



Republic of Liberia

National Elections Commission

Regulation on Polling and Counting

August 1, 2011
Monrovia, Liberia

Preamble

WHEREAS, Article 89 of the January 6, 1986 Constitution of the Republic of Liberia established the Elections Commission as an autonomous public Commission;

WHEREAS, Sections 2.9 (a) and (h) of the 1986 Elections Law empower the Commission to administer and enforce all laws relative to the conduct of elections and to formulate and enforce electoral guidelines, respectively;

WHEREAS, The National Elections Commission recognizes that the conduct of elections requires polling and counting regulations;

NOW THEREFORE, The National Elections Commission hereby promulgates the Regulation on Polling and Counting:

Definitions

Article 1:

Except when the context of a specific provision of the law otherwise requires, the following terms when used in this regulation, shall have the following meanings:

“Commission” means the National Elections Commission established under Article 89 of the Constitution of Liberia.

“Election Day” means the day set for voting in an election.

“Journal” means the record of events at a polling place.

“presiding officer” means the presiding office of a polling place.

“polling place” means a place where registered voters cast votes in an election.

“voting precinct” means a location where one or more polling places are situated.

Application

Article 2:

This regulation is binding and applies to polling and counting in:

- (a) Presidential Elections;
- (b) Senate Elections;
- (c) House of Representatives elections;
- (d) Chieftain Elections.

Persons who may Vote

Article 3:

1. A person who is registered as a voter and presents a valid registration card, may vote at the voting precinct marked on the registration card on Election Day.
2. If a person has a valid registration card marked for a precinct, but cannot be found on the registration roll for the precinct, the presiding officer shall permit the person to vote if two other persons who hold voter registration cards permitting them to vote at the same voting precinct certify that they know the person and that he or she is the person described on the voter registration card.

Voting Precincts and Polling Places

Article 4:

The Commission shall establish voting precincts with sufficient polling places to serve the voter population in accordance with Sections 4.1 and 4.2 of the Elections Law of 1986.

Assistance for voters

Article 5:

1. The Commission shall provide voting screens at every polling place that will allow voters to vote in secret.
2. A voter who is illiterate or physically handicapped may be assisted by a registered voter as provided by Section 5.8 of the Elections Law.
3. No one may assist more than one illiterate or physically handicapped voter in an election.
4. If more than one election is being held on the same day, a registered voter may assist an illiterate or physically handicapped voter for all of the elections held that day.

Voting Time

Article 6:

1. As provided by Section 4.8 of the Elections Law, voting shall commence at 8 am and cease at 6 pm on Election Day, subject to paragraph 3 of this Article.
2. At the time set for the end of voting, the last voter in the queue is marked. All voters before and including the last person in the queue shall be allowed to vote. No one shall join the queue of voters after that time.
3. If voting is interrupted for any reason for more than one hour during the hours of voting, the presiding officer may order that voting at the polling place be extended for up to one hour to compensate the time of interruption.

Observation of the voting and counting

Article 7:

1. Any person accredited as a political party's agent, candidate's agent, observer or media representative who is present may observe any stage of the voting, counting, completion of forms, sealing of boxes and transportation of materials under these regulations.
2. A presiding officer may
 - a) order a political party agent, observer or media organization representative who commits an election offence under the Elections Law or violates a regulation or guideline issued by the Commission to leave the polling place and surrender the identification issued by the Commission;
 - b) in the case of over-crowding or security concerns, set time limits on the presence of political party' agents, observers or media organization representatives in the polling place.
3. The Commission is not required to provide any accommodation, food, security, transportation or other service to a party or candidate's agent, observer, media representative or to any other person.

Polling Place Journal

Article 8:

Every polling place shall have a Journal. The presiding officer of the polling place shall enter in the Journal information on:

- (a) election offences or violations of any regulation, guideline or procedure approved by the Commission
- (b) events that affect or interrupt voting;
- (c) any order made under Article 6 or 7;
- (d) any ballot spoiled and replaced;
- (e) details of any complaint made orally at the polling place and the action taken; and
- (f) the time of receipt of any written complaint in a sealed envelope for transportation to the Magistrate's Office and the name of the complainant.

Persons permitted in a Voting Precinct or Polling Place

Article 9:

No person is allowed to enter or remain in a voting precinct or polling place except the following:

- a) a member of the voting precinct or polling place staff,
- b) a Commissioner or an official of the Commission authorized by the Commission,
- c) a person eligible to vote who has not completed voting.

- d) a political party's agent, independent candidates' agent, observer or media representative, wearing a badge showing accreditation by the Commission,
- e) a person authorized to help an illiterate or disabled voter in accordance with the Elections Law and this regulation.

Casting a Ballot

Article 10:

1. No person with a finger that appears to have been marked with ink for the election may enter a voting precinct or polling place, except to assist an illiterate or disabled voter.
2. Every voter's finger shall be marked with indelible ink before placing a ballot paper in the ballot box.
3. Polling place officials shall instruct every voter on how to mark the ballot, before the voter goes behind the voting screen.
4. The voter shall mark the ballot in secret and shall fold it to conceal the way it is marked before leaving the voting screen.
5. A voter who spoils a ballot may return it to the ballot issuer, who shall issue a replacement ballot and keep the spoiled ballot and record it in the polling place Journal.

Counting

Article 11:

1. After voting is completed the polling place staff shall count the ballots in the polling place.
2. The sorting and counting of the ballots and the completion of the count of results and other documents and tasks required by the Commission shall be carried out following the procedures approved by the Commission.

Complaints

Article 12:

Complaints with respect to voting or counting shall be dealt with under the Regulation on Challenges and Complaints approved by the Commission.

Amending this Regulation

Article 13:

This regulation may be amended by the Board of Commissioners of National Elections Commission.

Entry into Force

Article 14:

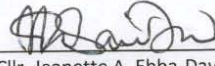
This regulation enters into force immediately upon publication.

DONE UNDER OUR HANDS AND SEAL OF THE NATIONAL ELECTIONS COMMISSION (NEC) THIS 1ST DAY OF AUGUST, A.D. 2011.

Signed:




Cllr. Sarah Jegede-Toe
COMMISSIONER



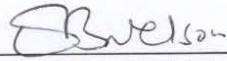
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