

AMENDMENTS TO REGULATIONS ON

COMPLAINTS AND APPEALS , SEPTEMBER 22 , 2005

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 , internal elections standards provide that election contestants and citizens may complain and appeal violations of the election process ;

WHEREAS , Article 65 of the January 6, 1986 Constitution of the Republic of Liberia provides for administrative consideration before a review by a court of competent jurisdiction ;

WHEREAS , the National Elections Commission desires to ensure that international election standards are applied by approving regulations for complaints and appeals pertaining to matters under its jurisdiction related to the election process , and to amend such regulations when necessary to avoid confusion and uncertainty , and to ensure compliance with international standards ;

NOW THEREFORE :

The National Elections Commission hereby promulgates the following amendments pertaining to the Regulations on Complaints and Appeals , 20 July 2005 .

Section 6 : Exceptions

Section 6. 4 is hereby amended to read as follows :

Complaints about incidents that are alleged to have occurred during the voting or counting of votes , must also be entered into the log book of the relevant polling station , **and** be submitted in writing to the relevant county electoral magistrate within twenty-four (24) hours after the occurrence of the event which forms the basis of the exception .

Section 9 : Submission of Complaint

This Section is hereby amended by the insertion of the following new sub-sections :

Section 9. 1 (a)

A complaint shall be submitted not later than three (3) days after the occurrence of the event complained of .

Section 9. 1 (b)

For the purpose of giving notice to the NEC as required by this section , NEC shall include its representatives in the counties .

Section 10 : Consideration of Complaint

Section 10 . 1 is hereby amended to read as follows :

Complaints that are accepted by the NEC for consideration during the electoral process , shall be resolved within seven (7) days , **except where the NEC determines that a hearing on the evidence is required** . In that event , the NEC shall inform the complainant and any other directly affected party of that fact within three (3) days , and the hearing shall be scheduled no later than five (5) days **after notice has been given to the complainant and any other directly affected party**. **The NEC shall either accept the complaint or reject it in whole or in part** .