2021 HOUSE OF REPRESENTATIVES

BY-ELECTIONS REGULATIONS

SEPTEMBER 2021
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Section 1: Citation

These Regulations may be cited as the 2021 Representative By-Elections Regulations.

Section 2: Definitions
In these Regulations, unless the context otherwise states, the following terms shall have the following meanings:

(i) “Application” means a written request by a political party, coalition, or alliance or any aspirant to the Commission to stand in a By-Election;

(ii) “By-Election” means an election to fill a vacancy in the House of Representatives of the Republic of Liberia;

(iii) “Commission” means the National Elections Commission (NEC);

(iv) “Candidate/Aspirant” means any person nominated or endorsed by a political party, coalition or alliance; or anyone applying to the Commission to stand as an independent candidate;

(v) “Domicile” means the residence in the constituency of an aspirant or candidate who seeks elective public office in which he/she lives and pays taxes;

(vi) “Alliance or Coalition” means two (2) or more political parties accredited by the Commission as a single entity for the purpose of participating in an election, while maintaining their individual identities;

(vii) “Political Party” means an association that has been so accredited by the Commission.

(viii) “Independent candidate/aspirant” means a person seeking elective public office, acting independently of a political party, alliance or coalition.

(ix) “Campaign” means canvassing for votes;

(x) “Publication” means when the NEC places/publishes these Regulations on its official website.

Section 3: Scope of Regulations

These Regulations apply to the November 16, 2021 Representative By-Elections in Bomi County, District #1; Bong County, District #2; Grand Gedeh County, District #1; and Nimba County, District #1.

Section 4: Voter Registration Roll/Card
4.1 The voters registration roll compiled by the NEC as a result of the 2017 voters' registration and subsequent 2020 Voter Roll Update shall be used during these By-Elections.

4.2 Any registered voter who has not been judicially declared to be incompetent or of unsound mind, or who has not been disenfranchised as a result of a conviction of an infamous crime shall, upon presentation of his or her valid voter registration card issued by NEC for the voting precinct of the electoral district concerned, be entitled to use such card to vote in the By-Election.

4.3 In the event of loss or destruction of a registration card, and after proof has been established, the NEC shall issue a new card for a fee of Five (5) United States Dollars or its Liberian Dollar equivalent to be paid in the National Revenue. The public will be informed concerning the date, time, and centers for the VR Cards Replacement Exercise.

Section 5: General Provisions Relating to Political Parties, Alliances, Coalitions and Independent Candidates

5.1 A Liberian Citizen shall have the right to apply to the NEC for registration to stand in the By-Election on the ticket of a political party, coalition, or alliance or as an independent aspirant, provided that such Citizen meets the requirements laid down by the 1986 Constitution of the Republic of Liberia, the Elections Law, National Code of Conduct and NEC promulgated Regulations;

5.2 All Registered political parties, alliances or coalitions fielding candidates in the By-Election shall be required to establish and maintain at least one furnished and functioning local office in the said Electoral District in which the By-election is to be held;

5.3 If contesting as an independent aspirant/candidate, the person shall have a furnished and functioning office in the Electoral District in which he/she is contesting.

Section 6: Qualifications for Office and Proof of such Qualifications

6.1 Any person, seeking to stand as a candidate in the By-election, in addition to any other requirement for the office of Representative as provided for in the 1986 Constitution of Liberia, the Election Law and Regulations, shall meet the following:

(a) Be a citizen of the Republic of Liberia; and submit to the NEC a sworn affidavit or declaration regarding same;

(b) Have attained the age of twenty-five (25) years. The aspirant shall submit to the NEC a copy of his/her birth certificate, national identification card and/or biographical page of his/her passport;

(c) Be domiciled in the Electoral District to be represented not less than one year prior to the time of the By-Election;

(d) Be a taxpayer, and submit to the NEC proof of same issued by the Liberian Revenue Authority;
(e) If contesting on the ticket of a political party, alliance or coalition, submit to the NEC proof that the political party, alliance or coalition has an indemnity insurance policy valued not less than US$100,000.00 or its Liberian Dollar equivalent. Submit also a certified bank statement in the name of the political party, alliance or coalition showing a bank balance of not less than $10,000 United States Dollars or its Liberian Dollars equivalent. The political party, alliance or coalition shall sign and submit to the NEC a statement authorizing the banking institution and insurance company, respectively, to release to the NEC information regarding the authenticity of the submitted bank statement and indemnity insurance policy.

(f) If contesting as an independent aspirant/candidate, present to the NEC proof of an indemnity insurance policy valued not less than US$100,000.00 or its Liberian Dollar equivalent. The aspirant shall present a certified bank statement (in his or her name) showing a bank balance of at least US$10,000.00 or its Liberian Dollars equivalent. The aspirant shall sign and submit to the NEC a statement authorizing the banking institution and insurance company, respectively, to release to the NEC information regarding the authenticity of the submitted bank statement and indemnity insurance policy.

Section 7: Nomination of Candidates of Political Parties, Alliances or Coalitions

7.1. A political party, alliance or coalition shall hold a convention/primary for the nomination of candidates.

7.2. Acceptance of applications for nomination, whether re-nomination, or new nomination shall be subject to all the eligibility criteria including but not limited to those provided for under the Constitution of Liberia, the Elections Law, National Code of Conduct, Code of Conduct of Political Parties and Independent Candidates, and NEC promulgated Regulations.

Section 8: Nomination Procedures for Candidates of Political Parties, Alliances, or Coalitions

8.1 A registered political party, alliance or coalition intending to field aspirants to contest any of the By-elections shall pick up a registration package containing the aspirant registration forms which shall be filled in by the aspirant where applicable and shall be filled in by the party, alliance, or coalition's National Chairperson/National Secretary General where applicable. The nomination forms are also available on NEC website at www.necliberia.org. The completed forms, together with proof of payment of the prescribed non-refundable application fees, shall be submitted to the NEC before the close of the Candidate Nomination period.

8.2 A Letter of intent from each aspirant declaring his/her willingness to serve when elected, together with the other required documents listed shall be submitted to the NEC before the close of the Candidate Nomination Period.
8.3 The NEC shall reject any application that does not meet the qualification and criteria specified in the Liberian Constitution, the New Elections Law, the National Code of Conduct, or these Regulations.

Section 9: Application Procedure for Independent Aspirants/Candidates

9.1 A Liberian citizen wishing to contest as an Independent aspirant shall pick up a registration package from the NEC Registration center, fill it in and submit same together with proof of payment of the prescribed non-refundable application fee and processing fee to the NEC before the close of the registration period. The nomination forms are also available on NEC website at www.necliberia.org.

Section 10: Application and Registration Fees

10.1 Each aspirant, whether seeking to contest as an independent candidate or on a political party’s, coalition’s or alliance’s ticket shall pay/deposit a nonrefundable application fee of Five Hundred United States Dollars (US$500.00) or its Liberian Dollar equivalent into a bank account designated by the NEC and submit proof of such payment to the NEC before the close of the registration period.

Section 11: Verification and Determination Procedures of all Aspirants

11.1 The NEC shall, upon receipt of an application package, issue a written and dated notice of receipt thereof.

11.2 The NEC may take all lawful steps which it deems necessary, including the holding of investigation/hearing to verify the accuracy of the information and documentation submitted by an aspirant and/or political party, coalition or alliance.

11.3 The NEC shall notify an aspirant in writing of its decision to accept or reject his or her application.

11.4 An aspirant whose application has been rejected by the Nomination Committee may, within 24 hours following the said decision, perfect his/her appeal to the NEC Board of Commissioners. An aspirant dissatisfied with the rejection decision of the Board may, within 48 hours following the said decision, perfect his/her appeal to the Honorable Supreme Court. An appeal filed beyond the period(s) stated herein shall be dismissed for lack of jurisdiction.

11.5 The NEC shall publish the names of all candidates cleared/accepted to contest the By-Elections.

Section 12: Withdrawal of Registration/Application/Candidature

12.1 Any political party, alliance or coalition or its aspirants, or an independent aspirant may withdraw a registration/application. Such withdrawal shall be effected by completing and submitting the prescribed form to the Nomination
Committee no later than seven (7) days after the last day for receiving applications.

Section 13: Campaign Period and Matters Incidental Thereto

13.1 The NEC shall determine, publish and announce the date when official political campaign shall open; and the date it shall close which shall be at midnight, twenty-four (24) hours before Election Day.

13.2 Campaign activities of political parties, alliances, coalitions or independent candidates shall not extend beyond the boundaries of the Republic of Liberia.

Section 14: Revision and Amendment

14.1 These Regulations may be revised or amended at any time by the NEC. All such revisions or amendments shall be published by the NEC, and shall become effective immediately upon such publication.

Section 15: Effective Date

15.1 These Regulations shall enter into force immediately upon their publication by the NEC on its website at www.necliberia.org and shall be binding upon all aspirants/candidates, political parties, alliances, coalitions and independent candidates contesting in the said By-election(s).

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