

PUBLIC ELECTIONS (REGISTRATION OF VOTERS) REGULATIONS, 1995

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IN exercise of the powers conferred on the Electoral Commission by Article 51 of the Constitution this Instrument is made this 27th day of July, 1995.

PART I—REGISTRATION OF VOTERS

Regulation 1—Qualification for Registration.

A person who—

- (a) Is a citizen of Ghana;
- (b) is of 18 years of age or above;
- (c) is of a sound mind;
- (d) is resident or ordinarily resident in an electoral area; and
- (e) Is not prohibited by any law in force from registering as a voter

Is entitled to have his name included in a register of voters for the electoral area during a period set aside for the registration of voters.

Regulation 2—Registration Centres and Electoral Areas.

- (1) The Commission shall designate any place it considers appropriate as a registration centre for the purpose of registering voters.
- (2) In designating a place as a registration centre, the Commission shall take into account—
 - (a) The suitability of the place for use as a polling station on Election Day; and
 - (b) The convenience of prospective applicants for registration.
- (3) The Commission shall make known to political parties and the general public by publication in the Gazette, the radio, television or other medium of mass communication any place it designates as a registration centre at least 7 days before the first day of the period set aside for the registration of voters.
- (4) Unless the Commission otherwise directs, the polling divisions or stations in existence immediately before the coming into force of this Instrument shall constitute registration centres for the registration of voters under this Instrument.

Regulation 3—Voters Registers.

- (1) There shall be in respect of each electoral area a register which shall be the divisional register for the area.
- (2) The divisional registers of the polling stations in any constituency shall together constitute the voters register of the constituency concerned.

Regulation 4—Registration Officers and Registration Assistants.

- (1) The Commission shall appoint a registration officer and registration assistants for each registration centre.
- (2) A registration officer shall—
 - (a) Exercise full control over the proceedings at his registration centre;
 - (b) Have custody of and be accountable for the registration forms and other materials assigned to his registration centre during the entire period of registration;
 - (c) Keep records of proceedings at his registration centre in such manner as the Commission may determine;
 - (d) Report promptly and in the most convenient manner to the district officer of the Commission or the registration supervisors any difficulties encountered at his registration centre; and
 - (e) Return in person all the registration forms and other materials in his custody to the Commission at the end of the registration period.
- (3) A registration assistant shall carry out duties assigned to him by the registration officer.

Regulation 5—Registration Supervisors.

- (1) The Commission shall appoint registration supervisors for the registration of voters.
- (2) Registration supervisors shall comprise a registration supervisor and two deputy registration supervisors who shall be appointed for each district in the country.
- (3) The functions of the registration supervisors are to—
 - (a) Make frequent visits to the registration centres in the district during the period of registration;
 - (b) Ensure that the prescribed registration procedures are being complied with;
 - (c) Ensure that the essential registration materials are available;
 - (d) Make prompt written reports to the district officer or the regional director of the Commission on the availability of registration materials and any lapses in the performance of duties by officials responsible for the registration of voters.
- (4) The registration supervisors shall not have custody of registration forms during the registration period but shall assist the district officer of the Commission in the distribution and collection of registration forms and other essential registration materials to and from the registration centres.

Regulation 6—Objection to Appointment of Registration Supervisors and Registration Officers.

(1) The Commission shall publish in each registration centre the names of the persons it proposes to appoint registration supervisors and registration officers for the centre.

(2) Any registered political party or any person qualified to be registered as a voter may make a formal written objection to any person proposed for appointment as a registration supervisor or registration officer within 7 days of the publication of the names of the proposed officers.

Regulation 7—Period of Registration.

(1) The Commission shall specify by notice in the Gazette the period during which the registration of voters shall take place.

(2) The Commission may by notice published in the Gazette review the original period set for registration.

(3) No person shall have his name included in the register of voters unless he applies for registration as a voter during a period specified for that purpose.

Regulation 8—Access to Registration Centre.

(1) No person shall be entitled to enter a registration centre unless he is a person—

(a) Applying to be registered as a voter;

(b) Submitting a complaint or other official document to the registration officer; or

(c) Authorised in writing by the Commission to do so.

(2) The Commission may authorise agents of registered political parties and other interested bodies or persons and afford them ample opportunity to monitor activities at the registration centres during the period set aside for registration.

Regulation 9—Authorised Persons.

(1) Any of the following persons may give instructions or directives to a registration officer or his assistant and shall have right of entry to a registration centre—

(a) Members of the Commission;

(b) Regional directors of the Commission and their deputies;

(c) District officers of the Commission; and

(d) Supervising registration officers of a district.

(2) A registration officer may exclude from the registration centre any person whose conduct he considers to be disruptive to the registration process.

Regulation 10—Application for Registration.

- (1) The Commission shall by notice published in the Gazette invite every person who is entitled to be registered as a voter to apply, during a period specified in the notice, to the registration officer for the registration of his name in the divisional register of the electoral area in which he ordinarily resides.
- (2) The application for registration shall be made on the form for the purpose set out in the Schedule to this Instrument.
- (3) The applicant shall appear in person before the registration officer at the registration centre at the time specified by notice in the Gazette by the Commission.
- (4) The applicant shall supply the information required to fill the application and the registration officer shall fill the form on behalf of the applicant who shall affix his thumbprint.
- (5) Where it appears from an application that the applicant should be registered as a voter in a constituency other than that to which the application relates, the registration officer shall cause notice of the application to be sent to the registration officer of the constituency where the applicant should be registered.
- (6) The Commission may vary the application procedure and the period of registration in the case of a disabled or incapacitated person or a Ghanaian citizen resident abroad.

Regulation 11—Registration and Issue of I.D. Card.

Where upon an application there is no objection to the application the registration officer shall enter the name of the applicant in the register which shall be provisional only and shall issue to the applicant a voter identification card in such form as the Commission shall determine.

PART II—CHALLENGES AND COMPLAINTS

Regulation 12—Challenging an Application for Registration.

- (1) A person appointed to register voters, a person authorised by the Commission to monitor the registration of voters or any person qualified to be registered as a voter may challenge a person applying to be registered as a voter on the ground that the applicant does not satisfy the requirements provided in Regulation 1 of this Instrument.
- (2) Where a person's application for registration is challenged but the applicant insists that he is qualified to be registered as a voter—
 - (a) The person making the challenge shall complete the challenge to registration form provided in the Schedule;
 - (b) The registration officer shall fill the registration form on behalf of the applicant but shall not issue the applicant a voter identification card;

(c) The registration officer shall send the completed registration form together with the completed challenge form to the District Registration Review Committee established under Regulation 13 of this Instrument.

Regulation 13—District Registration Review Committee.

(1) There shall be established in each district a District Registration Review Committee hereafter referred to as “the Committee”, which shall examine challenges related to the registration of voters in the district.

(2) A District Registration Review Committee shall consist of—

(a) A representative of each registered political party active in the district;

(b) The district officer of the Commission, who shall be the secretary to the Committee; and

(c) Not more than four other persons as the commission may determine.

(3) The District Registration Review Committee shall appoint its own chairman from among its members and shall regulate the conduct of its procedures.

Regulation 14—Function of the Committee.

(1) Upon the receipt of the completed registration form and the completed challenge form specified in Regulation 12 (2), the Committee shall—

(a) Examine the grounds of the challenge to the inclusion of the applicant's name in the register of voters;

(b) Decide whether or not the person is qualified to be registered as a voter; and

(c) Communicate its decision in writing to the Commission and the applicant.

(2) In furtherance of its functions under subregulation (1) the Committee—

(a) Shall take evidence from the parties concerned;

(b) Shall examine any relevant documents;

(c) May call witnesses to testify; and

(d) May carry out any investigation relevant to the issue.

(3) The Committee shall for the purpose of taking evidence and calling witnesses have the same powers as are vested in a Community Tribunal.

(4) The Commission shall give effect to the Committee's decision after 21 days of the applicant being informed of the Committee's finding unless it has received written notification that the applicant has appealed against the decision to the Chief Registration Review Officer in Regulation 15.

Regulation 15—Chief Registration Review Officer.

- (1) A High Court Judge of each region shall be the Chief Registration Review Officer for the region and shall determine an appeal of a voter aggrieved by the decision of the District Registration Review Committee.
- (2) The practice and procedure for the hearing of appeals under this regulation shall be determined by the Chief Registration Review officer.
- (3) The Chief Registration Review Officer shall communicate his decision in writing to the Commission and to the applicant and the Commission shall comply with the decision.

Regulation 16—Complaints.

- (1) Without prejudice to any provision in this Instrument any person qualified to be registered as a voter may make a complaint in the prescribed form concerning the registration process to a registration officer or any of the officials specified in Regulation 9 (1) of this Instrument.
- (2) An official to whom a complaint is initially made or to whom the complaint is subsequently referred shall make a record of the complaint and either—
 - (a) Resolve the matter to the satisfaction of the complainant; or
 - (b) Refer the matter to the next higher officer of the Commission for further action.

PART III—PROVISIONAL VOTERS REGISTER AND COMPLAINTS RELATING THERETO

Regulation 17—Provisional Register.

- (1) The Commission shall not later than six months from the end of the registration period compile a provisional register of voters for each polling division stating the name, age and sex of each person whose application for registration at that division was accepted.
- (2) A copy of the provisional register of voters shall be given to each registered political party in such form as the Commission may determine.

Regulation 18—Exhibition.

- (1) The Commission shall cause the provisional register of voters of each polling division to be opened for public inspection and scrutiny at the registration centre for such period as the Commission shall by notice in the Gazette specify.
- (2) During the exhibition period—
 - (a) any registered voter may inspect the provisional voters register to ascertain that the particulars on his voter I.D. card are the same as in the provisional register and in case of any discrepancy request the exhibition officer to make the necessary correction in the register;

(b) any person whose application for registration during the registration period was accepted but whose name does not appear in the provisional voters register may make a claim in the prescribed form for his name to be entered in the register; and

(c) Any person entitled to be registered as a voter may object in the prescribed form to a person whose name appears in the provisional voters register on the ground that the person is not qualified to be registered as a voter.

Regulation 19—Exhibition Officer.

(1) The Commission shall appoint for each registration centre an exhibition officer to exhibit the provisional voters register.

(2) The functions of an exhibition officer are to—

(a) Assist registered voters' to find their names in the provisional voters' register;

(b) Check whether the details in the provisional voters' register are the same as those on the voter's I.D. card and if there is a discrepancy to make the necessary correction in the register;

(c) Check for clerical errors;

(d) Receive any claims and objections in the prescribed form concerning the inclusion of a person's name in the register.

Regulation 20—Claims and Objections after Publication of Provisional Register.

(1) Any person who has a right to claim or object to the inclusion of any name or the omission of any name from the register before the publication of the provisional register may on the publication of the provisional register, register a complaint with the exhibition officer in respect of any matter included or not included in the provisional register.

(2) The exhibition officer shall within three days after the exhibition period has ended—

(a) Exhibit in a conspicuous place in the registration centre two lists containing the names and such relevant particulars as the Commission may determine of—

(i) Any person who made a claim for his name to be included in the register;

(ii) Any person about whose inclusion in the register an objection has been made;

(b) Send two copies of each of the lists to the district officer of the Commission; and

(c) Send the exhibited provisional voters register with his corrections to the district officer of the Commission.

(3) The district officer of the Commission shall—

(a) Keep a copy of each of the lists of claims and objections at his office for public inspection; and

(b) Send a copy of the lists of claims and objections to the regional director of the Commission concerned.

Regulation 21—Settling Claims and Objections on Provisional Register.

(1) A district officer of the Commission shall within 7 days from the date of receipt of the lists of claimants and objectors from the exhibition officer submit the complaints and objections to the District Registration Revising Officer of the district for determination.

(2) For the purpose of subregulation (1) the Chairman of the District Community Tribunal shall be the District Registration Revising Officer.

(3) The High Court Judge of a region in which the district is located shall appoint a lawyer of not less than three years standing preferably resident in the district to be the District Registration Revising Officer if a Community Tribunal does not exist in the district or in the absence of the chairman of the District Community Tribunal.

(4) The District Registration Revising Officer shall determine the procedure for settling claims and objections except that—

(a) A party to an issue shall be heard in person or may be represented by a lawyer;

(b) The lawful possession by a claimant of an authentic voter I.D. card issued by the Commission shall be sufficient proof of registration; and

(c) No person is entitled to make any claim or objection for a matter upon which the High Court has made a determination prior to the period of the exhibition of the provisional voters register.

(5) The District Registration Revising Officer shall inform the Commission and the claimant or the person objected to in writing on the same day of his decision or as soon as practicable after that.

(6) The Commission shall give effect to the decision of the District Registration Revising Officer within 21 days of the claimant or a person objected to having been informed unless it has received certified notification of an appeal to a High Court under subregulation (7) of this regulation.

(7) A person aggrieved by the decision of the District Registration Revising Officer may appeal to the High court.

(8) The High Court shall regulate its own procedure for hearing appeals under this regulation.

(9) The High court shall inform the Commission and the claimant or the person objected to as soon as practicable, except that the Commission shall give effect to the decision of the High Court irrespective of the time it was made.

Regulation 22—Certified Register

(1) The Commission shall certify the register after the determination of any claim or objection by the High Court.

(2) After the register has been certified it shall be published in such manner as the Commission may determine and shall take effect in place of any existing register of voters.

Regulation 23—Lost Voter I.D. Card.

Any person who loses his voter I.D. card shall within 7 days of becoming aware of the loss report the loss in person to the district officer of the Commission or to a police officer in charge of the nearest police station who shall in turn report the loss to the district officer of the Commission within 7 days of the receipt of the report.

PART IV—OFFENCES AND MISCELLANEOUS PROVISIONS

Regulation 24—Registration Offences.

Any person who—

- (a) Registers or attempts to register as a voter knowing that he is not qualified to do so; or
- (b) Registers or attempts to register as a voter more than once at the same registration centre; or
- (c) Registers or attempts to register as a voter at more than one registration centre in the country; or
- (d) Registers or attempts to register as a voter in the name of another person dead or alive; or
- (e) By force or threat of force, physical or spiritual, prevents or attempts to prevent a person from exercising his right to register as a voter; or
- (f) Knowingly presents or gives false information in his application or claim for registration, or in connection with the application or claim of another person for registration; or
- (g) Forges, wilfully defaces or destroys any official notice, paper or document relating to the registration of voters; or
- (h) Delivers to any official connected with the registration of voters any paper or other document in connection with the registration of voters which he knows to be false; or
- (i) Challenges or objects to the inclusion of the name of another person in the register of voters on a ground he knows to be false; or
- (j) Gives a voters registration form to any person when the first mentioned person is not a registration officer; or
- (k) Without authority from the Commission gives a form relating to the registration of voters to any person; or

(l) Without authority from the Commission prints any form relating to the registration of voters;
or

(m) Disrupts proceedings at a registration centre or in any way interferes with the work of an official connected with registration of voters; or

(n) Offers anything of actual or prospective value to a person to induce that person not to register as a voter; or

(o) Gives his voter I.D. card to another person for purposes of voting commits an offence and is liable on summary conviction to imprisonment for a term not exceeding one year.

Regulation 25—Voter I.D. Card Offences.

(1) It is an offence for any person to be in possession of another person's voter I.D. card without the express consent of that person.

(2) No political party or any other organization shall be in possession of the voter I.D. card of any of its members or any other person without the express written consent of that member or person.

(3) Any person who finds a lost voter I.D. card shall surrender it to the district officer of the Commission or a police officer in charge of the nearest police station within 7 days of the find or else be deemed to be in unlawful possession of another person's voter I.D. card.

(4) A police officer to whom a lost voter I.D. card has been surrendered shall surrender it to the district officer of the Commission within 7 days of it being given to him or else be deemed to be in unlawful possession of another person's voter I.D. card.

(5) Any person convicted of unlawful possession of another person's voter I.D. card is liable to a fine not exceeding five hundred thousand cedis or to imprisonment for a term not exceeding one year for each voter I.D. card held unlawfully.

(6) Any political party, organization or group of persons convicted of unlawful possession of a voter I.D. card is liable to a fine not exceeding one million cedis for each voter I.D. card held unlawfully.

Regulation 26—Revision of the Register.

(1) The Commission shall revise the register annually and may revise the registers for such electoral areas as the Commission shall determine.

(2) The processes for registration as provided in this instrument shall apply with such modification as the Commission shall direct for the revision of any register.

Regulation 27—Public Notice and the Gazette.

Where any matter is provided in this Instrument to be published in the Gazette it may in lieu of or in addition to the publication in the Gazette be published through radio, television, the national newspapers or any other medium of mass communication.

Regulation 28—Interpretation.

In this instrument unless the context otherwise requires—

“Commission” means the Electoral Commission.

“I.D. card” means a voter identification card issued by the commission indicating that the bearer whose particulars are specified therein is a registered voter;

“prescribed” means prescribed by the Commission.

Regulation 29—Revocation.

The following instruments are hereby revoked—

Registration of Voters Regulations, 1968 (L.I. 587);

District Assembly Elections Regulations, 1988 (L.I. 1396);

District Assembly Elections (Registration of Voters) Regulations, 1988 (L.I. 1397).

SCHEDULE

ELECTORAL COMMISSION OF GHANA

VOTER REGISTRATION CHALLENGE FORM

Name of Registration Centre..... Date of challenge

What is the name and address of the person who has been challenged? (Please Print Clearly)

.....

(Name of person challenged)

.....

(Address of person challenged)

What is the reason for the challenge? (Tick all that apply)

Below 18 Years Old

Not of Sound Mind

Not a Ghanaian Citizen

Previously Registered

Not a Resident of Locality

Other.....

Not the Person He or She

Claims to be (Impersonation)

Print the Name and Address of the person making the challenge

.....

Name of Person making the Challenge

.....

Address of person making the challenge

I swear or affirm that the information I have provided on this form is true and correct to the best of my knowledge.

.....19.....

Signature of person making challenge

Registration Officer, please write below any facts concerning the challenge you think important:

.....
.....
.....
.....
.....
.....
.....
.....

Signature of Registration Officer..... Date.....

ELECTORAL COMMISSION OF GHANA

REPORT OF IRREGULARITY AT A REGISTRATION CENTRE

Registration Centre Number.....

Date	Irregularity	Reported
.....

What is the irregularity alleged? (Tick all that apply) Give details on back of form where necessary.

Completed Forms Storage Box Seal Broken

Forms not Used in Serially Numbered Order

Forms not Assigned to this Centre Used

Registration Officials Left Early. Note time

Centre Ran Out of Supplies. Note time

Official Unlawfully Rejected Applications

Officials ignored party agent's complaints

Other, please specify clearly on back of form

Unused forms storage box seal broken.

Forms sent to another centre without documentation

Registration Officials arrived late. Note time

Unnecessary delay in taking Registrations

Officials discourteous to the public

Procedure not properly followed.

.....

(Printed name of Person reporting irregularity)

.....

Address (including House Number) of person reporting irregularity

I swear or affirm that the information I have provided on this form is true and correct to the best of my knowledge.

.....

Signature of person reporting

.....

Printed name of official receiving report

.....

Signature of Official

Official Badge Number

NOTICE TO PERSON OBJECTED TO

To.....

I,.....

of.....
being the Registration Officer/Registration Assistant
for.....

Polling Station in.....

Electoral Area ofTown/Area Council in the
..... District hereby give you notice that an objection
has been lodged to your name being inserted in the register of voters for
the.....Polling.....Station..... in
the.....Electoral Area
ofTown/Area
Council in the District as a voter on the
ground that

.....
.....

and that you will be required to prove your qualification at the time of the settlement of the
said Register.

Dated this..... day of..... 19.....

.....

Signature

DR. AFARI GYAN

Chairman, Electoral Commission

Date of Gazette Notification: 28th July, 1995.