

GUYANA

No. of 2021

**REGULATIONS**

**Made under**

**THE REPRESENTATION OF THE PEOPLE ACT**

**(CAP. 1:03)**

**IN THE EXERCISE OF THE POWERS CONFERRED UPON THE ELECTIONS COMMISSION BY SECTION 150 OF THE REPRESENTATION OF THE PEOPLE ACT, THE COMMISSION MAKES THE FOLLOWING REGULATIONS:-**

Citation.

1. These Regulations may be cited as the Representation of the People (Elections) Regulations 2021.

Form of ballot papers, ballot account and statements of poll forms and statement of poll account forms.

2. (1) Ballot Papers, ballot account forms, Statements of Poll Forms, and statement of poll account forms shall be printed overseas under strict security guidelines.

(2) Every ballot account Form 23, statement of poll Form 23A and statement of account Form 23B shall be serially numbered on the top left-hand side.

(3) The templates for ballot papers, ballot account forms, statements of poll forms and statements of poll account forms shall be encrypted and sent by electronic mail to the person printing them with the established technical and security instructions.

(4) The Commission shall ensure that copies of the templates are kept under its secured custody and shall not be accessible to individual Commissioners or to any other person without the authorisation of the Commission.

Ballots cast must be

3. (1) Every ballot cast must be shown to the counting agent during

shown to counting agents.

the count for the agent to ascertain the list in favour of which the ballot was cast or whether the ballot was spoilt.

(2) If in doubt about whether the marked ballot is valid or invalid, the counting agent shall refer to the manual for guidance.

(3) Whenever necessary, the counting agent may object to any ballot being deemed valid or invalid, if he is convinced otherwise based on the exemplars in the manual.

(4) The counting agent shall bring to the attention of the election agent or assistant agent of the district or subdistrict any illegal or unacceptable acts carried out in the polling station.

The number of ballot papers to be issued to presiding officers.

4. (1) The presiding officer of each polling station shall be given the number of ballot papers equal to the number of voters on the Official List of Electors for that station.

(2) An additional five percent of the number of ballot papers given under subsection (1) shall be in the secured custody of the returning officers only.

(3) Where the presiding officer requests additional ballot papers to replace damaged or spoilt ballot papers, the Returning Officer shall provide the additional ballot papers to the Deputy Returning Officer assigned the responsibility by the returning officer and accompanied by an assistant agent, to deliver the Forms.

(4) Assistant agents and polling agents shall verify every damage or spoilt ballot paper and shall be given the serial numbers of the damaged or spoilt ballot papers and the substituted ballot papers.

(5) All used and unused, damaged and substituted ballot paper must be accounted for in Form 23 by the Presiding Officers and returning

officers.

The number of statements of poll forms to be issued to presiding officers.

5. (1) There shall be printed such number of statements of poll forms as are required taking into consideration the number of polling stations, the number of persons under section 86(1) of the Act entitled to be present for the counting of votes under section 84 of the Act plus five per cent more of the number required.

(2) After the returning officer has issued the required number of statements of polls forms to the presiding officers, all additional or extra statements of poll forms shall be kept in the secured custody of the returning officers only.

(3) Additional Statements of Poll Forms, that may be requested as a result of damage, may be provided by the Returning Officer to the Deputy Returning Officer, assigned the responsibility by the returning officer and accompanied by an assistant agent, to deliver the Forms.

(4) The damaged Statements of Poll Forms must be returned to the Returning Officer before the replacements are uplifted.

(5) Polling agents shall verify that the Forms are damaged and cannot be used, and be given the serial numbers of the damaged and substituted Forms.

(6) All used and unused, damaged and substituted Statements of Poll Forms must be accounted for in Form 23B by the Presiding Officers and Returning Officers.

(7) Assistant Agents shall at all times monitor the procedures relating to receipt, storage, allocation and placement of ballot papers, ballot account forms, statements of poll forms and statements of poll account forms, packed ballot boxes and bags and other election materials.

(8) Training of all Election Day staff and election agents and agents appointed by election agents must include the operation of the standards and procedures relating to the provisions of this regulation for those staff and agents who will be involved in their implementation.

List of polling agents and alternate polling agents.

6. (1) The election agent shall provide the returning officer with a list of polling agents and alternate polling agents for each polling station and the returning officer shall provide the presiding officer with a list of the polling agents and alternate polling agents for the polling station.

(2) The identification card issued to polling agents and alternate polling agents shall be issued by the Election Agent and such identification card shall be accepted as authentic.

(3) Election Agent may make last minute changes of appointments of polling agents or alternate polling agents, provided the agent has the required identification card and the presiding officer is notified.

(4) A presiding officer shall not deny entry into the polling station

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(a) any assistant agent or counting agent of the district in which the polling station is situate who is wearing his identification card;  
or

(b) a polling agent or alternate polling agent of the polling station who is wearing his identification card.

(5) A person who denies any assistant agent, counting agent, polling agent or alternate polling agent entry into the polling station under subregulation (4) commits an offence and is liable on summary conviction to a fine of ten million dollars and imprisonment for ten years.

Duties of deputy returning officers and counterpart

7. (1) Duties that may be assigned to a deputy returning officers

assistant agents.

and which shall be monitored by and performed under the scrutiny of assistant agents shall include –

- (a) visit polling stations on Election Day in the district or subdistrict assigned to the deputy and give feedback to the Returning Officer and advice and guidance to the Presiding Officer and other polling officials;
- (b) ensure that all election materials are made available to Polling Stations in sufficient quantities and on time;
- (c) receive results of the poll from the Presiding Officer;
- (d) immediately transmit results of the Poll to the Returning Officer or Supernumerary Returning Officer;
- (e) ensure that all election materials, other fixtures and ballot boxes are promptly remitted to the Returning Officer or supernumerary returning officer;
- (f) perform other duties related to the conduct of poll as required by the Returning Officer.

(2) A deputy returning officer may be assigned other duties to perform without a counterpart assistant agent, including any or all of the following duties –

- (a) organize and supervise the arrangements for polling stations in the district assigned to the deputy returning officer;
- (b) assist the Commission's training instructors in the training of Polling Day Officials to ensure they have the skills for the effective and efficient performance of their duties;
- (c) promptly report matters of concern to the Returning Officer within the district assigned to the deputy returning officer;
- (d) disseminate official information throughout the district assigned to the deputy returning officer;
- (e) ensure that all postings and publications are taken down as

soon as practicable after Election Day.

(3) Counting of votes shall be done at the office of the Returning Officer or supernumerary returning officer in which there must be sufficient space for accommodation for the persons entitled to be present.

(4) The returning officer or supernumerary returning officer may be assisted in the counting by deputy returning officers or deputy supernumerary returning officers but only in the presence of the returning officer or supernumerary officer and under the scrutiny of the assistant agents.

(5) A Deputy returning officer or a deputy supernumerary officer shall not verify Statements of Poll.

Made this            day of            , 2021.

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