



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Electoral Act 5 of 2014
section 205

**Regulations relating to Registration of Voters,
Political Parties or Organisations**

Government Notice 71 of 2015

(GG 5735)

came into force on date of publication: 13 May 2015

The Government Notice which issues these regulations repeals the regulations published in GN 147/2003 (GG 3014), as amended by GN 149/2003 (GG 3018). These previous regulations were issued in terms of section 130 of the Electoral Act 24 of 1992, but survived in terms of section 208(b) of its successor, the Electoral Act 5 of 2014.

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PART 1
DEFINITIONS

Definitions

1. In these regulations a word or an expression to which a meaning has been assigned in the Act has that meaning and unless the context indicates otherwise -

“Annexure” means an Annexure to these regulations; and “the Act” means the Electoral Act, 2014 (Act No. 5 of 2014).

PART 2
REGISTRATION OF VOTERS

Application for registration as voter

2. (1) If a person applies in terms of section 26 of the Act for registration as a voter a registration officer must complete in respect of that person an application form that is substantially in the form set out in Form 9 in the Annexure.

(2) If an application for registration as a voter in terms of section 26 of the Act is -

(a) refused by a registration officer in terms of section 28 of the Act that registration officer must -

(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 10 in the Annexure;

(b) accepted by a registration officer in terms of section 30 of the Act, that registration officer must record such acceptance on the application form referred to in subregulation (1).

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Statements, documents and accounts to prove compliance with residence qualification

3. For the purposes of section 26(3)(d) and section 26(4)(d) of the Act and in addition to any document, statement, certificate or account referred to in those sections -

- (a) a person to whom a voter registration card has been issued under section 30 of the Act, in respect of the local authority area in question, may submit to the registration officer a statement under oath or affirmation in which it is indicated 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 local authority area, with the applicable qualification relating to residence; or
- (b) an applicant contemplated in those sections may submit to the registration officer, a water and electricity account or a telephone account issued to that applicant, containing his or her name, residential address and other particulars.

Appeal against refusal to register applicant

4. If an electoral tribunal in terms of section 29 of the Act allows or dismisses an appeal, that electoral tribunal must 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. (1) A voter registration card or a duplicate voter registration card must be completed and issued as contemplated in sections 30 and 35 of the Act respectively and must be a PVC (Polyvinyl Chloride) card that contains the registration details, picture and signature of the voter.

(2) A voter registration card or a duplicate voter registration card must also display a 2D barcode with encrypted registration details.

(3) The voter registration card or a duplicate voter registration card must indicate the region, constituency or local authority for which the voter is qualified to participate in, but a duplicate voter registration card issued must be endorsed with the word "duplicate" as well as the date of issue below the voter registration number.

Voters' lists and voters' registers

6. (1) The names of persons to be included in -
- (a) any voters' list referred to in section 30(4) of the Act; or
 - (b) any provisional voters' register referred to in section 31 of the Act; or
 - (c) any voters' register referred to in section 36 of the Act, must be included in alphabetical order according to their surnames and -

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- (i) all surnames which are identical must be grouped together and the order of the names in the group must be determined by the alphabetical order of the first names which must be regarded to be one word;
- (ii) where several persons have surnames beginning with the same letter, the order must 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 must 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 must be regarded to be one word;
- (v) a surname which is written with an unattached prefix must be regarded to be one word.

(2) Opposite the surname and first names of a person contemplated in subregulation (1), there must be included in separate columns the residential and postal address, digital details as captured and the voter registration number of that person.

(3) Below the surname and first names of a person contemplated in subregulation (1), there must be included the encrypted barcode and registration date of most recent registration or change of particulars.

(4) If a provisional voters' register or voters' register is printed, the pages must be numbered consecutively at the top of each page and the name of the constituency or local authority area must appear at the bottom and top of each page of that register.

(5) The certification referred to in section 36(1)(b) of the Act must appear at the end of a voters' register and must 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 the Chief Electoral Officer".

PART 3
REGISTRATION OF POLITICAL PARTIES OR ORGANISATIONS

Application for registration

- 7. An application for registration -
 - (a) as a political party in terms of section 136 of the Act must be substantially in the form set out in Form 11 in the Annexure;

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- (b) as an organisation in terms of section 148 of the Act must be substantially in the form set out in Form 12 in the Annexure;

Amount payable in respect of registration

- 8.** The amount payable in respect of -
- (a) a political party in terms of section 136 of the Act is N\$ 25 000.00;
- (b) an organisation in terms of section 148 of the Act is N\$ 2 500.00,

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

Certificate of registration

- 9.** The certificate of registration contemplated in section 137(3) of the Act must be issued -
- (a) in respect of a political party contemplated in section 136 of the Act, substantially in the form set out in Form 13 in the Annexure; and
- (b) in respect of an organisation contemplated in section 148 of the Act, substantially in the form set out in Form 14 in the Annexure.

Disclosure of receipt of moneys to the public

10. (1) The disclosure of money to the public as contemplated in section 141(1) of the Act, must be made by a registered political party or registered organisation or member of such registered political party or registered organisation or other person referred to in that section, within a period of 30 days after it has been 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 on which such money was donated or otherwise received; and
- (d) the manner in which such money is intended to be used.

(2) The Commission must make known in the *Gazette* the total amount received in a financial year by a registered political party or registered organisation or member of such registered political party or registered organisation or other person referred to in section 141(1) of the Act.

Short title

11. These regulations must be called the Regulations relating to the Registration of Voters, Political Parties or Organisations.

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ANNEXURES

ARRANGEMENT OF FORMS

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Form 13	Certificate of registration as a political party	9(a)
Form 14	Certificate of registration as an organization	9(b)

ANNEXURES
Forms

To view content without printing, scroll down.

To print at full scale (A4), double-click the icon below.



GN 71/2015
Annexures - Forms

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Documentation presented in respect of age	<input type="checkbox"/>	ID Document	<input type="checkbox"/>	Green Namibian Passport	<input type="checkbox"/>	Birth Certificate	<input type="checkbox"/>	Affirmed /sworn statement DEL	<input type="checkbox"/>	Opinion of Registration Officer									
Fixed residential Address																			
Erf Number					House Number														
Street																			
Settlement/Village/Town/City/Farm																			
Continuous residence at fixed address for more than 12 months	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Date fixed residence started	<input type="checkbox"/>	Y	<input type="checkbox"/>	Y	<input type="checkbox"/>	Y	<input type="checkbox"/>	M	<input type="checkbox"/>	M	<input type="checkbox"/>	D	<input type="checkbox"/>	D
Postal address																			
Box/Bag	<input type="checkbox"/>	Box	<input type="checkbox"/>	Bag	Number														
Post office name																			
Settlement/Village/Town/City																			

I hereby affirm or on oath confirm in the presence of the Registration Officer that the above particulars are true and correct and that I'm not disqualified to register as a voter in terms of the Electoral Act

Date Stamp

Full name of Registration Officer: _____

Signature of Registration Officer: _____

Registration Point: _____

Signature/ fingerprint of Applicant
(not to go outside of this box)

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Form 10

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

DATE STAMP

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

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

.....
.....
.....

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.....
Signature of Magistrate

.....
Constituency/Local Authority Area

DATE STAMP

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Form 11

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

Yes	No
-----	----

On any ballot paper in question:

3. Authorised representative of political party:

Surname:

First Names:

Business Address of office of authorised representative:

.....

Postal Address of office of authorised 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 (2)(d) of Section 136 of the Electoral Act, 2014 (Act No. 5 of 2015) 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, 2014, as contemplated in section 135(2)(a) of that Act?

Yes	No
-----	----

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(b) Is any object of the political party prejudicial to the safety of the State, sovereignty and integrity, the public safety, welfare or the peace and good order as contemplated in section 135(2)(b)(i) of that Act?

Yes	No
-----	----

(c) Is any object of the political party contrary to the laws of Namibia as contemplated in section 135(2)(b)(ii) of that Act?

Yes	No
-----	----

(d) 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 135(2)(b)(iii) of that Act?

Yes	No
-----	----

(e) Does any object of the political party use or include words, slogans or symbols which could give rise to division on any basis specified in section 135(2)(b)(iv) of that Act?

Yes	No
-----	----

(f) Does any object of the political party provide for discriminatory practices contrary to the Namibian Constitution or any other law as contemplated in section 135(2)(b)(v) of that Act?

Yes	No
-----	----

(g) Does any object of the political party accept or advocate the use of force or violence as a means of attaining its political objectives as contemplated in section 135(2)(b)(vi) of that Act?

Yes	No
-----	----

(h) Does any object of the political party advocate or aim to carry on its political activities exclusively in one part of Namibia as contemplated in section 135(2)(b)(vii) of that Act?

Yes	No
-----	----

(i) Does any object of the political party advocate or aim to carry on its political activities on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status as contemplated in section 135(2)(b)(viii) of that Act?

Yes	No
-----	----

(j) Does any object of the political party provide for regular, periodic and open election of its office bearers as contemplated in section 135(2)(b)(ix) of that Act?

Yes	No
-----	----

B. DECLARATION BY AUTHORISED REPRESENTATIVE OF POLITICAL PARTY

I (state full names) in my capacity as the authorised 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 authorised representative

.....
Date

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Form 12

APPLICATION FOR REGISTRATION AS AN ORGANISATION

(Regulation 7(b))

C. PARTICULARS OF ORGANISATION

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

Yes	No
-----	----
4. Authorised representative of organisation:

Surname:

First Names:

Business Address of office of authorised representative:

Postal Address of office of authorised representative:
5. State full names, residential and postal addresses, and capacity or designation of office in organisation of other office-bearers of organisation and attach hereto as Annexure A.
6. Attach distinctive symbol of organisation (if any) as Annexure B hereto. If the organisation has a distinctive symbol, state whether the organisation 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 organisation as Annexure D hereto.
9. Attach the declaration required in terms of subsection (2)(d) of Section 136 of the Electoral Act, 2014 (Act No. 5 of 2015) as Annexure E hereto.
10. Irrespective of whether the constitution of the organisation contains any provision to the contrary or not:
 - (a) Is it the principal object of the organisation to participate in or promote elections under the Electoral Act, 2014, as contemplated in section 135(2)(a) of that Act?

Yes	No
-----	----

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(b) Is any object of the organisation prejudicial to the safety of the State, sovereignty and integrity, the public safety, welfare or the peace and good order as contemplated in section 135(2)(b)(i) of that Act?

Yes	No
-----	----

(c) Is any object of the organisation contrary to the laws of Namibia as contemplated in section 135(2)(b)(ii) of that Act?

Yes	No
-----	----

(d) Is the membership of the organisation excluded or restricted on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status as contemplated in section 135(2)(b)(iii) of that Act?

Yes	No
-----	----

(e) Does any object of the organisation use or include words, slogans or symbols which could give rise to division on any basis specified in section 135(2)(b)(iv) of that Act?

Yes	No
-----	----

(f) Does any object of the organisation provide for discriminatory practices contrary to the Namibian Constitution or any other law as contemplated in section 135(2)(b)(v) of that Act?

Yes	No
-----	----

(g) Does any object of the organisation accept or advocate the use of force or violence as a means of attaining its political objectives as contemplated in section 135(2)(b)(vi) of that Act?

Yes	No
-----	----

(h) Does any object of the organisation advocate or aim to carry on its political activities exclusively in one part of Namibia as contemplated in section 135(2)(b)(vii) of that Act?

Yes	No
-----	----

(i) Does any object of the organisation advocate or aim to carry on its political activities on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status as contemplated in section 135(2)(b)(viii) of that Act?

Yes	No
-----	----

(j) Does any object of the organisation provide for regular, periodic and open election of its office bearers as contemplated in section 135(2)(b)(ix) of that Act?

Yes	No
-----	----

11. DECLARATION BY AUTHORISED REPRESENTATIVE OF ORGANISATION

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

.....
Signature of authorised representative

.....
Date

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Form 13

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 136 of the Electoral Act, 2014 (Act No. 5 of 2014):

1. Particulars of political party:

.....

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

.....

.....
Chief Electoral Officer of the Electoral Commission of Namibia

.....
Date

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Form 14

CERTIFICATE OF REGISTRATION AS AN ASSOCIATION OR ORGANISATION

(Regulation 9(b))

It is hereby certified that the association or organisation of which the particulars are furnished below, has been registered, with effect from the date hereof, as association or organisation in terms of section 148 of the Electoral Act, 2014 (Act No. 5 of 2014):

Particulars of association or organisation:

1. Name of association or organisation:

.....

2. Abbreviated name of association or organisation (if any):

.....

.....
Chief Electoral Officer of the Electoral Commission of Namibia

.....
Date