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**PUBLIC ELECTIONS (REGISTRATION OF VOTERS)
REGULATIONS, 1995**

[C.I. 12]

[(Article 51) (27th July, 1995)]

PART ONE

Registration of Voters

1. Qualification for registration

A person who

- (a) is a citizen of Ghana;
- (b) has attained the age of eighteen years;
- (c) is of a sound mind;
- (d) is resident or ordinarily resident in an electoral area; and
- (e) is not prohibited by law from registering as a voter,

is entitled to have that person's name included in a register of voters for the electoral area during a period set aside for the registration of voters.

2. Registration centres

(1) The Commission shall designate a place it considers appropriate as a registration centre for the registration of 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, at least seven days before the first day of the period set aside for the registration of voters, inform political parties and the general public by publication in the *Gazette*, the radio, television or of any other medium of mass communication, of a place designated as a registration centre.

(4) Unless the Commission otherwise directs, the polling divisions or stations in existence immediately before the coming into force of these Regulations shall constitute registration centres for the registration of voters.

3. Voters register

(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 a constituency together constitute the voters register of that constituency.

4. Registration officers

(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 the registration centre for which the officer is responsible;
- (b) have custody of and be accountable for the registration forms and any other materials assigned to the registration centre during the entire period of registration;
- (c) keep records of proceedings at the registration centre in the manner determined by the Commission;
- (d) report promptly and in the most convenient manner to the district officer of the Commission or the registration supervisors the difficulties encountered at the registration centre; and
- (e) return in person the registration forms and any other materials in the custody of the officer to the Commission at the end of the registration period.

(3) A registration assistant shall carry out the duties assigned by the registration officer.

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.

- (3) The functions of the registration supervisors are,
- (a) to make frequent visits to the registration centres in the district during the period of registration;
 - (b) to ensure that the prescribed registration procedures are being complied with;
 - (c) to ensure that the essential registration materials are available; and
 - (d) to make prompt written reports to the district officer or the regional director of the Commission on the availability of registration materials and the lapses in the discharge 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 any other essential registration materials to and from the registration centres.

6. Objection to appointment of registration officers

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

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

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 aside for registration.

(3) A person's name shall not be included in the register of voters unless that person applies for registration as a voter during the period specified for that purpose.

8. Access to registration centre

(1) A person shall not enter a registration centre unless that person

- (a) is applying to be registered as a voter;
- (b) is submitting a complaint or an official document to the registration officer;
or
- (c) is 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.

9. Authorised persons

(1) Any of the following persons may give instructions or directives to a registration officer or the 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 a person whose conduct that officer considers to be disruptive to the registration process.

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 the name of that person in the divisional register of the electoral area in which that person ordinarily resides.

(2) The application for registration shall be made in the Form A set out in the Schedule.

(3) The applicant shall appear in person before the registration officer at the registration centre at the time specified by the Commission by notice in the *Gazette*.

(4) The applicant shall supply the information required to fill the application and the registration officer shall complete the form on behalf of the applicant and the applicant shall affix the applicant's thumbprint to the application.

(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 person with a disability or an incapacity or a Ghanaian citizen resident abroad.

11. Registration and issue of identification card

Where, on 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 the form determined by the Commission.

PART TWO

Challenges and Complaints

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 a person qualified to be registered as a voter, may challenge an applicant for registration as a voter on the ground that the applicant does not satisfy the requirements specified in regulation 1.

(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 on the registration form as provided in the Form B set out in the Schedule;
- (b) the registration officer shall complete the registration form on behalf of the applicant but shall not issue the applicant with a voter identification card;
- (c) the registration officer shall complete and send the Form C as set out in the Schedule to the person whose registration is objected to; and
- (d) 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.

13. District registration review committee

(1) There shall be established in each district a district registration review committee, which shall examine challenges related to the registration of voters in the district.

(2) A district registration review committee shall consist of

- (a) one 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 committee shall appoint its own chairman from among its members and shall regulate the conduct of its proceedings.

14. Functions of the committee

(1) On 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 that person is qualified to be registered as a voter; and
- (c) communicate its decision in writing to the Commission and the applicant.

(2) In the performance of its functions under subregulation (1), the committee

- (a) shall take evidence from the parties concerned;
- (b) shall examine the relevant documents;
- (c) may call witnesses to testify; and
- (d) may carry out an investigation relevant to the issue.

(3) The Committee shall, for the purposes of taking evidence and calling witnesses, have the same powers as are vested in a District Magistrate Court.

(4) The Commission shall give effect to the committee's decision after twenty-one days of the applicant being informed of the committee's finding unless the Commission has received written notification that the applicant has appealed against the decision to the chief registration review officer appointed pursuant to regulation 15.

15. Chief registration review officer

(1) A Justice of the High Court of each region shall be the chief registration review officer for the Region and shall determine the 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 the decision on the review in writing to the Commission and to the applicant and the Commission shall comply with the decision.

16. Complaints

(1) Without prejudice to any other provision in these Regulations, a person qualified to be registered as a voter may make a complaint in the Form D set out in the Schedule concerning the registration process to a registration officer or any of the officials specified in regulation 9 (1).

(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

- (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 THREE

Provisional Voters Register

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 the form determined by the Commission.

18. Exhibition of register

(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 the period specified by the Commission by notice in the *Gazette*.

(2) During the exhibition period,

- (a) a registered voter may inspect the provisional register of voters to ascertain that the particulars on that person's voter identification card are the same as in the provisional register, and in case of a discrepancy, request the exhibition officer to make the necessary correction in the register;
- (b) a person whose application for registration during the registration period was accepted but whose name does not appear on the provisional voters register may make a claim, in writing for the name to be entered in the register; and
- (c) a person entitled to be registered as a voter may object, in writing, to the inclusion in the provisional register of voters of the name of any other person whose name appears in the provisional register of voters on the ground that the other person is not qualified to be registered as a voter.

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,

- (a) to assist registered voters to find their names in the provisional voters register;
- (b) to check whether the details in the provisional voters register are the same as those on the voter's identification card and if there is a discrepancy to make the necessary correction in the register;
- (c) to check for clerical errors; and
- (d) to receive the claims and objections in writing concerning the inclusion of a person's name in the register.

20. Claims and objections

(1) A person who has a right

- (a) to claim or object to the inclusion of a name in the provisional register; or
- (b) to object to the omission of a name from the provisional 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 a 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 the relevant particulars, as determined by the Commission, of,
 - (i) a person who made a claim for the inclusion of that person's name in the register;
 - (ii) a 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 the necessary 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 the district office for public inspection; and
- (b) send a copy of the lists of claims and objections to the relevant regional director of the Commission.

21. Settling claims and objections

(1) A district officer of the Commission shall, within seven 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 purposes of subregulation (1), the District Magistrate shall be the district registration revising officer.

(3) A Justice of the High Court 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 magistrate Court does not exist in the district.

(4) The district registration revising officer shall determine the procedure for settling claims and objections, but

- (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 identification card issued by the Commission is sufficient proof of registration;
- (c) a person is not entitled to make a claim or an objection for a matter on which the High Court has made a determination prior to the period of the exhibition of the provisional voter 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 the decision or as soon as practicable after that.

(6) The Commission shall give effect to the decision of the district registration revising officer within twenty-one days of the claimant or a person objected to having been informed unless it has received a certified notification of an appeal to the High Court under subregulation (7).

(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 of the decision of the High Court, and the Commission shall give effect to the decision of the High Court irrespective of the time it was made.

22. Certified register

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

(2) After the register has been certified it shall be published in the manner determined by the Commission and shall take effect in place of the then existing register of voters.

23. Lost voter identification card

A person who loses the voter identification card shall, within seven days of becoming aware of the loss, report the loss in person

- (a) to the district officer of the Commission; or
- (b) 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 seven days of the receipt of the report.

PART FOUR

Offences and Miscellaneous Provisions

24. Registration offences

A person commits an offence and is liable on summary conviction to a term of imprisonment not exceeding twelve months if that person

- (a) registers or attempts to register as a voter and is aware of the disqualification to do so;
- (b) registers or attempts to register as a voter more than once at the same registration centre;
- (c) registers or attempts to register as a voter at more than one registration centre;

- (d) registers or attempts to register as a voter in the name of another person dead or alive;
- (e) by physical force or threat of physical force, prevents or attempts to prevent a person from exercising the right to register as a voter;¹
- (f) knowingly presents or gives false information in the application or claim for registration, or in connection with the application or claim of another person for registration;
- (g) forges, wilfully defaces or destroys an official notice, a paper or document relating to the registration of voters;
- (h) delivers to an official connected with the registration of voters a paper or any other document in connection with the registration of voters knowing it to be false;
- (i) challenges or objects to the inclusion of the name of another person in the register of voters knowing it to be false;
- (j) gives a voter's registration form to a person who is not a registration officer;
- (k) without authority from the Commission,
 - (i) hands a form relating to the registration of voters to any other person,
 - (ii) prints a form relating to the registration of voters;
- (l) disrupts proceedings at a registration centre or interferes with the work of an official connected with the registration of voters;
- (m) offers anything of actual or prospective value to a person to induce that person not to register as a voter; or
- (n) hands the voter identification card of that person to another person for purposes of voting.

25. Voter identification card offences

(1) A person in possession of another person's voter identification card without the express consent of that other person commits an offence.

(2) A political party or any other organisation shall not be in possession of the voter identification card of any of its members or any other person without the express written consent of that member or person.

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

1. The reference to spiritual force has been omitted. It is not clear how that can be proved in a Court.

(4) A police officer to whom a lost voter identification card is surrendered shall surrender it to the district officer of the Commission within seven days of it being given to that officer or else be deemed to be in unlawful possession of another person's voter identification card.

(5) A person convicted of unlawful possession of another person's voter identification card is liable to a fine not exceeding two hundred and fifty penalty units or to a term of imprisonment not exceeding twelve months for each voter identification card held unlawfully.

(6) A political party, an organisation or a group of persons convicted of unlawful possession of a voter identification card is liable to a fine not exceeding five hundred penalty units for each voter identification card held unlawfully.

26. Revision of the register

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

(2) The processes for registration as provided in these Regulations shall apply with the modifications that are directed by the Commission for the revision of a register.

27. Public notice and the *Gazette*

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

28. Interpretation

In these Regulations, unless the context otherwise requires,

“**Commission**” means the Electoral Commission;

“**committee**” means the registration review committee established by regulation 13;

“**identification card**” means a voter identification card issued by the Commission indicating that the bearer whose particulars are specified in that card is a registered voter;

“**prescribed**” means prescribed by the Commission.

29. Revocation

*Omitted.*²

2. The following instruments were revoked by the Public Elections (Registration of Voters) Regulation, 1995:

- (a) the Registration of Voters Regulations, 1968 (L.I. 587),
- (b) the District Assembly Elections Regulations, 1988 (L.I. 1396),
- (c) the District Assembly Elections (Registration of Voters) Regulations, 1988 (L.I. 1397).

SCHEDULE

FORM A
[Regulation 10 (2)]

THE ELECTORAL COMMISSION

Voter Registration Form



ELECTORAL COMMISSION OF GHANA
VOTER REGISTRATION FORM

Directions



Mark the oval only per column.
Please mark the oval by joining the two
'dots' with a dark horizontal pencil line
exactly as shown in the example.

Voter ID Number

11 columns of ovals for marking the Voter ID Number.

Mark Photo by M.C.B. Inc-07363271. Printed by G.E.

Write each letter of the voter's Name in a separate box and mark its corresponding oval below. (Leave a blank box between the parts of the name)

Name grid: 26 boxes for letters, followed by a blank box and 26 columns of ovals for marking.

Age: 4 ovals
Sex: Male (), Female ()
Polling Station Number: 6 ovals

Name Number/Address: [] []
Name Surname: [] []

First Letter's Name: []
Registration Date: [day / month / year]

First Letter's Name: []
Registration Officer's Signature: []
Vote's Number: []

Electoral Commission of Ghana

Voter ID Number: [] [] []
Polling Station Number: [] [] []
Surname: [] [] []

Electoral Commission of Ghana
Voter ID Card

- During the period below:
Return to this registration centre with this receipt to have your photo taken
At that time you will be issued a Voter ID Card

Age: []
Sex: []
Polling Station Number: [] [] []
Name of Voter: [] [] []

FORM B
[Regulation 12 (2) (a)]

THE ELECTORAL COMMISSION
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 of age
- Not of sound mind
- Not a Ghanaian citizen
- Previously registered
- Not a local resident
- 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.

.....
Signature of person making the challenge

.....
Date

PUBLIC ELECTIONS (REGISTRATION OF VOTERS) REGULATIONS, 1995

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

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

.....
Signature of Registration Officer

.....
Date

FORM C
[Regulation 12 (2) (c)]
Notice to Person Objected to

To
I,
of
being the Registration Officer/Registration assistant for
Polling Station in Electoral Area
of Town/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
of Town/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 Register.
Dated this day of, 20

.....
Signature

FORM D
[Regulation 16 (1)]
THE ELECTORAL COMMISSION
Report of Irregularity at a Registration Centre

Registration centre number

Date irregularity reported

What is the alleged irregularity? (*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

FORM D – continued

- 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

[Date of Gazette notification: 28th July, 1995]

**FOURTH SESSION OF PARLIAMENT
(COMMENCEMENT) INSTRUMENT, 1995**

[C.I. 13]

[(Article 112) (16th November, 1995)]

[Spent]

[Date of Gazette notification: 17th November, 1995]
