



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$9.20

WINDHOEK - 1 October 2015

No. 5847

CONTENTS

Page

GOVERNMENT NOTICE

No. 223 Regulations relating to nominations of candidates for elections: Electoral Act, 2014 1

Government Notice

ELECTORAL COMMISSION OF NAMIBIA

No. 223

2015

REGULATIONS RELATING TO NOMINATION OF CANDIDATES FOR ELECTIONS: ELECTORAL ACT, 2014

The Electoral Commission of Namibia, under section 205 of the Electoral Act, 2014 (Act No. 5 of 2014) has -

- (a) made the regulations set out in the Schedule; and
- (b) repealed the regulations published under Government Notice No. 141 of 17 October 1992, as amended by Government Notice No. 149 of 29 October 1992 and Government Notice No. 196 of 21 October 1994.

N. TJIPUEJA

CHAIRPERSON

ELECTORAL COMMISSION OF NAMIBIA

Windhoek, 17 September 2015

SCHEDULE ARRANGEMENT OF REGULATIONS

- 1. Definitions
- 2. Prescribed forms

3. Nomination of candidates for presidential elections
4. Nomination of candidates for national assembly elections
5. Nomination of candidates for regional council elections
6. Nomination of candidates for local authority council elections

ANNEXURES

Form	Regulations
Form 17	3
Form 18	4
Form 19	4
Form 20	4
Form 21	5
Form 22	6
Form 23	6
Form 24	6

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 content indicates otherwise -

“Annexure” means the Annexure to these regulations; and

“the Act” means the Electoral Act, 2014 (Act No. 5 of 2014).

Prescribed forms

2. A reference in these regulations to a form with a specific number is a reference to the form with that number as set out in the Annexure.

Nomination of candidates for presidential elections

3. (1) A person nominating a person as candidate for presidential elections in terms of section 73 of the Act, must nominate such person by completing Form 17.

(2) A candidate for election to the office of the President who -

(a) consents to his or her nomination as required by section 73(4)(b) of the Act; or

(b) desires to withdraw his or her consent to nomination in terms of section 73(8)(b) of the Act, may do so by completing the applicable section of Part D of Form 17.

(3) A political party which, in terms of section 73(8)(a) of the Act, desires to withdraw its nomination of a candidate, may do so by completing the applicable section of Part D of Form 17.

(4) The list containing the names and other particulars of the persons supporting the nomination of an independent candidate in an election for the President referred to in section 73(4)(d) of the Act is annexed to Form 17 as Part E.

Nomination of candidates for National Assembly elections

4. (1) The list of candidates nominated by a political party for the purposes of any election of members of the National Assembly in terms of section 77(1) of the Act is submitted on Form 18.

(2) A candidate who, in terms of section 78(2)(b) of the Act, desires to withdraw his or her candidature for any election of members of the National Assembly or a political party which, in terms of that section, desires to withdraw the candidature of a candidate nominated by it for that election, may do so by completing -

- (a) in respect of that candidate, Part A of Form 19; and
- (b) in respect of that political party, Part B of Form 19.

(3) A political Party which, in terms of section 78(2) of the Act, desires to nominate an additional person or another person as a candidate in the place of a person whose candidature has been withdrawn by it, may do so by completing the applicable sections of Form 20.

Nomination of candidates for regional council elections

5. (1) A person nominating a person as candidate for election as a member of a regional council must nominate such person on Form 21.

(2) A candidate for election as a member of a regional council who is required to consent to his or her nomination in terms of section 80(3)(b) of the Act or who desires to withdraw his or her nomination in terms of section 80(7) of the Act, may do so by completing the applicable section of Part D of Form 21 .

(3) A political party which submitted a nomination of a candidate and which desires to withdraw that nomination, may do so by completing the applicable section of Part D of Form 21.

(4) The list containing the names and other particulars of the persons supporting the nomination of an independent candidate in an election for a member of a regional council contemplated in section 80(3)(e) of the Act is annexed to Part E of Form 21.

Nomination of candidates for local authority elections

6. (1) The list of candidates for the purposes of any election of members of local authority councils to be held on party lists referred to in section 86(1) of the Act -

- (a) must for the purposes of section 6(3) of the Local Authorities Act, 1992 (Act No. 23 of 1992), indicate whether such candidate is a male or female person; and
- (b) is completed on Form 22.

(2) A candidate who, in terms of section 78(2)(b) of the Act, desires to withdraw his or her candidature for an election of members of local authority councils to be held on party lists may do so by completing Part A of Form 23.

(3) A political party which, in terms of section 78(2)(b) of the Act, desires to withdraw the candidature of a candidate nominated by it for an election of members of local authority councils may do so by completing Part B of Form 23.

(4) A political party which desires to nominate a person as a candidate in terms of section 78(1) and in section 86(1) of the Act, in place of a person whose name is to be deleted from the list of candidates referred to in paragraph (b) of section 78(1) of the Act, may do so on Form 24.

ANNEXURE

FORM 17

ELECTORAL COMMISSION OF NAMIBIA
ELECTORAL ACT, 2014 (ACT NO. 5 OF 2014)

ELECTION OF PRESIDENT
NOMINATION OF CANDIDATE/WITHDRAWAL OF NOMINATION
(Section 73 / Regulation 3)

For use by Chairperson of the Commission			
Received by me at	h	on	/..... /20
	(time)	(day)	(month) (year)
.....			
Signature of Chairperson of the Commission			

PART A – [To be completed in respect of candidate]

The following person is hereby nominated as candidate for election to the office of President in respect of the nomination session to be held on /..... /20
(day) (month) (year)

Particulars of candidate

Surname (block letters/capitals):
First Names (block letters/capitals):
Voter registration number:
Residential Address:
Postal Address:
Date of birth:
Namibian citizenship by:
Name of political party or Independent Candidate (block letters/capitals):
.....

Part B – [To be completed in the case of a candidate nominated by a political party]

I,
(full names)

*(a) being the authorized representative of
.....
(name of registered political party)

Contemplated in paragraph (e)(iii) of section 136(2) of the Act; or

*(b) being the office-bearer of
.....
(name of registered political party)

(in the capacity of
.....)

Contemplated in paragraph (e)(iv) of section 136(2) of the Act, and authorized in writing by the authorized representative of that political party to sign this nomination, a copy of which authorization is attached hereto,

- (i) hereby nominate the person whose particulars are stated in Part A as the candidate of the political party for the election in question and declare that the candidate is a member of that political party, that the candidate qualifies to be elected as a member of the National Assembly by virtue of the provisions of Article 46(1)(a) of Namibian Constitution and that the particulars stated in Part A are to the best of my knowledge, correct;
- (ii) hereby attach a certified copy of the REGISTRATION CERTIFICATE of that political party;
- (iii) hereby attach a RECEIPT (No.) in proof that an amount of N\$ 20 000 has been deposited by the political party in accordance with section 73(4)(c); and
- (iv) hereby enclose a photo of the person whose particulars are stated in Part A.

Note: *The photo should be a passport size photo in colour and should not contain any political party or organisation paraphernalia.*

.....

Signature

.....
Date

*Delete paragraph (a) or (b), whichever is not applicable.

Part C [To be completed in the case of an independent candidate]

We, (a); and
(full names)

(b);
(full names)

Whose names appear on the list annexed as Part E hereof,

- (i) Hereby nominate the person whose particulars are stated in Part A as an independent candidate for the election and declare that the particulars stated in Part A are, to the best of our knowledge, correct; and
- (ii) Hereby attached a RECEIPT (No.) in proof that an amount of N\$ 10 000 has been deposited by the independent candidate in accordance with section 73(4) (d).

.....

Signature (a)

.....
Date

.....

Signature (b)

.....
Date

Part D –

1. [To be completed by candidate]

I hereby consent to the nomination as candidate for the election.

.....

Signature of Candidate

.....
Date

2. [To be completed by candidate]

I hereby withdraw my consent to nomination as candidate for the election.

.....
Signature of Candidate

.....
Date

3. [To be completed on behalf of political party]

I,
(full names)

*(a) being the authorized representative of

(name of registered political party)

Contemplated in paragraph (e)(iii) of section 136(2) of the Act; or

*(b) being the office-bearer of

(name of registered political party)

(in the capacity of)
 Contemplated in paragraph (e)(iv) of section 136(2) of the Act, and authorized in writing by the authorized representative of that political party to sign this nomination, a copy of which authorization is attached hereto,

Hereby withdraw the nomination of the person whose particulars are stated in Part A as the candidate of
(name of registered political party)

For the election.

.....
Signature

.....
Date

*Delete paragraph (a) or (b), whichever is not applicable.

Stamp the seal of political party here:



Part E –**LIST OF VOTERS SUPPORTING CANDIDATURE OF INDEPENDENT CANDIDATE**
(Section 72(c)(ii))

For use by Chairperson of the Commission

Received by me at h on / /20

(time)

(day)

(month)

(year)

.....
Signature of Chairperson of the Commission

We, the undersigned registered voters, hereby support the nomination of
(full names and registration number of candidate) As candidate and declare that we have not signed,
in respect of the election, in support of any other candidate.

<u>No.</u>	<u>Name of Region</u>	<u>Voter Registration number</u>	<u>Surname</u>	<u>First Names</u>	<u>Residential Address</u>	<u>Signature</u>	<u>Date</u>

*** Note:** List to be completed by at least 500 registered voters per region, i.e. 7000 registered voters in total.

FORM 18

ELECTORAL COMMISSION OF NAMIBIA
ELECTORAL ACT, 2014 (ACT 5 OF 2014)

**ELECTION FOR MEMBERS OF NATIONAL ASSEMBLY
NOMINATION OF CANDIDATES**
(Section 77 / Regulation 4)

For use by Chairperson of the Commission

Received by me at h on / /20
(time) (day) (month) (year)

.....
Signature of Chairperson of the Commission

PART A – [To be completed in respect of candidates]

LIST OF CANDIDATES OF
.....
(name of political party)

In respect of election to be held on (date of election)

No.	Name	Surname	Sex	Residential address	Voter registration number

***Note:** The number of candidates to be nominated must not be less than 32 and not more than 96.

Part B – [To be completed by authorized representative of registered political party]

I,
(full names)

(a) being the authorized representative of
.....
(name of registered political party)

Contemplated in paragraph (e)(iii) of section 136(2) of the Act,

- (a) Hereby submit the list of candidates in Part A in terms of subsection (1) of section 77 of the Act;
- (b) Hereby declare that each person whose name appears on the list of candidates in Part A has consented to his or her nomination as a candidate of that political party and that every such person complies with the requirements set out in subsection (4) of section 77 of the Act;
- (c) Hereby enclose a certified copy of the REGISTRATION CERTIFICATE of that political party; and
- (d) Hereby enclose a photo of the head of that political party.

Note: *The photo should be a passport size photo in colour and should not contain any political party or organisation paraphernalia.*

.....
Signature

.....
Date

Stamp the seal of political party here:



FORM 19

ELECTORAL COMMISSION OF NAMIBIA
ELECTORAL ACT, 2014 (ACT 5 OF 2014)ELECTION FOR MEMBERS OF NATIONAL ASSEMBLY
WITHDRAWAL OF CANDIDATURE OF CANDIDATE

(Section 78 / Regulation 4)

PART A – [To be completed in case of withdrawal by candidate]I,
(full names)

Whose name appears on the list of candidates of

.....
(name of registered political party)

For the election to be held on

.....
(date of election)

Hereby withdraw my candidature.

.....
Signature **Date****PART B** – [To be completed in case of withdrawal by political party]I,
(full names)

Being the authorized representative of

.....
(name of registered political party)

Contemplated in paragraph (e)(iii) of section 136(2) of the Act hereby withdraw the candidature of

.....
(full names)

Whose name appears on the list of candidates of that political party for the election to be held on

..... (date of election)

.....
Signature **Date**

Stamp the seal of political party here:

--

FORM 20

**ELECTORAL COMMISSION OF NAMIBIA
ELECTORAL ACT, 2014 (ACT 5 OF 2014)**

**ELECTION FOR MEMBERS OF NATIONAL ASSEMBLY
NOMINATION OF CANDIDATE IN PLACE OF PERSON WHOSE NAME IS TO BE
DELETED FROM LIST OF CANDIDATES
(Section 78 / Regulation 4)**

PART A – [To be completed in respect of candidate]

The following person is hereby nominated as candidate of

.....
(name of registered political party)

In the place of

.....
.....
(full names of person whose name is to be deleted from list of candidates)

In respect of the election to be held on
(date of election)

(Indicate where name of candidate is to be added or inserted on list)

PART B – [To be completed by candidate]

I hereby consent to be nominated as candidate for the election in question.

.....
Signature **Date**

Whose name appears on the list of candidates of the above-mentioned political party for the election to be held on (date of election)

.....
Signature **Date**

PART C – [To be completed by authorized representative of political party]

I,
(full names)

Being the authorized representative of

.....
.....
(name of registered political party)

Contemplated in paragraph (e)(iii) of section 136(2) of the Act hereby declare that the person whose particulars are stated in Part A -

- (a) qualifies to be elected as a member of the National Assembly by virtue of Article 46(1)(a) of Namibian Constitution;

- (b) is a registered voter in terms of the Act; and
- (c) is a member of that political party.

.....
Signature

.....
Date

Stamp the seal of political party here:



FORM 21

**ELECTORAL COMMISSION OF NAMIBIA
ELECTORAL ACT, 2014 (ACT 5 OF 2014)**

**REGIONAL COUNCIL ELECTIONS
NOMINATION OF CANDIDATE
(Sections 79 and 80 / Regulation 5)**

For use by the Returning Officer			
Received by me at h on / /20			
(time)	(day)	(month)	(year)
Full names of Returning Officer			
Signature of of Returning Officer			

PART A – [To be completed in respect of candidate]

The following person is hereby nominated as candidate for election as a member of the Regional Council for the Region in the Constituency in respect of the nomination session to be held on / /20
(day)
(month)
(year)

Particulars of candidate

Surname (block letters/capitals):

First Names (block letters/capitals):

Voter registration number:

Residential Address:

Postal Address:

Date of birth:

Male or Female:

Name of political party or Independent Candidate (block letters/capitals):

Part B – [To be completed in the case of a candidate nominated by a political party]

I,
(full names)

*(a) being the authorized representative of

(name of registered political party)

Mentioned in paragraph (e)(iii) of section 136(2) of the Act; or

*(b) being the office-bearer of

(name of registered political party)

(in the capacity of)

Referred to in section 136(2) (e)(iv) of the Act, and authorized in writing by the authorized representative of that political party to sign this nomination, a copy of which authorization is attached hereto,

- (i) hereby nominate the person whose particulars are stated in Part A as the candidate of that political party for the election in question and declare that candidate is a member of that political party and that the particulars stated in Part A are, to the best of my knowledge, correct;
- (ii) hereby attach a certified copy of the REGISTRATION CERTIFICATE of that political party;
- (iii) hereby attach a RECEIPT (No.) in proof that an amount of N\$ 2 500 has been deposited by that political party in accordance with section 80(3)(c); and
- (iv) hereby enclose a photo of the candidate, whose particulars are stated in Part A.

Note: *The photo should be a passport size photo in colour and should not contain any political party or organisation paraphernalia.*

.....
Signature **Date**

*Delete paragraph (a) or (b), whichever is not applicable.

Part C – [To be completed in the case of an independent candidate]

We, (a); and
 (full names)
 (b);
 (full names)

Whose names appear in the list annexed as Part E hereof, hereby nominate the person whose particulars are stated in Part A as an independent candidate for the election in question and declare that the particulars stated in Part A are, to the best of our knowledge, correct;

.....

Signature (a)	Date
----------------------	-------------

.....
Signature (b) **Date**

Part D –

1. [To be completed by candidate]

I hereby consent to the nomination as candidate for the election.

.....
Signature of Candidate

.....
Date

2. [To be completed by candidate]

I hereby withdraw my consent to nomination as candidate for the election.

.....
Signature of Candidate

.....
Date

3. [To be completed on behalf of political party]

I,
(full names)

being the authorized representative of
.....
(name of registered political party)

Contemplated in section 136(2) (e)(iii) of the Act hereby withdraw the nomination of the person whose particulars are stated in Part A as the candidate of for the election
(name of registered political party)

in question for the Constituency.

.....
Signature of the authorized representative

.....
Date

Stamp the seal of political party here:



Part E**LIST OF VOTERS SUPPORTING CANDIDATURE OF AN INDEPENDENT CANDIDATE**
(Section 80(3)(e))

For use by the Returning Officer

Received by me at h on / /20
(time) (day) (month) (year).....
Full names of Returning Officer.....
Signature of of Returning Officer

We, the undersigned registered voters in the
Constituency hereby support the nomination of
(Full names and voter registration number of candidate), and we do hereby declare that we have not
already signed in support of any other candidate in respect of the election concerned.

<u>No.</u>	<u>Name of Constituency</u>	<u>Voter Registration number</u>	<u>Surname</u>	<u>First Names</u>	<u>Residential Address</u>	<u>Signature</u>
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						

Note: Minimum registered voters to support nomination – 150.

PART B – [To be completed by authorized representative of political party or organisation]

I,
(full names)

Being the authorized representative of
(name of registered political party or organisation).

Contemplated in paragraph (e)(iii) of section 136(2) of the Act,

- (a) Hereby submit the list of candidates in Part A in terms of subsection (1) of section 86 of the Act;
- (b) Hereby declare that each person whose name appears on the list of candidates in Part A has consented to his or her nomination as a candidate of that political party or organisation and that every such person -
 - (i) qualifies to be a member of the local authority in question as contemplated in section 7 of the Local Authorities Act, 1992 (Act No. 23 of 1992;
 - (ii) is a registered voter in terms of the Act; and
 - (iii) is a member of that political party or organisation.
- (c) Hereby enclose a certified copy of the REGISTRATION CERTIFICATE of that political party or organisation; and
- (d) Hereby enclose a photo of the head of that political party or organisation.

Note: *The photo should be a passport size photo in colour and should not contain any political party or organisation paraphernalia.*

.....
Signature of the authorized representative

.....
Date

Stamp the seal of political party organisation here:



FORM 23**ELECTORAL COMMISSION OF NAMIBIA
ELECTORAL ACT, 2014 (ACT 5 OF 2014)****LOCAL AUTHORITY ELECTIONS
WITHDRAWAL OF CANDIDATURE OF CANDIDATE
(Section 87 / Regulation 6)**

To: The Returning Officer for (local authority area)

PART A – [To be completed in case of withdrawal by candidate]

I,
(full names)

Whose name appears on the list of candidates of
.....
(name of registered political party or organisation)

For the election to be held on
.....
(date of election)

Hereby withdraw my candidature.

.....
Signature **Date**

PART B – [To be completed in case of withdrawal by political party or organisation]

I,
(full names)

Being the authorized representative of
.....
(name of registered political party or organisation)

Contemplated in paragraph (e)(iii) of section 136(2) or paragraph (e)(iii) of section 148(2) of the Act
hereby withdraw the candidature of
.....
(full names)

Whose name appears on the list of candidates of that political party or organisation for the election to
be held on (date of election)

.....
Signature **Date**

Stamp the seal of political party organisation here:

--

FORM 24

**ELECTORAL COMMISSION OF NAMIBIA
ELECTORAL ACT, 2014 (ACT 5 OF 2014)**

**LOCAL AUTHORITY ELECTIONS
NOMINATION OF CANDIDATE IN PLACE OF PERSON WHOSE NAME IS TO BE
DELETED FROM LIST OF CANDIDATES
(Section 87 / Regulation 6)**

PART A – [To be completed in respect of candidate]

The following person is hereby nominated as candidate of

.....
.....
(name of registered political party or organisation)

In the place of
(full names of person whose name is to be deleted from list of candidates)

For election of the Local Authority Council of

..... In respect of the election to be held
on *(date of election)*
(Indicate where name of candidate is to be added or inserted on list)

Particulars of candidate:

Surname: (block letters/capitals)

First names: (block letters/capitals)

Voter Registration Number:

Male or Female:

PART B – [To be completed by candidate]

I hereby consent to be nominated as candidate for the election.

.....
Signature **Date**

PART C – [To be completed by authorized representative of the political party or organisation]

I,
(full names)

Being the authorized representative of

.....
.....
(name of registered political party or organisation.)

Contemplated in paragraph (e)(iii) of section 136(2) or paragraph (e)(iii) of section 148(2) of the Act hereby declare that the person whose particulars are stated in Part A -

- (a) qualifies to be elected as a member of that local authority council as contemplated in section 7 of the Local Authorities Act, 1992 (Act 23 of 1992);

- (b) is a registered voter in terms of the Act; and
- (c) is a member of that political party or organisation.

.....

Signature

.....

Date

Stamp the seal of political party organisation here:


