that in terms of section 97(2) of the 2014 Act, the Electoral Commission of Namibia has decided that **no elections in any constituency or regional council or local authority will be held by voting machines**. (This change followed on the 2020 *Itula* case discussed below.)

A notice announcing that the **Rehoboth Independent Town Management Association (RITMA)** applied for registration as an organisation appears in GN 183/2020 ([GG 7299](#)).

A notice announcing that the **Omaruru Community Development Organisation (OCDO)** applied for registration as an organisation appears in GN 184/2020 ([GG 7299](#)).

A notice announcing that the **Affirmative Repositioning (AR)** applied for registration as an organisation appears in GN 187/2020 ([GG 7306](#)).

A notice announcing that the **Rundu Urban Community's Association (RUCA)** applied for registration as an organisation appears in GN 188/2020 ([GG 7306](#)).

A notice announcing that the **Affirmative Repositioning Swakopmund (AR Swakopmund)** applied for registration as an organisation appears in GN 212/2020 ([GG 7313](#)).

A notice announcing that the **Affirmative Repositioning Walvis Bay (AR Walvis Bay)** applied for registration as an organisation appears in GN 213/2020 ([GG 7313](#)).

A notice announcing that the **Independent Patriots for Change (IPC)** applied for registration as a political party appears in GN 214/2020 ([GG 7313](#)).

A notice announcing that the **Affirmative Repositioning Otavi (AR Otavi)** applied for registration as an organisation appears in GN 257/2020 ([GG 7372](#)).

A notice announcing that the **Promised Land Residents Association (PLARA)** applied for registration as an organisation appears in GN 258/2020 ([GG 7372](#)).

A notice announcing that the **Khorixas Constituency Residents Association** applied for registration as an organisation appears in GN 12/2021 ([GG 7455](#)).

GN 128/2022 ([GG 7792](#)) contains a notice of an intended **change of symbol** for the political party **Republican Party of Namibia**.

GN 319/2022 ([GG 7925](#)) contains a notice of an intended **change of symbol** for the registered organisation **Rundu Urban Community's Association**.

A notice announcing that the **Body of Christ Party** applied for registration as a political party appears in GN 352/2020 ([GG 7952](#)).

A notice announcing that **A Right to Shelter Foundation of Namibia (A-RTS-N)** applied for registration as an organisation appears in GN 42/2023 ([GG 8047](#)).

GN 54/2023 ([GG 8051](#)) contains a notice of an intended **change of symbol** for the registered organisation **Joint Walvis Bay Residents Association**.

GN 132/2023 ([GG 8080](#)) contains a notice of an intended **change of symbol** for the political party **United People's Movement**.

Declarations of assets and liabilities: Notices of declarations of assets and liabilities in terms of section 139(3) of the Act have been announced as follows -

GN 2/2022 ([GG 7719](#)) - Independent Patriots for Change

GN 196/2022 ([GG 7846](#)) - 12 political parties/organisations (Affirmative Repositioning, All People's Party, Joint Walvis Bay Residents Association, Landless People's Movement, Monitor Action Group, National Empowerment Fighting Corruption, Omaruru Community Development Organisation, Promised Land Residents Association, Rundu Concerned Citizens Association, SWAPO Party of Namibia, United Democratic Front of Namibia and United People's Movement).

Appointments: Persons in office who were appointed under the previous Act remain in office under the new Act. All appointments under both the previous Act and this Act are listed here for historical interest:

An initial Director of Elections and an Electoral Commission are appointed in Proc. 44/1992 ([GG 509](#)).

An Acting Director of Elections is appointed in Proc. 16/1993 ([GG 648](#)), and a Director of Elections in Proc. 24/1993 ([GG 727](#)), as amended by Proc. 26/1993 ([GG 750](#)). A Director of Elections is appointed in Proc. 23/2003 ([GG 3035](#)), Proc. 28/2008 ([GG 4093](#)) and Proc. 29/2013 ([GG 5274](#)).

Members of the Electoral Commission are announced in Proc. 15/1999 ([GG 2070](#)), Proc. 10/2000 ([GG 2391](#)), Proc. 37/2004 ([GG 3219](#)), Proc. 10/2005 ([GG 3485](#)), Proc. 7/2007 ([GG 3789](#)), Proc. 16/2007 ([GG 3928](#)), Proc. 14/2011 ([GG 4787](#)), Proc. 8/2013 ([GG 5143](#)), Proc. 7/2016 ([GG 6125](#)), Proc. 6/2019 ([GG 6865](#)), Proc. 42/2014 ([GG 7628](#)) and Proc 21/2022 ([GG 7869](#)).

Members of the Selection Committee are appointed in GN 109/2000 ([GG 2313](#)), GN 229/2001 ([GG 2647](#)), GN 64/2005 ([GG 3440](#)), GN 165/2006 ([GG 3714](#)), GN 55/2011 ([GG 4702](#)) and GN 134/2012 ([GG 4954](#)).

The appointment of coordinators and assistant coordinators is announced in GN 217/2010 ([GG 4571](#)).

The appointment of a Chief Electoral and Referenda Officer is announced in GN 142/2018 ([GG 6649](#)).

The appointment of a Chief Electoral Officer is announced in GN 256/2023 ([GG 8177](#)).

Cases: The following cases concern the current Act:

Maletzky & Others v Electoral Commission & Others 2015 (2) NR 571 (HC) (section 209(2) and GN 208/2014; empowering a member of executive branch to decide when portions of an Act come into force is not an unconstitutional violation of the separation of powers; evidence placed before court in respect of electronic voting machines in motion proceeding insufficient to support allegation of violation of constitutional right to vote; other claims put forward fall within jurisdiction of Electoral Court rather than High Court)

Itula & Others v Minister of Urban & Rural Development & Others 2020 (1) NR 86 (SC) (unconstitutional to bring section 97 of the Act regarding electronic voting machines into force without subsections (3) and (4) concerning paper trails; GN 208/2014 is invalid with effect from 21 March 2020 unless Minister withdraws it before that date, but the Court refused to set aside the 2019 Presidential election on this basis)

Tjirare v Chairperson of the Electoral Commission of Namibia 2020 (3) NR 627 (HC); upheld on appeal in *Popular Democratic Movement & Others v Chairperson of the Electoral Commission of Namibia & Others and a Similar Case* 2022 (3) NR 615 (SC) (section

170(2); sections 77-78 read with section 110(4) and relevant provisions of the Constitution: a political party may not change an election list subsequent to the election) *Electoral Commission of Namibia v Swapo Party of Namibia & Others* 2021 (1) NR 227 (HC) (sections 12, 115, and 64 of the Act; ballots cast and elections held in Koes, Aroab, and Stampriet local authorities and Mariental Rural Constituency of Hardap Regional Council declared invalid and set aside; ECN to re-run these polls and to contribute to costs of the re-run for the political parties affected)

[62] We have made an observation which is worth recording. As much as the commission can approach the court to rectify material irregularities, it remains the duty of the commission to ensure that its election officers are properly trained in order to ensure credible, free and fair elections. It is incumbent on the commission to have mechanisms in place to assess the transfer of election knowledge and skill to the election officers, and be satisfied that the men and women who are ultimately tasked to conduct elections on which our democracy starts and rests are well equipped to serve the election process. We cannot imagine the chaos that may consequentially follow if the voters come to the realisation that some election officers are found to be wanting in the process of conducting elections. The commission will not be approached with kid gloves if it turns out that its election officers are either not properly trained, assessed or examined to the extent that they may compromise the elections.

Itula & Others v Minister of Urban and Rural Development & Others 2021 (3) NR 746 (SC) (section 172; rule 16 of the Rules of the Supreme Court relating to Presidential Election Challenges in GN 118/2015 ([GG 5761](#)))

The following cases were decided under the Electoral Act 24 of 1992:

Garoeb & Others v President of the Republic of Namibia & Others 1992 NR 342 (HC)

DTA of Namibia & Another v SWAPO Party of Namibia & Others 2005 NR 1 (HC)

Congress of Democrats & Others v Electoral Commission 2005 NR 44 (HC)

Rally for Democracy and Progress & Others v Electoral Commission of Namibia & Others 2009 (2) NR 793 (HC), 2010 (2) NR 487 (SC), 2013 (2) NR 390 (HC) and 2013 (3) NR 664 (SC)

Republican Party of Namibia & Another v Electoral Commission of Namibia & Others 2010 (1) NR 73 (HC).

Commentary:

Joram K Rukambe, "Electoral Reform in Namibia: Challenges and Constraints", 2 (1) *Journal of African Elections* 141, 2003.

"Media and Elections – A Question of Access", Institute for Public Policy Research, 2009, available [here](#)

Transparency International, "Promoting Transparency and Accountability of Political Finance in the SADC Region: Comparative analysis and findings from Mozambique, Namibia, South Africa, Zambia and Zimbabwe", 2010, available [here](#)

G. Töttemeyer, "Namibia's Constitution, Democracy and the election process" in N Horn, A Bösl & A du Pisani (eds), *Constitutional Democracy in Namibia: A Critical Analysis after Two Decades*, Konrad Adenauer Stiftung, 2010, available [here](#)

Nico Horn, "Rally for Democracy and Progress & Seventeen Others v Electoral Commission of Namibia & Nine Others, unreported judgment of the Supreme Court of Namibia", *Namibia Law Journal*, Volume 3, Issue 1, 2011 available [here](#)

Nico Horn, "Rally for Democracy and Progress & Others v The Electoral Commission of Namibia & Others – A victory for the positivist approach", *Namibia Law Journal*, Volume 3, Issue 2, 2011

Nico Horn, "Becoming Fred Rodell: Predicting the result of the Second Supreme Court Appeal on the 2009 Election", *Namibia Law Journal*, Volume 4, Issue 2, 2012

G K H Töttemeyer, *Revision and Reform of the Namibian Electoral Act, (Act No. 24 of 1991)*, LRDC 19, Law Reform and Development Commission, 2012, available [here](#)

Gerhard Töttemeyer, "Revision and Reform of an Electoral Act in a Democratic Environment: The Namibian Case", 12 (3) *Journal of African Elections* 170, 2013

"Reforming Namibia's Electoral Law", Institute for Public Policy Research, 2013, available [here](#)
"Ready for 50/50?", Institute for Public Policy Research, 2013, available [here](#)

“The Good and the Bad of Tendered Ballots”, Institute for Public Policy Research, 2013, available [here](#)

“Celebrating 25 Years of Democratic Elections 1989-2014”, newspaper supplement, available [here](#)

Law Reform and Development Commission, *Report on the Revision and Reform of the Namibian Electoral Framework*, LRDC 31, 2014

“Electronic Voting Machines”, Institute for Public Policy Research, 2014, available [here](#)

Amanda Clayton, “Namibia at a Crossroads: 50/50 and the Way Forward”, Institute for Public Policy Research, 2014, available [here](#)

Nangula Shejvali, “A Thorn in the Flesh for Gender Equality”, Institute for Public Policy Research, 2015, available [here](#)

Max Weylandt, “Parliament Perspective – Party Funding”, Institute for Public Policy Research, 2016, available [here](#)

Herbert Weiland, “Elections in Namibia: Lynchpins and catalysts for democratic development?” in Nico Horn & Manfred O Hinz, eds, *Beyond a Quarter Century of Constitutional Democracy: Process and Progress in Namibia*, Windhoek: Konrad Adenauer Stiftung, 2017, available [here](#)

Ndjodi NL Ndeunyema, “The constitutionalisation of the Electoral Commission of Namibia, the appointment of Commissioners, and the erosion of constitutional democracy” in Nico Horn & Manfred O Hinz, eds, *Beyond a Quarter Century of Constitutional Democracy: Process and Progress in Namibia*, Windhoek: Konrad Adenauer Stiftung, 2017, available [here](#)

Office of the Attorney-General, “Frequently Asked Legal Questions”, Volume 3, April 2017, available [here](#) (section 5.5 discusses political party funding)

Frederico Links, “Fake News and Namibian Elections”, Institute for Public Policy Research, 2019, available [here](#)

“Long-standing compliance issues cloud political party finance”, *Perspectives on Parliament*, Issue 19, Institute for Public Policy Research, February 2023.

Related international agreements:

African Charter on Democracy, Elections and Governance, 2007

Statutes of the International Institute for Democracy and Electoral Assistance (International IDEA), as revised in 2006

See also SADC Parliamentary Forum, *Norms and Standards for Elections in the SADC Region*, adopted by the SADC Parliamentary Forum Plenary Assembly on 25 March 2001, available at www.eisa.org.za/PDF/sadcpf.pdf.

As a matter of historical interest, the amendments to the Electoral Act 24 of 1992, which has been replaced by the Electoral Act 5 of 2014, were as follows:

Electoral Act 24 of 1992 ([GG 471](#))

The Act was substantially amended by **Act 23/1994 ([GG 957](#))**.

The definition of “party list” was amended by section 3 of the **Local Authorities Amendment Act 3 of 1997 ([GG 1584](#))**, to conform with the amendment of the Local Authorities Act 23 of 1992 ([GG 470](#)) to defer the change from election on a party list system to election on a ward basis until after the second local elections.

Act 30/1998 ([GG 1984](#)), amended sections 1, 3, 5, 9, 11, 20, 21, 25, 26, 62, 68, 74, 76 and 93 and substitutes certain expressions. **Act 11/1999 ([GG 2141](#))** amended Act 30/1998. Act 30/1998 came into force, in terms of section 16 of Act 30/1998 as amended by section 5 of Act 11/1999, on 13 July 1999 (the date of publication of Act 11/1999 in [GG 2141](#)), with the exception of sections 10 and 11 of Act 30/1998 which were deemed by section 16 of Act 30/1998, as amended by section 5 of Act 11/1999, to have come into operation on 1 October 1998.

Act 19/1999 ([GG 2237](#)) amended sections 28A, 51, 87, 87A, 88 and 89 of the Act.

Act 20/2002 ([GG 2890](#)) amended section 15 (pertaining to the period for the second general registration of voters)

and is deemed to have come into force on 23 October 2002.

Act 7/2003 ([GG 3013](#)), which was brought into force on 8 July 2003 by GN 146/2003 ([GG 3014](#)), made substantial amendments.

Act 4/2006 ([GG 3759](#)) amended sections 49 and 69 of the Act.

The Act was substantially amended by **Act 7/2009** ([GG 4322](#)), which came into force on the date of publication (14 August 2009), with the exception of new section 79B (concerning voting machines) which was brought into force on 14 March 2014 by GN 24/2014 ([GG 5425](#)).

Act 11/2010 ([GG 4542](#)) amended section 7 of the Act to extend the term of office of certain members of the Electoral Commission. It applied only to those members whose term of office was set to expire on 31 July 2010, extending their tenure until 30 June 2011.

Act 8/2012 ([GG 4983](#)) inserted section 28B to provide for the use of a digital voter registration system.

Act 9/2013 ([GG 5277](#)) amended section 15 to extend the deadline for the third general registration of voters.

Several of the amending Acts were discussed in *Rally for Democracy and Progress & Others v Electoral Commission & Others* 2013 (2) NR 390 (HC) at para 202-ff.

RELATED MATTERS

Establishment of the First Delimitation Commission, Proc. 12/1990 ([GG 69](#))

Appointment of Delimitation Commission, Proc. 9/1995 ([GG 1089](#))

Appointment of Delimitation Commission, Proc. 6/2002 ([GG 2855](#)).

KEY DOCUMENTS FOR SPECIFIC ELECTIONS

In terms of Articles 133-134 of the Namibian Constitution, the Constituent Assembly elected prior to Namibian Independence constituted the first National Assembly of Namibia, with its term of office deemed to have begun from the date of Independence. The first President of Namibia was the person elected to that office by the Constituent Assembly by a simple majority of all its members, with his term of office deemed to have begun from the date of Independence.

First local and regional elections, 1992

polling dates local elections: Proc. 38/1992 ([GG 502](#))

polling dates regional elections: Proc. 39/1992 ([GG 502](#))

regional candidates: GN 155/1992 ([GG 521](#)), GN 156/1992 ([GG 526](#)), GN 180/1992 ([GG 539](#))

local authority candidates: GN 157/1992 ([GG 528](#)), as amended by GN 183/1992 ([GG 544](#))

results-regional councils: GN 153/1992 ([GG 519](#)), GN 184/1992 ([GG 545](#)) as amended by GN 29/1993 ([GG 601](#))

results-local authority councils: GN 185/1992 ([GG 547](#))

New local authority, 1994 (Walvis Bay)

A local authority was established for Walvis Bay by Proc. 16/1994 ([GG 873](#)), as amended by Proc. 17/1994 ([GG 893](#)). See *Municipality of Walvis Bay v Du Preez* 1999 NR 106 (LC), for a discussion of the validity of this election.

list of political parties and candidates: GN 144/1994 ([GG 905](#))

results: GN 157/1994 ([GG 915](#))

Local election, 1993 (Aroab)

The first local government election was postponed in respect of Aroab, being held only in February 1993 (Proc. 48/1992, [GG 558](#)). According to the Director of Elections, this postponement was necessary because the election officer for Aroab was injured in a car accident. Kapena L Tjihero, Doufi Namalambo and Dianne Hubbard,

Affirmative Action for Women in Local Government in Namibia: The 1998 Local Government Elections, Legal Assistance Centre, 1998, footnote 56 (www.lac.org.na).

candidates: GN 9/1993 ([GG 572](#))

results: GN 27/1993 ([GG 601](#))

Regional by-elections, 1993-1994

Keetmanshoop Rural Constituency, Karas Region

candidates: GN 10/1993 ([GG 572](#))

results: GN 28/1993 ([GG 601](#))

Olukunda Constituency, Oshikoto Region

results: GN 11/1993 ([GG 572](#))

Kabe Constituency, Caprivi Region

candidates: GN 58/1993 ([GG 651](#))

results: GN 65/1993 ([GG 666](#))

Omupundja Constituency, Oshana Region

results: GN 226/1994 ([GG 985](#)).

General election, 1994 (President and National Assembly)

polling dates: Proc. 27/1994 ([GG 956](#))

lists of candidates for President: GN 216/1994 ([GG 973](#))

lists of candidates for National Assembly: GN 217/1994 ([GG 973](#)), as amended by GN 238/1994 ([GG 998](#))

results-President: GN 242/1994 ([GG 1003](#)), as corrected by GN 13/1995 ([h](#))

results-National Assembly: GN 243/1994 ([GG 1003](#))

Regional by-elections, 1995-1997

Gobabis Constituency, Omaheke Region

candidates: GN 79/1995 ([GG 1082](#))

results: GN 115/1995 ([GG 1102](#))

Okongo Constituency, Ohangwena Region

results: GN 212/1995 ([GG 1191](#))

Katima Mulilo Constituency, Caprivi Region

candidates: GN 258/1996 ([GG 1412](#))

results: GN 295/1996 ([GG 1437](#))

Ompundja Constituency, Oshana Region

results: GN 180/1997 ([GG 1674](#))

Kapako Constituency, Okavango Region

results: GN 44/1998 ([GG 1811](#)).

Second local authority elections, 1998

polling dates: Proc. 17/1997 ([GG 1698](#)), revoked by Proc. 25/1997 ([GG 1733](#)); Proc. 29/1997 ([GG 1748](#))

lists of political parties and candidates: GN 6/1998 ([GG 1788](#))

results: GN 35/1998 ([GG 1805](#))

Second regional elections, 1999

polling date: Proc. 17/1998 ([GG 1970](#)), replaced by Proc. 18/1998 ([GG 1974](#))

list of candidates and elected members: GN 279/1998 ([GG 1998](#))

results: GN 42/1999 ([GG 2069](#)), as amended by GN 189/1999 ([GG 2185](#))

General election, 1999 (President and National Assembly)

polling dates: Proc. 29/1999 ([GG 2199](#))

lists of candidates for President: GN 254/1999 ([GG 2233](#))

lists of candidates for National Assembly: GN 255/1999 ([GG 2233](#))

results-President: GN 22/2000 ([GG 2261](#))

results-National Assembly: GN 23/2000 ([GG 2261](#))

Local authority election, 2001

The members of the Rehoboth Town Council were removed from office by GN 68/2001 ([GG 2516](#)), pursuant to section 92 of the Local Authorities Act 23 of 1992; their powers were transferred to the Minister of Regional and Local Government and Housing and a date set for the election of a new council.

Rehoboth:

candidates: GN 140/2001 ([GG 2574](#))

results: GN 187/2001 ([GG 2615](#))

Regional by-elections, 1999-2004

Wanaheda Constituency, Khomas Region

candidates: GN 102/1999 ([GG 2120](#))

results: not published

Walvis Bay Urban Constituency, Erongo Region

candidates: GN 102/1999 ([GG 2120](#))

results: not published

Gobabis Constituency, Omaheke Region

candidates: GN 120/2000 ([GG 2334](#))

results: GN 184/2000 ([GG 2382](#))

Rundu Urban Constituency, Kavango Region

candidates: GN 285/2000 ([GG 2449](#))

results: GN 14/2001 ([GG 2473](#)).

Kapako Constituency, Kavango Region

candidates: GN 83/2001 ([GG 2525](#))

results: GN 141/2001 ([GG 2574](#))

Karibib Constituency, Erongo Region

candidates: GN 242/2001 ([GG 2658](#))

results: GN 11/2002 ([GG 2684](#))

Oshikango Constituency, Ohangwena Region

candidates: GN 242/2001 ([GG 2658](#))

results: GN 11/2002 ([GG 2684](#))

Rehoboth Urban West Constituency, Hardap Region

candidates: GN 49/2003 ([GG 2938](#))

results: GN 98/2003 ([GG 2974](#))

Kapako Constituency, Kavango Region:

candidates: GN 108/2003 ([GG 2989](#))

results: not published

Oshikango Constituency, Ohangwena Region:

candidates: not published

results: not published

Windhoek West Constituency, Khomas Region

candidates: GN 198/2003 ([GG 3058](#))

results: GN 228/2003 ([GG 3092](#))

Grootfontein Constituency, Otjozondjupa Region

candidates: GN 10/2004 ([GG 3137](#))

results: GN 43/2004 ([GG 3166](#))

Tsumeb Constituency, Oshikoto Region

candidates: GN 44/2004 ([GG 3166](#))

results: GN 107/2004 ([GG 3203](#))

The following regional by-elections were all held on 14 May 2004, on the same date as the General Elections for local authorities. However, the results were not published together with the local authority results and no separate publication of results for these by-elections has been located.

Otjinene Constituency, Omaheke Region

candidates: GN 94/2004 ([GG 3201](#))
results: not published
Okakarara Constituency, Otjozondjupa Region
candidates: GN 95/2004 ([GG 3201](#))
results: not published
Aminuis Constituency; Omaheke Region
candidates: GN 96/2004 ([GG 3201](#))
results: not published
Tsumkwe Constituency; Otjozondjupa Region
candidates: GN 97/2004 ([GG 3201](#))
results: not published
Omatako Constituency; Otjozondjupa Region
candidates: GN 98/2004 ([GG 3201](#))
results: not published

Third local authority elections, 2004

polling date: Proc. 18/2004 ([GG 3173](#)); GN 99/2004 ([GG 3201](#))
lists of political parties and candidates: GN 100/2004 ([GG 3202](#))
results: GN 190/2004 ([GG 3268](#))

General election, 2004 (President and National Assembly)

polling dates President: Proc. 43/2004 ([GG 3280](#))
polling dates National Assembly: Proc. 44/2004 ([GG 3280](#))
list of candidates for President: GN 237/2004 ([GG 3316](#))
party lists for National Assembly: GN 238/2004 ([GG 3316](#))
results-President: GN 3/2005 ([GG 3366](#))
results-National Assembly: GN 4/2005 ([GG 3366](#)); another set of results for the same election reporting slightly different figures is published in GN 31/2005 ([GG 3399](#)) without any reference to the previous Government Notice.

Third regional elections, 2004

polling date: Proc. 47/2004 ([GG 3292](#))
list of candidates: GN 252/2004 ([GG 3329](#))
results: GN 5/2005 ([GG 3366](#))

New local authorities, 2005 (Oshikuku, Okahao and Ruacana)

Oshikuku was established as a local authority by GN 234/2004 ([GG 3313](#)).
Okahao was established as a local authority by GN 233/2004 ([GG 3313](#)).
Ruacana was established as a local authority by GN 70/2005 ([GN 3456](#)).
list of political parties and candidates: GN 159/2005 ([GG 3540](#))
results: GN 50/2006 ([GG 3592](#)).

New local authority, 2007 (Nkurenkuru)

Nkurenkuru was established as a local authority by GN 155/2006 ([GG 3699](#)).
list of political parties and candidates: GN 56/2007 ([GG 3810](#)), which revokes GN 22/2007 ([GG 3790](#))
results: GN 74/2007 ([GG 3821](#))

New local authority, 2008 (Omuthiya)

Omuthiya was established as a local authority by GN 4/2008 ([GG 3974](#)).
list of candidates: GN 226/2008 ([GG 4118](#)), which withdraws GN 42/2008
results: GN 89/2008 ([GG 4013](#)); GN 251/2008 ([GG 4141](#))

Regional by-elections, 2007-2010

Rundu Rural West Constituency, Kavango Region
candidates: GN 228/2007 ([GG 3958](#))

results: GN 14/2008 ([GG 3983](#))
Eenhana Constituency, Ohangwena Region
candidates: GN 58/2008 ([GG 4006](#))
results: not published
Tobias Hainyeko Constituency, Khomas Region
candidates: GN 252/2008 ([GG 4141](#))
results: GN 271/2008 ([GG 4170](#))
Okahandja Constituency, Otjozondjupa Region
candidates: GN 16/2010 ([GG 4425](#))
results: GN 44/2010 ([GG 4442](#)).

General election, 2009 (President and National Assembly)

polling dates President and National Assembly: Proc. 12/2009 ([GG 4348](#))
list of candidates for President: GN 222/2009 ([GG 4375](#))
party lists for National Assembly: GN 224/2009 ([GG 4375](#))
results-President: GN 246/2009 ([GG 4397](#))
results-National Assembly: GN 247/2009 ([GG 4397](#))

Fourth local authority and regional elections, 2010

polling date: Proc. 16/2010 ([GG 4571](#))
lists of political parties and candidates (local authority councils): GN 245/2010 ([GG 4597](#))
lists of candidates (regional councils): GN 246/2010 ([GG 4597](#))
results-regional councils: GN 267/2010 ([GG 4627](#))
results-local authority councils: GN 268/2010 ([GG 4627](#))

New local authority, 2012 (Oranjemund)

Oranjemund was established as a local authority by GN 130/2011 ([GG 4767](#)).
list of political parties and candidates: GN 72/2012 ([GG 4892](#)), as amended by GN 83/2012 ([GG 4902](#))
results: GN 99/2012 ([GG 4926](#))

Regional by-elections, 2012-2015

Sibbinda Constituency, Caprivi Region
candidates: GN 226/2012 ([GG 5026](#))
results: GN 246/2012 ([GG 5048](#))
Tsumkwe Constituency, Otjozondjupa Region
candidates: GN 263/2012 ([GG 5066](#))
results: GN 287/2012 ([GG 5088](#))
Grootfontein Constituency, Otjozondjupa Region
candidates: GN 121/2013 ([GG 5189](#))
results: GN 163/2013 ([GG 5224](#))
Ohangwena Constituency, Ohangwena Region
candidates: GN 99/2014 ([GG 5512](#))
results: GN 169/2014 ([GG 5562](#))
Endola Constituency, Ohangwena Region
candidates: GN 218/2014 ([GG 5600](#))
results: GN 246/2014 ([GG 5626](#))
Windhoek-West Constituency, Khomas Region
candidates: GN 221/2014 ([GG 5600](#))
results: GN 247/2014 ([GG 5626](#))
Swakopmund Constituency, Erongo Region
candidates: GN 70/2015 ([GG 5730](#))
results: GN 120/2015 ([GG 5764](#))
Onyaanya Constituency, Oshikoto Region
candidate/result: GN 122/2015 ([GG 5764](#))
Otiwarongo Constituency, Otjozondjupa Region

candidates: GN 121/2015 ([GG 5764](#))
results: GN 184/2015 ([GG 5808](#))
Otavi Constituency, Otjozondjupa Region
candidates/results: GN 207/2015 ([GG 5830](#))

New local authority, 2014 (Bukalo)

Bukalo was established as a local authority by GN 225/2013 ([GN 5264](#)).
list of political parties and candidates: GN 123/2014 ([GG 5532](#))
results: GN 170/2014 ([GG 5562](#))

New local authority, 2014 (Otjinene)

Otjinene was established as a local authority by GN 6/2011 ([GG 4649](#)).
list of political parties and candidates: GN 133/2014 ([GG 5538](#))
results: GN 175/2014 ([GG 5573](#))

General election, 2014 (President and National Assembly)

polling date President and National Assembly: Proc. 31/2014 ([GG 5587](#))
list of candidates for President: GN 230/2014 ([GG 5609](#))
registered political parties and party lists for National Assembly: GN 232/2014 ([GG 5609](#)), as amended by GN 239/2014 ([GG 5617](#))
results-President: GN 259/2014 ([GG 5641](#))
results-National Assembly: GN 260/2014 ([GG 5641](#))

Fifth regional and local authority elections, 2015

polling date: Proc. 33/2015 ([GG 5846](#))
lists of political parties and candidates (local authority councils): GN 274/2015 ([GG 5880](#))
lists of candidates (regional councils): GN 275/2015 ([GG 5880](#))
results-regional councils: GN 317/2015 ([GG 5916](#))
results-local authority councils: GN 318/2015 ([GG 5916](#))

Regional by-elections, 2015-2020

Eengodi Constituency, Oshikoto Region
results: GN 296/2017 ([GG 6471](#))
Ncuncuni Constituency, Kavango-West Region
candidates: GN 44/2018 ([GG 6544](#))
results: GN 91/2018 ([GG 6600](#))
Ondangwa Urban Constituency, Oshana Region
candidates: GN 126/2019 ([GG 6909](#))
results: GN 193/2019 ([GG 6952](#))
Oshakati East Constituency, Oshana Region
candidates: GN 204/2019 ([GG 6961](#))
results: GN 276/2019 ([GG 7008](#))
Oshikuku Constituency, Omusati Region
results: GN 398/2019 ([GG 7081](#))

General election, 2019 (President and National Assembly)

polling date President and National Assembly: Proc. 33/2019 ([GG 7008](#))
list of candidates for President: GN 329/2019 ([GG 7040](#))
registered political parties and party lists for National Assembly: GN 331/2019 ([GG 7041](#))
results-President: GN 50/2020 ([GG 7126](#))
results-National Assembly: initially published in GN 51/2020 ([GG 7126](#)), which was withdrawn and replaced by GN 86/2020 ([GG 7149](#)), which is amended by GN 168/2022 ([GG 7826](#)) pursuant to the appeal judgment in *Popular Democratic Movement & Others v Chairperson of the Electoral Commission of Namibia & Others and a Similar Case* 2022 (3) NR 615 (SC)

Regional by-elections, 2019-2020

- Khomasdal Constituency, Khomas Region*
candidates: GN 404/2019 ([GG 7081](#))
results: GN 46/2020 ([GG 7126](#))
- Gobabis Constituency, Omaheke Region*
candidates: GN 406/2019 ([GG 7081](#))
results: GN 47/2020 ([GG 7126](#))
- Walvis Bay Urban Constituency, Erongo Region*
candidates: GN 407/2019 ([GG 7081](#))
results: GN 48/2020 ([GG 7126](#))
- Keetmanshoop Urban Constituency, //Kharas Region*
candidates: GN 405/2019 ([GG 7081](#))
results: GN 49/2020 ([GG 7126](#))
- Otjiwarongo Constituency, Otjozondjupa Region*
candidates: GN 42/2020 ([GG 7119](#))
results: GN 87/2020 ([GG 7155](#))
- Opuwu Rural Constituency, Kunene Region*
candidates: GN 41/2020 ([GG 7119](#))
results: GN 88/2020 ([GG 7155](#))

Fifth regional and local authority elections, 2020

- polling dates: GN 291/2020 ([GG 7388](#)), GN 292/2020 ([GG 7388](#))
lists of candidates (regional councils): GN 293/2020 ([GG 7389](#))
results-regional councils: GN 219/2021 ([GG 7654](#))

The initial regional elections were held on 25 November 2020.

- The election in *Hardap Regional Council: Mariental Rural Constituency* was declared invalid and a re-run required by *Electoral Commission of Namibia v SWAPO Party of Namibia & Others* 2021 (1) NR 227 (HC); this re-run took place on 26 February 2021.
- The announcement of the election results in *Kavango East Regional Council: Ndonga Linea Constituency* was declared null and void and a recount required by *All Peoples' Party v Electoral Commission of Namibia* (EC 2/2021) [2021] NAHCMD 414 (13 September 2021).

- results-local authority councils: GN 65/2021 ([GG 7497](#))

The initial local authority elections were held on 25 November 2020.

- The local authority elections in the Koes, Aroab and Stampriet Local Authorities were ruled invalid in *Electoral Commission of Namibia v SWAPO Party of Namibia & Others* 2021 (1) NR 227 (HC), with the result that they had to be re-run; this re-run took place on 26 February 2021.

Regional by-elections, 2021-2023

- Kunene Regional Council: Opuwo Rural Constituency*
candidates: GN 130/2021 ([GG 7557](#))
results: GN 162/2021 ([GG 7599](#))
- Zambezi Regional Council: Katima Mulilo Urban Constituency*
candidates: GN 163/2021 ([GG 7599](#))
results: GN 215/2021 ([GG 7650](#))
- Kavango West Regional Council: Ncamagoro Constituency*
candidates: GN 252/2021 ([GG 7690](#))
results: GN 17/2022 ([GG 7741](#))
- Erongo Regional Council: Swakopmund Constituency*
candidates: GN 200/2022 ([GG 7852](#))
results: GN 276/2022 ([GG 7907](#))
- Khomas Regional Council: Moses //Garob Constituency*
candidates: GN 394/2022 ([GG 7972](#))
results: GN 8/2023 ([GG 8017](#))

Oshana Regional Council: Okaku Constituency
candidates: GN 40/2023 ([GG 8043](#))
results: GN 102/2023 ([GG 8072](#))
//Kharas Regional Council: Keetmanshoop Rural Constituency
candidates: GN 134/2023 ([GG 8080](#))
results: GN 177/2023 ([GG 8117](#)).

INTERNATIONAL LAW

African Charter on Democracy, Elections and Governance, 2007

*Statutes of the International Institute for Democracy and Electoral Assistance (International IDEA),
as revised in 2006*

See also Intimidation Proclamation, AG 24 of 1989, in connection with General Notice 143/1992, which contains certain guidelines for the holding of elections (**CRIMINAL LAW AND PROCEDURE**).

See also **REGIONAL AND LOCAL GOVERNMENT**.