

S.I. 133 of 2020

ELECTIONS ACT

(Cap 262)

**Elections (Code of Conduct of Polling and Counting Agents)
Regulations, 2020**

Arrangement of Regulations

Regulations

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ELECTIONS ACT

(Cap 262)

Elections (Code of Conduct of Polling and Counting Agents) Regulations, 2020

In exercise of the powers conferred by section 99 of the Elections Act, the Electoral Commission hereby makes the following regulations —

1. These regulations may be cited as the Elections (Code of Conduct of Polling and Counting Agents) Regulations, 2020. Citation

2. In these regulations, unless the context otherwise require — Definition

- (a) “Act” means the Elections Act (Cap 262);
- (b) “Agent” means a person appointed to be the polling agent or counting agent under section 20 of the Act;
- (c) “Electoral Officer” means the Chief Electoral Officer, Deputy Electoral Officer or Assistant Electoral Officer, as the case may be;
- (d) “Log Book” or “Occurrence Book” shall have the meanings respectively assigned to them under the Elections (Procedures) Regulations, 2016 (S.I.56 of 2016) made under the Act.

3. These regulations shall apply to Agents from the date of their appointment until the declaration of results of election by the Electoral Commission under section 38 of the Act. Application

Conduct of
Agents prior
to polling

4. The Agents shall prior to the polling familiarise themselves with the laws governing elections and understand the voting process and the arrangements at the polling station.

Conduct of
Agents during
polling and
counting

5. On polling day, an Agent shall —

- (a) produce, on entering the polling station or counting station or whenever required, his certificate issued under section 20(3) of the Act to satisfy the Electoral Officer of his appointment and identity;
- (b) not carry into or use in the polling or counting station any electronic or telecommunication instrument or device, including mobile phone, unless authorised by the Electoral Commission;
- (c) not take any photo or record video within the polling station or counting station;
- (d) follow the instructions of the Electoral Officer;
- (e) not communicate to any voter or interfere with the functioning of the Electoral Officer at the polling station;
- (f) request the Electoral Officer to make an entry in the Occurrence Book or Log Book when the Agent makes any allegation or objection under section 26, or section 34, of the Act;
- (g) inform the Electoral Officer, before leaving the polling station, of his intention to do so and proceed only after permitted by the Electoral Officer:

Provided that no counting Agent shall be

permitted to leave the counting station until the counting process has been completed;

- (h) not take with him any document provided by the Electoral Commission, including the marked copy of the register of voters, if the Agent is replaced by another Agent at a polling station.

6. At the close of poll, an Agent shall —

Conduct of
polling Agents
at close of
polling

- (a) return the copy of register of voters to the Electoral Officer before leaving the polling station;
- (b) not divulge any information obtained at the polling station or counting station, except for the purposes of prosecution or upon the instruction or request of the Electoral Commission.

MADE this 15th day of September, 2020.

**Mr. DANNY LUCAS
CHAIRPERSON OF THE ELECTORAL
COMMISSION**
