

Namibia

Electoral Act, 2014

## Regulations relating to Registration of Voters, Political Parties or Organisations, 2015

Government Notice 71 of 2015

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Regulations relating to Registration of Voters, Political Parties or Organisations, 2015  
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Republic of Namibia  
**Annotated Statutes**

**Electoral Act, 2014**

## **Regulations relating to Registration of Voters, Political Parties or Organisations, 2015**

**Government Notice 71 of 2015**

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**[This is the version of this document at 15 November 2017.]**

**[Note: The version of this legislation as at 15 November 2017 was revised and consolidated by the Legal Assistance Centre and the Government of the Republic of Namibia. All subsequent amendments have been researched and applied by Laws.Africa for NamibLII.]**

**[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](#).]**

### **Part 1 – DEFINITIONS**

#### **1. Definitions**

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**

#### **2. Application for registration as voter**

- (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 [\(1\)](#).

### 3. Statements, documents and accounts to prove compliance with residence qualification

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.

### 4. Appeal against refusal to register applicant

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\(2\)\(a\)\(ii\)](#).

### 5. Voters' and duplicate voters' registration cards

- (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.

### 6. Voters' lists and voters' registers

- (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-

- (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**

#### **7. Application for registration**

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;
- (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;

## 8. Amount payable in respect of registration

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](#).

## 9. Certificate of registration

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.

## 10. Disclosure of receipt of moneys to the public

- (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.

## 11. Short title

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

## Annexures

### Forms

[Editorial note: The forms have not been reproduced.]