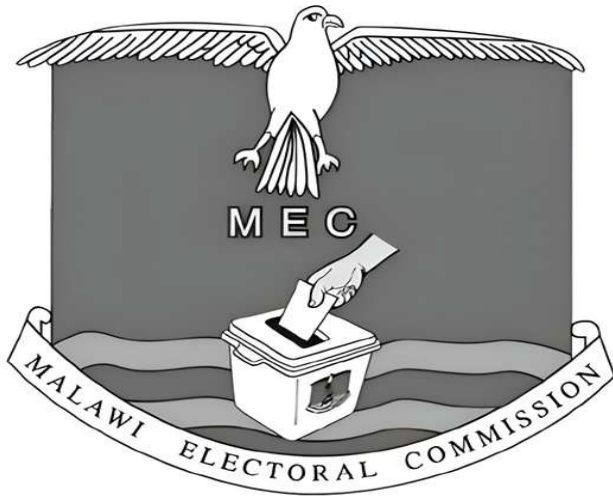


# MALAWI ELECTORAL COMMISSION



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## ELECTORAL LAWS

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Malawi Electoral Commission  
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Lilongwe



# **ELECTORAL LAWS GREY BOOK, 2025**

## **Table of Contents:**

### ***Statutes***

1. Constitution of the Republic of Malawi
2. Malawi Electoral Commission Act
3. Presidential, Parliamentary and Local Government Elections Act
4. Presidential, Parliamentary and Local Government Elections (Amendment) Act, 2025

### ***Regulations***

1. Code of Conduct for Electoral Campaign, 2025
2. Code of Conduct for Election Observers, 2025
3. Presidential, Parliamentary and Local Government Elections (Forms) Regulations, 2025
4. Presidential, Parliamentary and Local Government Elections (Appointment and Revocation of Appointment of Party and Candidate Representatives) Regulations, 2025



**CONSTITUTION OF  
MALAWI**

# CONSTITUTION OF MALAWI

## CHAPTER IV HUMAN RIGHTS

Political rights  
11 of 10

40. — (1) Subject to this Constitution, every person shall have the right—

- (a) to form, to join, to participate in the activities of, and to recruit members for, a political party;
- (b) to campaign for, a political party or cause;
- (c) to participate in peaceful political activity intended to influence the composition and policies of the Government; and
- (d) freely to make political choices.

(2) The State shall provide funds so as to ensure that, during the life of any Parliament, any political party which has secured more than one-tenth of the national vote in elections to that Parliament has sufficient funds to continue to represent its constituency.

11 of 2010

(3) Save as otherwise provided in this Constitution, every person shall have the right to vote, to do so in secret and to stand for election for public office.

## CHAPTER VI LEGISLATURE

Qualification of  
members of  
Parliament  
6 of 1995  
4 of 2001  
13 of 2001  
4 of 2004

51. — (1) A person shall not be qualified to be nominated or elected as a Member of the Parliament unless that person—

- (a) is a citizen of the Republic who at the time of nomination has attained the age of twenty-one years;
- (b) is able to speak and to read the English language well enough to take an active part in the proceedings of Parliament; and
- (c) is registered as a voter in a constituency.

6 of 1995

(2) Notwithstanding subsection (1), no person shall be qualified to be nominated or elected as a Member of Parliament who—

- (a) owes allegiance to a foreign country;
- (b) is, under any law in force in the Republic, adjudged or otherwise declared to be mentally incompetent;
- (c) has, within the last seven years, been convicted by a competent court of a crime involving dishonesty or moral turpitude;
- (d) is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in the Republic;
- (e) holds, or acts, in any public office or appointment, except where this Constitution provides that a person shall not be disqualified from standing for election solely on account of holding that office or appointment or where that person resigns from that office in order to stand;
- (f) belongs to, and is serving in the Defence Force of Malawi or the Malawi Police Service; and
- (g) has, within the last seven years, been convicted by a competent court of any violation of any law relating to election of the President or election of members of Parliament or local government elections.

13 of 2001

13 of 2001  
4 of 2004

(3) For the purposes of subsection 2(e), an appointment as a Minister or Deputy Minister in accordance with section 94(1) shall not be construed to be an appointment to a public office or to be a public appointment.

Composition of  
the National  
Assembly

62. — (1) The National Assembly shall consist of such number of seats, representing every constituency in Malawi, as shall be determined by the Electoral Commission.

(2) Each constituency shall freely elect any person, subject to this Constitution and an Act of Parliament, to represent it as a member of the

National Assembly in such manner as may be prescribed by this Constitution or an Act of Parliament.

Vacancies in  
the National  
Assembly  
31 of 1994  
4 of 2001

63. — (1) The seat of a member of the National Assembly shall become vacant—

- (a) if the National Assembly has been dissolved;
- (b) if the member dies or resigns his or her seat;
- (c) if the member ceases to be a citizen of Malawi;
- (d) if the member assumes the office of President or Vice-President;
- (e) if any circumstances arise that, if he or she were not a member of the National Assembly, would cause that member to be disqualified for election under this Constitution or any Act of Parliament; or
- (f) if the National Assembly declares a member's seat vacant in accordance with such Standing Orders as may permit or prescribe the removal of a member for good and sufficient reason provided that they accord with the principles of natural justice

(2) The Speaker of the National Assembly shall give notice in the *Gazette* in the event that the seat of any member of the Assembly shall become vacant under this section:

Provided that—

- (a) Parliament shall make provision for holding by-elections to fill any vacancy that shall occur;
- (b) any by-election to fill the vacancy shall be held in the next quarter of the calendar year after the seat of the member becomes vacant, or if the circumstances do not so permit, then as expeditiously as possible, but a by-election shall not be held where a vacancy occurs within twelve months before the holding of a general election; and

31 of 1994  
4 of 2023

- (c) any member elected at a by-election shall serve until such a time as his or her seat becomes vacant in accordance with subsection (1).

(3) The Speaker may, upon a motion of the National Assembly, postpone the declaration of a vacant seat for such period as that motion prescribes so as to permit any member to appeal to a court or other body to which an appeal lies against a decision which would require that member to vacate his or her seat in accordance with this section.

Dissolution of  
the National  
Assembly  
38 of 1998  
11 of 1999  
13 of 2020

67. — (1) The National Assembly shall stand dissolved on the 23<sup>rd</sup> day of July in the fifth year after its election, and the polling day for the general elections for the next National Assembly shall be the Tuesday in the third week of September that year:

Provided that where it is not practicable for the polling day to be held on the Tuesday in the third week of September, the polling shall be held on any day, within seven days from that Tuesday, appointed by the Malawi Electoral Commission; and provided further that, in the case of the National Assembly constituted in June, 2019, the members so elected and constituting the National Assembly shall hold office until the 23<sup>rd</sup> day of July, 2025.

(2) This section shall not preclude the Malawi Electoral Commission from setting other days for polling in the general election for special classes or categories of voters, provided that such polling takes place not more than two days, before or after the polling day, excluding Sundays.

## CHAPTER VII

### ELECTIONS

The Electoral  
Commission  
13 of 2020  
4 of 2023

75. — (1) There shall be a commission known as Malawi Electoral Commission which shall consist of a Chairperson who shall be a Judge, nominated in that behalf by the Judicial Service Commission and appointed by the President, and such other members, not being less than four and not more than six, as may be appointed in accordance with an Act of Parliament.

(2) A person shall not be qualified to hold the office of a member of the Malawi Electoral Commission if that person is a Minister, Deputy Minister, a Member of Parliament or a person holding public office.

(3) Subject to this section, a person shall cease to be a member of the Malawi Electoral Commission-

- (a) at the expiration of four years from the date of his or her appointment, unless re-appointed to a new four- year term;  
or
- (b) if any circumstances arise that, if that person were not a member of the Malawi Electoral Commission, he or she would be disqualified for appointment as such.

(4) A member of the Malawi Electoral Commission may be removed from office by the President on the recommendation of the Public Appointments Committee on the grounds of incapacity or incompetence in the performance of the duties of that office.

Powers and  
functions  
13 of 2020  
4 of 2023

76. — (1) The Malawi Electoral Commission shall exercise such functions in relation to elections as are conferred upon it by this Constitution or by an Act of Parliament.

(2) The duties and functions of the Malawi Electoral Commission shall include—

- (a) to determine constituency boundaries impartially on the basis of ensuring that constituencies contain approximately equal numbers of voters eligible to register, subject only to considerations of—
  - (i) population density;
  - (ii) ease of communication; and
  - (iii) geographical features and existing administrative areas;
- (b) to review existing constituency boundaries at intervals of not more than ten years and alter them in accordance with the principles laid down in subsection (2)(a);
- (c) to determine electoral petitions and complaints related to the conduct of any elections;
- (d) to ensure compliance with the provisions of this Constitution and any Act of Parliament; and
- (e) to perform such other functions as may be prescribed by this Constitution or an Act of Parliament.

(3) Any person who has petitioned or complained to the Malawi Electoral Commission shall have a right to appeal to the High Court against determinations made under subsections (2) (c) and (2)(d).

(4) The Malawi Electoral Commission shall exercise its powers, functions and duties under this section independent of any direction or interference by other authority or any person.

(5) Without prejudice to subsection (3)—

- (a) the High Court shall have jurisdiction to entertain applications for judicial review of the exercise by the Malawi Electoral Commission of its powers and functions to ensure that such powers and functions were duly exercised in accordance with this Constitution or any Act of Parliament; and
- (b) the National Assembly shall confirm all determinations by the Malawi Electoral Commission with regard to the

drawing up of constituency boundaries but may not alter the boundaries of any constituency, except upon the recommendation of the Malawi Electoral Commission.

The franchise  
6 of 1995  
11 of 2010  
13 of 2020

77. — (1) All persons shall be eligible to vote in any general election, by-election, presidential election, local government election or referendum, subject only to this section.

12 of 2020

(2) Subject to subsection (3), a person shall be qualified to be registered as a voter in a constituency if, and shall not be so qualified unless, at the date of the application for registration that person—

- (a) is a citizen of Malawi or, if not a citizen, has been ordinarily resident in the Republic for seven years;
- (b) has attained the age of eighteen years or provides proof that on or before the polling day he or she shall have attained the age of eighteen years; and
- (c) is ordinarily resident in that constituency or was born there or is employed or carries on a business there.

(3) No person shall be qualified for registration as a voter in a constituency if that person—

- (a) is under any law in force in the Republic adjudged or otherwise declared to be mentally incompetent;
- (b) is under sentence of death imposed by a court having jurisdiction in the Republic, either before or after the appointed day; or
- (c) is disqualified from registration as a voter on the grounds of his or her having been convicted of any violation of any law relating to elections passed by Parliament and in force at the time of, or after, the commencement of this Constitution, but such disqualification shall be valid only with respect to the registration for the election in question and the person so disqualified shall be qualified to be registered as a voter in the next or any subsequent election.

6 of 1995  
11 of 2010

(4) Where any person is qualified to be registered in more than one constituency as a voter, he or she may be so registered only in one of the constituencies.

(5) No person shall exercise more than one vote in any one election.

## CHAPTER VIII

### THE EXECUTIVE

Election of the  
President and the  
First Vice-  
President  
31 of 1994  
6 of 1995  
38 of 1998  
13 of 2020

80. — (1) The President shall be elected in accordance with the provisions of this Constitution in such manner as may be prescribed by Act of Parliament and, save where this Constitution provides otherwise, the ballot in a Presidential election shall take place concurrently with the general election for members of the National Assembly as prescribed by section 67(1).

4 of 2023

(2) The President shall be elected by a majority of more than fifty percent of the valid votes cast through direct, universal and equal suffrage and, where such majority is not obtained by any candidate in the first poll, a second poll shall be held within sixty days after the declaration of the result in which the candidates who obtained the highest votes cast in the first poll shall be the only candidates.

31 of 1994

(3) Every presidential candidate shall declare who shall be his or her First Vice-President if he or she is elected at the time of his or her nomination.

31 of 1994

(4) The First Vice-President shall be elected concurrently with the President and the name of a candidate for the First Vice-President shall appear on the same ballot paper as the name of the Presidential candidate who nominated him.

31 of 1994  
6 of 1995

(5) Where the President considers it desirable in the national interest so to do, he or she may appoint a person to the office of Second Vice-President and may do so upon taking his or her oath of office or at any time thereafter or upon a vacancy in the office of Second Vice-president; and, where no person has been appointed to the office of Second Vice-President then—

- (a) the provisions of this Chapter making reference to that office shall read *mutatis mutandis*; and
- (b) the office of First Vice-President shall be known as office of the Vice-President as if section 79 created the office of a Vice-President only;

Provided that where the President was elected on the sponsorship of a political party, then he or she shall not appoint a Second Vice-President from that political party.

31 of 1994

(6) Notwithstanding any provision of this Constitution to the contrary, a person shall only be qualified for nomination for election as President or First Vice-President or for appointment as First Vice-President or Second Vice-President if that person—

- (a) is a citizen of Malawi by birth or descent; and
- (b) has attained the age of thirty-five years.

31 of 1994  
6 of 1995  
38 of 1998

(7) No person shall be eligible for nomination as a candidate for election as President or First Vice-President or for appointment as First Vice-President or Second Vice-President if that person—

- (a) has been adjudged or declared to be of unsound mind;
- (b) is an undischarged bankrupt having been declared bankrupt under a law of the Republic;
- (c) has, within the last seven years, been convicted by a competent court of a crime involving dishonesty or moral turpitude;
- (d) owes allegiance to a foreign country;
- (e) is a holder of a public office or a member of Parliament, unless that person first resigns;
- (f) is a serving Member of the Defence Force or Malawi Police Service; or
- (g) has, within the last seven years, been convicted by a competent court of any violation of any law relating to election of the President or election of the members of Parliament.

Oath of Office  
31 of 1994  
13 of 2001  
13 of 2020

81. — (1) Before a person elected to be President or First Vice - President or appointed to be First Vice – President or Second Vice – President takes office that person shall take the following oath which shall be administered in public by the Chief Justice –

“I, ..... do solemnly swear that I will well and truly perform the functions of the high office of President (or Vice-President) of the Republic of Malawi, and that I will preserve and defend the Constitution, and that I will do right to all manner of people according to law without fear or favour, affection or ill will. So help me God!”

(2) Instead of taking oath, the President, First Vice President or Second Vice President may, if he or she thinks fit, make an affirmation which shall be in the like form with the substitution of “affirm” for “swear” and the omission of the final sentence.

13 of 2020

(3) A person elected to be President or First Vice President shall not be sworn into office until after the expiry of seven days but before the expiry of thirty days from the date the election result is declared.

13 of 2020

(4) A person appointed to be First Vice President or Second Vice President in accordance with the provisions of this Constitution, shall be sworn into office within fourteen days of being appointed.

13 of 2020

(5) The President and First Vice President shall hold office until such time as his or her successor is sworn in.

Tenure of office  
31 of 1994  
38 of 1998

83.— (1) The President shall hold office for five years from the date that his or her oath of office is administered, but shall continue in office until his or her successor has been sworn in.

(2) The First Vice-President and the Second Vice President shall hold office from the date of the administration of the oath of office to them until the end of the President’s term of office unless their office should come to an end sooner in accordance with the provisions of this Constitution.

(3) The President, the First Vice-President and the Second Vice-President may serve in their respective capacities a maximum of two consecutive terms, but when a person is elected or appointed to fill a vacancy in the office of President or Vice-President, the period between that election or appointment and the next election of a President shall not be regarded as a term.

(4) Whenever there is a vacancy in the office of President, the First Vice-President shall assume that office for the remainder of the term and shall appoint another person to serve as First Vice-President for the remainder of the term.

Appointment of  
Ministers and  
Deputy  
Ministers  
6 of 1995  
13 of 2001

94. — (1) The President shall have the power to appoint Ministers or Deputy Ministers and to fill vacancies in the Cabinet.

(2) A person shall not be qualified to be appointed as a Minister or Deputy Minister unless that person—

- (a) is a citizen of the Republic who upon taking office, has attained the age of twenty-one years;
- (b) is able to speak and to read the English language; and
- (c) is registered as a voter in a constituency.

6 of 1995

(3) Notwithstanding subsection (2), no person shall be qualified to be appointed as a Minister or Deputy Minister who—

- (a) owes allegiance to a foreign country;
- (b) is, under any law in force in the Republic, adjudged or otherwise declared to be of unsound mind;
- (c) has, within the last seven years, been convicted by a competent court of a crime involving dishonesty or moral turpitude;
- (d) is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in the Republic;
- (e) holds or acts in any public office or appointment;
- (f) belongs to, and is serving in the Defence Force of Malawi or in the Malawi Police Service;

13 of 2001

(g) has, within the last seven years, been convicted by a competent court of any violation of any law relating to election of the President or election of the members of Parliament.

## CHAPTER XIV

### LOCAL GOVERNMENT

25 of 2012  
13 of 2020  
18 of 2021

147. — (5) Local Government elections shall take place concurrently with general elections for members of the National assembly as prescribed under section 67(1) and local government authorities shall stand dissolved on the 23<sup>rd</sup> day of July in the fifth year after their election:

Provided that in the case of local councillors elected on 21<sup>st</sup> day of May, 2019, the local councillors so elected shall hold office until the 23<sup>rd</sup> day of July, 2025.



CHAPTER 2:03

**THE MALAWI ELECTORAL COMMISSION  
ACT**

## ARRANGEMENT OF SECTIONS

### SECTION

#### PART I PRELIMINARY

1. Short Title
2. Interpretation

#### PART II STATUS AND MEMBERSHIP OF THE COMMISSION

3. Legal personality and capacity of the Commission
4. Appointment of members of the Commission
5. Eligibility for appointment to the Commission
6. Independence of the Commission
7. Committees of the Commission

#### PART III FUNCTIONS AND POWERS OF THE COMMISSION

8. Functions and powers of the Commission
9. Delegation of powers and functions
10. Vacancy in the membership of the Commission

#### PART IV MEETINGS OF THE COMMISSION

11. Meetings of the Commission

#### PART V MANAGEMENT

12. Appointment of Chief Elections Officer
13. Appointment of staff of the Commission
14. Vacancy where employee becomes candidate in the elections

## PART VI

### FINANCIAL PROVISIONS

- 15. Funds of the Commission
- 16. Books and other records of accounts, audit and reports of the Commission
- 17. Holdings of funds of the Commission
- 18. Financial year

## PART VII

### MISCELLANEOUS

- 19. Duty to co-operate
- 20. Legal representation
- 21. Publicity
- 22. Regulations

## PART VIII

### TRANSITIONAL PROVISIONS

- 23. Savings
- 24. Transfer of assets, etc.

11 of 1998  
16 of 2010  
11 of 2023

**An Act to make provision for the appointment of members of the Malawi Electoral Commission; for the establishment of a secretariat for the Malawi Electoral Commission; and for matters incidental thereto and connected therewith.**

ENACTED by the Parliament of Malawi as follows—

Short title  
11 of 2023

1. This Act may be cited as the Malawi Electoral Commission Act.

Interpretation  
11 of 2023

2. In this Act, unless the context otherwise requires, the several words and expressions used in this Act shall have the same meanings assigned to them in the Constitution and the Presidential, Parliamentary and Local Government Elections Act, and the following additional words shall have the following meaning-

Cap 2:01  
32 of 2018

“Chairman” means the Chairman of the Commission;  
“Chief Elections Officer” means the Chief Elections Officer appointed under section 12;  
“Commission” means the Malawi Electoral Commission established under section 75(1) of the Constitution;

## PART II

### STATUS AND MEMBERSHIP OF THE COMMISSION

Legal personality  
and capacity of  
the Commission

3. The Commission shall be a body corporate with perpetual succession and a common seal and be capable of—

(a) acquiring, holding and disposing of real and personal

property;

- (b) suing and being sued in its own name; and
- (c) doing or performing all such acts and things as bodies corporate may by law do or perform.

Appointment of members  
of the Commission

32 of 2018

4.— (1) The President shall, subject to section (75) of the Constitution and in accordance with subsections (2), (3) and (4), appoint suitably qualified persons to be members of the Commission on such terms and conditions as the Public Appointments Committee of Parliament shall determine.

(2) Leaders of political parties represented in the National Assembly which secured more than one tenth of the national vote in election to that Parliament, shall submit to the President a maximum of three persons as the political parties nominees as members of the Commission provided that where the President notes that all nominees used for such adequate number as is required under subsection (3), are not qualified under the Constitution for this Act to hold office as a Commissioner, the President shall return the names to nominating political parties within a reasonable time and in any event before appointing the members of the Commission and the nominating political party shall resubmit a final list of nominees within seven days of receipt of such notification.

(3) Upon receipt of the nominees, as provided under subsection (2), the President shall appoint members of the Commission from the nominees in proportion to the nominating political parties' representation in the National Assembly as determined by the previous General Elections.

(4) In the event a vacancy in the membership of the Commission before the expiry of the term of a commissioner, the President shall notify the political party that nominated the commissioner

whose office has fallen vacant to submit a minimum of three names within 14 days of the notification and the President shall appoint a Commissioner from those names within a reasonable time, provided that proviso to subsection (2), shall apply to this subsection *mutatis mutandis*.

(5) The remuneration and any allowance of a member of the Commission may not be reduced during his period of office without his consent, and may be increased at such intervals as the Public Appointments Committee of Parliament may determine.

(6) Subject to the Constitution, a member of the Commission may be removed from office on the following grounds—

- (a) incompetence;
- (b) incapacity;
- (c) bankruptcy; and
- (d) where the member is so compromised to the extent that his or her ability to impartially exercise the duties of his or her office is seriously in question.

(7) A person shall not qualify for appointment as a member of the Commission under subsection (1) unless the person possesses a minimum educational qualification of a bachelor's degree obtained from an institution recognized or accredited under the National Council for Higher Education Act.

(8) A member of the Commission may resign from his office at any time by notice in writing to the President.

5. No person who is a candidate in any election or is a serving employee of the Commission shall be eligible to be appointed a member of the Commission or any of its committees.

6.— (1) Every individual member and employee of the Commission shall perform the functions and exercise the powers provided for in this Act independently of the direction or interference of—

- (a) any public office;
- (b) any organ of the Government;
- (c) any political party;
- (d) any candidate; or
- (e) any person whosoever or organization whatsoever:

Provided that for the purpose only of accountability the Commission shall be answerable, and report directly, to the President on the overall fulfillment of the functions and powers of the Commission.

(2) Upon assuming his office or immediately thereafter, every member of the Commission shall take an oath of office before the Chief Justice in the prescribed form.

Committees of the  
Commission

7.— (1) For the better carrying into effect of its functions, the Commission may establish such number of committees as it shall deem appropriate, to perform, subject to section 9, any of its functions and carry out such other responsibilities as the Commission may direct.

(2) A committee of the Commission may consist of either members of the Commission only or members of the Commission and such other suitably qualified persons as the Commission may deem fit.

(3) The Commission shall appoint the chairman of each committee from only amongst the members of the Commission.

(4) The provisions of this Act relating to meetings of the

Commission shall apply *mutatis mutandis* to the meetings of its committees.

(5) Every committee of the Commission shall act in accordance with any direction given to it in writing by the Commission.

### PART III

#### FUNCTIONS AND POWERS OF THE COMMISSION

Functions and powers  
of the Commission

16 of 2010

8.— (1) In addition to the broad functions and powers conferred on the Commission by the Constitution and, subject to the Constitution, the Commission shall exercise general direction and supervision over the conduct of every election and, without prejudice to the generality of such functions and powers, it shall have the following further functions—

- (a) to determine the number of constituencies or wards for the purposes of elections;
- (b) to undertake the demarcation of boundaries of constituencies or wards;
- (c) any ward created in accordance with section 8 (1) (c) repealed by this Act, shall continue to be in force, until re-demarcated in accordance with this section; Provided that the Commission shall, when undertaking the demarcation of wards, ensure that ward boundaries do not cross into local authority boundaries.
- (d) to organize and direct the registration of voters;
- (e) to devise and establish voters registers and ballot papers;
- (f) to print, distribute and take charge of ballot papers and voting registers;
- (g) to approve and procure ballot boxes;
- (h) to establish and operate polling stations;

|                |                                                                                                                                                                                                                                                                                                            |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| No. 11 of 2023 | (i) to establish and devise, in consultations with political parties, other means of voting, voting materials and registration of voters' materials, for purposes of improving efficiency of electoral processes, including registration of voters, voting, counting of votes and transmission of results; |
| No. 11 of 2013 | (j) to establish security conditions necessary for the conduct of every election in accordance with any written law governing elections;                                                                                                                                                                   |
| No. 11 of 2013 | (k) to promote public awareness of electoral matters through the media and other appropriate and effective means and to conduct civic and voter education on such matters;                                                                                                                                 |
|                | (l) to promote and conduct research into electoral matters and into any matter pertaining to its of such research;                                                                                                                                                                                         |
|                | (m) to perform the functions conferred upon it by or under any written law; and                                                                                                                                                                                                                            |
|                | (n) to take measures and to do such other things as are necessary for conducting free and fair elections.                                                                                                                                                                                                  |

(2) For purposes of discharging the functions and exercising the powers conferred upon it by the Constitution, this Act or any other written law relating to elections, the Commission shall freely communicate with the Government and any political party or any candidate, person or organization.

|                                    |                                                                                                                                                                  |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Delegation of powers and functions | 9. The Commission may delegate to any of its committees, the Chief Elections Officer or other employee of the Commission all or any of its powers and functions. |
| Vacancy in the membership of the   | 10. Subject to the Constitution and to section 11(3), any vacancy in the membership of the Commission shall not affect its decisions, the                        |

Commission

performance of its functions or the exercise of its powers under the Constitution, this Act or any other written law.

## PART IV

### MEETINGS OF THE COMMISSION

Meetings of the  
Commission

11.— (1) The Commission shall meet at such place or places, and at such time or times as the Chairman may determine:

Provided that the Chairman shall convene a meeting within fourteen days of receipt by him of a request in writing signed by the majority of members of the Commission and specifying the purpose for which the meeting is to be convened.

(3) The Chairman shall take all reasonable steps to ensure that every member of the Commission is given due and adequate notice of every meeting of the Commission.

(4) The quorum at every meeting of the Commission shall be fifty-one per centum of the members of the Commission.

(5) The Chairman shall preside at all meetings of the Commission. In the absence of the Chairman, the members present and forming a quorum shall elect one of their number to preside over the meeting of the Commission.

(6) At any meeting of the Commission, the decision of the Commission on any matter shall be that of the majority of the members of the Commission present and voting, and at all such meetings, the person presiding shall have, in the event of an equality of votes, a casting vote in addition to his deliberative vote.

(7) Subject to the Constitution and this Act, the

Commission shall have the power to regulate its own procedure by standing orders and the procedure of any of its committees and may vary, suspend or revoke any such standing orders.

(8) The Chief Elections Officer or such other employee of the Commission as the Commission may designate shall be the secretary to the Commission or at the meetings of any of its committees.

(9) Minutes of each meeting of the Commission or a committee of the Commission shall be kept by the secretary and shall be confirmed at the subsequent meeting of the Commission or committee, as the case may be.

## PART V MANAGEMENT

Appointment to  
Chief Elections  
Officer  
32 of 2018

12.— (1) (1).The Commission shall appoint a suitably qualified person with relevant experience to be the Chief Elections Officer through an open, transparent and competitive process upon such terms and conditions as the Commission may determine;

(2) The Chief Elections Officer shall hold office for a period of five years and shall be eligible to be re-appointed as Chief Elections Officer for a further period of five years.

32 of 2018

(3) The Chief Elections Officer shall be the Chief Executive Officer and Controlling Officer of the Commission and, subject to the general and specific directions of the Commission, be responsible for the day to day management of the Commission and, in that regard be responsible and answerable only to the Commission.

(4) The Chief Elections Officer shall not divulge any information to any person or accept or seek instructions from any

person in relation to his functions and duties or the functions or powers of the Commission or in relation the conduct of any election.

Appointment of  
staff of the  
Commission

13. — (1) The Commission shall appoint such other professional, technical and administrative officer and support staff as the Commission may deem necessary, subject to such terms and conditions as the Commission shall, in its discretion, determine.

(2) The Commission may pay to every person in its service, including the Chief Elections Officer, such remuneration and allowances and grant to every such person such fringe benefits as it may deem appropriate.

(3) There may be seconded to the Commission such number of public officers as the Commission may arrange with the appropriate authority responsible for such public officers for such periods and on such terms and conditions as may be agreed between the Commission and the authority concerned.

(4) For purposes of this Act, a public officer who is seconded to the Commission under subsection (3), shall be deemed to be an employee of the Commission and shall enjoy the same benefits and shall be required to comply with the Constitution, this Act and any other written law relating to elections and any instruction, orders and directions of the Commission in the same manner as an employee recruited directly by the Commission under this Act.

(5) The Commission shall deploy persons in its service in such manner as it deems appropriate and shall, for each district, constituency, ward and polling station, designate a District Elections Officer, elections officers, assistant elections officers, returning officers, presiding officers, registration officers, polling officials and counting officers in such numbers as the Commission shall deem appropriate for purposes of conducting or supervising elections.

(6) Upon assuming office, or immediately thereafter, every employee including the Chief Elections Officer shall take an oath of office in the prescribed form before a commissioner of oaths and, if there be no such form, in such form as the Commission shall determine.

Vacancy where  
employee  
becomes  
candidate in  
elections

14. The office or post an employee of the Commission shall automatically become vacant in the event that the employee becomes a candidate in any presidential, parliamentary or local government election.

## PART VI FINANCIAL PROVISIONS

Funds of the  
Commission

15.— (1) The funds of the Commission shall consist of—

- (a) such sums as shall be appropriated by Parliament for purposes of the Commission;
- (b) such sums or assets as may accrue to or vest in the Commission, whether in the course of the performance by the Commission of its functions or the exercise of its powers or otherwise;
- (c) such sums or assets as may accrue to or vest in the Commission by way of grants, subsidies, bequests, donations, gifts and subscriptions, from the Government or any other person;
- (d) such sums that are derived from the sale of any property, real or personal, by or on behalf of the Commission;
- (e) such sums as are received by the Commission by the way of voluntary contributions; and
- (f) such sums of assets as may be donated to the Commission by any foreign government, international agency or other external body of

persons, corporate or unincorporate.

(2) For the purposes of this section an “external body of persons” means anybody of persons, corporate or unincorporated, formed under or by virtue of the laws of any country other than Malawi.

(3) The funds of the Commission shall exclusively be under the control of the Commission and shall be utilized solely for the purposes of this Act in accordance with the written directions of the Commission and for no other purposes.

16.— (1) The Commission shall cause to be kept proper books and other records of account in respect of receipts and expenditures of the Commission in accordance with acceptable principles of accounting.

(2) The accounts of the Commission shall be audited annually by the Auditor General or by independent professional auditors appointed by the Commission in consultation with the Auditor General, and the expenses of the audit shall be paid out of the funds of the Commission.

(3) The Commission shall, as soon as practicable, but no later than six months after the end of the financial year of the Commission submit to the Minister and publish in the *Gazette* annual report on all the financial transactions of the Commission and on the work, activities and operations of the Commission.

(4) The report referred to in subsection (3) shall include a balance sheet and an income and expenditure account, and shall be laid by the Minister before the National Assembly in accordance with the Finance and Audit Act.

(5) The Commission shall at all times comply with the provisions of the Finance and Audit Act.

Books and  
other records of  
accounts, audit  
and reports of  
the  
Commission

Cap. 37:01

Cap. 37:01

Holdings of  
funds of the  
Commission

17. — (1) All sums received for the purposes of the Commission shall be paid into one or more bank accounts at such bank or banks as the Commission may determine, and no amount shall be withdrawn therefrom except under the written authority of the Commission and by means of cheques signed by such persons as are authorized in that behalf by the Commission.

(2) Any sums not immediately required for the purposes of the Commission may be invested in such manner as the Commission may, in its discretion, determine.

Financial year

18. The financial year of the Commission shall be the period of twelve months commencing on the 1<sup>st</sup> July of each year and ending on the 30<sup>th</sup> June of the following year:

Provided that the first financial year may be a period shorter or longer than twelve months as the Commission shall determine, but in any case longer than eighteen months.

## PART VII MISCELLANEOUS

Duty to  
co-operate

19. — (1) It shall be the duty of every relevant or competent public or private entity to cooperate with the Commission in its activities and to contribute towards the success of an election and not to do anything that might hinder such process.

(2) It shall be the special duty of —

- (a) all District Commissioners, in their respective districts, and all Clerks of local authorities, in their respective local authorities, to give the Commission and its officers the support and collaboration deemed by the Commission or its officers to be necessary for the execution of the activities connected with the conduct of an election; and
- (b) officers-in-charge of police, in their respective areas of operation, to take all necessary measures for the maintenance of law and order and stability necessary for the conduct of an election and to protect and uphold the rights of all persons under any written law relating to elections.

Legal  
representation

20. The Commission may instruct the Attorney General or any legal practitioner to provide legal representation to the Commission in any court proceedings, including proceedings concerning appeals against its decisions on complaints about any aspect of the electoral process, or to provide general legal advice to the Commission.

Publicity

21. The Commission shall, in such manner as it shall consider appropriate, publish a notice for public information specifying—

- (a) the location of its principal office; and
- (b) its address or addresses, telephone numbers and other means of communication or contact with the Commission.

Provision of  
voter education  
32 of 2018

21A. The Commission shall establish mechanisms for the provision of continuous voter education, and cause to be prepared a voter education curriculum.

Accreditation  
by the  
Commission

32 of 2018

21B. A person shall not conduct voter education without being accredited by the Commission in accordance with this Act.

Accreditation  
to provide voter  
education

32 of 2018

21C. Any person, other than a registered political party, may apply to the Commission in the prescribed manner for accreditation to provide voter education to the general public for or in respect of any election.

Code of  
Conduct for  
accredited voter  
education  
providers  
32 of 2018

21D. The Commission shall, in consultation with the Minister, by notice, publish in the Gazette, a code of conduct for persons accredited to provide voter education for or in respect of an election.

Failure to  
comply with  
code of conduct

32 of 2018

21E. Where a person accredited to provide voter education fails to comply with the conditions of accreditation or the code of conduct specified in section 21D, the Commission may, after having given the person the opportunity to be heard, cancel the accreditation concerned or suspend the accreditation until the conditions are met.

Regulations

22. The Minister may, on the recommendation of the Commission, make regulations for the better carrying out of this Act.

## PART VIII

### TRANSITIONAL PROVISIONS

Savings

32 of 2018

23.— (1) Notwithstanding anything contained in this Act, any person who, at the commencement of this Act, is a member of the Commission shall continue as such member until the expiry of his term of office, or termination of his appointment, respectively.

(2) The validity of any legal proceedings commenced by or against the Commission and anything done or action or decision taken or made by a court or the Commission or any of its employees prior to the commencement of this Act shall not be affected by this Act.

Transfer of  
assets, etc.

24.— (1) All property, assets, rights, liabilities, obligations, agreements and other arrangements (other than arrangements with foreign Governments or other foreign donor agencies) existing at the commencement of this Act and vested in, acquired, incurred or entered into by or on behalf of the Commission shall, upon the commencement of this Act, be deemed to have vested in or to have been acquired, incurred or entered into by or on behalf of the Commission and shall become enforceable by or on behalf of the Commission to the same extent as they were enforceable by or against the Commission before the commencement of the Act.

(2) Where the transfer of any property transferred to or vested in the Commission under subsections (1) is required by any written law to be registered, the Commission shall, within one year from the commencement of this Act or within such other period as the written law may prescribe, apply to the appropriate registering authority for the registration of the transfer and thereupon the registering authority shall, at no cost to the Commission or any person by way of registration fees, stamp or other duties—

- (a) make such entries in the appropriate register as shall give effect to the transfer;
- (b) where appropriate, issue to the Commission a certificate of title or other statutory evidence of ownership of the property or make such amendment on such certificates or in the appropriate register as may be necessary; and

- (c) make any necessary endorsements on such deeds or other documents as may be presented to such registering authority relating to the title, right or obligation concerned.

Passed in Parliament this fifth day of June, one thousand, nine hundred and ninety-eight.



**PRESIDENTIAL, PARLIAMENTARY AND  
LOCAL GOVERNMENT ELECTIONS ACT**

**(Published 21st February, 2023)**

**Act**

**No. 10 of 2023**

I assent

DR. LAZARUS MCCARTHY CHAKWERA

PRESIDENT

18th February, 2023

**ARRANGEMENT OF SECTIONS**

**SECTION**

**PART I — PRELIMINARY**

1. Short title and commencement
2. Interpretation

**PART II—REGISTRATION OF VOTERS**

3. Eligibility for registration
4. Voter registration
5. Right and duty to register
6. Duty to promote registration
7. Single registration
8. Place of registration and transfers
9. Registration officers
10. Registration centres
11. Voters register
12. Evidence of a person's eligibility to register
13. Registration and issue of voter's registration certificate
14. Updating of voters register
15. Deregistration of a voter
16. Monitoring of registration by political parties and independent candidates
17. Rights and duties of representatives of political parties and independent candidates
18. Suspension of registration of voters
19. Application to change registration details
20. Publication of voters register

## SECTION

21. Inspection of voters register before elections

## PART III CONDUCT OF ELECTIONS

*Division 1 General*

22. General elections
23. By-elections
24. Appointment of returning officers
25. Election representatives
26. Powers and duties of an election representative

*Division 2 Conduct for election to the office of President*

27. Notice of election to the office of President
28. Nominations of presidential candidates
29. Nomination fees
30. Publication of names of presidential candidates
31. Withdrawal of candidates for election to the office of President
32. Extension of period for nomination of candidate for election to the office of President
33. Holding of fresh nominations for presidential candidates and replacement of running mates
34. Publication of notice of poll
35. Second poll in a presidential election and security for candidates

*Division 3 Conduct for elections of members of the National Assembly and councillors*

36. Notice of elections for members of the National Assembly and councillors
37. Nomination of candidates
38. Qualifications for nomination for election as Members of the National Assembly or councillors
39. Submission of nomination papers
40. Nomination fees
41. Invalid nominations
42. Rejected nominations
43. No nomination of candidate
44. Publication of names of candidates for election as member of the National Assembly or councillor
45. Procedure for uncontested election
46. Procedure when poll to be held
47. Special provisions with respect to by-elections
48. Withdrawal of a candidate
49. Death of a candidate

PART IV CAMPAIGNING

- 50. Campaigning by political parties and candidates
- 51. Campaign period
- 52. Equal treatment of candidates
- 53. Freedom of expression and information
- 54. Freedom of assembly
- 55. Ethical norms during campaign
- 56. Prohibited places of campaigning
- 57. News broadcasts and reports
- 58. Publication of campaign materials
- 59. Campaign financing
- 60. Prohibition on contributions
- 61. Prohibition on use of public resources

PART V POLLING STATIONS

- 62. Polling stations
- 63. Polling station officers
  - 64. Working hours for polling station officers
- 65. Work items for polling station officers
- 66. Security of items at polling stations
- 67. Monitoring of voting by political parties and candidates
- 68. Rights and duties of representatives of political parties and candidates

PART VI THE VOTE AND VOTING PROCESS

- 69. Ballot papers
- 70. Voting booth
- 71. Ballot boxes
- 72. Right to vote
- 73. Right of employees to be released to vote
- 74. Place of Voting
- 75. Requirement for exercising the right to vote
- 76. Identification of voters
- 77. Voting hours
- 78. Procedure before commencement of voting
- 79. Order of voting
- 80. Continuity of the voting process
- 81. Adjournment in certain cases
- 82. Prohibited presence, etc, at a polling station
- 83. Procedure for casting votes
- 84. Voting by persons with disabilities

## SECTION

- 85. Issuance of a new ballot paper
- 86. Doubts and complaints
- 87. Definition of void vote

## PART VII DETERMINATION OF RESULTS OF ELECTIONS

- 88. Structures for determining results
- 89. Unused ballot papers
- 90. Classification of votes
- 91. Opening of ballot boxes and counting of votes
- 92. Record of the polling process
- 93. Delivery of ballot papers, etc., from polling stations
- 94. Compilation of the district result of the elections
- 95. Determination of the national result of a general election
- 96. Analysis of complaints, etc., prior to determination of the national result
- 97. Records of the national result of a general election
- 98. Publication of the national result

## PART VIII COMPLAINTS AND APPEALS

- 99. Commission to decide on complaints
- 100. Appeals to the High Court

## PART IX ELECTION PETITIONS

- 101. Election petitions

## PART X OBSERVATION

- 102. Meaning of observation
- 103. Accreditation of observers
- 104. Scope of observation
- 105. Beginning and end of observation
- 106. Collaboration with competent authorities
- 107. Invitation to observers
- 108. Categories of observers
- 109. Recognition and identification of observers
- 110. Compulsory use of identity cards and badges
- 111. Rights of observers
- 112. Obligations of observers
- 113. Position of diplomats

#### 114. Separate and joint operation of observers

SECTION

PART XI    OFFENCES AND PENALTY

- 115. Offences
- 116. Maintenance of secrecy
- 117. Impersonation
- 118. Offences under this Act arrestable offences
- 119. General penalty

PART XII    MISCELLANEOUS

- 120. Preservation of the election documents
- 121. Failure to elect a member of the National Assembly or councillor
- 122. Regulations
- 123. Repeals and savings

**An Act to make provision with respect to the conduct of elections to the office of President of the Republic, for elections of members of the National Assembly, for elections of councillors; and for matters ancillary thereto or connected therewith**

ENACTED by the Parliament of Malawi as follows

PART I    PRELIMINARY

1. This Act may be cited as the Presidential, Parliamentary and Local Government Elections Act, 2023, and shall come into force on such date as the Minister may appoint by notice published in the *Gazette*.

Short title  
and  
commence-  
ment

2. In this Act, unless the context otherwise requires —

Interpretation

“ballot box” means a box into which a voter deposits a ballot paper;

“ballot paper” means a sheet of paper for use by a voter in expressing his or her vote in an election;

“by-election” means the election of a member of the National Assembly or a councillor to fill a seat in the National Assembly or council which has become vacant otherwise than by dissolution of the National Assembly or the council;

“campaign period” means the period declared as campaign period under section 51;

“candidate” means a person who has been nominated under this Act as a candidate for election as President, member of the National Assembly or councillor;

|           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Cap. 2:03 | <p>“Chief Elections Officer” has the meaning assigned thereto in the Malawi Electoral Commission Act;</p> <p>“Commission” means the Malawi Electoral Commission established under section 75 of the Constitution and appointed in accordance with section 4 of the Malawi Electoral Commission Act;</p> <p>“constituency” means an area delimited as such under section 76 of the Constitution and section 8 (1) (a) and (b) of the Malawi Electoral Commission Act;</p> <p>“councillor” means a person elected under this Act to the office of councillor of a council;</p> <p>“election representative” means a person appointed by a candidate under section 25 to be a representative of the candidate for purposes of an election;</p> <p>“general election” means an election of the President, members of the National Assembly and councillors;</p> <p>“independent candidate” means a candidate not sponsored by a political party;</p> <p>“irregularity” in relation to the conduct of an election, means non-compliance with the requirements of this Act, the Constitution and any other applicable law;</p> <p>“National Assembly” means the National Assembly constituted under section 62 of the Constitution;</p> <p>“nomination day” means the day appointed by the Commission for the receipt of nominations of candidates for an election under this Act;</p> <p>“political party” means a political party registered under the Political Parties Act;</p> <p>“polling day” means —</p> <p>(a) in relation to a general election, the day specified under section 67 of the Constitution; and</p> <p>(b) in relation to a by-election, a day appointed by the Commission for the taking of a poll in a by-election;</p> <p>“polling station” means a place established as such under section 62;</p> <p>“polling station officer” means a person appointed as such under section 63 (1);</p> <p>“presiding officer” means a polling station officer designated as such under section 63 (2);</p> |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

“registration” means the registration of voters for an election;

“returning officer” means a returning officer appointed under section 24;

“voter” means a person registered to vote in an election;

“voters register” means the register of voters established under section 11, and includes a register that is compiled electronically;

“voter registration certificate” means a certificate issued to a voter under section 13;

“voting booth” means a compartment at a polling station for screening a voter from view when he or she is making his or her choice in a poll; and

“ward” means an area in a local government authority designated as such under section 146 (4) of the Constitution.

## PART II REGISTRATION OF VOTERS

**3.** A person shall be eligible to register as a voter in an election if he or she— Eligibility for registration

(a) is a citizen of Malawi or, if not a citizen, has been ordinarily resident in the Republic for seven years;

(b) has attained the age of eighteen years or provides proof that on or before the polling day, he or she shall have attained the age of eighteen years; and

(c) is ordinarily resident in an area, or was born in that area, or is employed or carries on business in that area.

**4.** (1) The Commission shall, within the year of holding a general election, conduct registration of voters. Voter registration

(2) The Commission shall, through notice published in the *Gazette*, announce commencement of registration of voters for a general election or by-election.

(3) The Commission shall, for each election, conduct voter registration for a period of not less than seven days and not more than fourteen days.

**5.** Every eligible person shall have Right and duty to register

(a) the right and civic duty to present himself or herself for registration as a voter;

(b) the right to verify with the Commission or its officers that he or she has been registered; and

(c) the right to request that any error or omission with respect to his or her registration be corrected.

Duty to  
promote  
registration

**6.** The Commission shall, in accordance with this Act, create the necessary conditions and take all necessary actions to promote awareness of the need to register as a voter and the need for full participation of eligible voters in an election.

Single  
registration

**7.** A person eligible to register as a voter shall be registered only once.

Place of  
registration  
and  
transfers

**8.** (1) A person eligible to register shall be registered as a voter in the area where he or she ordinarily resides or was born or is employed or carries on business.

(2) A person may, before the verification of the voters' register by the Commission, transfer to another registration centre, and upon such transfer, his or her name shall be deleted from the roll of the registered voters at the original registration centre.

Registration  
officers

**9.** — (1) The Commission may employ staff, on such terms and conditions as it shall determine, as registration officers who shall register voters.

(2) In the performance of his or her duties, a registration officer shall be under the supervision of the Commission and such other election officers as the Commission shall designate for that purpose.

Registration  
centres

**10.** — (1) The Commission shall establish centres throughout every constituency or ward as places where voters shall be registered and for this purpose, the Commission shall endeavor to adopt the centres established for the registration of voters in the last previously held poll in addition to establishing new centres.

(2) No form of propaganda campaign material or advertisement shall be exhibited at a registration centre or within a radius of one hundred meters of a registration centre.

Voters  
register

**11.** (1) A voters' register shall be in the prescribed form.

(2) The Commission shall procure sufficient copies of the voters' register for the registration of voters and for distribution to registration officers at every registration centre.

(3) The Commission may adopt existing voters' registers which shall, be updated by registration officers with new registrations.

Evidence of a  
person's  
eligibility to  
register

**12.** A person who is eligible to be registered as a voter in an election shall, as proof of eligibility, present in person to a registration officer, proof of his or her national registration issued by the National Registration Bureau.

Registration  
and issue of  
voter's  
registration  
certificate

**13.**—(1) A registration officer shall, upon being satisfied with proof of eligibility of a person to vote—

(a) register that person in the voters register by entering the particulars of that person as prescribed; and

(b) issue to that person a voter's registration certificate.

(2) If a voters registration certificate issued to a voter is lost, destroyed, defaced, torn or otherwise damaged, the voter shall notify the registration officer or other officer duly authorized in that behalf in writing giving proof thereof, and upon such officer being satisfied with such proof, shall issue to the voter, a replacement of that certificate, but the registration officer shall make sure that a voter is not denied his or her right to vote

(3) A person to whom a voter's registration certificate has been issued shall not allow or permit another person to use the registration certificate for any purpose.

(4) A person shall not use a voter's registration certificate of another person for any purpose.

(5) A person who contravenes subsection (3) or (4), or who aids, abets or counsels, or conspires with any person to contravene subsection (3) or (4), commits an offence and shall, upon conviction, be liable to a fine of K5,000,000 and to imprisonment for two years.

**14.—**(1) The Commission shall maintain an updated voters' register.

Updating of  
voters register

(2) In updating a voters' register, a registration officer shall do so by—

(a) adding names and other prescribed particulars of voters resulting from new registration; and

(b) deleting names of registered voters who are known to be deceased or who have lost eligibility to vote

**15.** A registration officer shall de-register a voter if the registration officer is satisfied that the voter—

Deregistration  
of a voter

(a) does not qualify to be registered as a voter;

(b) no longer meets the eligibility criteria for registration as a voter as specified under section 3;

(c) has been fraudulently registered; or

(d) is dead.

**16.—**(1) A political party intending to sponsor a candidate in an election, or an independent candidate intending to contest in an election, shall have the right to monitor the registration of voters and shall do so through designated representatives assigned to specified registration centres and whose names shall be notified in writing to the Commission, and in the absence of such notification by any political party or independent candidate, it shall be presumed that

Monitoring of  
registration  
by political  
parties and  
independent  
candidates

the political party or independent candidate does not desire to monitor the registration of voters.

(2) The Commission shall issue to every person designated as a representative under subsection (1) a document of identity which shall be in the prescribed form.

(3) A political party or an independent candidate shall not assign more than two representatives to one registration centre.

Rights and duties of representatives of political parties and independent candidates

**17.**—(1) A representative of a political party or an independent candidate shall have the right to—

(a) be treated with due respect and consideration by all persons administering the registration of voters and by the representatives of other political parties or independent candidates;

(b) request and obtain information on activities relating to the registration of voters; and

(c) submit to the Commission, in writing, complaints or appeals about any irregularities in the registration of voters.

(2) A representative of a political party or of an independent candidate shall, in exercising his or her rights under subsection (1), have the duty to—

(a) monitor the registration activities conscientiously and objectively;

(b) cooperate with registration officers in order to ensure that registration activities proceed smoothly by avoiding unjustified interference in, and obstacles to, the work of the registration officers;

(c) refrain from submitting complaints or appeals in bad faith or with the purpose of paralyzing the registration process; and

(d) refrain from divulging any information about a registered voter or a person intending to register as a voter obtained in the course of monitoring the registration.

(3) The Commission shall determine every complaint or appeal lodged under subsection (1) (c) before the polling day and shall remedy any confirmed irregularity.

Suspension of registration of voters

**18.**—(1) The Commission shall suspend registration of voters at least sixty days before the polling day.

(2) In the case of a by-election, the Commission shall, at least thirty days before the polling day, suspend registration of voters in the area in which the by-election is to take place.

19. (1) A voter whose name or ordinary place of residence,    Application  
business or employment, has changed, may apply in the prescribed    to change  
manner to have the change recorded in the voters register.    registration  
details

(2) A person shall not apply for change of particulars under  
subsection (1) where the change of name is due to change in marital  
status.

20. A voter's register shall be available for inspection during    Publication of  
working hours at the offices of the Commission or at any place as the    voters register  
Commission may determine.

21.—(1) The Commission shall open for inspection the voters    Inspection of  
register, for purposes of verifying the entries therein, by voters,    voters register  
representatives of political parties, independent candidates and    before  
observers.    elections

(2) The Commission shall cause to be posted a copy of the voters  
register for each registration centre at the registration centre where  
the registration took place for a period not exceeding seven days, as  
the Commission may determine.

PART III — CONDUCT OF ELECTIONS

*Division I—General*

22.—(1) A general election shall be held in accordance with  
section 67 (1) of the Constitution.

General  
elections

(2) A candidate may stand for election to the office of President,  
as a member of the National Assembly or as a councillor either on  
the sponsorship of a political party or as an independent candidate,  
and the rights and duties conferred by this Act on political parties  
shall apply, mutatis mutandis, to an independent candidate as they  
apply to political parties.

(3) Pursuant to the Constitution and this Act, in a general  
election, the poll for election

- (a) to the office of President;
- (b) as a member of the National Assembly; and
- (c) as a councillor,

shall be taken concurrently.

23. (1) Where a seat of a member of the National Assembly or    By-elections  
a councillor becomes vacant otherwise than by dissolution of the  
National Assembly or a council, a by-election shall be held.

(2) A seat of a member of the National Assembly or a councillor  
shall not be declared vacant in accordance with any written law until  
the time for appeal against the decision occasioning the vacancy has  
expired or, if there is an appeal, until the determination of the appeal.

Appointment of returning officers **24.**—(1) The Commission shall appoint a returning officer with respect to a district, city, municipality, town, constituency or ward as the Commission shall determine.

(2) For the purposes of subsection (1), the Commission may designate a District Commissioner or Chief Executive Officer of a local council as a returning officer in respect of a district, city, municipality, town, constituency or ward, as the case may be.

Election representatives **25.**—(1) A candidate may appoint not more than two persons to be his or her election representatives at each polling center and shall submit names of the persons so appointed to the returning officer of the area where he or she is a candidate, or intends to be a candidate.

(2) An election representative shall—

(a) be a person who is a citizen of Malawi; and

(b) not be a candidate in the election.

(3) The Commission may, by notice published in the Gazette, prescribe guidelines for appointment and revocation of appointment of election representatives.

Powers and duties of an election representative **26.**—(1) An election representative shall observe proceedings during—

(a) polling;

(b) the counting of votes; and

(c) the announcement and declaration of results of an election.

(2) The absence of an election representative of any political party or independent candidate from a polling station shall not invalidate the electoral proceedings at that polling station.

(3) An election representative shall, whilst at a polling station—

(a) wear the prescribed identification indicating—

(i) that the person is an election representative; and

(ii) the name of the candidate represented by that election representative; and

(b) comply with any lawful order issued by a presiding officer or returning officer.

#### *Division 2—Conduct of election to the office of President*

Notice of election to the office of President **27.**—(1) The Commission shall, for the purpose of election to the office of President, publish in the Gazette a notice declaring—

(a) a day or days, not less than twenty-one days after the nomination day or last nomination day fixed under paragraph (b), as the case may be, on which a poll shall be taken, if a poll becomes necessary in accordance with this Act; and

(b) a place or places at which, and a day or days, not less than fourteen days after the day of publication of the notice, on which the Commission shall receive nominations of candidates for election to the office of President.

(2) The Commission may, by further notice published in the *Gazette*, alter the day, time or place fixed under subsection (1).

28.—(1) Nomination of a candidate for election to the office of President shall be in the prescribed form and shall be made by ten registered voters in each district, each of whom shall sign the nomination paper. Nomination  
of  
Presidential  
candidates

(2) A registered voter shall not nominate more than one person as a candidate in a presidential election.

(3) A nomination paper shall —

(a) be countersigned by the candidate, endorsing thereby his or her acceptance of the nomination;

(b) in the case of a candidate who is to stand for or be sponsored by a political party, specify that fact, together with the name of the political party, the name of the candidate, an abbreviation of the name of the candidate, the distinctive symbol of the party and other particulars approved by the Commission which the candidate wishes to appear on the ballot paper;

(c) in the case of an independent candidate, specify the name of the candidate, an abbreviation of the name of the candidate, the distinctive symbol of the candidate and other particulars approved by the Commission which the candidate wishes to appear on the ballot paper;

(d) be accompanied by—

(i) evidence, satisfactory to the Commission, identifying the candidate as the person so nominated; and

(ii) evidence, or a statutory declaration by the candidate made before a magistrate or a commissioner for oaths, that the candidate is a citizen of Malawi and has attained the minimum age required by the Constitution for election to the office of President; and

(e) specify the name of the person appointed by the candidate as his or her running mate in the elections.

(4) Where a candidate is to stand for or is sponsored by a political party, the nomination form shall be countersigned by another person who is an office-bearer of the political party concerned and who has authority to certify that the candidate is to stand for or to be sponsored by that political party.

(5) The striking off from the voters register of the name of any person who nominated the candidate, subsequent to a candidate's nomination under subsection (1), shall not invalidate the nomination of the candidate.

(6) The Commission shall, upon request by a candidate or his or her election representative, examine the nomination form and supporting documents of the candidate before the nomination papers are formally presented to the Commission and advise the candidate or the election representative whether, in its opinion, the nomination papers are in order.

(7) The Commission shall, after formal presentation of the nomination papers and at the earliest opportunity before the close of the period allowed for nominations, advise the candidate or his or her election representative of any defect in the candidate's nomination form or supporting documents, and the candidate or his or her election representative may, before the closure of the nomination period, rectify the defect.

(8) A candidate or his or her election representative shall lodge his or her nomination papers with the Commission, at such place and time as the Commission shall prescribe under section 27(1)(b).

Nomination  
fees

**29.**—(1) A candidate for election to the office of President or his or her election representative shall, at the time of collecting a nomination form, deposit with the Commission a non-refundable nomination fee as shall be determined by the Commission under subsection (2).

(2) The Commission shall, six months before the nomination day—

(a) determine the nomination fee to be deposited under subsection (1); and

(b) publish in the *Gazette*, on the radio and in at least two newspapers in general circulation in Malawi, the nomination fee determined under paragraph (a).

Publication of  
names of  
Presidential  
candidates

**30.** The Commission shall, within seven days after receiving nominations of candidates for election to the office of President under this Part, cause to be published in the *Gazette* and disseminated in the print and electronic media, the names of candidates who have been duly nominated for election to the office of President in alphabetical order of surnames as they appear on their respective voter registration certificates.

Withdrawal of  
candidates for  
election to the  
office of  
President

**31.**—(1) A candidate nominated for election to the office of President may, by notice in writing addressed to the Commission, withdraw his or her candidature at any time before the day on which the poll in an election to the office of President is to be taken.

(2) The Commission shall, on receipt of the notice of withdrawal under subsection (1), cause the withdrawal to be published in the *Gazette*, on the radio and in at least two newspapers in general circulation in Malawi.

(3) Where a candidate for election to the office of President has withdrawn his or her nomination under this section, the nomination fees paid under section 29 shall be forfeited.

32. If at the end of the period allowed for nomination for election to the office of President, no candidate has been duly nominated, the Commission shall by notice published in the *Gazette* extend the period for receipt of nominations.

Extension of  
period for  
nomination of  
candidates for  
election to the  
office of  
President

33. (1) Where

Holding of  
fresh  
nominations  
for  
presidential  
candidates  
and  
replacement  
of running  
mates

(a) no candidate for election to the office of President has been duly nominated at the expiry of the time fixed for lodging nomination papers with the Commission;

(b) no candidate nominated for election to the office of President is qualified in accordance with the Constitution for election as President;

(c) a candidate, other than an independent candidate, nominated for election to the office of President dies, withdraws his or her nomination, becomes disqualified or is otherwise incapacitated, on or before the day on which the poll in the election is to be taken; or

(d) a candidate nominated for election to the office of President who would otherwise have been entitled to be declared duly elected as President dies, becomes disqualified, or is incapacitated, after the poll has begun in the election to the office of President, but before he or she has been declared duly elected as President,

the Commission shall, by notice published in the *Gazette*, declare that all proceedings relating to the election are void and that the proceedings shall immediately be commenced afresh in accordance with this Act.

(2) Where a running mate of a candidate for election to the office of President dies, withdraws his or her nomination, becomes disqualified or is otherwise incapacitated, before the elections, the presidential candidate shall appoint another person to be his or her running mate in the elections.

Publication of **34.** (1) If two or more persons have been duly nominated as

notice of poll candidates for election to the office of President, the Commission shall, as soon as practicable after the close of the period for nomination, give public notice that a poll is to be taken and such notice shall state—

(a) the names of the candidates in alphabetical order of surnames;

(b) the day or days during which the poll shall be held as determined by the Commission under section 27; and

(c) the location of polling stations.

(2) The Commission may alter the provisions of a public notice given under subsection (1) and any such alteration shall be published in the same manner as the original notice.

Second poll in a presidential election and security for candidates **35.** (1) Where an election to the office of President is conducted and a majority of more than fifty percent is not obtained by any candidate in the first poll, a second poll shall be conducted in accordance with the Constitution where the only candidates shall be the presidential candidates that obtained

(a) the highest and second highest number of valid votes cast in the first poll; or

(b) an equal number of valid votes cast in the first poll, being the highest votes amongst the candidates that stood in the election.

(2) Where one of the candidates in the second poll is an independent candidate and he or she

(a) dies;

(b) becomes disqualified, or

(c) is otherwise incapacitated,

before the second poll is conducted, the running mate of the independent candidate shall within three days of the occurrence, notify the Commission and the Commission shall, within three days of being notified, announce the matter through notice published in the *Gazette* and advise the running mate to assume the place of the candidate in the second poll.

(3) Where a candidate representing a political party in the second poll

(a) dies;

(b) becomes disqualified; or

(c) is otherwise incapacitated,

before the second poll is conducted, the political party shall, within three days of the occurrence, notify the Commission and the Commission shall, within three days of being notified, announce the matter through a notice published in the *Gazette* and advise the political party to present another candidate for the second poll.

(4) A new presidential candidate identified in accordance with subsection (2) or (3) shall, within fourteen days of the notice published in the *Gazette*, submit to the Commission such information prescribed under section 28 (3) as the Commission shall determine.

(5) Where the candidate identified under subsection (3) is not the running mate of the previous candidate, the new presidential candidate shall not replace the running mate unless the running mate

- (a) dies;
- (b) becomes disqualified; or
- (c) is otherwise incapacitated.

(6) Where

(a) both a presidential candidate for the second poll and his or her running mate

- (i) die;
- (ii) become disqualified; or
- (iii) are otherwise incapacitated; or

(b) a presidential candidate identified under subsection (2) or (3)

- (i) dies;
- (ii) become disqualified; or
- (iii) is otherwise incapacitated,

before the second poll is conducted, the Commission shall, by notice published in the *Gazette*, notify the public that a fresh election shall be conducted within such period as shall be stipulated in the notice.

(8) The Commission shall, immediately after declaring presidential candidates for the second poll, provide details of the candidates and their running mates to State institutions responsible for security, and the State institutions shall provide security to the candidates and their running mates until the results of the second poll are declared.

*Division 3—Conduct of elections of members of the National Assembly and councillors*

Notice of  
election for  
members of  
National  
Assembly and  
councillors

**36.**—(1) The Commission shall, for the purpose of elections for Members of National Assembly and Councillors, publish in the *Gazette* a notice\_\_\_\_\_

(a) declaring—

(i) in the case of a general election, that an election shall be held throughout Malawi; or

(ii) in the case of a by-election, that a by-election shall be held in the specified constituency or ward.;

(b) appointing the place, date and time for the receipt of nominations of candidates; and

(c) appointing the day or days on which the poll shall be taken, in accordance with this Act.

(2) The date appointed under subsection (1) (b) shall not be less than fourteen days after publication of the notice.

(3) The period appointed under subsection (1) (c) shall not be less than fourteen days after the closure of nomination of candidates.

(4) A returning officer for each constituency or ward named in the notice under subsection (1) shall, upon receipt of the notice, proceed to hold an election in the manner prescribed under this Act.

Nomination of  
candidates

**37.**—(1) A returning officer shall, on the day or days and at the time or times and place or places fixed for the nomination of candidates, receive nomination papers as may be tendered to him or her, and which appear to him or her to comply with this Act.

(2) Subject to subsection (7), the nomination of every candidate shall—

(a) be in the prescribed form;

(b) be made—

(i) in the case of nomination for a member of the National Assembly, by at least ten voters registered in the constituency in which the candidate intends to be a candidate, each of whom shall sign the nomination paper; and

(ii) in the case of nomination for a councillor, by at least ten voters registered in the ward in which the candidate intends to be a candidate, each of whom shall sign the nomination paper;

(c) be countersigned by the candidate, endorsing thereby his or her acceptance of the nomination;

(d) if the candidate is to stand for, or to be sponsored by, a political party, specify that fact, together with the name of the political party and the name of the candidate or an abbreviation of the name of the candidate, and a distinctive symbol, which the candidate wishes to appear on the ballot paper; and

(e) in the case of an independent candidate, specify the name of the candidate or an abbreviation of the name of the candidate, and a distinctive symbol, which the candidate wishes to appear on the ballot paper.

(3) A candidate nominated under subsection (2) shall produce to the returning officer evidence, satisfactory to the returning officer, identifying him or her as the person so nominated.

(4) Where a candidate is to stand for, or be sponsored by a political party, the nomination paper shall be countersigned by a person who is an office-bearer of the political party concerned and who has authority to certify that the candidate is to stand for or be sponsored by that political party.

(5) The striking off from the voters register of a name of any person who nominated the candidate, subsequent to the candidate's nomination shall not invalidate the nomination of the candidate.

(6) A person shall not be nominated as a candidate —

(a) in more than one constituency or ward; or

(b) in the case of a by-election, if the person is a member of the National Assembly or a councillor.

(7) A registered voter shall not nominate more than one person as a candidate in an election for member of the National Assembly or Councillor.

**38.** (1) A person shall not be qualified to be nominated for election as a member of the National Assembly or councilor unless that person—

Qualifications

for  
nomination  
for election as  
Member of  
the National  
Assembly or  
councillors

(a) is a citizen of Malawi;

(b) has, at the time of nomination, attained the age of twenty-one;

(c) is able to speak and to read the English language well enough to take an active part in the proceedings of the National Assembly or council; and

(d) is a registered voter in any constituency or ward, as a case may be.

(2) Notwithstanding subsection (1), a person shall not be qualified to be nominated for election as a member of the National Assembly or councilor if the person—

(a) owes allegiance to a foreign country;

(b) is, under any written law in force in Malawi, adjudged or otherwise declared to be of unsound mind;

(c) has, within the last seven years, been convicted by a competent court of a crime involving dishonesty or moral turpitude;

(d) is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in Malawi;

(e) holds or acts in a public office or appointment;

(f) belongs to and is serving in the Malawi Defence Force, the Malawi Police Service or the Malawi Prison Service; or

(g) has, within the last seven years, been convicted by a competent court of violation of any law relating to elections.

**39.—**(1) A candidate or his or her election representative shall at the time of his or her nomination deliver to the returning officer—

(a) a nomination form completed and executed in the prescribed form;

(b) evidence, or statutory declaration by the candidate made before a magistrate or a commissioner for oaths, that the candidate—

(i) is a citizen of Malawi and has attained the minimum age of twenty-one; and

(ii) is able to speak and read the English language well enough to take an active part in the proceedings of the National Assembly or the council; and

(c) evidence that he or she is a registered voter in any constituency or ward.

(2) A returning officer shall, upon request by a candidate or an election representative of the candidate, examine the nomination form and supporting documents of the candidate before the nomination papers are formally presented to the returning officer and advise the candidate or the election representative whether, in the opinion of the returning officer, the nomination papers are in order.

(3) The returning officer shall, at the earliest opportunity and in any case, before the close of the period allowed for nominations, advise the candidate or the election representative of the candidate of any defect in the nomination papers, and the candidate may, rectify the defect before the close of the nomination period.

Submission  
of  
nomination  
papers

40.—(1) A candidate or an election representative of a candidate shall, on collection of a nomination form, deposit with the returning officer a non-refundable nomination fee as may be determined by the Commission.

Nomination  
fees

(2) The Commission shall, six months before the nomination day—

(a) determine the nomination fee to be deposited under subsection (1); and

(b) publish in the *Gazette*, on the radio and in at least two newspapers in general circulation in Malawi, the nomination fee determined under subsection (1).

41. The nomination of a candidate shall be invalid if—

Invalid  
nomination

(a) the description of the candidate is insufficient to identify the candidate;

(b) the nomination form or any supporting document required under this Act is invalid or does not comply with this Act;

(c) any supporting document required under this Act has not been provided;

(d) the nomination papers were not tendered within the prescribed time;

(e) or

(f) the evidence delivered to the returning officer under section 37 (3) is insufficient.

42.—(1) If, after close of the period allowed for nomination of candidates but before the polling day, the returning officer is of the opinion that—

Rejected  
nominations

(a) a candidate

(i) has not been duly nominated in accordance with this Act;

or

(ii) is not qualified for election or has obtained nomination by fraud or false pretence;

(b) a symbol or abbreviation specified in respect of a candidate pursuant to section 37 (2) (d) and (e) is indecent or obscene or is too complex or elaborate to be reproduced on a ballot paper or so closely resembles the symbol of another candidate contesting the election in the constituency or ward concerned or is the recognized symbol or abbreviation of another candidate or of a political party, other than the political party, if any, for which the candidate concerned is standing or which is sponsoring him or her as to be likely to cause confusion;

- (c) where the nomination paper states that a candidate is to stand for or to be sponsored by a political party, there is reason to believe that that fact is not true;
- (d) the nomination paper lodged with the returning officer is for any other reason not in order;
- (e) the deposit referred to in section 41 was not lodged with the nomination paper of the candidate;
- (f) a candidate is not qualified for election at that election; or
- (g) a candidate has been duly nominated for election in another constituency or ward,

the returning officer shall forthwith notify the candidate or his or her election representative that the nomination has been rejected and giving reasons for such decision, and, if so requested by the candidate or his or her election representative, the returning officer shall draw up and sign a statement of the facts and his or her opinion based on those facts.

(2) Where a candidate refers any matter to do with his or her nomination to the High Court, the proceedings under sections 42, 43 44 and 45 shall be suspended pending the determination of the matter.

(3) Without derogation from subsection (1), the returning officer shall not take the action under that subsection solely on account of any minor variation between the name of any person as it appears on the nomination and as it appears on the voters register if the returning officer is reasonably satisfied that the variation is due to an error or is without significance.

No nomination of candidate

43.

If at the end of the period allowed for nomination of candidates no candidate has been duly nominated for a constituency or a ward, the Commission shall, by notice published in the *Gazette*, extend the period for the receipt by the returning officer of nominations to a date not later than seven days before the polling day.

Publication of names of candidates for election as member of the National Assembly or councillor

44.

After receiving nominations of candidates for election as member of the National Assembly or as a councillor, the Commission shall, within fourteen days after receiving the nominations, cause to be published in the *Gazette* and broadcast on the radio and in at least two newspapers in general circulation in Malawi, the names of all candidates who have been duly nominated for election in alphabetical order of surnames.

Procedure for uncontested election

45.

If at the end of the period allowed for nomination of candidates for election as member of the National Assembly or councillor there is only one candidate duly nominated in a constituency or ward, the returning officer shall publicly declare

that candidate to be elected and shall immediately thereafter inform the Commission of the name of the candidate so elected and the constituency or ward for which he or she has been elected.

46.—(1) When two or more persons have been duly nominated as candidates for election in any constituency or ward, the returning officer for the constituency or ward shall, as soon as practicable after the close of the period for nomination of candidates, publicly declare and give public notice that a poll is to be taken stating—

Procedure  
when poll to  
be held

(a) the names of the candidates in alphabetical order of surnames;

(b) the day or days and the times, as declared by the Commission under section 36 on which the poll shall be held; and

(c) the location of polling stations.

(2) The returning officer may, with the consent of the Commission, alter the provisions of a public notice given under subsection (1) for the purpose of fulfilling the requirements of this Act and any such alteration shall be published in the same manner as the notice.

47.—(1) The Speaker of the National Assembly or the Commission shall, by notice published in the *Gazette*, publicize a vacancy in the membership of the National Assembly or a council which exists otherwise than by reason of dissolution of the National Assembly or a council.

Special  
provisions  
with respect  
to  
by-elections

(2) A notice published under subsection (1) shall, state the cause of the vacancy.

(3) If —

(a) within fourteen days of the publication of the notice under subsection (1), the person to whom the notice relates has not presented a petition to the High Court seeking an order declaring that he or she has not ceased to be a Member of the National Assembly or the council;

(b) after presenting the petition referred to in paragraph (a), the petitioner by his or her own default does not prosecute the petition within fourteen days of presenting the petition; or

(c) after hearing the petition, the High Court confirms the declaration by the Speaker or the Commission, as the case may be, the Registrar of the High Court shall forthwith give notice of that fact to the Speaker or the Commission.

(4) If, after hearing the petition referred to in subsection (3), the High Court makes an order declaring that the petitioner has not

ceased to be a Member of the National Assembly or the council, the Registrar of the High Court shall forthwith give notice of that fact to the Speaker or the Commission and the Speaker or the Commission, as the case may be, shall publish a notice in the Gazette stating the effect of the order of the High Court.

(4) The Attorney General and the Commission shall be respondents in a petition referred to in subsection (3).

Withdrawal  
of a  
candidate

**48.**—(1) Subject to this section, a duly nominated candidate for elections for a constituency or a ward may withdraw his or her nomination at any time before the polling day.

(2) Withdrawal of a candidate under subsection (1) shall be affected by means of a written notification to the returning officer, signed by the candidate personally, and the returning officer shall notify the Commission in writing of the withdrawal of the candidate.

(3) A notice of withdrawal of a candidate shall be accompanied with a sworn statement stating that the withdrawal is voluntary.

(4) Where a candidate withdraws his or her nomination under this section, the nomination fee deposited under section 40 shall be forfeited.

(5) In the event of a candidate withdrawing his or her nomination under this section, the returning officer shall take all such steps as are reasonably practicable to ensure that —

(a) the withdrawal is brought to the attention of voters in the constituency or ward; and

(b) the name of the candidate who has withdrawn is either omitted or deleted from the ballot paper.

(6) A person who, in any way induces or influences a candidate to withdraw from an election, commits an offence.

Death of a  
candidate

**49.**—(1) Where a duly nominated candidate for election in a constituency or ward, other than an independent candidate, dies before commencement of a poll in the constituency or ward or, if the poll has commenced, before close of the poll, the returning officer shall stop all proceedings relating to the election in that constituency or ward and shall forthwith notify the Commission of that fact.

(2) The Commission shall, where an election has been stopped under subsection (1), declare that all proceedings relating to the election in that constituency or ward are void and that all proceedings relating to that election shall be commenced afresh in the same manner as if a vacancy had occurred.

(3) Where an election in a constituency or ward has been stopped under subsection (1) and a candidate who was duly nominated for that election notifies the Commission in writing of his or her intention to contest in the subsequent by-election, the Commission shall treat the candidate as duly nominated for the by-election.

PART IV—CAMPAIGN FOR ELECTION

50.—(1) A political party or a candidate has a right to campaign in an election.

Campaigning  
by political  
parties and  
candidates

(2) A person shall not convene or cause to be convened a public gathering for purposes of campaigning for election unless the person submits written notice of the intended gathering to the District Commissioner or Chief Executive Officer of the local council responsible for the area where the gathering is intended to convene.

(3) The convener of a public gathering under subsection (1) shall submit a copy of the notice to the officer-in-charge of the Police establishment responsible for the area where the gathering is intended to convene.

(4) The District Commissioner or Chief Executive Officer shall stamp every notice received under subsection (2) with his or her official date stamp and endorse thereon the time the notice is received.

(4) Where two or more political parties or candidates give notice to hold a public meeting at the same venue under subsection (1), the political party or candidate whose notice was received first by the District Commissioner or Chief Executive Officer shall be entitled to hold the public meeting at the venue.

51. (1) Subject to subsection (2), the Commission shall, through notice published in the *Gazette*, announce commencement of the official campaign period for an election, which shall be sixty days.

Campaign  
period

(2) The official campaign period shall close forty-eight hours before the opening of the poll.

52. Every public officer, public entity and authority shall give and be seen to give equal treatment to all political parties and candidates to enable the political parties and candidates to conduct election campaign freely.

Equal  
treatment of  
candidates

53. Subject to any applicable law, a political party and a person campaigning in an election shall enjoy complete and unhindered freedom of expression and information in the exercise of the right to campaign under this Act.

Freedom of  
expression  
and  
information

Freedom of assembly      **54.** Subject to section 50, a political party, candidate and member of the general public shall, enjoy complete and unhindered freedom of peaceful assembly in campaigning in an election.

Ethical norms during campaign      **55.**—(1) Notwithstanding the guarantees of freedom of expression, information and assembly under this Act, no person shall, in campaigning in an election, use language which is inflammatory, defamatory or insulting or which constitutes incitement to public disorder, insurrection, hate, violence or war.

(2) The Commission shall, by notice published in the *Gazette*, prescribe a code of conduct to regulate campaign for election.

(3) Every political party and candidate intending to participate in an election shall undertake to be bound by the code of conduct by signing and submitting to the Commission the signed copy of the code of conduct, at such time and in such manner as the Commission may prescribe.

(4) A political party or person who contravenes the code of conduct shall be liable to a penalty of K5,000,000 payable to the Commission.

(5) Where a political party or person fails to pay a penalty imposed under subsection (3) or, having paid the penalty continues to breach the code of conduct, the Commission may disqualify the political party or candidate from participating in the election.

(6) The Commission shall not impose the fine under subsection (4) or disqualify a political party or candidate under subsection (5) before giving the political party or candidate a right to be heard.

Prohibited places of campaigning      **56.** A person shall not convene a public gathering for purposes of campaigning for election at or within the premises of—

- (a) a military or police establishment;
- (b) a public institution;
- (c) a workplace, during working hours;
- (d) a hospital; or
- (e) an education institution, during normal class period.

News broadcasts and reports      **57.**—(1) A political party or a candidate has a right to have the substance of its, his or her campaign message reported on television and radio news broadcasts of a public broadcaster:

Provided that in the case of news broadcasts—

- (a) the content of the news shall be professionally determined by the public broadcaster;

(b) the public broadcaster shall maintain neutrality in the manner of reporting the campaign messages and generally in its commentaries;

(c) the Commission shall monitor the news broadcasts and ensure equal coverage of political parties and independent candidates; and

(d) a political party or candidate shall not be entitled to make commercial advertisement for its, his or her campaign.

(2) The Commission shall, by arrangement with a public broadcaster, allocate equal time to every political party and independent candidate to disseminate campaign messages. .

(3) For the purposes of this section, “campaign message” means any statement or any other form of expression aimed at directly or indirectly promoting a particular political idea, policy or strategy with the aim of enticing voters to vote for a particular candidate in an election.

**58.**—(1) During the campaign period, a political party or a candidate may publish campaign materials and shall, in any such publication, specify particulars sufficient to identify the political party or candidate.

Publication of  
campaign  
materials

(2) The District Commissioner or Chief Executive Officer of a local council shall designate places or spaces in the local council where political parties and candidates may post or affix campaign materials, and political parties and candidates shall be entitled to equal access to such places and spaces.

(3) For the purposes of this section, “campaign material” means a manifesto, billboard, pictorial image, poster, t-shirt, cloth, advertisement, or any other material aimed at conveying a campaign message.

**59.** Subject to the Political Parties Act, a political party or candidate may, for the purpose of financing an election campaign, appeal for and receive contributions from any individual or entity within or outside Malawi.

Campaign  
financing  
Cap. 2:07

**60.**—(1) A political party or candidate shall not receive any contribution or donation, in cash or in kind, from the State, any organ of the State or agency of the State.

Prohibition  
on  
contributions

(2) A public officer, organ or agency of the State, shall not use any public resource to—

(a) support the election campaign of a political party or candidate;

(b) campaign for a political party or candidate; or

(c) support any organization that is campaigning for or supporting the election campaign of a political party or candidate.

(3) A political party which, or a candidate who, contravenes subsection (1) commits an offence.

Prohibition on  
use of public  
resources

**61.**—(1) Except as authorized under this Act or any other written law, a political party, a candidate or any other person shall not use public resources for the purpose of election campaign.

(2) A political party, candidate or other person who fails to comply with the provisions of this section commits an offence.

(3) For the purposes of this section, “public resource” means any property owned by the Government, an organ of the Government, a statutory corporation or body or state-owned enterprise.

#### PART V—POLLING STATIONS

Polling  
stations

**62.**—(1) The Commission shall establish polling stations throughout Malawi and there shall be at least one polling station for every registration centre established under section 10.

(2) A polling station shall be established and located in a public building, including a school, community or social hall, administrative office of the Government or a local authority, but not—

(a) subject to subsection (3), at a military or police establishment;

(b) in a residential building;

(c) in a building occupied by a political party;

(d) in premises where alcoholic drinks are ordinarily sold or consumed;

(e) at a place of worship or dedicated to worship; and

(f) at a hospital or health centre.

(3) The Commission may establish a polling station at a military or police establishment for purposes of enabling members of the Malawi Defence Force, the Malawi Police Service and members of their families to vote in the last two days prior to the polling day.

(4) The Commission shall, before the polling day—

(a) publish in the Gazette and in more than one issue of a newspaper in general circulation in Malawi; and

(b) announce by radio or other appropriate means,

names of all places throughout Malawi at which polling stations have been established.

**63.** (1) The Commission shall appoint polling station officers in its service whose duty shall be to administer proceedings at polling stations, including, the casting of votes and counting of votes cast at polling stations.

Polling station officers

(2) The Commission shall post at every polling station at least five polling station officers—

(a) one of whom shall be designated as the presiding officer for that polling station; and

(b) at least one of whom shall be a person able to speak the language commonly spoken in the area where the polling station is located.

(3) Polling station officers may be appointed from amongst persons who served as registration officers.

**64.** A polling station officer shall, on the polling day, report for work at the polling station not later than thirty minutes before the opening time of the polling station and at any given time of the polling day there shall be a majority of polling station officers attending to business at the polling station.

Working hours for polling station officers

**65.** The Commission shall provide to each polling station all the necessary voting materials and equipment, including—

Work items for polling station officers

(a) an authenticated copy of the voters' register of the voters registered at the centre served by the polling station;

(b) ballot papers

(c) ballot boxes;

(d) seals, sealing wax and envelopes for the votes;

(e) indelible ink;

(f) record sheets for the record required under section 92;

(g) a lamp or other source of light to be used during counting of votes;

(h) a log book in which formal complaints under section 92(1) (vii) shall be recorded;

(i) a document to be signed by the presiding officer detailing the election materials entrusted to that presiding officer; and

(j) any other materials that enhance the efficiency of polling as determined by the Commission from time to time in consultation with all election stakeholders.

**66.** A presiding officer or a person appointed by the Commission and acting in that regard for the Commission, shall be responsible for creating and guaranteeing necessary and indispensable

Security of items at polling stations

conditions for the custody, conservation, security and inviolability of the materials specified in section 66, including, more particularly, the ballot papers and ballot boxes.

Monitoring  
of voting  
by political  
parties and  
candidates

**67.**—(1) A political party or an independent candidate has a right to monitor the voting process at polling stations and shall do so through not more than two designated representatives at each polling station.

(2) A political party or a candidate shall submit to the Commission in writing names of designated representatives and the polling stations to which the representatives will be deployed and in the absence of such submission by any political party or candidate, it shall be presumed that the political party or candidate does not desire to monitor the voting process.

(3) The Commission shall issue a document of identity in the prescribed form to every representative designated under subsection (1). .

Rights and  
duties of  
representatives  
of political  
parties and  
candidates

**68.** (1) A representative of a political party or a representative of a candidate shall have the following rights—

(i) to be present at the polling station and to occupy the nearest seat or position to the polling station officers so as to be able to monitor all the operations relating to the casting and counting of votes;

(ii) to verify and inspect, before the beginning of the casting of votes, the ballot box and the polling booth;

(iii) to request and obtain from the polling station officers any information which he or she considers necessary relating to the voting process and the counting of votes;

(iv) to be consulted about any question raised on the operation of the polling station, whether during the casting or counting of votes; and

(v) to consult the voter’s register at any time.

(2) A representative of a political party or a representative of a candidate shall have the following duties —

(i) to act conscientiously and objectively in the exercise of his or her rights under subsection (1);

(ii) to co-operate with polling station officers in operations relating to the casting and counting of votes;

(iii) to refrain from interfering unjustifiably and in bad faith with the duties of the polling station officers so as not to disturb the process of casting and counting votes; and

(iv) to maintain the secrecy of the ballot.

69. (1) The Commission shall print adequate ballot papers and

Ballot papers

distribute the ballot papers to all polling stations.

(2) The Commission shall cause to be printed clearly and legibly on each ballot paper, in respect of each candidate—

- (a) the name or abbreviation of the candidate;
- (b) the election symbol of the candidate or his or her political party; and
- (c) such other particulars as the Commission may determine.

70. The Commission shall construct a voting booth at each

Voting booth

polling station and a voting booth shall be constructed in such a way as to allow secret voting by a voter.

71.—(1) The Commission shall procure ballot boxes of suitable

Ballot boxes

material, specification and design, for use in the casting of votes.

(2) Subject to satisfying the requirements of this Act, on the polling day, the presiding officer of a polling station shall position in respect of each voting booth at that polling station one ballot box in such a way that when a voter casts his or her vote in the ballot box, he or she shall do so in full view of the polling station officers and election representatives present at the polling station.

72.—(1) A registered voter shall personally exercise his or her

Right to vote

right to vote in an election.

(2) Voting shall be by secret ballot.

(3) A registered voter shall be entitled to cast one vote in an election. .

73. Notwithstanding any provision to the contrary in a contract

Right of

of employment, an employer shall put in place such administrative

employees to

arrangements as may be necessary to allow his or her employee to

be released to

vote in an election.

vote

74. A registered voter shall exercise his or her right to vote at a

Place of

polling station located at the registration centre where he or she is

voting

registered or has been transferred to in accordance with this Act.

75. A person shall be allowed to vote if the person—

Requirements

(a) presents to a polling station officer his or her voter’s

for exercising

registration certificate; and

the right to

vote

(b) has not voted in the election.

76. A voter shall produce an identification document to a

Identification

presiding officer as may be required.

of voters

|                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Voting hours                            | <p><b>77.—</b> (1) On the polling day, voting shall begin at six o'clock in the morning and close at four o'clock in the afternoon.</p> <p>(2) The polling day of a general election shall be a public holiday.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Procedure before commencement of voting | <p><b>78.</b> The presiding officer shall, before commencement of voting—</p> <p>(a) together with other polling station officers and representatives of political parties and candidates, verify that there are no irregularities with the voting booth and the working documents at the polling station; and</p> <p>(b) exhibit in front of all voters present at the polling station, the ballot box to verify that it is empty after which the ballot box shall be closed and sealed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Order of voting                         | <p><b>79.</b> Upon completion of preliminary procedures under section 78 and confirming that there are no irregularities, the first persons to be allowed to vote shall be the presiding officer, the other polling station officers, representatives of political parties or candidates and all officers responsible for ensuring order and security at the polling station, after whom all other persons shall vote according to the order of their arrival at the polling station and, to this end, the voters shall form a line but the presiding officer may, if circumstances so require, use his or her discretion to allow certain persons to vote before the persons mentioned in this section have cast their votes.</p>                                                                                                                                                                                                                      |
| Continuity of the voting process        | <p><b>80.</b> Voting at every polling station shall, once commenced, continue uninterrupted until closed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Adjournment in certain cases            | <p><b>81.</b> (1) The Commission may adjourn voting at any polling station to another day to be fixed by the Commission if —</p> <p>(a) the polling station officers are unable to assemble at that polling station in accordance with this Act;</p> <p>(b) there is some commotion which causes voting to be interrupted for more than three hours; and</p> <p>(c) there is public disaster or serious disturbance of public order, not being the death of any person, which affects the voting.</p> <p>(2) Where the Commission adjourns voting to another day under subsection (1)—</p> <p>(a) the hours of voting on that day shall be the same as for the original day;</p> <p>(b) the voting process shall be conducted afresh and not as continuing from the original day; and</p> <p>(c) the votes cast on the original day shall be void and shall be classified as such in the records of that polling station prepared under section 93.</p> |

**82.—**(1) No form of propaganda, campaign material or advertisement shall be exhibited inside a polling station or within a radius of two hundred meters outside a polling station. Prohibited presence, etc., at a polling station

(2) Unless his or her presence is otherwise permitted under this Act, no person shall, while voting continues, be allowed to be within the premises of a polling station or, to remain within the premises of a polling station, if he or she—

(a) is not a registered voter;

(b) has already voted at that polling station or at any other polling station; or

(c) is not an accredited party or candidate representative, monitor or observer?

(3) An agent of a media organization shall be entitled to be present at a polling station during polling, and for that purpose, every such agent shall identify himself or herself to the polling station officers by presenting his or her credentials.

(4) No person shall be present at a polling station in the capacity of a member of the Malawi Defence Force, the Malawi Police Service or a uniformed organization, unless he or she is employed in the service of the Commission or has been invited by the presiding officer for purposes of keeping order.

(5) The presiding officer shall take all necessary steps to effectively bar or expel from within a radius of one hundred meters of a polling station any person who is evidently drunk and disorderly or is carrying a weapon of any kind or is disturbing the order or peace at the polling station.

**83.** (1) A voter shall present himself or herself to the polling station officer at the first desk as the voter approaches the polling station and hand to the polling station officer the voter's registration certificate, whereupon the polling station officer shall proceed to verify the identity of the voter by examining the voters register. Procedure for casting votes

(2) If the polling station officer is satisfied with the identity of the voter in accordance with subsection (1), the polling station officer shall

(a) mark the voter's registration certificate and record the voter's name and registration number and hand back the voters registration certificate to the voter; and

(b) dip the right index finger of the voter in indelible ink provided for the purpose, or use any other security means as determined by the Commission from time to time, after which the presiding officer or the polling station officer authorized in that behalf shall hand to the voter a ballot paper for use by the voter

in accordance with subsection (3), and then direct the voter to the voting booth for the poll for election to the office of President.

(3) The voter shall then proceed to cast his or her vote in such manner as the Commission may determine.

(4) After a voter has cast the vote in accordance with subsection (3) with respect to the election of President, the voter shall immediately be led to the next desk where upon the polling station officer verifying that the voter has had his or her right index finger dipped in indelible ink, or has satisfied other security means, shall hand to the voter a ballot paper for candidates in a constituency for election as member of the National Assembly for use by the voter in accordance with subsection (5), and then direct the voter to the voting booth for the poll for election of a member of the National Assembly.

(5) The voter shall then proceed to cast his or her vote in such manner as the Commission may determine.

(6) After a voter has cast his or her vote in accordance with subsection (5) with respect to the election of a member of the National Assembly, the voter shall immediately be led to the next desk where upon the polling station officer verifying that the voter has had his or her right index finger dipped in indelible ink, or satisfied other security means, shall hand to the voter a ballot paper for candidates in a ward for election as a councillor for use by the voter in accordance with subsection (7), and then direct the voter to the voting booth for the poll for election of a councillor.

(7) The voter shall then proceed to cast his or her vote in such manner as the Commission may determine.

**84.**—(1) A voter who is blind or is affected by disease or other physical disability may vote while accompanied by another registered voter of his or her choice or, by a polling station officer, who shall assist such person in casting the vote and the other registered voter or polling station officer shall act faithfully to the wish expressed by such person and with absolute secrecy regarding the vote cast by such person.

(2) A presiding officer shall record in the voters register, by means of a mark placed next to the name of the voter concerned, that a polling station officer or another person assisted the voter as provided for under this section and give the reasons for doing so.

**85.**—(1) If a voter accidentally marks a ballot paper in a way that does not indicate his or her choice or otherwise makes a mistake and the ballot paper has not yet been placed in the ballot box—

(a) the voter may return that ballot paper to the presiding officer or a polling station officer;

Voting by  
persons with  
disabilities

Issuance of a  
new ballot  
paper

(b) the presiding officer or the polling station officer shall deal with the ballot paper in accordance with subsection (2), and shall give the voter a new ballot paper; and

(c) the voter shall proceed to vote in accordance with section 84.

(2) Upon receipt of a ballot paper from a voter under subsection (1), the presiding officer or the polling station officer shall mark “CANCELLED” on the back of the ballot paper and file it separately to be dealt with in accordance with section 90.

**86.**—(1) In addition to representatives of political parties or of candidates, any voter present at a polling station may raise doubts and present in writing a complaint relating to voting at the polling station and shall have the right to obtain information from the polling station officers and from relevant documents available at the polling station. Doubts and complaints

(2) No polling station officer shall refuse to receive a complaint presented to the polling station officer under subsection (1) and shall initial every such presentation, record it in a log book referred to under section 66, and annex it as part of the official record of the polling station.

(3) Any presentation received by a polling station officer under this section shall be deliberated upon among, and be resolved by, the polling station officers who may, if necessary in their opinion, postpone such deliberation or resolution until the end of the voting process to enable the process to proceed.

#### PART VII—DETERMINATION OF RESULTS OF ELECTIONS

**87.**—(1) For purposes of this Part, a vote cast is void if—

Definition of  
void vote

(a) the ballot paper has been torn into two or more parts;

(b) the ballot paper does not bear an official mark of the Commission;

(c) anything is written or marked on the ballot paper by which the voter may be identified;

(d) the ballot paper is unmarked or it is marked in such a way that it is difficult to determine with certainty the candidate for which the vote was cast; or

(e) the vote is cast in a manner that does not comply with directions of the Commission concerning the validity of votes cast, issued from time to time and published in the *Gazette*.

**88.**—(1) For purposes of counting and determination of results, in a general election, the Commission shall have polling tally centres, constituency tally centres, district tally centres and a national tally centre. Structure for  
determining  
results

(2) For purposes of counting and determination of results in a by-election, the commission shall have polling tally centre and constituency tally centres.

Unused ballot papers

**89.** At the close of the poll at any polling station, the presiding officer shall proceed by first collecting all unused ballot papers and placing them in a separate envelope provided to him or her for that purpose and shall seal the envelope and initial or stamp it over the sealed area.

Classification of votes

**90.** The presiding officer shall, in counting votes at a polling station, classify the votes cast at the polling station into—

(a) void votes;

(b) votes for each of the candidates for election to the office of President;

(c) votes for each of the candidates for election as member of the National Assembly; and

(d) votes for each of the candidates for election as councillor.

Opening of ballot boxes

**91.** (1) Immediately after the close of the poll at any polling station, the presiding officer shall bring all ballot boxes at one place,

and counting of votes

and, in the presence of other polling station officers and representatives of political parties and candidates, if any is present, open the ballot boxes and order the counting of the votes to proceed according to the following procedure entailing the polling station officers—

(a) picking out of the ballot box one ballot paper and displaying the ballot paper to all present and announcing aloud the classification of the vote as specified in section 90;

(b) recording on a sheet of paper provided to the polling station officers for the purpose, showing the classification of votes, the votes cast for each classification;

(c) displaying the already announced ballot papers and separating them into lots corresponding to each classification; and

(d) announcing, through the presiding officer, the number of votes cast at the polling station under each classification.

(2) The presiding officer shall, in counting votes at a polling station, start with the presidential votes, the parliamentary votes and the local government votes, in that order.

Record of the polling process

**92.—**(1) The presiding officer shall cause to be prepared by the polling station officers—

(a) a record of the entire polling process at his or her polling station, containing—

(i) the full particulars of the polling station officers, representatives of political parties and representatives of independent candidates;

(ii) the total number of voters;

(iii) the total number of votes for or under each classification of votes;

(iv) the number of unused ballot papers;

(v) the number of ballot papers which have been the subject of complaints, if any;

(vi) the discrepancies, if any, between votes counted and the number of voters;

(vii) complaints registered and responses thereto and the decisions taken thereon by the polling station officers; and

(viii) any other occurrence which the polling station officers consider to be important to record; and

(b) a brief summary of the final result.

(2) The record and summary prepared under subsection (1) shall be legibly signed by the presiding officer and each of the other polling station officers and, if any is present, by at least one representative of each political party or independent candidate.

(3) The record prepared under subsection (1) shall, in relation to paragraph (a) (ii), (iii), (iv), (v) and (vi), be written in both Arabic numerals and words.

(4) A representative of a political party or a representative of a candidate at a polling station shall be entitled to a copy of the duly signed summary of the final result of the poll at that polling station.

(5) The presiding officer shall announce, declare and post at the polling station a copy of the duly signed summary of the final result of the poll at that polling station.

**93 .—**(1) The presiding officer of a polling station shall, with all dispatch, deliver to the returning officer of his or her constituency under conditions of absolute security against loss, tampering or interference—

“Delivery and compilation of ballot papers, etc. from polling stations

(a) the record prepared under section 92;

(b) all the ballot papers collected in separate lots corresponding to the classification under which they were counted;

(c) all unused ballot papers;

(d) all spoilt ballot papers; and

(e) all voters registers and election materials provided to that polling station.

(2) On receipt of records from polling stations, the returning officer of a constituency or an officer of the Commission duly authorized in that behalf shall, at the constituency tally centre, compile the result of the elections in the constituency or wards, as the case may be, on the basis of the duly signed summaries received with such records and shall prepare, on the appropriate sheets in the prescribed form provided for the purpose by the Commission, a record in respect of the constituency or each ward showing—

- (a) the total number of persons who registered as voters;
- (b) the total number of persons who voted;
- (c) the total number of votes for or under each classification of votes in accordance with section 90;
- (d) the discrepancies, if any, between the votes counted and the number of persons who voted; and
- (e) the complaints, if any, received by him and his decisions thereon.

(3) Representatives of political parties or of candidates duly designated for the purpose, shall be entitled to observe the entire procedure followed at the constituency tally centre, in compiling the result of the elections under subsection (2).

(4) The record prepared under subsection (2) shall—

- (a) in relation to paragraphs (a), (b), (c) and (d), be written in both Arabic numerals and words; and
- (b) be legibly signed by the returning officer of the constituency or other officer supervising the compilation thereof and, if any is present, by at least one political party or candidate representative.

(5) The returning officer of the constituency, or an officer of the Commission duly authorized in that behalf, shall publicly announce and declare the result in the constituency or in each ward and post at the constituency tally centre, a copy of the duly signed summary of the presidential, constituency and ward result of the election in the constituency, in accordance with the records prepared under subsection (2).

(6) The returning officer of the constituency or a duly authorized officer of the Commission shall, with all dispatch, deliver to the office of the District Commissioner or the Chief Executive Officer, under conditions of absolute security against loss, tampering or interference—

- (a) the records prepared under subsection (2); and
- (b) all items received from all polling stations in the constituency.

94.—(1) On receipt of records from the returning officer of a constituency, the returning officer or an officer of the Commission duly authorized in that behalf shall, at the office of the District Commissioner or Chief Executive Officer, compile results of the elections in the district, city, municipality or town, as the case may be, on the basis of the duly signed summaries received with such records, and shall prepare, on the appropriate sheets in the prescribed form provided for the purpose by the Commission, a record in respect of the district, city, municipality or town, showing—

Compilation  
of district  
election  
results

- (a) the total number of persons who registered as voters;
- (b) the total number of persons who voted;
- (c) the total number of votes for or under each classification of votes in accordance with section 90;
- (d) the discrepancies, if any, between the votes counted and the number of persons who voted; and
- (e) the complaints, if any, received by him and his decisions thereon.

(2) Representatives of political parties and representatives of candidates duly designated for the purpose, shall be entitled to observe the entire procedure followed at the office of the District Commissioner or the Chief Executive Officer in compiling the results under subsection (1).

(3) The record prepared under subsection (1) shall—

- (a) in relation to paragraphs (a), (b), (c) and (d), be written in both Arabic numerals and words; and
- (b) be legibly signed by the returning officer or other officer supervising the compilation thereof and, if any is present, by at least one representative of each political party and representative of each candidate who shall, in addition, be entitled to receive a copy of the record.

(4) The returning officer, or an officer of the Commission duly authorized in that behalf, shall publicly announce the results of the election in each constituency and in the entire district, city, municipality or town, in accordance with the record prepared under subsection (1).

(5) The returning officer or a duly authorized officer of the Commission shall, with all dispatch, deliver to the Chief Elections Officer under conditions of absolute security against loss, tampering or interference—

- (a) the record prepared under subsection (1); and
- (b) all items received from all polling stations in the district, city, municipality or town concerned.

Determination  
of the national

result of a  
general  
election

**95.** (1) The Commission shall determine and publish the

national result of a general election based on the records delivered to it from the district tally centres and polling stations.

(2) The determination of the national result of a general election shall begin immediately after the Commission has received records from all districts and shall, subject only to subsection (3), continue uninterrupted until concluded.

(3) If a record from any district or other element necessary for the continuation and conclusion of the determination of the national result of the election is missing, the Chairperson of the Commission shall take necessary steps to rectify the situation and may, in such case, suspend the determination of the results for a period not exceeding seventy-two hours.

(4) Representatives of political parties and representatives of candidates designated in writing to the Commission shall be entitled to observe the determination of the national result of the election.

(5) The Commission may prescribe the number of representatives of political parties and representatives of candidates to observe the determination of the national result of the election.

(6) Subject to this Act, in any election

(a) the candidate for election to the office of President who obtains a majority of more than fifty percent of the valid votes cast at the poll, shall in accordance with the Constitution, be declared by the Commission to have been duly elected; and

(b) the candidate for election as a member of the National Assembly or as a councillor, who obtains the greatest number of valid votes cast at the poll, shall be declared by the Commission to have been duly elected.

Analysis of  
complaints,  
etc., prior to  
determination  
of the  
national result

**96.** (1) At the beginning of the determination of the national result of a general election, the Commission shall take a decision on any matter which has been a subject of a complaint and shall examine the votes which have been classified as void and may affirm or correct the determination thereof at the polling station or district tally centre. ,

(2) Notwithstanding subsection (1), the Commission shall examine void votes only when such votes may have an effect of changing the outcome of the election.

Records of the  
national result  
of a general  
election

**97.** The Commission shall summarize its determination of the national result of a general election in a written record indicating

(a) the national result of the election as determined; and

(b) the complaints and responses thereto and the decisions taken on them,

and the Chairperson of the Commission shall legibly seal the national result of the election by signing the summary and every political party and independent candidate shall be entitled to receive a signed copy of the summary.

**98.** (1) The Commission shall publish in the Gazette and in at least one issue of a newspaper in general circulation and shall, by radio and television, broadcast

Publication of the national result

(a) results of the presidential election within eight days from the last polling day;

(b) results of the parliamentary elections within fourteen days from the last polling day; and

(c) results of local government elections within twenty-one days from the last polling day.

(2) The Commission shall, in the publication under subsection (1), specify—

(a) the total number of voters registered for the election;

(b) the total number of voters who voted;

(c) the total number of void votes; and

(d) the total number of valid votes cast for each classification of votes as specified in section 91.

#### PART VIII — COMPLAINTS AND APPEALS

**99.** Save as otherwise provided in this Act, any complaint submitted in writing alleging any irregularity at any stage, if not satisfactorily resolved at a lower level of authority, shall be examined and decided on by the Commission, and where the irregularity is confirmed, the Commission shall take necessary action to correct the irregularity and its effects.

Commission to decide on complaints

**100.**—(1) An appeal shall lie to the High Court against a decision of the Commission confirming or rejecting the existence of an irregularity and such appeal shall be made by way of a petition, supported by sworn statements, which shall clearly specify the declaration the High Court is being requested to make by order.

Appeals to the High Court

(2) On hearing a petition under subsection (1), the High Court —

(a) shall, subject to subsection (3), make such order or orders as it thinks fit; or

(b) in its absolute discretion, may or may not condemn any party to pay costs in accordance with its own assessment of the merits of the complaint.

(3) An order of the High Court made under subsection (2) shall not declare an election or the election of any candidate void except

on the following grounds which are proved to the satisfaction of the court —

(a) that the voters were corruptly influenced in their voting contrary to any provision of this Act, or had their ballot papers improperly rejected, or voted more than once;

(b) that persons not entitled were improperly granted ballot papers;

(c) that persons entitled to them were improperly refused ballot papers:

Provided that, if the court is satisfied that any failure to comply with this Act did not affect the result of the election, it shall not declare the election void; or

(d) that the candidate who has won the election was at the time of his or her election not qualified for election, or that he or she was not properly nominated, or that a duly qualified candidate had his or her nomination improperly rejected.

(4) The court shall have the power to direct scrutiny and recount of votes if it is satisfied, during proceedings on an election petition, that such scrutiny and recount are desirable.

(5) At the conclusion of the hearing of the election petition, the court shall report its determination to the Commission and upon such report being given, such determination shall be final.

(6) No application shall be made to the High Court for an injunction or for an order restraining the holding of an election within fourteen days immediately preceding the date of the election.

(7) Notwithstanding subsection (6), the High Court shall have power, subsequent to the holding of an election, to declare void the election if, upon hearing the petition referred to in subsection (1), the High Court is satisfied that there are good and sufficient grounds for declaring the election void.

## PART IX ELECTION PETITIONS

Election  
petitions

**101.** (1) A complaint alleging an undue return or an undue election of a person to the office of President, member of the National Assembly, or councillor, by reason of an irregularity or any other cause whatsoever shall be presented by way of petition to the High Court within seven days, including Saturday, Sunday and a public holiday, of the declaration of the result of the election in the name of the person—

(a) claiming to have had a right to be elected at that election;  
or

(b) alleging to have been a candidate at such election.

(2) In proceedings with respect to a petition under subsection (1), the Commission shall be joined as a respondent.

(3) If, on the hearing of a petition presented under subsection (1), the High Court or any court of competent jurisdiction, makes an order declaring that—

(a) the President, the member of the National Assembly or the councillor, as the case may be, was duly elected, such election shall be and remain valid as if no petition had been presented against his or her election; or

(b) the President, the member of the National Assembly or the councillor, as the case may be, was not duly elected, the Registrar of the High Court shall forthwith give notice of that fact to the Commission and the Commission shall publish a notice in the Gazette stating the effect of the order of the Court.

(4) Pursuant to an order of the Court under subsection (3) (b) declaring that the President, the member of the National Assembly, or the councillor, as the case may be, was not duly elected, a fresh election to the office of President, or for the seat of the member of the National Assembly, or the councillor, as the case may be, shall be held in accordance with this Act.

(5) The Commission shall not register new voters for the fresh election.

(6) The Commission shall not accept nomination of new candidates in a fresh election but shall allow nomination of a new candidate for a political party only if the political party candidate in the nullified elections

(a) becomes disqualified ;

(b) dies; or

(c) is otherwise incapacitated,

before the fresh elections are conducted.

(7) A declaration by the Court under subsection (3) (b) shall not invalidate anything done by the President before that declaration.

(8) A petition and any appeal arising therefrom shall be heard in accordance with Part II of Order 19 of the Courts (High Court) (Civil Procedure) Rules.

(9) Notwithstanding subsection (8), the Chief Justice may make rules for the practice and procedure for election petitions and appeals under this Act.

#### PART X — OBSERVATION

**102.** For the purposes of this Part, “observation” means the verification of the various stages of an election by international

Meaning of  
observation

organizations, international and local non-governmental organizations, foreign governments, and foreign and local personalities, duly accredited for the purpose in accordance with this Act.

Accreditation  
of observers

**103.**—(1) Any person may apply to the Commission, in the prescribed manner, for accreditation to observe an election.

(2) The Commission may require any further information it may consider necessary in support of an application under subsection (1).

(3) The Commission shall, where it decides to accredit an applicant—

(a) issue the applicant with a certificate of accreditation in the name of the applicant, stating the period and other conditions of the accreditation; and

(b) enter the name of the applicant in the register of persons accredited as observers in the election.

(4) The Commission may accredit an applicant to observe an election after considering the application, any additional information provided by the applicant and whether—

(a) the accreditation of the applicant shall promote conditions conducive to a free, fair and credible election; and

(b) where the applicant is an organization, the persons appointed by the applicant shall—

(i) observe the election impartially and independent of any political party or candidate contesting in the election;

(ii) be competent and professional in observing the election; and

(iii) subscribe to a code of conduct governing observers issued by the Commission under this Act.

(5) The Commission shall, where it decides not to accredit an applicant, inform the applicant accordingly, in writing, giving reasons for its decision.

(6) If a person accredited as an observer fails to comply with the conditions of accreditation or the code of conduct governing observers, the Commission may cancel that accreditation and notify the person concerned of the cancellation and state the reason for such cancellation in writing.

(7) Any person may inspect the register and copies of the certificates of persons accredited as observers.

(8) The register and copies of the certificates shall be kept by the Commission.

(9) A person representing an accredited observer shall abide by the code governing observers.

(10) An accredited observer who is found guilty of violating an election law shall be disqualified from observing the election.

**104.** — (1) Observation shall consist of the following activities—

Scope of  
observation

(a) verifying and monitoring the impartiality and the functioning of the Commission and its officers in conformity with this Act;

(b) verifying and monitoring the impartiality and legality of the decisions taken by the Commission and its officers in settling disputes;

(c) verifying and monitoring the registration of voters;

(d) observing the conduct of the campaign for elections;

(e) verifying and monitoring the voting process;

(f) verifying and monitoring the determination of results of the elections at all stages of determination; and

(g) tobserving access to and the use of the media.

(2) An observer shall report to the Commission or to a competent officer of the Commission any irregularity noted by the observer and the Commission or such officer shall examine the activity reported as an irregularity and shall, where the irregularity is confirmed, take corrective measures necessary to bring the election into conformity with this Act.

**105.** Observation shall begin with the registration of voters and end with the determination of —

Beginning  
and end of  
observation

(a) national results of the election,

(b) results of by-election; or

(c) settlement thereafter of all election disputes.

**106.** The Commission, every officer of the Commission and every competent public officer or other competent authority in Malawi shall cooperate with observers and offer to the observers the guarantees and other facilities necessary to enable the observers fulfill their role.

Collabora-  
tion with  
competent  
authorities

**107.** Notwithstanding the provisions of section 103, the Commission may send invitations for election observation and may do so on its own initiative or on request by a candidate or by any government, organization or person competent under this Act to undertake observation.

Invitation to  
observers

**108.** — (1) For purposes of recognition under this Act, observers shall be categorized as follows—

Categories of  
observers

- (a) observers from the United Nations Organization and its agencies, the African Union and its agencies, the Commonwealth Secretariat and other international organizations;
- (b) observers from non-governmental organizations constituted and operating in any foreign country;
- (c) observers from non-governmental organizations constituted and operating in Malawi;
- (d) observers from foreign governments; and
- (e) individual observers.

(2) A person shall not be recognized as an observer unless—

- (a) in the case of categories under subsection (1) (a) and (b) he or she has been designated by the relevant organization or foreign government in writing to the Commission disclosing his or her particulars and credentials; and
- (b) in the case of categories under subsection (1) (b), (c), and (e) the individual or the organization he or she represents has been accredited under section 103.

Recognition and identification of observers

**109.** Recognition of observers on arrival in Malawi shall be granted by the Commission which, for that purpose, shall—

- (a) establish adequate administrative procedures for the proper and timely recognition of the observers;
- (b) devise an identity card for each category of observers and issue to every recognized or accredited observer the card corresponding to his or her category; and
- (c) devise a common and easily identifiable badge for all observers and issue the badge to every recognized and accredited observer.

Compulsory use of identity cards and badges

**110.** Every observer recognized or accredited under this Act shall, while exercising his or her functions, use the identity card and the badge issued to the observer under section 109.

Rights of observers

**111.** Observers shall have the right to—

- (a) obtain a multiple entry visa to enter Malawi for the duration of the period of observation as specified in section 105;
- (b) have unimpeded access to all election events and to observe all aspects of the civic and voter education programmes, the registration of voters, the nomination of candidates, the campaign, the voting and the counting of votes at all stages;
- (c) enjoy freedom of movement throughout Malawi;
- (d) seek and obtain information on the official organizations

involved in the conduct of an election and regarding the election itself;

(e) communicate freely with any candidate and with any organization or person;

(f) have access to information transmitted by or to the Commission and its officers;

(g) have access to complaints and responses about any occurrence or matter relating to the conduct of the elections;

(h) open offices within Malawi for the performance of their functions;

(i) communicate any specific concerns, they may have to members and officers of the Commission; and

(j) communicate to the local and international media.

**112.** Observers shall have obligation to—

Obligations  
of  
observers

(a) exercise their role with impartiality, independence and objectivity;

(b) respect the Constitution and the laws of Malawi;

(c) not to interfere in, or to impede, the normal course;

(d) maintain the secrecy of the ballot;

(e) provide to the Commission copies of written information and statements which they have produced; and

(f) return the identity cards, the badges and any other identification materials issued to them by the Commission after the end of their mission as observers.

**113.** Diplomats accredited to Malawi who are designated and recognized as observers under this Act, shall exercise their functions as observers without prejudice to their status and positions as such diplomats.

Position of  
diplomats

**114.** Observers may operate separately or jointly with other observers of the same or different categories.

Separate  
and joint  
operation of  
observers

PART XI—OFFENCES AND PENALTY

**115.** A person who—

Offences

(a) in relation to registration of voters—

(i) obtains his or her registration by giving false information;

(ii) obtains registration in more than one registration area;

(iv) registers another person knowing that that person is not eligible for registration;

(v) prevents the registration of another person knowing that that person is eligible for registration;

(vi) having the authority to do so, does not delete a registration which he or she knows to be incorrect;

(vii) falsifies a register;

(viii) with fraudulent intent, modifies or substitutes a voter's registration certificate;

(ix) through violence, threat or fraud, prevents the registration of another person; or

(x) knowingly obstructs the detection of incorrect registration or the verification of the voter's roll;

(b) in relation to campaigning for elections—

(i) holds a public meeting contrary to section 50;

(ii) prevents the holding, or interrupts the proceedings of a public meeting authorized under section 50;

(iii) campaigns or causes another person to campaign within forty-eight hours before opening of the poll or on the polling day, contrary to section 51;

(iv) denies any political party equal treatment with any other political party;

(v) destroys, defaces, tears or in any manner causes to be totally or partially useless or illegible any campaign material displayed in an authorized place or space or superimposes thereon any other material concealing the earlier material;

(vi) being entrusted, by virtue of his or her office or functions, with displaying or depositing in an authorized place or space any campaign material, fails to display or deposit such campaign material, or misplaces, steals, removes or destroys such material;

(vii) contravenes section 56;

(viii) for the reason that another person attended or did not attend any campaign meeting, directly or indirectly, dismisses that other person from any employment or other gainful occupation or from continuing in any gainful occupation or applies or threatens to apply any sanction to that other person;

(c) in relation to voting —

(i) not being otherwise authorized to be present or not being a registered voter, knowingly presents himself or herself at a polling station;

(ii) knowing that he or she is not eligible to vote, casts a vote at any polling station;

(iii) fraudulently uses the identity of another person in order to exercise the right to vote;

(iv) consciously allows that the right to vote be exercised by a person who does not have that right;

(v) votes more than once;

(vi) accompanying a blind or a disabled person to vote, fraudulently and faithlessly expresses a vote not according to the wish of that person;

(vii) within a radius of one hundred meters of a polling station, reveals his or her vote or procures another person by force or deceit to reveal that other person's vote;

(viii) uses or threatens violence or uses false information or other fraudulent means to coerce or induce another person to vote for or against a particular candidate or a candidate of a particular political party or to abstain from voting;

(ix) being a public officer, uses his or her office to coerce or induce another person to vote for or against a particular political party or candidate or abstain from voting;

(x) directly or indirectly, dismisses or threatens to dismiss another person from any employment or other gainful occupation or prevents or threatens to prevent another person from obtaining any employment or other gainful occupation or from continuing in any gainful occupation or applies or threatens to apply any sanction whatsoever to another person in order to induce that other person to vote for, or because that other person voted for, a particular candidate or a candidate of a particular political party or because that other person abstained from voting;

(xi) being a presiding officer of a polling station, fails to display a ballot box in accordance with the requirements of this Act;

(xii) illicitly introduces ballot papers in a ballot box before, during or after the voting;

(xiii) fraudulently takes possession or conceals a ballot box with uncounted ballot papers or removes, without lawful authority, an uncounted ballot paper from a ballot box;

(xiv) being a polling station officer, purposely neglects his or her duty with a view to occasioning an irregularity;

(xv) being a polling station officer, unjustifiably refuses to receive a complaint, or a response to a complaint about the

proceedings at his or her polling station or to examine and seek to resolve such a complaint;

(xvi) disturbs the regular functioning of a polling station;

(xvii) refuses to leave a polling station after being asked to do so by a polling station officer;

(xviii) being an officer in-charge of a police establishment requested to assign police officers to keep order at a polling station, fails without justification to do so within a reasonable time;

(xix) being a police officer assigned to keep order at a polling station willfully neglects his or her duties; or

(xx) bars any election representative, observer or any person who has been duly accredited or authorized by the Commission to be at a polling station, constituency tally centre, district tally centre, or national tally centre;

(d) uses or threatens to use any force or restraint to induce or compel another person to sign or refrain from signing any nomination paper;

(e) in any manner, fraudulently spoils, substitutes, conceals, destroys, amends or falsifies any document relating to an election;

(f) in bad faith, submits a complaint, or a response to a complaint or challenges or questions the decisions thereon by a competent person or body; or

(g) without justification, neglects to fulfill obligations imposed on him or her by or under this Act, commits an offence.

**116.**—(1) Every presiding officer, polling station officer, candidate, election representative of a political party or a candidate or other person in attendance at a polling station shall maintain and aid in maintaining the secrecy of the vote at such station, and shall not communicate, except for some purpose authorized by law, to any person any information as to the name of any voter who has or has not applied for any ballot paper or voted at that station; and no such officer, candidate, representative or other person shall interfere with a voter after the voter has received a ballot paper and before the voter has placed the ballot paper in a ballot box.

(2) No person, other than a person assisting a voter with a disability in accordance with this Act, shall attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or voted for.

(3) Any person who contravenes subsection (1) or (2) commits an offence.

117. — (1) No person shall—

Impersonation

(a) be registered as a voter in the name of another person, whether living, dead or fictitious;

(b) at any election, request for a ballot paper in the name of another person, whether living, dead or fictitious; or

(c) impersonate—

(i) a representative of a political party or of a candidate;

(ii) a candidate in an election;

(iii) a member, employee or other officer of the Commission; or

(iv) a person appointed by an accredited observer, or an accredited voter education provider.

(2) A person who contravenes subsection (1) commits an offence.

118. Every offence under this Act shall be an arrestable offence within the meaning of the Criminal Procedure and Evidence Code.

Offences under this Act arrestable offences Cap. 8:01 General penalty

119.—(1) A person convicted of an offence under this Act for which no other penalty has been specified shall be liable to a fine of K10,000,000 and to imprisonment for five years.

(2) In addition to the penalty under subsection (1), the court may make an order—(a) where applicable, barring the convicted person from performing the duties of his office in connection with the election;

(b) suspending the right of the convicted person to vote in the election or annulling the vote cast by such person; and

(c) having regard to the nature of the activity constituting the offence, give such directions as the court considers to be warranted in the circumstance.

PART XII — MISCELLANEOUS

120. The Chief Elections Officer shall, at the end of each election, deliver to the Clerk of Parliament all documents forming the official record of the election, including, ballot papers, records from districts and polling stations and summaries thereof, and the record and summary of the national result, and the Clerk of Parliament shall retain and preserve the documents in safe and secure custody without destruction for a period not exceeding four months:

Preservation of election documents

Provided that, if there is a dispute in relation to an election, the Clerk of Parliament shall continue to keep the records pertaining to that particular dispute until a final determination of the dispute.

Failure to  
elect a  
member of  
the National  
Assembly or  
councillor

**121.** If, after the holding of a general election no person has been elected in one or more constituencies or wards, a session of the National Assembly or council, as the case may be, may commence notwithstanding any such vacancy.

Regulations

**122.** The Minister may, on the recommendation of the Commission, make regulations for the better carrying out of the provisions of this Act.

Repeal and  
savings  
Cap. 2:01  
Cap. 22:02

**123.—**(1) The Parliamentary and Presidential Elections Act and the Local Government Elections Act are hereby repealed.

(2) Any subsidiary legislation made under the Acts repealed by subsection (1), and in force immediately before the commencement of this Act

(a) shall, unless in conflict with this Act, remain in force and be deemed to be subsidiary legislation made under this Act; and

(b) may be replaced, amended or repealed by subsidiary legislation made under this Act.

Passed in Parliament this thirteenth day of December, two thousand and twenty-two.

FIONA KALEMBA  
*Clerk of Parliament*



**PRESIDENTIAL, PARLIAMENTARY AND LOCAL  
GOVERNMENT ELECTIONS (AMENDMENT) ACT, 2025**

**PRESIDENTIAL, PARLIAMENTARY AND LOCAL  
GOVERNMENT ELECTIONS (AMENDMENT) ACT, 2025**

## ARRANGEMENT OF SECTIONS

## SECTION

1. Short title
2. Amendment of s. 74 of No 10 of 2023
3. Amendment of s. 75 of the principal Act

## An Act to amend the Presidential, Parliamentary and Local Government Elections Act

ENACTED by the Parliament of Malawi as follows—

- |                                                                                                                                                                                                                            |                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| <p><b>1.</b> This Act may be cited as the Presidential, Parliamentary and Local Government Elections (Amendment) Act, 2025.</p>                                                                                            | <p>Short title</p>                          |
| <p><b>2.</b> The Presidential, Parliamentary and Local Government Elections Act (hereinafter referred to as the “principal Act”) is amended by deleting section 74 and substituting therefor a new section as follows—</p> | <p>Amendment of s. 74 of No. 10 of 2023</p> |
| <p>“Place of voting</p>                                                                                                                                                                                                    |                                             |
| <p><b>74.—</b>(1) A registered voter shall exercise his or her right to vote at a polling station—</p>                                                                                                                     |                                             |
| <p>(a) located at the registration centre where he or she is registered or has been transferred to in accordance with this Act; or</p>                                                                                     |                                             |
| <p>(b) where he or she is authorized by the Commission to vote by virtue of being a—</p>                                                                                                                                   |                                             |

## 2 *Presidential, Parliamentary and Local Government Elections (Amendment)*

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- (i) member of the polling staff of the Commission;
- (ii) designated representative of a candidate or political party; and
- (iii) member of the Malawi Defence Force, the Police Service or any other state security agency providing security at the polling station.

(2) A registered voter listed in subsection (1) (b) may apply to the Commission, in the prescribed manner, for authorization to vote at the polling station where he or she is deployed.”.

Amendment of  
s. 75 of the  
principal Act

### 3. Section 75 of the principal Act is amended—

(a) in paragraph (a), by deleting the word “and” immediately after the words “certificate;”;

(b) by renumbering paragraph (b) as paragraph (c); and

(c) by inserting, immediately after paragraph (a), the following new paragraph (b)—

“(b) in the case of a registered voter authorized to vote at the centre under section 74 (1) (b), presents to the polling station officer his or her voter’s registration certificate and authorization to vote at that polling station; and”.

Passed in Parliament this fifth day of August, two thousand and twenty-five.

FIONA KALEMBA  
*Clerk of Parliament*

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## **CODE OF CONDUCT FOR ELECTORAL CAMPAIGN, 2025**

GOVERNMENT NOTICE No. 29

**PRESIDENTIAL, PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS  
ACT**

(No. 10 OF 2023)

**CODE OF CONDUCT FOR ELECTORAL CAMPAIGN, 2025**

IN EXERCISE of the powers conferred upon the Commission by section 55 (2) of the Presidential, Parliamentary and Local Government Elections Act, 2023, the Malawi Electoral Commission, makes the following Code of Conduct—

1. This Code of Conduct may be cited as the Code of Conduct for Electoral Campaign, 2025. Citation
2. The objectives of this Code shall be to promote— Objectives
  - (a) conditions conducive for the conduct of free, fair, transparent elections;
  - (b) freedom of association, freedom of expression, freedom of assembly and freedom to campaign freely and the right to hold political opinion and vote in an election; and
  - (c) equal political participation by all eligible candidates and voters throughout the electoral process.
- 3.—(1) This Code shall apply to— Application
  - (a) a political party;
  - (b) a candidate for election;
  - (c) party and candidate representative; or
  - (d) any electoral stakeholder.

(2) This Code shall be applicable during any campaign period as announced by the Commission.
- 4.—(1) This Code is based on the following underlying principles— General principles
  - (a) that the political environment for an election shall—
    - (i) be free from violence or threat of violence, coercion, undue influence, bribery and intimidation; and
    - (ii) respect the right of the voter to vote in secret without fear;
  - (b) every person who is eligible to vote shall be informed, through civic and voter education and freely conducted campaign of the policies and qualities of all political parties and candidates so as to be able to make informed democratic choice;
  - (c) political parties, candidates, members and supporters shall respect the rights of other people to freedom of association, freedom of expression freedom of assembly and freedom to campaign freely and the right to hold political opinion and vote in an election; and

(d) all political parties and candidates contesting in an election or participating in a referendum shall be provided with equitable access, fair, balanced coverage and by public and private electronic and print media.

(2) By subscribing to this Code, political parties and candidates commit, in good faith, to the principles outlined in paragraph (1) and commit to promoting them to ensure a peaceful electoral environment.

Subscription

5.—(1) Every political party and candidate participating in an election shall subscribe to be bound by this Code, by signing and submitting to the Commission a signed copy of the subscription to the Code form, at such time and in such manner as the Commission may determine.

(2) A political party that is eligible to sponsor candidates under the Act or a person eligible to be nominated for election as President, member of Parliament or councillor shall not be declared eligible to contest in an election, unless the political party or the candidate has subscribed to this Code.

Compliance  
with this  
Code and  
electoral laws

6. Every political party participating in an election and every candidate shall—

(a) comply with this Code;

(b) instruct—

(i) in the case of a party, its candidates, office bearers in the party, party representatives, members and supporters to comply with this Code and any applicable electoral laws; or

(ii) in the case of a candidate, the representatives and supports of the candidate to comply with this Code and any applicable laws; and

(c) take reasonable steps to ensure—

(i) in the case of a party, that its candidates, office bearers in the party, party representatives, members and supporters comply with this Code and any applicable electoral laws; and

(ii) in the case of a candidate, that the representatives and supporters of the candidate comply with this Code and any applicable laws.

Promotion of  
this Code

7. Every political party participating in an election and every candidate shall—

(a) promote the purpose of this Code; and

(b) ensure that this Code is widely publicized and that their members and supporters are informed of its provisions and their obligation to comply;

Commitment  
to this Code

8.—(1) Every political party and candidate participating in an election shall—

(a) publicly affirm and state the right of all political parties, candidates and their representatives to—

- (i) freely express their political beliefs and opinions;
  - (ii) debate and challenge the political beliefs of others;
  - (iii) campaign for voter support;
  - (iv) hold and attend public meetings;
  - (v) publish and distribute campaign materials;
  - (vi) lawfully erect election banners, billboards, placards, and posters; and
  - (vii) recruit party members;
- (b) publicly condemn any actions that undermine free and fair elections, including violence, intimidation, or the use of hate speech, regardless of the perpetrator's affiliation with the party and all parties and candidates shall emphasize this prohibition in their campaign materials to members and supporters;
- (c) cooperate with law enforcement agencies to apprehend offenders;
- (d) provide accurate electoral information, and ensure compliance with rights to access such information;
- (e) respect and affirm the secrecy of the vote and not to do anything that undermines the secrecy of the vote;
- (f) accept the election results or challenge them through legal means;
- (g) cooperate and liaise in good faith with other parties and candidates to avoid organizing and scheduling public meetings, demonstrations, rallies or marches to take place at the same time and venue as similar political events organized by other parties and candidates;
- (h) ensure party members or supporters do not damage, deface or remove campaign materials of other parties;
- (i) refrain from—
- (i) engaging in or inciting violence, intimidation, or hate speech;
  - (ii) carrying or displaying weapons at political meetings or any march, demonstration or other event of a political nature;
  - (iii) campaigning in places of worship or during burial ceremonies;
  - (iv) impeding other parties' access to voters for campaign purposes;
  - (v) plagiarizing the symbols, colors, or acronyms of other parties to discourage and prevent the removal, disfigurement or destruction of political campaign materials of any party or candidate;
  - (vi) offering rewards or inducements for joining or avoiding political activities; and
  - (vii) discriminating on the basis of race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language,

birth or any other status in relation to elections and political activities;

(j) in relation to the Commission—

(i) acknowledge the Commission's authority over elections and avoid interfering with its independence or impartiality;

(ii) attend and participate in meetings organized by the Commission;

(iii) implement the Commission's orders and directions;

(iv) facilitate access of Commission's observers to political events;

(v) cooperate with investigations by the Commission;

(vi) safeguard electoral observers from insults, hazards, or threats during political events while they perform their official duties;

(vii) give effect to any lawful direction, instruction, or order, of the Commission or an authorized member, employee or officer of the Commission; and

(viii) establish and maintain effective lines of communication with the Commission at national, political and local level, including the provision of names and the contact details and addresses of the or a party's or candidate's officer bearers of representatives, as the case may be;

(k) assure voters of the independence and impartiality of the Commission, the secrecy of the ballot, and the integrity of the electoral process;

(l) take reasonable steps to discipline party members, employees, and supporters who violate the Code or the electoral laws;

(m) facilitate the access of members of the Commission, Chief Elections officer and officers of the Commission, to public meetings, demonstrations and rallies of that party or candidate;

(n) accept and respect the final declaration of election results by the Commission, as announced by returning officers and the Commission in accordance with the law, without prejudice to the right to petition the Courts in accordance with the Act; and

(o) remove, or cause to be removed, campaign materials within fourteen days of the declaration of election results.

(2) A member of the Commission or officers of the Commission may attend political meetings, rallies and demonstration to monitor compliance with this Code.

9. Every political party and every candidate participating in an election shall—

(a) ensure the security and full participation of women and persons with disabilities as candidates, voters, and political participants;

(b) respect the rights of women and persons with disabilities to communicate freely with political parties, candidates and stakeholders;

(c) facilitate the full, equal, and effective participation of women and persons with disabilities in all political activities;

(d) guarantee free and equal access for women and persons with disabilities to all public political meetings, marches, demonstrations, rallies, and other public political events; and

(e) guarantee that women and persons with disabilities are free to engage in any political activity without hindrance or discrimination.

10. A political party or candidate participating in an election or any other person, in relation to elections, shall not—

Duties of  
political  
parties and  
candidates

(a) use language that is inflammatory, defamatory, insulting, or that incite public disorder, insurrection, hate, prejudice or violence in any form based on political opinion, gender, disability or any other status;

(b) aid, abet, engage in, encourage, tolerate, or promote violence, intimidation, or conduct likely to result in violence or intimidation against any person on account of their membership in or support of a political party or candidate, or their participation in the election;

(c) discriminate against any person on the grounds of race, ethnicity, class, disability, gender, sex, religion, or any other status in connection with an election or political activity, unless such discrimination is legally justified to address proven inequalities, such as those adversely affecting women and people with disabilities in the electoral process;

(d) carry, display, or use arms, weapons, or any traditional or unconventional weapons at political events, such as meetings, marches, demonstrations, or rallies;

(e) publish, disseminate, or allow the publication of false, defamatory, or inflammatory statements regarding any person, political party, candidate, or electoral process;

(f) arrange a public meeting, demonstration, rally, or a march to coincide with other political events organized by another party or candidate;

(g) prevent other parties or candidates from accessing campaign venues through monopolized bookings by preemptively reserving them at any council without the genuine intention of using them;

(h) prevent or impede access to voters by any political party or candidate in any council for legitimate purposes such as voter education, fundraising, canvassing, and soliciting support;

(i) plagiarize campaign messages or unlawfully use the symbols, colours, acronyms, or publications of other political parties or candidates;

(j) deface, remove, or destroy political campaign materials, including those of other parties, candidates, or voter education materials issued by the Commission;

(*k*) offer inducements, rewards, or bribes to influence political actions or voting behaviour, including joining or not joining a party or candidate;

(*l*) coerce voters to reveal their voting choices or take reprisals based on voting behaviour;

(*m*) use public resources for campaign purposes, except as authorized by any written law and in connexion with respective offices;

(*n*) procure partisan support from officials or public servants in favour of any political party;

(*o*) disrupt election operations at polling stations or vote counting and tallying centres;

(*p*) in any manner, whatsoever, violate the secrecy of the vote and integrity of the electoral process;

(*q*) use the voter's register information to harass or intimidate voters or for any commercial purposes;

(*r*) encourage a person to vote knowing that they are not entitled to do so;

(*s*) abuse or attempt to abuse positions of power, privilege, or influence, including parental, patriarchal, state, or traditional authority, to advance the interests of a political party or candidate, offer rewards, issue threats, or exert undue influence on individuals to compel support for a specific political party or candidate;

(*t*) publish or make any false statement or misrepresentation relating to the election generally or an electoral process;

(*u*) abuse the right to file complaints with the Commission by submitting a complaint which is false, frivolous, or filing a complaint in bad faith;

(*v*) conduct campaign in places of worship or during funeral and burial ceremonies;

(*w*) after the period prescribed for campaign is closed—

(i) hold public a gathering, demonstration, or rally; or

(ii) publish or allow the publication of an advertisement, statement or any other material promoting or opposing any party or candidate;

(*x*) disrupt the operations of election officials at polling stations or vote counting and tallying centres;

(*y*) coerce voters who do not require assistance to receive assistance in voting;

(*z*) indulge in any conduct that undermines the independence and impartiality of the Commission and its officers;

(*aa*) disrupt any campaign, rally, meeting or any event which has been convened by any political party candidate;

(*bb*) publish or carry any statue, caricature or anything which tends to ridicule, insult or scandalize any political party or candidate in an election at any public political gathering, meeting or demonstration;

(cc) be found in possession of a voter registration certificate belonging to another person, without any justification for being in such possession;

(dd) interfere in any manner with the independence or impartiality of the Commission and its officers;

(ee) intimidate, or incite or encourage the intimidation, of anyone on account of his or her political opinions or membership or support of a political party; or act in a way that may provoke violence or intimidation;

(ff) use violence or threats of violence to force a voter to refrain from voting or to vote for a political party or candidate against his or her will;

(gg) force a voter to reveal the identity of the candidate voted for, or take reprisals against, a person because of the way in which he or she has voted or is believed to have voted;

(hh) material of another party or candidate, and any posters or other voter education materials disseminated by the Commission;

(ii) alter or falsify election results;

(jj) publish personal information about voters contained in the voters register or use the information for commercial purposes, harassment, or intimidation of voters;

(kk) procure the support or assistance of any official or public servant to act in a partisan manner or further the interest of any political party or cause; or

(ll) engage in any other conduct that may undermine the Commission's efforts to hold free, fair, and credible elections.

11.—(1) Any political party, candidate or any person may submit a Complaints complaint to the Commission about any breach of this Code.

(2) A complaint about breach of the Code shall be—

(a) in writing;

(b) submitted to the Commission in the manner prescribed and at the place appointed and determined by the Commission for the purpose;

(c) include details sufficient enough to assist the Commission to resolve the complaint; and

(d) submitted within seven days from the date when the alleged breach occurred.

(3) The Commission shall have the power to regulate its own procedure for enforcement and for handling of complaints relating to breach of the Code.

(4) The Commission may, upon receiving a complaint—

(a) require the political party, candidate, or individual accused of contravening this Code to submit a written representation in response to the accusation;

- (b) summon any person accused of contravening this Code, as well as any voter, candidate, or political party alleging a breach, to appear before it; or
- (c) refer to the complaint to an appropriate law enforcement authority.

Contravention      12.—(1) A political party, candidate or person who contravenes any provision of this Code commits an offence and shall be liable to a penalty imposed in accordance with the Act or any written law.

(2) Notwithstanding any penalty that may be imposed under the Act or any written law, the Commission may—

- (a) issue a directive requiring an action to remedy the breach;
- (b) censure and reprimand acts by a political party, candidate, or any other person aimed at undermining the integrity of the election or violating this Code;
- (c) revoke the accreditation of party or candidate representative, observers or the media where it is necessary to do so in the interest of the integrity of the election;
- (d) report a breach of the Code to the Director of Public Prosecutions or the Police or any other appropriate law enforcement agency for investigation and prosecution, where appropriate; or
- (e) make any other order as to the Commission may seem fit in the circumstances.

Made this 10th day of April, 2025.



CODE OF CONDUCT FOR ELECTION OBSERVERS, 2025

GOVERNMENT NOTICE No. 30

PRESIDENTIAL, PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS  
ACT

(No. 10 OF 2023)

CODE OF CONDUCT FOR ELECTION OBSERVERS, 2025

IN EXERCISE of the powers conferred upon the Commission by section 103 (4) (b) (iii) of the Presidential, Parliamentary and Local Government Elections Act, 2023, the Malawi Electoral Commission makes the following Code of Conduct—

- Citation1. This Code may be cited as the Code of Conduct for Election Observers, 2025.
- General provisions2. An accredited election observer and any person appointed by the observer shall—

(a) respect the Constitution and the laws governing elections in Malawi;

(b) observe the election impartially and independent of any political party or candidate contesting in the election;

(c) act in an objective, competent and professional manner in observing the election;

(d) be apolitical, non-partisan and neutral and avoid anything that would indicate or be seen as indicating partisan influence or support for a political party or candidate;

(e) not to interfere in, or to impede, the normal course of events in an election;

(f) not do anything which compromises the secrecy of the ballot;

(g) provide to the Commission with a comprehensive review of the election taking in account all relevant circumstances including—

(i) the degree of impartiality shown by the Commission;

(ii) an assessment of the freedom of political parties and candidates to campaign freely and the degree of freedom to organize, move, assemble and express opinion and views publicly;

(iii) the fairness of the media generally and the equitability and fairness of access of political parties and candidates to public media or broadcaster; and

(iv) the condition of security for electoral stakeholders;

(h) comply with all instructions, directives and orders issued by—

(i) the Commission or any person so delegated by the Commission; or

(ii) a member of a state security institution, acting on instruction of the Commission or an officer of the Commission;

(i) disclose to the Commission any relationship that could lead to conflict of interest regarding the role of the observer, the process of observation or the assessment of the election;

(j) not accept any gift or favour from a political party, candidate, representative of a political party or candidate or any person involved in the election on account of a political party or candidate;

(k) not express a view or opinion on any matter which is the subject of electoral campaign;

(l) not influence or attempt to influence the choice of a voter relating to political party or candidate in an election;

(m) not wear, carry or display any symbol or colours of a political party or candidate or indicating any affiliation with a candidate or political party participating in the election;

(n) not canvass for any candidate or political party while observing an electoral process;

(o) not obstruct or accost any voter at a polling station or on his or her way thereto or therefrom, nor interview any voter at a polling station;

(p) if he considers that there has been any irregularity in the conduct of the poll, the counting of the votes or any other electoral process, bring such irregularity or apparent irregularity to the attention of the presiding officer or constituency returning officer or the Chief Elections Officer; and

(q) generally, conduct himself or herself in a manner conducive to the peaceful, dignified and orderly conduct of an electoral process.

Declaration  
of  
commitment

3.—(1) An election observer shall be required to fill-in and sign a declaration of commitment to comply with this Code of Conduct and submit the same to Commission.

(2) The declaration of commitment referred to under subparagraph (1) shall be in the form as prescribed in the *Schedule*.

Breach of this  
code of  
conduct

4. An election observer who fails to abide by this Code of Conduct shall be liable to penalties as prescribed under the Act or the Regulations made thereunder.

SCHEDULE (para. 3(2))

PRESIDENTIAL, PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS  
ACT, 2023

DECLARATION OF COMMITMENT TO COMPLY WITH CODE OF CONDUCT  
FOR ELECTION OBSERVERS

We/I ..... do hereby accept to serve as an election observer.

After carefully reading the Code of Conduct for Election Observers, we/I would like to declare commitment to fully comply with the code of conduct.

We/I accept to be bound by the above Code of Conduct and with such other terms and conditions that may be made, from time to time, by the Commission for the purpose of giving effect to the Code of Conduct, at all times, during term of service as an election observer.

I/we undertake to relinquish my/our duty as an election observer if required to do so, by the Commission.

Name.....

Signature of responsible person.....

Made this 10th day of April, 2025.

JUSTICE A. MTALIMANJA  
*Chairperson*



**CODE OF CONDUCT FOR VOTER EDUCATION  
PROVIDERS, 2025**

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GOVERNMENT NOTICE No. 31

**MALAWI ELECTORAL COMMISSION ACT**  
**(CAP. 2:03)**

**CODE OF CONDUCT FOR VOTER EDUCATION PROVIDERS, 2025**

IN EXERCISE of the powers conferred upon the Commission by section 21D of the Malawi Electoral Commission Act, the Malawi Electoral Commission makes the following Code of Conduct—

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 1. This Code may be cited as the Code of Conduct for Voter Education Providers, 2025.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Citation                             |
| 2. Every voter education provider shall—<br><div>(a) perform their duties in accordance with the laws and regulations, and any terms and conditions as set by the Commission;<br/>(b) only use messages and materials approved by the Commission;<br/>(c) respect the right of voters to elect a party or candidate of their choice by using impartial message and information dissemination method;<br/>(d) always act in a non-partisan manner and be seen to be free of any influence or control by any political party or organization;<br/>(e) develop materials with the involvement of the Commission at key stages;<br/>(f) incorporate gender and special needs considerations in their programming;<br/>(g) always conduct themselves in a manner that preserves the credibility of the Commission;<br/>(h) not wear, carry, or display any obviously party symbols or colours;<br/>(i) not accept any gift or favour from a political party or any person involved in the election process;<br/>(j) do nothing that could indicate or be seen as indicating, partisan support for a candidate or political party; and<br/>(k) not solicit funds in the name of the Commission.</div> | General provisions                   |
| 3. A voter education provider shall—<br><div>(a) inform and make voters aware of their protected right to freedom of conscience and belief, freedom of speech and expression, freedom of association, peaceful assembly, freedom of movement and or the right to participate freely in peaceful political activities;<br/>(b) promote awareness among the population of all electoral processes and the civic right and duty of every eligible voter to register and vote in elections or referenda;<br/>(c) conduct voter education in accordance with the curriculum prepared and approved by the Commission;<br/>(d) conduct voter education impartially, without advocacy or influence from any person or group;<br/>(e) be sensitive to the needs of people with disabilities, women, youth, and other marginalized groups;<br/>(f) give due consideration to accessibility, language, and methodology in providing voter education;<br/>(g) avoid actual or apparent conflicts of interest in the provision of voter education;</div>                                                                                                                                                     | Duties of a voter education provider |

- (h) refrain from disclosing confidential information acquired in the course of their work, unless authorized by the Commission; and
- (i) refrain from disclosing any confidential information acquired in the course of their work unless otherwise authorized by the Commission.

Finances and use of funds

4. A voter education provider shall—
- (a) be responsible for sourcing their own resources;
  - (b) be committed to abide by donor’s requirements and conditions;
  - (c) use funds received only for the appropriated purpose and not misuse funds received for the purpose of voter education; and
  - (d) keep books of account that are reasonably necessary and be ready to make available to the Commission for inspection.

Declaration of commitment

5. —(1) A voter education provider shall be required to fill-in and sign a declaration of commitment to comply with this Code of Conduct and submit the same to Commission.
- (2) The declaration of commitment referred to under paragraph (1) shall be in the form as prescribed in the *Schedule*.

Breach of this code of conduct

6. A voter education provider who fails to abide by this code of conduct shall be liable to penalties as prescribed under the Act or the Regulations made thereunder.

SCHEDULE

(para. 5(2))

MALAWI ELECTORAL COMMISSION ACT

(CAP. 2:03)

DECLARATION OF COMMITMENT TO COMPLY WITH CODE OF CONDUCT FOR VOTER EDUCATION PROVIDERS

We/I ..... do hereby accept to serve as a voter education provider.

After carefully reading the Code of Conduct for Voter Education Providers, we/I would like to declare commitment to fully comply with the Code of Conduct.

We/I accept to be bound by the above Code of Conduct and with such other terms and conditions that may be made, from time to time, by the Commission for the purpose of giving effect to the code of conduct at all times during term of service as a voter education provider.

I/we undertake to relinquish my/our duty as a voter educator/voter education provider if required to do so, by the Commission.

Name.....

Signature of responsible person.....

Made this 10th day of April, 2025.

(FILE NO. SUB. D. 2:03)

JUSTICE A. MTALIMANJA  
Chairperson



**PRESIDENTIAL, PARLIAMENTARY AND LOCAL GOVERNMENT  
ELECTIONS (FORMS) REGULATIONS, 2025**

**The Malawi Gazette Supplement, dated 20th June, 2025, containing  
Regulations, Rules, etc. (No. 18A)**

GOVERNMENT NOTICE No. 48

**PRESIDENTIAL, PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS  
ACT**

(No. 10 of 2023)

**PRESIDENTIAL, PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS  
(FORMS) REGULATIONS, 2025**

**ARRANGEMENT OF REGULATIONS**

**REGULATION**

1. Citation
2. Forms
3. Forms in second poll in a presidential election
4. Revocation and savings

**SCHEDULE**

**FORMS**

- FORM 1A Application to Register as a Voter
- FORM 1B Voter Registration Certificate
- FORM 1C Voters' Register
- FORM 2A Notice of Rejection of Application to Register as a Voter
- FORM 2B Appeal Against Rejection of Application to Register as a Voter
- FORM 2C Complaint or Challenge Against Registration of a Voter
- FORM 3 Application for Transfer of a Voter
- FORM 4A Application to Change Voter's Particulars
- FORM 4B Certificate of Change of Voter's Particulars
- FORM 5 Application for Replacement of Voter Registration Certificate
- FORM 6A Nomination of a Candidate for Election as President
- FORM 6B Nomination of a Candidate for Election as Member of Parliament
- FORM 6C Nomination of a Candidate for Election as Councillor
- FORM 7A Notice of Defective Nomination Form for Election as President
- FORM 7B Notice of Defective Nomination Form for Election as Member of Parliament
- FORM 7C Notice of Defective Nomination Form for Election as Councillor
- FORM 8A Notice of No Duly Nominated Candidate for Election of Member of Parliament
- FORM 8B Notice of No Duly Nominated Candidate for Election of Councillor
- FORM 9A Notice of Only One Candidate Duly Nominated for Election as Member of Parliament

## REGULATION

- FORM 9B Notice of Only One Candidate Duly Nominated for Election as Councillor
- FORM 10A Notice and Statement of Rejection of Nomination of a Candidate as President
- FORM 10B Notice and Statement of Rejection of Nomination of a Candidate as Member of Parliament
- FORM 10C Notice and Statement of Rejection of Nomination of a Candidate as Councillor
- FORM 11A Notice of Withdrawal of a Candidate for election as a President
- FORM 11B Notice of Withdrawal of a Candidate for election as a member of Parliament
- FORM 11C Notice of Withdrawal of a Candidate for election as a Councillor
- FORM 12A(i) Notice of Death, Disqualification or Incapacitation of a Candidate for Election as President
- FORM 12A(ii) Notice of Death, Disqualification or Incapacitation of a Running Mate to a Presidential Candidate
- FORM 12B Notice of Death, Disqualification or Incapacitation of a Candidate for Election as a Member of Parliament
- FORM 12C Notice of Death, Disqualification or Incapacitation of a Candidate for Election as a Councillor
- FORM 13 Notice of Appointment of a Replacement of Running Mate to a Presidential Candidate
- FORM 14A Submission of List of Political Party/Independent Candidate Representatives assigned to a Centre
- FORM 14B Application for Accreditation of Election Observers
- FORM 14C List of Political Party/Independent Candidate Representatives assigned to a Centre or Polling Station
- FORM 14D Identification Document for a Political Party/Independent Candidate Representatives assigned to a Centre or polling Station.
- FORM 14E Identification Document for Election Observers
- FORM 15 Complaints and Incidents Logbook for a Voter Registration Centre
- FORM 16A Complaints Logbook for a Polling Station
- FORM 16B Complaints and Incidents Logbook for a Constituency Tally Centre
- FORM 16C Complaints and Incidents Logbook for a Council Tally Centre
- FORM 16D Complaints and Incidents Logbook for the National Tally Centre
- FORM 17 Record of Polling Process
- FORM 18A Polling Station Record of Result for Presidential Election
- FORM 18B Polling Station Record of Result for Parliamentary Election

REGULATION

- FORM 18C Polling Station Record of Results for Local Government Election
- FORM 19A Constituency Record of Results for Presidential Election by Polling Station
- FORM 19B Constituency Record of Results for Parliamentary Election by Polling Station
- FORM 19C Ward Record of Results for Local Government Election by Polling Station
- FORM 20A Constituency Summary of Results for Presidential Election
- FORM 20B Constituency Summary of Results for Parliamentary Election
- FORM 20C Ward Summary of Result for Local Government Election
- FORM 20D Notification of Effect of Number of Void Votes for Parliamentary Election
- FORM 20E Notification of Effect of Number of Void Votes for Local Government Election
- FORM 21 Council Record of Results for Presidential Election by Constituency
- FORM 22 Council Summary of Results for Presidential Election by Candidate
- FORM 23A National Record of Results for Presidential Election by Council
- FORM 23B National Record of Results for Presidential Election by Candidate
- FORM 24 Notification of Effect of Number of Void Votes on the Presidential Election Results
- FORM 25A Results of Examination of Void Votes for Presidential Elections
- FORM 25B Results of Examination of Void Votes for Parliamentary Elections
- FORM 25C Results of Examination of Void Votes for Local Government Elections
- FORM 26A Final National Summary of Results for Presidential Election
- FORM 26B Final Election Results for Parliamentary Election
- FORM 26C Final Election Results for Local Government Election

IN EXERCISE of the powers conferred by section 122 of the Presidential, Parliamentary and Local Government Elections Act, I, TITUS EDWARD SONGISO MVALO, Minister of Justice, on the recommendation of the Commission, make the following Regulations—

1. These Regulations may be cited as the Presidential, Parliamentary Citation and Local Government Elections (Forms) Regulations, 2025.
2. The forms set out in the *Schedule* shall be used for the purposes of Forms the Act.
3. A form prescribed for a presidential election may, with necessary Forms in second poll of presidential election modification, be used in a second poll of a presidential election.

Revocation and savings  
Cap. 2:01  
sub.leg. p. 43

4.—(1) The Parliamentary and Presidential Elections (Forms) Regulations are revoked.

(2) Any form prescribed under the Regulations revoked under subregulation (1), which at the commencement of these Regulations is being used by the Commission, may continue to be used for the purposes of these Regulations, unless replaced, accordingly, by a form prescribed under these Regulations.

SCHEDULE

(reg.(2))

FORMS

FORM 1A

(s.12)

APPLICATION TO REGISTER AS A VOTER

I, ..... hereby apply to register as a voter and declare that this is the first time that I am registering as a voter in this election. I consent to providing my personal information to the Commission, for purposes of registering as a voter, and I acknowledge that the same is true to the best of my knowledge and belief. I further acknowledge that it has been made clear to me that registering more than once is an offence.

Form Serial Number

Paste a copy of Voter  
Registration Certificate

Signature.....

FORM 1B

(s.13 (1))

VOTER’S REGISTRATION CERTIFICATE

QR Code

VOTER NUMBER

Centre Details

Voter’s Name

Date of Birth ..... Gender.....

.....

Date of Registration

FORM 1C

(s. 11 (1))

VOTERS' REGISTER

Malawi Electoral Commission

Malawi National Voters' Register

Order by Surname, Voter Registration Certificate Number

Total Voters:

Page:

Council (Code and Name)

Constituency(Code and Name)

Registration Centre(Code and Name)

|                                                                                                                          |                                                                                                                          |                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <div><div>Voter's Name</div><div>Number</div><div>Date of Birth</div><div>Gender</div></div> <div><div>Photo</div></div> | <div><div>Voter's Name</div><div>Number</div><div>Date of Birth</div><div>Gender</div></div> <div><div>Photo</div></div> | <div><div>Voter's Name</div><div>Number</div><div>Date of Birth</div><div>Gender</div></div> <div><div>Photo</div></div> |
| <div><div>Voter's Name</div><div>Number</div><div>Date of Birth</div><div>Gender</div></div> <div><div>Photo</div></div> | <div><div>Voter's Name</div><div>Number</div><div>Date of Birth</div><div>Gender</div></div> <div><div>Photo</div></div> | <div><div>Voter's Name</div><div>Number</div><div>Date of Birth</div><div>Gender</div></div> <div><div>Photo</div></div> |

NOTE: The Voters' Register shall have an Exception Report that shall include

(i) Details of voters that have transferred in or out of a centre

(ii)List of voters who registered more than once.

Date Generated.....

Signature .....

FORM 2A

(ss.3 & 12)

NOTICE OF REJECTION OF APPLICATION TO REGISTER AS A VOTER

MALAWI ELECTORAL COMMISSION

COUNCIL CODE:.....

CONSTITUENCY CODE: .....

COUNCIL NAME:.....

CONSTITUENCY NAME:.....

WARD CODE:.....

CENTRE CODE:.....

WARD NAME:.....

CENTRE NAME:.....

NAME OF APPLICANT:.....

SIGNATURE:.....

NATIONAL ID NUMBER:.....

PHONE NUMBER:.....

ADDRESS:.....

REASON FOR REJECTION:

- ☐ Not a Malawian Citizen and has not ordinarily resided in Malawi for at least seven years
- ☐ Less than 18 years of age at date of polling
- ☐ Registered elsewhere
- ☐ False name
- ☐ Submission of suspicious identification document
- ☐ Presentation of identification document bearing someone else’s details or information
- ☐ OTHER (specify below)

**The applicant has been informed of the right of appeal against the rejection AND has been offered/handed\* an appeal form. \* Cross out as applicable**

Name of Voter Registration Supervisor.....  
Signature of Voter Registration Supervisor..... Date.....

FORM 2B (ss. 12 & 17(3))

APPEAL AGAINST REJECTION OF APPLICATION TO REGISTER AS A VOTER  
MALAWI ELECTORAL COMMISSION  
APPEAL AGAINST REJECTION OF APPLICATION TO REGISTER AS A VOTER

You may ask for assistance from the voter registration staff or a member of your family, friend or anyone else to help you complete this form at the voter registration centre.

COUNCIL CODE:..... CONSTITUENCY CODE: .....  
COUNCIL NAME:..... CONSTITUENCY NAME:.....  
WARD CODE:..... CENTRE CODE:.....  
WARD NAME:..... CENTRE NAME:.....  
NAME OF APPLICANT:..... SIGNATURE:.....  
NATIONAL ID NUMBER:..... PHONE NUMBER:.....  
ADDRESS:.....

REASON FOR APPEAL:

Signature of Appellant  
Name of Voter Registration Supervisor Matter Resolved/Referred  
Signature of Voter Registration Supervisor

INSTRUCTION

**To be completed in triplicate, original to the Commission’s Head Office, duplicate to District Elections Office and triplicate to Appellant**

COMPLAINT OR CHALLENGE AGAINST REGISTRATION OF A VOTER

MALAWI ELECTORAL COMMISSION

COMPLAINT OR CHALLENGE AGAINST REGISTRATION OF A VOTER

You may ask for assistance from the voter registration centre/polling station staff or a member of your family, friend, or anyone else to help you complete this form at the voter registration centre/polling station.

COUNCIL CODE:..... CONSTITUENCY CODE: .....

COUNCIL NAME:..... CONSTITUENCY NAME:.....

WARD CODE:..... CENTRE CODE:.....

WARD NAME:..... CENTRE NAME:.....

NAME OF CHALLENGER/ COMPLAINANT: (*Cross out whichever is NOT applicable*)

Phone Number :.....

ADDRESS (Residential or Village) :.....

Capacity of the Person Lodging the Challenge :.....

NAME OF PERSON CHALLENGED:..... Phone Number:.....

ADDRESS (Residential or Village) :.....

Voter Registration Number :.....

REASON FOR CHALLENGE/COMPLAINT

| <i>In relation to voter registration</i>                                                               | <i>In relation to polling</i>                  |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Not a Malawian Citizen and has not resided in Malawi for at least seven years | <input type="checkbox"/> as already voted      |
| <input type="checkbox"/> Less than 18 years of age at date of polling                                  | <input type="checkbox"/> Registered elsewhere  |
| <input type="checkbox"/> Registered elsewhere                                                          | <input type="checkbox"/> False name            |
| <input type="checkbox"/> False name                                                                    | <input type="checkbox"/> OTHER (specify below) |
| <input type="checkbox"/> OTHER (specify below)                                                         |                                                |

(Please tick the appropriate box or boxes)

Please give a brief outline of the reasons for your challenge/complaint and provide any evidence that you can supply.

Signature of Challenger/Complainant

Challenge/Complaint (Accepted/Referred)

Signature of Supervisor/Presiding Officer.....

Date .....

NOTE: Only a person who has registered can be challenged

NOTICE: Giving false information or evidence is an offence and may result in a fine or imprisonment

To be completed in triplicate, original to the Commission, duplicate to District Elections Office and Triplicate to the Complainant



(iv)[    ] Educational qualification

(v) [    ] other (specify below)

.....

.....

2. Evidence of the change of the particular(s) has been attached.

Date:.....

Voter Registration Certificate Number:.....

Signed:.....

FOR OFFICIAL USE

The change of particular(s) has been approved

Date:.....

Signed : .....

Registration Officer/Authorized Officer .....

APPLICATION TO CHANGE VOTER’S PARTICULARS

FORM 4B

(s. 19)

CERTIFICATE OF CHANGE OF VOTER’S PARTICULARS

This is to certify that.....(indicate new name where applicable) applied and was granted approval to have the following particular(s) changed in the voters’ register:

- (i) [    ] name
- (ii) [    ] place of residence/employment/business
- (iii)[    ] telephone number
- (iv)[    ] Educational qualification
- (v) [    ] other (specify below)

*Indicate the applicable particular(s)*

Date:.....

Signed : .....

Registration Officer/Authorized Officer .....

**NOTE:** Where applicable the applicant may be issued with a new voter registration certificate.

FORM 5 (s.13 (2))

APPLICATION FOR REPLACEMENT OF VOTER REGISTRATION  
CERTIFICATE

I,....., hereby state that my voter registration certificate was:  
[ ] Lost [ ] Defaced  
[ ] Destroyed [ ] Torn or otherwise damaged  
And I would like to apply for a replacement. I acknowledge that using someone’s voter registration certificate for any purpose is an offence.

Paste a copy of the  
replaced voter  
registration certificate

Applicant Signature or thump-print:  
Date :.....  
Authorizing Officer :.....  
Signature :..... Name :.....

FORM 6A (ss. 28(1) & 101(6))

NOMINATION OF A CANDIDATE FOR ELECTION TO THE OFFICE OF  
PRESIDENT

MALAWI ELECTORAL COMMISSION

NOMINATION FORM FOR A PRESIDENTIAL CANDIDATE

Sections 28 (1) & 101 (6) of the Presidential, Parliamentary and Local Government Elections Act, 2023  
(Use block letters in completing this form)

1. To the Malawi Electoral Commission  
We, the undersigned electors, who have not subscribed to any other Presidential nomination paper and whose details appear on pages 2 - 37, and whose names appear in the appropriate Voters’ Register as prescribed, DO HEREBY NOMINATE:  
.....  
Surname First Name and Other Names  
All names to appear as on the National Identity Card  
of .....  
.....  
(Print the candidate's residential address in full NOT postal address)  
as a candidate for election to the office of President.



3. PRESIDENTIAL CANDIDATE’S CONSENT AND CONTACT DETAILS

I, .....  
Surname First Name and Other Names  
All names to appear as on the National Identity Card

National Identity Number: .....

|         |      |  |        |  |                        |
|---------|------|--|--------|--|------------------------|
| Gender: | Male |  | Female |  | (Tick appropriate box) |
|---------|------|--|--------|--|------------------------|

(Print your residential address in full)

Of.....  
.....  
.....  
(Print your postal address in full, phone numbers and email address)

being the candidate nominated above and being qualified for election as President, DO  
HEREBY CONSENT to the above nomination.

.....  
Signature of Candidate Date

4. PRESIDENTIAL CANDIDATE’S DETAILS AND ATTACHMENTS  
(Tick appropriate boxes)

|       |                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (i)   | <input type="checkbox"/> I am an Independent Candidate<br><input type="checkbox"/> I am a Candidate sponsored by .....Political Party.<br><input type="checkbox"/> I have attached in Appendix 7, Political Party Registration Certificate/Independent Candidate’s certification of the manifesto alignment by the National Planning Commission, in accordance with section 12A of the Political Parties Act, 2018. |
| (ii)  | My name shall appear on the ballot paper, as it appears on my National Identity Card which has been attached, as follows:<br>.....<br>Surname First Name and Other Names<br>All names to appear as on the National Identity Card                                                                                                                                                                                    |
| (iii) | <input type="checkbox"/> I have appointed<br>.....<br>Surname First Name and Other Names<br>All names to appear as on the National Identity Card<br>as my running mate for the office of Vice-President.                                                                                                                                                                                                            |
| (iv)  | <input type="checkbox"/> I have attached in Appendix 1 a distinctive symbol to appear on the ballot paper.<br>Note: Failure to attach your symbol to this nomination form will result in the ballot paper being printed without your symbol thereon.                                                                                                                                                                |

|     |                                                                                                                                                                                                                                                                          |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (v) | I am a citizen of Malawi by birth or descent, I do not hold dual citizenship, and have attained the age of 35 and have attached in Appendix 2:<br><input type="checkbox"/> A copy of my National Identity card.<br><input type="checkbox"/> My passport size photograph. |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

5. VICE-PRESIDENTIAL CANDIDATE’S CONSENT AND CONTACT DETAILS  
(Print your name in full)

I, .....  
Surname First Name and Other Names  
All names to appear as on the National Identity Card

Of.....  
.....  
(Print your postal and residential address in full, phone numbers and email address)

being the candidate appointed above and being qualified for election as Vice-President, DO  
HEREBY CONSENT to the above appointment.

.....  
Signature of Candidate Date

6 VICE-PRESIDENTIAL CANDIDATE’S DETAILS AND ATTACHMENTS

|     |                                                                                                                                                                                                                |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (i) | My name shall appear on the ballot paper, as it appears on my National Identity Card which has been attached, as follows:<br>.....<br>Surname First Name and Other Names<br>National Identity Card Number..... |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|      |                                                                                                                                                                                                                                                                        |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (ii) | I am a citizen of Malawi by birth or descent, I do not hold dual citizenship and have attained the age of 35. I have attached in Appendix 4:<br><input type="checkbox"/> A copy of my National Identity card.<br><input type="checkbox"/> My passport size photograph. |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

7. POLITICAL PARTY ENDORSEMENT OF PRESIDENTIAL CANDIDATE

I,.....  
(Print the name of the Authorized Office Bearer in full)  
Of.....  
(Print the name of the Political Party in full)

being authorized to do so, certify that the above-named candidate is standing for or being sponsored by the said political party, which is duly registered in accordance with the Political Parties Act, 2018, and is in possession of the Certificate of Registration issued by the Registrar of Political Parties on .....[date]

(Attach copy of Political Party's Certificate of Registration in Appendix 6)

Official Stamp of  
the Political Party

.....  
(Signature of the authorized office bearer)  
Tel: .....  
Cell: .....  
Email Address: .....

Appendix 1 - DISTINCTIVE SYMBOL TO APPEAR ON THE BALLOT PAPER

Attach a copy of your symbol here.

NOTE Any symbol provided here, that is indecent or obscene or is too complex or elaborate to be reproduced on a ballot paper or so closely resembles the symbol of any other candidate contesting the election or the recognized symbol of any other candidate or of any political party, other than the political party, if any, for which you are standing or which is sponsoring you as to be likely to cause confusion may be rejected by the Commission.

Appendix 2 - PRESIDENTIAL CANDIDATE: COPY OF NATIONAL IDENTITY CARD, VOTER REGISTRATION CERTIFICATE AND PASSPORT SIZE PHOTOGRAPH

Attach copies of your National Identity Card, Voter Registration Certificate and recent passport size photograph here.

Paste Passport size  
Photograph with a  
white background

Paste copy of  
National  
Identity Card

NOTE: A candidate or his/her election representative may request the Returning Officer to examine the nomination paper and supporting documents before they are tendered and be advised whether in the Returning Officer's opinion, they are in order.

Appendix 3 - PRESIDENTIAL CANDIDATE: STATUTORY DECLARATIONS

Complete the statutory declarations below.

I, .....  
*Surname* *First Name and Other Names*  
*All names to appear as on the National Identity Card*

Having been nominated as a presidential candidate do solemnly and sincerely declare that:

- ☐ I have not been adjudged or declared to be of unsound mind
- ☐ I am not an undischarged bankrupt
- ☐ I have not been convicted of a crime involving dishonesty or moral turpitude within the last seven years
- ☐ I do not owe allegiance to a foreign country
- ☐ I am neither a holder of public office nor a member of the National Assembly
- ☐ I am not a serving member of the Malawi Defence Force or the Malawi Police Service
- ☐ I have not been convicted of any violation of any law relating to the election of the President or election of Member of Parliament within the last seven years.

.....  
*(Signature of person making the declaration)*

Declared at .....

Before Me

Commissioner for Oaths

This..... day of ....., 20.....

Signature and stamp of Commissioner for Oaths

Appendix 4 - VICE PRESIDENTIAL CANDIDATE: COPY OF NATIONAL IDENTITY CARD AND PASSPORT SIZE PHOTOGRAPH

Attach copies of your National Identity Card, Voter Registration Certificate and recent passport size photograph here.

Paste Passport size  
Photograph with a  
white background

Paste copy of National  
Identity Card

NOTE: A candidate or his/her election representative may request the Returning Officer to examine the nomination paper and supporting documents before they are tendered and be advised whether in the Returning Officer’s opinion, they are in order.

Appendix 5 - VICE PRESIDENTIAL CANDIDATE: STATUTORY DECLARATIONS

Complete the statutory declarations below.

I, .....  
Surname First Name and Other Names

Having been nominated as a presidential candidate do solemnly and sincerely declare that:

- ☐ I have not been adjudged or declared to be of unsound mind
- ☐ I am not an undischarged bankrupt
- ☐ I have not been convicted of a crime involving dishonesty or moral turpitude within the last seven years
- ☐ I do not owe allegiance to a foreign country
- ☐ I am neither a holder of public office nor a Member of Parliament
- ☐ I am not a serving member of the Malawi Defence Force or the Malawi Police Service
- ☐ I have not been convicted of any violation of any law relating to the election of the President or election of Member of Parliament within the last seven years.

.....  
(Signature of person making the declaration)

Declared at .....

Before Me

Commissioner for Oaths

This..... day of .....20.....

Signature and stamp of Commissioner for Oaths

Appendix 6 - POLITICAL PARTY CERTIFICATE OF REGISTRATION

Attach Certified Copy of Political Party Certificate of Registration

Appendix 7 - CERTIFICATION OF ALIGNMENT OF MANIFESTO WITH NATIONAL DEVELOPMENT AGENDA

Attach Certificate issued by the National Planning Commission below

FORM 6B

(s. 37(2))

NOMINATION OF A CANDIDATE FOR ELECTION AS A MEMBER PARLIAMENT

MALAWI ELECTORAL COMMISSION

NOMINATION FORM OF A CANDIDATE FOR ELECTION AS MEMBER OF PARLIAMENT

Section 37 (2) to 40 of Presidential, Parliamentary and Local Government Elections Act, 2023)  
(Use block letters in completing this form)

1. To: The Returning Officer
- For.....Constituency
- In .....Council

We, the undersigned nominators, who have not subscribed to any other National Assembly Elections nomination form and whose details and signatures appear at page two and whose names appear in the Voters’ Register for the above-named Constituency, DO HEREBY NOMINATE:

Prof/Dr/Rev/Mr/ Mrs /Ms

.....

Surname

First Name and Other Names

(All names to appear as on the National Identity Card)

Of.....

.....

(Print the candidate’s RESIDENTIAL address in full, NOT postal address)

as a candidate to fill the vacancy in the National Assembly for the above-named Constituency.



3. CANDIDATE’S CONSENT AND CONTACT DETAILS

I, .....  
*Surname* *First Name and Other Names*  
(All names to appear as on the National Identity Card)

National Identity Number: .....

|         |      |  |        |  |                        |
|---------|------|--|--------|--|------------------------|
| Gender: | Male |  | Female |  | (Tick appropriate box) |
|---------|------|--|--------|--|------------------------|

Of:  
Residential Address.....  
Postal Address .....  
Phone Number.....  
Email Address.....

being the candidate nominated above and being qualified for election as Member of Parliament, DO HEREBY CONSENT to the above nomination.  
.....  
(Signature of Candidate) (Date)

4. CANDIDATE’S DETAILS AND ATTACHMENTS

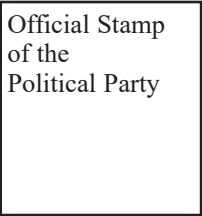
(Tick appropriate boxes)

|       |                                                                                                                                                                                                                                              |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (i)   | <input type="checkbox"/> I am a Candidate sponsored by .....Political Party.<br><input type="checkbox"/> I am an Independent Candidate                                                                                                       |
| (ii)  | My name shall appear on the ballot paper, as it appears on my National Identity Card which has been attached, as follows:<br>.....<br><i>Surname</i> <i>First Name and Other Names</i>                                                       |
| (iii) | <input type="checkbox"/> I have attached in Appendix 1 a distinctive symbol to appear on the ballot paper.<br>Note: Failure to attach your symbol to this nomination form will result in the ballot paper being printed without any symbol.  |
| (iv)  | <input type="checkbox"/> I have attached in Appendix 2, a photocopy of my Voter Registration Certificate showing that I am a registered voter in ..... Constituency<br><input type="checkbox"/> I have attached my passport size photograph. |
| (v)   | <input type="checkbox"/> I am able to speak and read the English language well enough to take an active part in the proceedings of the National Assembly and have made a statutory declaration in Appendix 3.                                |

5. POLITICAL PARTY ENDORSEMENT OF CANDIDATE

I, .....  
(Print the name of the Authorized Office Bearer)  
of .....  
(Print the name of the Political Party in full)

being authorized to do so, certify that the above-named candidate is standing for or being sponsored by the said political party, which is duly registered in accordance with the Political Parties Act, 2018 and is in possession of the Certificate of Registration issued by the Registrar of Political Parties on ...../ ...../ .....DDMMYY  
(Attach copy of Political Party's Certificate of Registration in Appendix 6)



.....  
(Signature of the Authorized Office Bearer)  
Tel: .....  
Cell: .....  
Email Address: .....

6. QUALIFICATIONS FOR NOMINATION

Complete the Statutory Declaration below.

.....  
Surname First Name and Other Names  
Born on .....DD / MM / YYYY  
Date of birth  
of .....  
.....  
(Print your residential address in full)

Do solemnly and sincerely declare, in line with s.38(2) of the Presidential, Parliamentary and Local Government Elections Act, 2023 that:

- ☐ I do not owe allegiance to a foreign country
- ☐ I have not been adjudged or otherwise declared to be of unsound mind.
- ☐ I have not within the last seven years been convicted by a competent court of a crime involving dishonesty or moral turpitude.
- ☐ I am not an undischarged bankrupt under any law in Malawi.
- ☐ I do not hold or act in a public office or appointment.
- ☐ I neither belong to nor serve in the Malawi Defence Force, the Malawi Police Service or the Malawi Prison Service
- ☐ I have not within the last seven years, been convicted by a competent court of violation of any law relating to elections

.....  
(Signature of person making the declaration)

Declared at .....

Before me.....  
*Name of Magistrate or Commissioner for Oaths*

.....  
*Signature and stamp of Commissioner for Oaths*

.....  
*Date*

Appendix 1 - DISTINCTIVE SYMBOL TO APPEAR ON THE BALLOT PAPER

*Attach or paste a copy of your symbol below*

NOTE Any symbol provided here, that is indecent or obscene or is too complex or elaborate to be reproduced on a ballot paper or so closely resembles the symbol of any other candidate contesting the election or the recognized symbol of any other candidate or of any political party, other than the political party, if any, for which you are standing or which is sponsoring you as to be likely to cause confusion may be rejected by the Commission.

Appendix 2 - COPY OF NATIONAL IDENTITY CARD, VOTER REGISTRATION  
CERTIFICATE AND PASSPORT SIZE PHOTOGRAPH

Attach a copy of your National Identity Card, Voter Registration Certificate and recent  
passport size photograph below.

Attach or paste Passport  
size photograph with  
white background  
(HERE)

Attach or paste or copy  
of Voter Registration  
Certificate (HERE)

Attach or paste  
copy of National  
ID (HERE)

Note: A candidate or his/her election representative may request the Returning Officer to examine the nomination paper and supporting documents before they are tendered and be advised whether in the Returning Officer’s opinion, they are in order.

APPENDIX 3 – EVIDENCE OF ENGLISH PROFICIENCY

Complete the statutory declaration below as evidence of your ability to speak and read the English language.

I, .....  
Surname First Name and Other Names  
of.....  
.....  
(Print your residential address in full)

Do solemnly and sincerely declare that I am able to speak and read the English language well enough to take an active part in the proceedings of the National Assembly.

.....  
(Signature of person making declaration)  
Declared at .....  
Before Me..... Date.....  
Signature of Commissioner for Oaths  
.....  
Name of Magistrate or Commissioner for Oaths

APPENDIX 4 – EVIDENCE OF CITIZENSHIP AND AGE

Complete the statutory declaration below or attach evidence of your citizenship and age.

I, .....  
Surname First Name and Other Names  
(Print your residential address in full)  
of.....  
.....

Do solemnly and sincerely declare that:

- ☐ I am a citizen of Malawi and I do not hold dual citizenship
- ☐ I have attained the age of twenty-one years.

.....  
(Signature of person making declaration)  
Declared at .....  
Before Me..... Date.....  
Signature of Commissioner for Oaths  
.....  
Name of Magistrate or Commissioner for Oaths

APPENDIX 5 – APPOINTMENT OF ELECTION REPRESENTATIVE

Provide details of your appointed election representative below

I, .....  
*Surname* *First Name and Other Names*  
of .....intending to contest for  
(*Print location*)  
election as Member of Parliament in .....Constituency  
.....Council, wish to appoint  
Prof/Dr/Rev/Mr/Mrs/Ms.....  
(*Print full name*)

to be my election representative in line with the provisions of the Presidential, Parliamentary and Local Government Elections Act, 2023.

His/her contact details are:

Physical Address.....  
Postal Address.....  
Cell Phone Number(s).....  
Email Address.....

|                                        |                                                      |
|----------------------------------------|------------------------------------------------------|
| .....<br><i>Signature of Candidate</i> | .....<br><i>Signature of Election Representative</i> |
| .....<br><i>Name of Candidate</i>      | .....<br><i>Name of Election Representative</i>      |

Date.....

APPENDIX 6 – POLITICAL PARTY REGISTRATION CERTIFICATE

Attach or Paste Certified Copy of Political Party Registration Certificate below

FORM 6C

(s. 37(2))

NOMINATION OF A CANDIDATE FOR ELECTION AS COUNCILLOR

MALAWI ELECTORAL COMMISSION

NOMINATION FORM OF A CANDIDATE FOR ELECTION AS COUNCILLOR

(sections 37 to 40 of Presidential, Parliamentary and Local Government Elections Act, 2023)

(Use block letters in completing this form)

1. To: The Returning Officer

For.....Ward  
in.....Constituency.....Council

We, the undersigned nominators, who have not subscribed to any other Local Government Elections nomination form and whose details and signatures appear at page two and whose names appear in the Voters’ Register for the above-named Ward, DO HEREBY NOMINATE:

Prof/Dr/Rev/Mr/Mrs/Ms

I, .....  
Surname First Name and Other Names  
(All names to appear as on the National Identity Card)

Of.....  
.....  
(Print the candidate’s RESIDENTIAL address in full, NOT postal address)

as a candidate to fill the vacancy in the Local Government in the above-named Ward.

FOR OFFICIAL USE ONLY

Time & Date Nomination received:..... AM/PM DD/MM/YYYY

Nomination Fee Paid ☐ Amount: K ..... Not Paid ☐

General Receipt Number.....

ACCEPTANCE/REJECTION OF NOMINATION

The Nomination is hereby: Accepted ☐ Rejected ☐  
(Tick the appropriate boxes)

Reason for Rejection: .....  
.....

Name of Returning Officer.....

.....  
Signature of Returning Officer Date

2. DETAILS OF NOMINATORS

| No.  | Name | Registration Centre<br>Name | Voter Registration<br>Certificate Number | Signature |
|------|------|-----------------------------|------------------------------------------|-----------|
| (1)  |      |                             |                                          |           |
| (2)  |      |                             |                                          |           |
| (3)  |      |                             |                                          |           |
| (4)  |      |                             |                                          |           |
| (5)  |      |                             |                                          |           |
| (6)  |      |                             |                                          |           |
| (7)  |      |                             |                                          |           |
| (8)  |      |                             |                                          |           |
| (9)  |      |                             |                                          |           |
| (10) |      |                             |                                          |           |
| (11) |      |                             |                                          |           |
| (12) |      |                             |                                          |           |

NOTE: A nomination must be made by at least 10 voters registered in the Ward.

3. CANDIDATE’S CONSENT AND CONTACT DETAILS

I, .....  
Surname First Name and Other Names  
(All names to appear as on the National Identity Card)

National Identity Number:.....

Gender: Male ☐ Female ☐ (Tick appropriate box)

Of:  
Residential Address .....  
Postal Address .....  
Phone Number.....  
Email Address.....

being the candidate nominated above and being qualified for election as Councillor, DO  
HEREBY CONSENT to the above nomination.

.....  
(Signature of Candidate) (Date)

4. CANDIDATE’S DETAILS AND ATTACHMENTS

(Tick appropriate boxes)

- (i) ☐ I am a Candidate sponsored by ..... Political Party.  
☐ I am an Independent Candidate
- (ii) My name shall appear on the ballot paper, as it appears on my National Identity Card which has been attached, as follows:

.....

(Signature of Candidate)

.....

(Date)

- (iii)☐ I have attached in Appendix 1 a distinctive symbol to appear on the ballot paper.  
NOTE: Failure to attach your symbol to this nomination form will result in the ballot paper being printed without any symbol.
- (iv)☐ I have attached in Appendix 2, a photocopy of my Voter Registration Certificate showing that I am a registered voter in .....Constituency  
☐ I have attached my passport size photograph.
- (v) ☐ I am able to speak and read the English language well enough to take an active part in the proceedings of the Local Council and have made a statutory declaration in Appendix 3.

5. POLITICAL PARTY ENDORSEMENT OF CANDIDATE

I, .....  
(Print the name of the Authorized Office Bearer)

of .....  
(Print the name of the Political Party in full)

being authorized to do so, certify that the above-named candidate is standing for or being sponsored by the said political party, which is duly registered in accordance with the Political Parties Act, 2018 and is in possession of the Certificate of Registration issued by the Registrar of Political Parties on .....DD/ .....MM/.....YYYY

(Attach copy of Political Party’s Certificate of Registration in Appendix 6)

|                                                      |                                                      |
|------------------------------------------------------|------------------------------------------------------|
| <div>Official Stamp of<br/>the Political Party</div> | .....<br>(Signature of the Authorized Office Bearer) |
|                                                      | Tel: .....                                           |
|                                                      | Cell: .....                                          |
|                                                      | Email Address: .....                                 |

6 QUALIFICATIONS FOR NOMINATION

Complete the Statutory Declaration below.

I, .....  

SurnameFirst Name and Other Names

Born on ..... DD / MM / YYYY  
Date of birth

of .....

.....  
(Print your residential address in full)

Do solemnly and sincerely declare, in line with section 38(2) of the Presidential, Parliamentary and Local Government Elections Act, 2023 that:

- ☐ I do not owe allegiance to a foreign country
- ☐ I have not been adjudged or otherwise declared to be of unsound mind.
- ☐ I have not within the last seven years been convicted by a competent court of a crime involving dishonesty or moral turpitude.
- ☐ I am not an undischarged bankrupt under any law in Malawi.
- ☐ I do not hold or act in a public office or appointment.
- ☐ I neither belong to nor serve in the Malawi Defence Force, the Malawi Police Service or the Malawi Prison Service
- ☐ I have not within the last seven years, been convicted by a competent court of violation of any law relating to elections

.....  
(Signature of person making the declaration)

Declared at .....

Before me.....  
Name of Magistrate or Commissioner for Oaths

.....  
Signature and stamp of Commissioner for OathsDate

APPENDIX 1 - DISTINCTIVE SYMBOL TO APPEAR ON THE BALLOT PAPER

Attach or paste a copy of your symbol below.

NOTE Any symbol provided here, that is indecent or obscene or is too complex or elaborate to be reproduced on a ballot paper or so closely resembles the symbol of any other candidate contesting the election or the recognized symbol of any other candidate or of any political party, other than the political party, if any, for which you are standing or which is sponsoring you as to be likely to cause confusion may be rejected by the Commission.

APPENDIX 2 - COPY OF NATIONAL IDENTITY CARD, VOTER REGISTRATION  
CERTIFICATE AND PASSPORT SIZE PHOTOGRAPH

Attach or paste Passport  
size photograph with  
white background (HERE)

Attach or paste or copy  
of Voter Registration  
Certificate (HERE)

Attach or paste  
copy of National  
ID (HERE)

Note: A candidate or his/her election representative may request the Returning Officer to examine the nomination paper and supporting documents before they are tendered and be advised whether in the Returning Officer’s opinion, they are in order.

APPENDIX 3 – EVIDENCE OF ENGLISH PROFICIENCY

Complete the statutory declaration below as evidence of your ability to speak and read the English language.

I, .....  
*Surname* *First Name and Other Names*  
of.....  
.....  
(Print your residential address in full)

Do solemnly and sincerely declare that:I am able to speak and read the English language well enough to take an active part in the proceedings of the Council.

.....  
(Signature of person making the declaration)

Declared at .....

Before me.....  
*Signature and stamp of Commissioner for Oaths* *Date*

.....  
*Name of Magistrate or Commissioner for Oaths*

APPENDIX 4 – EVIDENCE OF CITIZENSHIP AND AGE

Complete the statutory declaration below or attach evidence of your citizenship and age.

I, .....  
Surname First Name and Other Names  
of.....  
.....  
(Print your residential address in full)

Do solemnly and sincerely declare that:  
☐ I am a citizen of Malawi.  
☐ I have attained the age of twenty-one years.

.....  
(Signature of person making the declaration)

Declared at .....  
Before me.....  
Signature and stamp of Commissioner for Oaths Date  
.....  
Name of or Commissioner for Oaths

APPENDIX 5 – APPOINTMENT OF ELECTION REPRESENTATIVE

Complete details below to appoint your election representative

I, .....  
Surname First Name and Other Names  
of ..... intending to contest for election as  
(Print location)

Councillor for .....Ward.....Constituency  
.....Council, wish to appoint  
Prof/Dr/Rev/Mr/Mrs/Ms.....  
(Print full name)

to be my election representative in line with the provisions of the Presidential, Parliamentary and Local Government Elections Act, 2023.

His/her contact details are:  
Physical Address.....  
Postal Address.....  
Cell Phone Number(s).....  
Email Address.....

.....  
Signature of Candidate Signature of Election Representative  
.....  
Name of Candidate Name of Election Representative  
Date.....

APPENDIX 6 – POLITICAL PARTY REGISTRATION CERTIFICATE

*Attach Certified Copy of Political Party Registration Certificate below*

FORM 7A

(s. 28(7))

NOTICE OF DEFECTIVE NOMINATION FORM FOR ELECTION AS  
PRESIDENT

MALAWI ELECTORAL COMMISSION

NOTICE OF DEFECTIVE NOMINATION FORM FOR ELECTION AS PRESIDENT

Section 28 (7) of the Presidential, Parliamentary and Local Government Elections Act,  
2023

The Chief Elections Officer

To:

.....

.....

*(Print the name and address of the Candidate)*

Receipt of your Nomination Form for election as President is acknowledged but I am unable to accept the nomination at this stage due to the following reason(s):

.....

.....

.....

You have until .....hours on.....which is the closing time of the nomination period, to provide me with the necessary documentation or make the necessary corrections as listed above otherwise, your nomination shall be rejected.

Chief Elections Officer.....

Signature..... (Date).....

*To be completed in duplicate, original to the prospective candidate and duplicate to be retained by the Commission*

FORM 7B

(s. 39(3))

NOTICE OF DEFECTIVE NOMINATION FORM FOR ELECTION AS MEMBER OF  
PARLIAMENT

MALAWI ELECTORAL COMMISSION

NOTICE OF DEFECTIVE NOMINATION FORM FOR ELECTION AS MEMBER OF  
PARLIAMENT

The Returning Officer

.....Constituency

.....Council

To:

.....

.....

.....

*(Print the name and address of the Candidate)*

Receipt of Nomination Form for election as Member of Parliament is acknowledged but I am unable to accept the nomination at this stage due to the following reason(s):

.....

.....

.....

.....

You have until ..... hours on ..... which is the closing time of the nomination period, to provide me with the necessary documentation or make the necessary corrections as listed above otherwise, your nomination shall be rejected

Name of Returning Officer.....

Signature..... (Date).....

*To be completed in duplicate, original to prospective candidate and duplicate to be retained by the Returning Officer*

FORM 7C

(s.39(3))

NOTICE OF DEFECTIVE NOMINATION FORM FOR ELECTION AS COUNCILLOR

MALAWI ELECTORAL COMMISSION

NOTICE OF DEFECTIVE NOMINATION FORM FOR ELECTION AS COUNCILLOR

The Returning Officer

.....Ward

.....Constituency  
.....Council

To: (Print the name and address of the Candidate)

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

Receipt of your Nomination Form for election as Councillor is acknowledged but I am unable to accept the nomination at this stage due to the following reason(s):

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

You have until ..... hours on ..... which is the closing time of the nomination period, to provide me with the necessary documentation or make the necessary corrections as listed above otherwise, your nomination shall be rejected

Name of Returning Officer.....

Signature..... (Date).....

*To be completed in duplicate, original to the prospective candidate and duplicate to be retained by the Returning Officer*

FORM 8A (s.43)

NOTICE OF NO DULY NOMINATED CANDIDATE FOR ELECTION AS MEMBER OF PARLIAMENT

MALAWI ELECTORAL COMMISSION

NOTICE OF NO DULY NOMINATED CANDIDATE FOR ELECTION AS MEMBER PARLIAMENT

To: The Chief Elections Officer

From: The Returning Officer

*Print name of Constituency*

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

In accordance with section 43 of the Presidential, Parliamentary, and Local Government Elections Act, 2023, I hereby notify you that at the close of nominations at .....PM on....., no candidate submitted nomination/ was duly nominated for election as Member of Parliament in.....Constituency in.....Council

Name of Returning Officer.....

Signature..... (Date).....

IMPORTANT

**If no candidate has been duly nominated within the allowed nomination period, the Commission shall publish a notice in the Gazette to extend the nomination period to a date not later than seven days before the polling day.**

FORM 8B

(s.43)

NOTICE OF NO DULY NOMINATED CANDIDATE OR RECEIVED FOR ELECTION AS COUNCILLOR

MALAWI ELECTORAL COMMISSION

NOTICE OF NO DULY NOMINATED CANDIDATE FOR ELECTION AS COUNCILLOR

To: The Chief Elections Officer

From: The Returning Officer

*Print name of Ward and Constituency*

.....

.....

.....

In accordance with section 43 of the Presidential, Parliamentary, and Local Government Elections Act, 2023, I hereby notify you that at the close of nominations at .....PM on....., no candidate submitted nomination/was duly nominated for the election as Councillor in.....Ward in .....Constituency in.....Council

Name of Returning Officer.....

Signature of Returning Officer..... (Date).....

IMPORTANT

**If no candidate has been duly nominated within the allowed nomination period, the Commission shall publish a notice in the Gazette to extend the nomination period to a date not later than seven days before the polling day.**

FORM 9A

(s. 45)

NOTICE OF ONLY ONE CANDIDATE DULY NOMINATED FOR ELECTION AS  
MEMBER OF PARLIAMENT

MALAWI ELECTORAL COMMISSION

NOTICE OF ONLY ONE CANDIDATE DULY NOMINATED FOR ELECTION AS  
MEMBER OF PARLIAMENT

To: The Chief Elections Officer

From: The Returning Officer

*Print name of Constituency and Council*

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

Take notice that at the end of the period allowed for nomination of candidates for election as Member of Parliament, on ..... (date) at ..... PM, only one candidate was duly nominated in the constituency.

The name of the Candidate is:

.....  
.....

*(Print the name of the candidate and his or her affiliation)*

Therefore, the said candidate.....has been publicly declared elected as Member of Parliament for .....Constituency in.....Council

Name of Returning Officer.....

Signature of Returning Officer..... (Date).....

FORM 9B

(s.45)

NOTICE OF ONLY ONE CANDIDATE DULY NOMINATED FOR ELECTION AS  
COUNCILLOR

MALAWI ELECTORAL COMMISSION

NOTICE OF ONLY ONE CANDIDATE DULY NOMINATED FOR ELECTION  
AS COUNCILLOR

To: The Chief Elections Officer

From: The Returning Officer

*Print name of Ward, Constituency and Council*

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

Take notice that at the end of the period allowed for nomination of candidates for election as Councillor only one candidate was duly nominated in the ward.

The name of the Candidate is:

.....  
.....

*(Print the name of the candidate and his or her affiliation)*

Therefore, the said candidate..... has been publicly  
declared elected as Councillor for..... Ward  
.....Constituency in.....Council

Name of Returning Officer: .....

Signature of Returning Officer..... (Date).....

FORM 10A (s.43)

NOTICE AND STATEMENT OF REJECTION OF NOMINATION OF A CANDIDATE  
FOR ELECTION AS PRESIDENT

The Chief Elections Officer

To:  
.....  
.....

*(print the name and address of the Candidate)*

Receipt is acknowledged of your nomination form to contest in Election /By election  
in.....Constituency

I am unable to accept your nomination and have therefore rejected it on the following  
grounds:

*(Tick appropriate box(es))*

- ☐ Lodged nomination form not in accordance with the Act
- ☐ Not qualified for election or obtained nomination by fraud or false pretence
- ☐ Symbol or abbreviation submitted is indecent, obscene, or too complex or too elaborate to be produced on a ballot paper
- ☐ Symbol submitted closely resembles that of another candidate or political party and is likely to cause confusion
- ☐ Misrepresentation of sponsoring Political Party
- ☐ Submitted nomination form is not in order
- ☐ Appropriate Nomination fee was not received
- ☐ Not qualified for the election
- ☐ Owes allegiance to a foreign country
- ☐ Late submission

If you have reason (s) to dispute my decision, you may appeal or refer the matter to the High Court for determination.

Signature of Chief Elections Officer ..... Date.....

IMPORTANT

Upon a nomination form being rejected, the Chief Elections Officer shall sign on each page of the form, photocopy, give the original copy to the candidate and retain a copy.

To be completed in duplicate, original to the prospective candidate and duplicate to be retained by the Commission

FORM 10B (s.42)

NOTICE AND STATEMENT OF REJECTION OF NOMINATION OF A CANDIDATE FOR ELECTION AS MEMBER OF PARLIAMENT

MALAWI ELECTORAL COMMISSION

NOTICE AND STATEMENT OF REJECTION OF NOMINATION OF CANDIDATE FOR ELECTION AS MEMBER OF PARLIAMENT

The Returning Officer

.....Constituency  
.....Council  
(Print the Constituency and Council name)

To: .....  
(Print the name and address of the Candidate below)

Receipt is acknowledged of your nomination form to contest in Election /By election in.....Constituency

I am unable to accept your nomination and have therefore rejected it on the following grounds:

(Tick appropriate box(es))

- ☐ Lodged nomination form not in accordance with the Act
- ☐ Not qualified for election or obtained nomination by fraud or false pretence
- ☐ Symbol or abbreviation submitted is indecent, obscene, or too complex or too elaborate to be produced on a ballot paper
- ☐ Symbol submitted closely resembles that of another candidate or political party and is likely to cause confusion
- ☐ Misrepresentation of sponsoring Political Party
- ☐ Submitted nomination form is not in order
- ☐ Appropriate Nomination fee was not received
- ☐ Not qualified for the election
- ☐ Duly nominated for another Ward or Constituency
- ☐ Late submission

If you have reason (s) to dispute my decision, you may appeal or refer the matter to the High Court for determination.

Name of Returning Officer.....

Signature of Returning Officer..... (Date).....

IMPORTANT

Upon a nomination form being rejected, the Chief Elections Officer shall sign on each page of the form, photocopy, give the original copy to the candidate and retain a copy.

To be completed in duplicate, original to the prospective candidate and duplicate to be retained by the Commission

FORM 10C (s.42)

NOTICE AND STATEMENT OF REJECTION OF NOMINATION OF A CANDIDATE AS COUNCILLOR

MALAWI ELECTORAL COMMISSION

NOTICE AND STATEMENT OF REJECTION OF NOMINATION OF A CANDIDATE AS COUNCILLOR

The Returning Officer

.....Ward  
.....Constituency  
.....Council  
(print the Ward, Constituency and Council name)

To: .....

.....  
(Print the name and address of the Candidate)

Receipt is acknowledged of your nomination form to contest in .....  
... Election /By-election in ..... Constituency

I am unable to accept your nomination and have therefore rejected it on the following grounds:

(Tick appropriate box(es))

- ☐ Lodged nomination form not in accordance with the Act
- ☐ Not qualified for election or obtained nomination by fraud or false pretence
- ☐ Symbol or abbreviation submitted is indecent, obscene, or too complex or too elaborate to be produced on a ballot paper
- ☐ Symbol submitted closely resembles that of another candidate or political party and is likely to cause confusion
- ☐ Misrepresentation of sponsoring political party
- ☐ Submitted nomination form is not in order

- ☐ Deposit was not lodged with nomination form
- ☐ Not qualified for the election
- ☐ Duly nominated for another Ward
- ☐ Late submission of nomination form
- If you have reason (s) to dispute my decision, you may refer the matter to the High Court for determination.

Name of Returning Officer.....

Signature of Returning Officer..... (Date).....

IMPORTANT

Upon a nomination form being rejected, the Chief Elections Officer shall sign on each page of the form, photocopy, give the original copy to the candidate and retain a copy.

To be completed in duplicate, original to the prospective candidate and duplicate to the Returning Officer

FORM 11A

(s.31)

NOTICE OF WITHDRAWAL OF A CANDIDATE FOR ELECTION AS PRESIDENT

MALAWI ELECTORAL COMMISSION

NOTICE OF WITHDRAWAL OF A CANDIDATE FOR ELECTION AS PRESIDENT

(s.31 of the Presidential, Parliamentary and Local Government Elections Act, 2023)

.....

.....

.....

*(Print Candidate’s name and address clearly in capital letters)*

To: The Chief Elections Officer

I, .....  
*(Print candidate’s name in full)*

being a candidate who has been duly nominated for election as President do hereby voluntarily withdraw my nomination.

.....  
*(Signature of Candidate)*

.....  
*(Date)*

Signed before me at .....

.....  
*(Signature and Stamp of Commissioner for Oaths)*

.....  
*(Print name in full)*

Commissioner for Oaths

FORM 11B

(s. 48(2))

NOTICE OF WITHDRAWAL OF A CANDIDATE FOR ELECTION AS MEMBER OF PARLIAMENT

MALAWI ELECTORAL COMMISSION

NOTICE OF WITHDRAWAL OF A CANDIDATE FOR ELECTION AS MEMBER OF PARLIAMENT

(Section 48 of the Presidential, Parliamentary and Local Government Elections Act, 2023)

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

(Print Candidate’s name and address clearly in capital letters)

To: The Returning Officer  
.....Constituency.....Council  
(Print the Returning Officer’s address)

I, .....  
(print your name in full)

being a candidate who has been duly nominated for election as Member of Parliament do hereby voluntarily withdraw my nomination.

.....  
(Signature of Candidate).....(Date)

Signed before me at .....

.....  
(Signature and Stamp of Commissioner for Oaths)  
.....  
(Print name in full)

Commissioner for Oaths

FORM 11C

(s. 48(2))

NOTICE OF WITHDRAWAL OF A CANDIDATE FOR ELECTION AS A COUNCILLOR

MALAWI ELECTORAL COMMISSION

NOTICE OF WITHDRAWAL OF A CANDIDATE FOR ELECTION AS A COUNCILLOR

(Section 48 of the Presidential, Parliamentary and Local Government Elections Act, 2023)

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

(Print Candidate’s name and address clearly in capital letters)

To: The Returning Officer  
.....Ward .....Constituency .....Council  
(Print the Returning Officer’s address)

I, .....  
(Please print your name in full)

being a candidate who has been duly nominated for election as a Councillor for  
.....Ward, do hereby voluntarily withdraw my nomination.

.....  
(Signature of Candidate) (Date)

Signed before me at .....

.....  
(Signature and Stamp of Commissioner for Oaths)

.....  
(Please Print name in full)

Commissioner for Oaths

NOTICE OF DEATH, DISQUALIFICATION OR INCAPACITATION OF A  
CANDIDATE FOR ELECTION AS PRESIDENT

MALAWI ELECTORAL COMMISSION

NOTICE OF DEATH, DISQUALIFICATION OR INCAPACITATION OF A  
CANDIDATE FOR ELECTION AS PRESIDENT

Notice is hereby given that .....who was a duly nominated candidate for election as President has died/been disqualified/is incapacitated.

(cross out the part that is not applicable)

The Candidate was being sponsored by.....Party/ was an Independent Candidate.

Please find attached the documentation received by the Commission regarding the candidate’s death/incapacitation.

Considering that the candidate who has died/been disqualified/is incapacitated having been sponsored by a political party the proceeding relating to the election have been suspended\*.

.....  
*Signature of Chief Elections Officer* *Date*  
\*to be included when applicable

NOTICE OF DEATH, DISQUALIFICATION OR INCAPACITATION OF A RUNNING  
MATE TO A PRESIDENTIAL CANDIDATE

MALAWI ELECTORAL COMMISSION

NOTICE OF DEATH, DISQUALIFICATION OR INCAPACITATION OF A RUNNING  
MATE TO A PRESIDENTIAL CANDIDATE

Notice is hereby given that .....who was duly nominated as a running mate to presidential candidate.....has died/been disqualified/is incapacitated.

(cross out the part that is not applicable)

The running mate was being sponsored by.....Party/ was an Independent Candidate.

Please find attached the documentation received by the Commission regarding the running mate’s death/disqualification/incapacitation.

Considering that the running mate who has died/been disqualified/is incapacitated having been sponsored by a political party the proceeding relating to the election have been suspended\*.

.....  
*Signature of Chief Elections Officer* *Date*  
\*to be included when applicable

FORM 12B

(s. 49 (1) (2) & (3))

NOTICE OF DEATH OR DISQUALIFICATION OF A CANDIDATE FOR ELECTION  
AS A MEMBER OF PARLIAMENT

MALAWI ELECTORAL COMMISSION

NOTICE OF DEATH OR DISQUALIFICATION OF A CANDIDATE FOR ELECTION  
AS A MEMBER OF PARLIAMENT

The Returning Officer

.....Constituency

.....Council

*(Print constituency name and address)*

To: The Chief Elections Officer

Take notice that candidate .....who had been duly nominated  
for election as Member of Parliament for.....Constituency,  
has died/been disqualified.

*(cross out the part that is not applicable)*

The Candidate was being sponsored by..... Party/ was an  
Independent Candidate.

Please find attached the documentation received by me regarding the candidate’s  
death/disqualification

Considering who has died/been disqualified/is incapacitated having been sponsored by a  
political party the proceeding relating to the election have been suspended\*.

Name of Returning Officer.....

Signature..... (Date).....

*\*to be included when applicable*

IMPORTANT

The Commission shall, where an election has been stopped by this notice, declare that all  
proceedings relating to the election in that constituency are void and that all proceedings  
relating to that election shall be commenced afresh in the same manner as if a vacancy had  
occurred.

A candidate who was duly nominated and intends to contest in the subsequent election must  
notify the Returning Officer in writing of his or her intention to do so and the Commission  
shall treat the candidate as duly nominated for the by-election.

FORM 12C

(s. 49 (1) (2) & (3))

NOTICE OF DEATH OR DISQUALIFICATION OF A CANDIDATE FOR ELECTION  
AS A COUNCILLOR

MALAWI ELECTORAL COMMISSION

NOTICE OF DEATH OR DISQUALIFICATION OF A CANDIDATE FOR ELECTION  
AS A COUNCILLOR

The Returning Officer

.....Ward

.....Constituency

.....Council

*(Print ward, constituency and council name and address clearly in capital letters)*

To: The Chief Elections Officer

Take notice that candidate .....who  
had been duly nominated for election as Councillor in.....ward  
in.....Constituency, has died/been disqualified.

*(cross out the part that is not applicable)*

The Candidate was being sponsored by..... Party/ was an  
Independent Candidate.

Please find attached the documentation received by me regarding the candidate’s  
death/disqualification

Considering who has died/been disqualified/is incapacitated having been sponsored by a  
political party the proceeding relating to the election have been suspended\*.

Name of Returning Officer.....

Signature..... (Date).....

\*to be included when applicable

IMPORTANT

The Commission shall, where an election has been stopped by this notice, declare that all  
proceedings relating to the election in that ward are void and that all proceedings relating to  
that election shall be commenced afresh in the same manner as if a vacancy had occurred.

A candidate who was duly nominated and intends to contest in the subsequent election must  
notify the Returning Officer in writing of his or her intention to do so and the Commission  
shall treat the candidate as duly nominated for the by-election.

NOTICE OF APPOINTMENT OF A REPLACEMENT OF RUNNING MATE TO A  
PRESIDENTIAL CANDIDATE

MALAWI ELECTORAL COMMISSION

NOTICE OF APPOINTMENT OF A REPLACEMENT OF A RUNNING MATE TO A  
PRESIDENTIAL CANDIDATE

To: The Chief Elections Officer

From:

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

(Print name and address of Candidate clearly in capital letters )

I, .....being a candidate duly nominated for election as President,  
hereby give notice to the Commission that .....who was  
my running mate for election as President has

- [    ] died
- [    ] withdrawn
- [    ] been disqualified
- [    ] become incapacitated.

I have therefore appointed.....to be my running  
mate.

I have attached the consent and details of the person so appointed to be my running mate.

Signature of the Candidate:..... Date:.....

Before me:

Commissioner for Oaths

Name and Official Stamp of the Commissioner for Oaths

Date:.....

CONSENT AND CONTACT DETAILS FOR PRESIDENTIAL CANDIDATE’S  
RUNNING MATE

(Print your name in full)

I, .....  

SurnameFirst Name and Other Names

All names to appear as on the National Identity Card

of.....  
.....  
(Print your postal address in full, phone numbers and email address)

being the person appointed above as running mate to Presidential Candidate.....  
..... and being qualified for election as Vice-President, DO  
HEREBY CONSENT to the above appointment.

.....  
(Signature of Running Mate)

.....  
(Date)

DETAILS AND ATTACHMENTS FOR PRESIDENTIAL CANDIDATE’S RUNNING  
MATE

(i) My name shall appear on the ballot paper, as it appears on my National Identity Card  
which has been attached, as follows:  
.....  

SurnameFirst Name and Other Names

  
National Identity Card Number.....

(ii) I am a citizen of Malawi by birth or descent, I do not hold dual citizenship, has attained  
the age of 35. I have attached:  

☐ A copy of my National Identity card.  
☐ My passport size photograph.

PRESIDENTIAL CANDIDATE’S RUNNING MATE COPY OF NATIONAL IDENTITY  
CARD AND PASSPORT SIZE PHOTOGRAPH

Attach copies of your National Identity Card and recent passport size photograph below

Attach or Paste passport  
size photograph with  
white background

Attach or Paste copy  
of National  
Identity Card

PRESIDENTIAL CANDIDATE’S RUNNING MATE STATUTORY DECLARATION

Complete the Statutory Declaration below.

.....

*Surname*

*First Name and Other Names*

.....

Having been nominated as a running mate to a presidential candidate do solemnly and sincerely declare that:

- ☐ I have not been adjudged or declared to be of unsound mind
- ☐ I am not an undischarged bankrupt
- ☐ I have not been convicted of a crime involving dishonesty or moral turpitude within the last seven years
- ☐ I do not owe allegiance to a foreign country
- ☐ I am neither a holder of public office nor a Member of Parliament
- ☐ I am not a serving member of the Malawi Defence Force or Malawi Police Service
- ☐ I have not been convicted of any violation of any electoral law within the last seven days

.....

(Signature of person making the declaration)

.....

Declared at .....  
Before Me

.....

Commissioner for Oaths

This.....day of .....20....

Signature and stamp of Commissioner for Oaths

FORM 14A

(ss. 16(1) & 67(2))

SUBMISSION OF LIST OF POLITICAL PARTY/ INDEPENDENT CANDIDATE  
REPRESENTATIVES ASSIGNED TO A CENTRE OR POLLING STATION

Council Code:.....

Constituency Code:.....

Council Name:.....

Constituency Name:.....

Ward Code:.....

Ward Name:.....

Take notice that.....[Name of Political  
Party/Independent Candidate] has appointed the following as representatives at the  
indicated centre or polling station:

|    | <i>Names of Representatives</i> | <i>Name of Polling Station or Centre</i> |
|----|---------------------------------|------------------------------------------|
| 1  |                                 |                                          |
| 2  |                                 |                                          |
| 3  |                                 |                                          |
| 4  |                                 |                                          |
| 5  |                                 |                                          |
| 6  |                                 |                                          |
| 7  |                                 |                                          |
| 8  |                                 |                                          |
| 9  |                                 |                                          |
| 10 |                                 |                                          |

.....  
Name of Authorized Office Bearer/Candidate  
.....  
Position

.....  
Signature  
.....  
Date

IMPORTANT

1. A political party or independent candidate is entitled to a maximum of two representatives per voter registration centre or polling station.
2. The Commission may prescribe the maximum number of representatives to be placed at a tally centre.

FORM 14B

(s.103(1))

APPLICATION FOR ACCREDITATION OF ELECTION OBSERVERS

MALAWI ELECTORAL COMMISSION

APPLICATION FOR ACCREDITATION AS AN ELECTION OBSERVER FOR AN ELECTION

Part 1 : Applicant’s Details

1. Observer Organization Details:
- (i) Name of Organization: .....

(ii) Telephone Number: .....

(iii) E-mail Address: .....

(iv) Registration Number: .....

(v) Founding Date: .....

(vi) Address of Registered Office of Applicant: .....

(vii)Contact Person Details(Person in charge of co-ordinating the applicant’s observers)  
.....

- 2. Details of Official who will be responsible co-ordinating the applicant’s observers:—
  - (i) Name: .....
  - (ii) Surname: .....
  - (iii) ID / Passport number: .....
  - (iv) E-mail Address: .....
  - (v) Cell phone Number: .....
- 3. I/we have attached/submitted the following:
  - (i) Organization logo.
  - (ii) Copy of deed of foundation or constitution of the Organization.
  - (iii) Brief statement of the reasons why the applicant is suitable for accreditation to observe the election process.
  - (iv) Names and particulars of persons (observers) appointed by applicant (see form below)
  - (v) Subscription and Declaration to be bound by the Code of Conduct for Election Observers by the Applicant and individual observers appointed by the Applicant.
- 4. State whether you are applying as a long time or short time observer  
Dated this..... day....., 20....  
Name:.....  
Designation:.....  
Signature:.....

INSTRUCTIONS

- 1. This form is to be used for application for Local Roving Observers and International Observers.
- 2. Every nominated observer should fill the declaration form and submit it through the designated coordinator for the mission.
- 3. Every nominated observer should submit an electronic picture through the designated coordinator for the mission in Jpeg or TIFF format. No hard copies will be accepted.
- 4. Names of nominated local observers to be domiciled at a centre or polling station should be submitted to the respective Commission’s council office.
- 5. It shall be the responsibility of the mission to withdraw an accreditation badge or ID from a nominated person should they cease to be an observer with their mission/group. The withdrawn badge/ID should be surrendered to the Commission at any of its designated office.
- 6. Individuals applying for accreditation on their own right should provide a justification for such application.

Part 2 : Declaration to be bound by Code of Conduct

Section A

APPLICANT’S DECLARATION TO BE BOUND BY THE CODE OF CONDUCT FOR ELECTION OBSERVERS AND LAWS GOVERNING ELECTIONS IN MALAWI

We, ....[Name of Organization]

Whose contact details have been provided in the application form hereby declare that—

- (a) the mission and its nominated observers in the list submitted to the Malawi Electoral Commission shall be bound by the Code of Conduct, the laws governing elections in Malawi and such other rules, codes and directions that may be made, from time to time by the Commission, for the purpose of conduct of elections and giving effect to the code of conduct, at all times, during the subsistence of our term as an election observer mission; and
- (b) all rights and privileges, including identification badges, cards or such emblems accorded to us by virtue of the accreditation as election observers, shall be used only for the purpose of observing the electoral process, at the location of assignment.

Dated this ..... day of ....., 20...

Designation:.....

Signature:.....

Section B

NOMINATED OBSERVERS’ DECLARATION TO BE BOUND BY THE CODE OF CONDUCT FOR ELECTION OBSERVERS AND LAWS GOVERNING ELECTIONS IN MALAWI

I,..... [Name of Observer]

Who has been nominated and appointed by [Name of Mission] hereby declare that—

- (a) I shall be bound by the Code of Conduct for Election Observers, laws governing elections in Malawi, and such other rules, codes and directions that may be made from time to time by the Commission, for the purpose of conduct of elections and giving effect to the code of conduct, at all times, during the subsistence of my term as an election observer; and
- (b) all rights and privileges, including identification badges, cards or such emblems accorded to me by virtue of the accreditation as an election observer shall be used only for the purpose of observing the electoral process, at the location of assignment and passage to such location.

Dated this..... day of....., 20...

Signature:.....

Part 3 : Names and Particulars of Individuals Appointed as Observers

NAMES AND PARTICULARS OF PERSONS (OBSERVERS) APPOINTED BY  
APPLICANT

Name of Organization:.....

Contact details of person submitting names and particulars of election observers

Name :.....

Phone number :.....

Email Address :.....

*This MUST be the person authorized by the election observer mission to be in contact with the Malawi Electoral Commission*

| No. | Name | Nationality | Full Address | ID Number | Phone Number |
|-----|------|-------------|--------------|-----------|--------------|
|     |      |             |              |           |              |
|     |      |             |              |           |              |
|     |      |             |              |           |              |

FORM 14C (ss. 16(2) & 26(3))

LIST OF POLITICAL PARTY OR INDEPENDENT CANDIDATE REPRESENTATIVES  
ACCREDITED OR ASSIGNED TO A CENTRE OR POLLING STATION

From:

To:

Council Code:..... Constituency Code:.....

Council Name:..... Constituency Name:.....

Ward Code:..... Ward Name:.....

The following people have been appointed by various political parties, independent candidate(s) and have been duly accredited by the Commission. Please issue them with the prescribed identification document.

|    | Names of Representatives | Name of Polling Station or Centre |
|----|--------------------------|-----------------------------------|
| 1  |                          |                                   |
| 2  |                          |                                   |
| 3  |                          |                                   |
| 4  |                          |                                   |
| 5  |                          |                                   |
| 6  |                          |                                   |
| 7  |                          |                                   |
| 8  |                          |                                   |
| 9  |                          |                                   |
| 10 |                          |                                   |

|                                                                       |                                    |
|-----------------------------------------------------------------------|------------------------------------|
| .....<br><i>Name of Authorized Officer of the Commission</i><br>..... | .....<br><i>Signature</i><br>..... |
| <i>Position</i>                                                       | <i>Date</i>                        |

FORM 14D(ss. 16(2) & 26(3))

IDENTIFICATION DOCUMENT FOR A POLITICAL PARTY/ INDEPENDENT  
CANDIDATE REPRESENTATIVES ASSIGNED TO A CENTRE OR POLLING  
STATION

IDENTIFICATION DOCUMENT FOR A POLITICAL PARTY/INDEPENDENT  
CANDIDATE REPRESENTATIVE

EMBLEM

MALAWI ELECTORAL COMMISSION

[Type of the Election]

PARTY/CANDIDATE REPRESENTATIVE

Valid Until.....

FORM 14E(ss. 109(b), (c), 110 & 112)

IDENTIFICATION DOCUMENT FOR ELECTION OBSERVERS

EMBLEM

MALAWI ELECTORAL COMMISSION

[Type of the Election]

OBSERVER

Valid Until.....

MALAWI ELECTORAL COMMISSION

[Type of the Election]

ELECTION OBSERVER\*

Name of Observer

Country of Origin (Where applicable)

Name of Mission/Affiliation

Valid Until.....

Authorizing Signature

\*Optional

FORM 15

(s. 17(1)(c))

COMPLAINTS AND INCIDENTS LOGBOOK FOR A VOTER REGISTRATION  
CENTRE

MALAWI ELECTORAL COMMISSION

COMPLAINTS AND INCIDENTS LOGBOOK FOR VOTER REGISTRATION  
CENTRE

|                          |                                 |
|--------------------------|---------------------------------|
| Council Code :.....      | Council Name :.....             |
| Constituency Code :..... | Constituency Name:.....         |
| Ward Code :.....         | Ward Name:.....                 |
| Centre Code :.....       | Voter Registration Centre:..... |
| Election Process :.....  |                                 |

Instructions

This logbook is to be used to record complaints, and the decisions made on the complaints at this centre ONLY. It must also be used to record incidents that must be brought to the attention of the Malawi Electoral Commission. Please, record all details and make all entries in legible handwriting using black or blue pen together with name, signatures of the officer making the entries, date and time. Attach copies of written complaints received to the logbook.

Name of Complainant :.....

Affiliation(if applicable) :.....

Physical Address :.....

Phone Number :.....

Voter Registration Certificate Number/National Identity Number(if applicable):  
.....

Email :.....

Date:.....Time:.....

Complaint.....

.....

.....

Resolution/Response/Decision.....

.....

.....

Name of Authorized Officer of the Commission:

Designation:.....

Signature:.....Date:.....

FORM 16A (ss. 65(h), 86, 115 & 93(2)(e))

COMPLAINTS LOGBOOK FOR A POLLING STATION

MALAWI ELECTORAL COMMISSION

[Type of Election]

COMPLAINTS LOGBOOK FOR POLLING STATION

District Name:.....Code:.....

Constituency Name:.....Code:.....

Ward Name::.....Code:.....

Polling Station Name:.....Code:.....

Instructions

This logbook is to be used to record complaints and the decisions made on the complaints at this polling station ONLY. Please record all details and make all entries in legible handwriting using black or blue pen together with name, signatures of the officer making the entries, date and time. Attach copies of written complaints received to the logbook.

Name of Complainant :.....

Affiliation(if applicable) :.....

Physical Address :.....

Phone Number :.....

Voter Registration Certificate Number/National Identity Number(if applicable):.....

Email :.....

Date:.....Time:.....

Complaint

.....

.....

.....

Resolution/Response/Decision

.....

.....

.....

Name of Authorized Officer of the Commission:.....

Designation :.....

Signature:..... Date:.....

FORM 16B

(s. 93(2)(e))

COMPLAINTS AND INCIDENTS LOGBOOK FOR A CONSTITUENCY TALLY CENTRE

MALAWI ELECTORAL COMMISSION

[Type of Election]

COMPLAINTS AND INCIDENTS LOGBOOK FOR A CONSTITUENCY TALLY CENTRE

Council Name: ..... Code:.....

Constituency Name:..... Code:.....

Instructions

*This logbook is to be used to record complaints, and the decisions made on the complaints at this constituency tally centre ONLY. It must also be used to record incidents that must be brought to the attention of the Malawi Electoral Commission. Please, record all details and make all entries in legible handwriting using black or blue pen together with name, signatures of the officer making the entries, date and time. Attach copies of written complaints received to the logbook.*

Complaint

.....

.....

.....

Name of Complainant :.....

Affiliation(if applicable) :.....

Physical Address :.....

Phone Number :.....

Voter Registration Certificate Number/National Identity Number(if applicable):.....

Email :.....

Date :.....      Time:.....

Resolution/Response/Decision

.....

.....

.....

Name of Returning Officer.....

Signature.....      Date.....

FORM 16C(s. 94(1)(e))

COMPLAINTS AND INCIDENTS LOGBOOK FOR A COUNCIL TALLY CENTRE

MALAWI ELECTORAL COMMISSION

[Type of Election]

COMPLAINTS AND INCIDENTS LOGBOOK FOR COUNCIL TALLY CENTRE

Council Name: .....      Code:.....

Instructions

This logbook is to be used to record complaints, and the decisions made on the complaints at this council tally centre ONLY. It must also be used to record incidents that must be brought to the attention of the Malawi Electoral Commission. Please, record all details and make all entries in legible handwriting using black or blue pen together with name, signatures of the officer making the entries, date and time. Attach copies of written complaints received to the logbook.

Complainant

.....

.....

.....

Name of Complainant :.....

Affiliation(if applicable) :.....

Physical Address :.....

Phone Number :.....

Email :.....

Date :.....      Time:.....

Resolution/Response/Decision

.....

.....

.....

FORM 16D

(ss. 96 (1) & 99))

COMPLAINTS AND INCIDENTS LOGBOOK FOR THE NATIONAL TALLY CENTRE

MALAWI ELECTORAL COMMISSION

[Type of Election]

COMPLAINTS AND INCIDENTS LOGBOOK FOR THE NATIONAL TALLY CENTRE

Instructions

*This logbook is to be used to record complaints, and the decisions made on the complaints at this centre ONLY. It must also be used to record incidents that must be brought to the attention of the Malawi Electoral Commission. Please, record all details and make all entries in legible handwriting using black or blue pen together with name, signatures of the officer making the entries, date and time. Attach copies of written complaints received to the logbook.*

Complainant

.....

.....

.....

Name of Complainant :.....

Affiliation(if applicable) :.....

Physical Address :.....

Phone Number :.....

Email :.....

Date :..... Time:.....

Resolution/Response/Decision

.....

.....

.....

Name of Returning Officer.....

Signature..... Date.....

FORM 17  
RECORD OF POLLING PROCESS

(s.92(1))

MALAWI ELECTORAL COMMISSION  
RECORD OF POLLING PROCESS

TABLE OF CONTENTS

|                |                                                                                               |
|----------------|-----------------------------------------------------------------------------------------------|
| 1. PART A(i)   | Polling Station Officers’ attendance record on polling day                                    |
| 2. PART A(ii)  | Political Party/Independent Candidate representatives attendance on polling day               |
| 3. PART B      | Record of ballot boxes and seals received                                                     |
| 4. PART C      | Record of ballot box seals used                                                               |
| 5. PART D      | Polling station opening record                                                                |
| 6. PART E      | Polling station closing record                                                                |
| 7. PART F(i)   | Ballot paper account (Presidential Election)                                                  |
| 8. PART F(ii)  | Ballot paper reconciliation (Presidential Election)                                           |
| 9. PART G(i)   | Ballot paper account (Parliamentary Election)                                                 |
| 10. PART G(ii) | Ballot paper reconciliation (Parliamentary Election)                                          |
| 11. PART H(i)  | Ballot paper account (Local Election Election)                                                |
| 12. PART H(ii) | Ballot paper reconciliation (Local Government Election)                                       |
| 13. PART I     | Polling station record of results (Presidential Election)                                     |
| 14. PART J     | Polling station record of results (Parliamentary Election)                                    |
| 15. PART K     | Polling station record of results (Local Government Election)                                 |
| 16. PART L     | Political Party/Independent Candidate representatives & Election Observers receipt of results |
| 17. PART M     | Presiding Officer’s notes                                                                     |

PART A (i)

MALAWI ELECTORAL COMMISSION

POLLING STATION OFFICERS’ RECORD OF ATTENDANCE ON POLLING DAY

|                              |                            |
|------------------------------|----------------------------|
| REGION CODE : .....          | REGION NAME.....           |
| COUNCIL CODE : .....         | COUNCIL NAME:.....         |
| CONSTITUENCY CODE : .....    | CONSTITUENCY NAME:.....    |
| WARD CODE : .....            | WARD NAME:.....            |
| POLLING STATION CODE : ..... | POLLING STATION NAME:..... |

The Presiding Officer must record: names of all polling station officers, time of arrival and departure. Each polling station officer must sign against their names on leaving the polling station.

| <i>Position</i>                    | <i>Name of Officer</i> | <i>Time Arrived</i> | <i>Time Left</i> | <i>Signature</i> |
|------------------------------------|------------------------|---------------------|------------------|------------------|
| Presiding officer                  |                        |                     |                  |                  |
| Polling station officer 1          |                        |                     |                  |                  |
| Polling station officer 2          |                        |                     |                  |                  |
| Polling station officer 3          |                        |                     |                  |                  |
| Polling station officer 4          |                        |                     |                  |                  |
| Polling station officer 5          |                        |                     |                  |                  |
| Polling station officer 6          |                        |                     |                  |                  |
| Polling station officer 7          |                        |                     |                  |                  |
| Security officer                   |                        |                     |                  |                  |
| Security officer                   |                        |                     |                  |                  |
| Polling Station Operations Officer |                        |                     |                  |                  |

I certify that the polling station officers as listed above attended the polling station during the times specified against our names

Name of Presiding Officer.....

Signature of Presiding Officer..... Date.....

NOTE: The Polling Station Operations Officer and Security Officers must sign the Record of Attendance for all polling stations at the Centre

PART A (ii)

MALAWI ELECTORAL COMMISSION

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES RECORD  
OF ATTENDANCE ON POLLING DAY

REGION CODE:..... REGION NAME .....

COUNCIL CODE:..... COUNCIL NAME:.....

CONSTITUENCY CODE:..... CONSTITUENCY NAME:.....

WARD CODE:..... WARD NAME:.....

POLLING STATION CODE:..... POLLING STATION NAME.....

Political Party/Independent Candidate representatives to record their names, affiliation, time of arrival and signature

| <i>Name of Political Party/Independent<br/>Candidate Representatives</i> | <i>Affiliation</i> | <i>Time<br/>Arrived</i> | <i>Signature</i> |
|--------------------------------------------------------------------------|--------------------|-------------------------|------------------|
| 1                                                                        |                    |                         |                  |
| 2                                                                        |                    |                         |                  |
| 3                                                                        |                    |                         |                  |
| 4                                                                        |                    |                         |                  |
| 5                                                                        |                    |                         |                  |
| 6                                                                        |                    |                         |                  |
| 7                                                                        |                    |                         |                  |
| 8                                                                        |                    |                         |                  |
| 9                                                                        |                    |                         |                  |
| 10                                                                       |                    |                         |                  |
| 11                                                                       |                    |                         |                  |
| 12                                                                       |                    |                         |                  |
| 13                                                                       |                    |                         |                  |
| 14                                                                       |                    |                         |                  |
| 15                                                                       |                    |                         |                  |

I certify that the above listed Political Party/ Independent Candidate Representatives attended the polling station during the times specified against their names

Name of Presiding Officer.....

Signature of Presiding Officer..... Date.....

PART B

MALAWI ELECTORAL COMMISSION

RECORD OF BALLOT BOXES AND SEALS RECEIVED

REGION CODE:..... REGION NAME .....

COUNCIL CODE:..... COUNCIL NAME:.....

CONSTITUENCY CODE:..... CONSTITUENCY NAME:.....

WARD CODE:..... WARD NAME:.....

POLLING STATION CODE:..... POLLING STATION NAME.....

Record serial numbers of each ballot box and seal received

| Padlock Seals                    |  |                                   | Plastic Pull-through Seals |                                      |  |
|----------------------------------|--|-----------------------------------|----------------------------|--------------------------------------|--|
|                                  |  |                                   |                            |                                      |  |
|                                  |  |                                   |                            |                                      |  |
|                                  |  |                                   |                            |                                      |  |
|                                  |  |                                   |                            |                                      |  |
| Presidential Election Ballot Box |  | Parliamentary Election Ballot Box |                            | Local Government Election Ballot Box |  |
|                                  |  |                                   |                            |                                      |  |

I certify that I have received a total of ..... Ballot Boxes and .....  
.....Seals (Summation of Padlock Seals and Plastic pull through seals received)

Name of Presiding Officer.....

Signature of Presiding Officer..... Date.....

|  | Polling Station Officer's Name | Signature |
|--|--------------------------------|-----------|
|  |                                |           |
|  |                                |           |
|  |                                |           |

|  | Name of Political Party/Independent Candidate Representative | Affiliation | Signature |
|--|--------------------------------------------------------------|-------------|-----------|
|  |                                                              |             |           |
|  |                                                              |             |           |
|  |                                                              |             |           |

PART C

MALAWI ELECTORAL COMMISSION  
RECORD OF BALLOT BOX SEALS USED

1. Record the serial numbers of Plastic Pull-through seals used to seal the ballot boxes before start of polling.

| <i>TYPE OF ELECTION</i>              | <i>SEAL<br/>NUMBER 4</i> | <i>SEAL<br/>NUMBER 4</i> | <i>SEAL<br/>NUMBER 4</i> | <i>SEAL<br/>NUMBER 4</i> |
|--------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Presidential Election ballot box     |                          |                          |                          |                          |
| Parliamentary Election ballot box    |                          |                          |                          |                          |
| Local Government Election ballot box |                          |                          |                          |                          |

2. Record the serial numbers of Padlock seals used to seal the ballot boxes slot after the last voter has voted.

| <i>Presidential Election</i> | <i>Parliamentary Election</i> | <i>Local Government Election</i> |
|------------------------------|-------------------------------|----------------------------------|
|                              |                               |                                  |

3. Record the serial numbers of Plastic Pull-through seals removed immediately before counting commences. Put the removed Plastic Pull-through seals in an envelope labelled as such and put the envelope in the ballot box.

| <i>TYPE OF ELECTION</i>              | <i>SEAL<br/>NUMBER 4</i> | <i>SEAL<br/>NUMBER 4</i> | <i>SEAL<br/>NUMBER 4</i> | <i>SEAL<br/>NUMBER 4</i> |
|--------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Presidential Election ballot box     |                          |                          |                          |                          |
| Parliamentary Election ballot box    |                          |                          |                          |                          |
| Local Government Election ballot box |                          |                          |                          |                          |

NOTE:

- i. The serial numbers of the Plastic Pull-through seals removed, SHOULD BE THE SAME as the ones recorded before the start of polling.  
ii. DO NOT remove the PADLOCK SEAL used to seal the slot of the ballot box.
4. Record the serial numbers of Padlock seals used to seal the ballot boxes after the completion of the counts and before transporting the sealed ballot boxes to the Constituency Returning Officer's office.

| <i>TYPE OF ELECTION</i>              | <i>SEAL<br/>NUMBER 4</i> | <i>SEAL<br/>NUMBER 4</i> | <i>SEAL<br/>NUMBER 4</i> | <i>SEAL<br/>NUMBER 4</i> |
|--------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Presidential Election ballot box     |                          |                          |                          |                          |
| Parliamentary Election ballot box    |                          |                          |                          |                          |
| Local Government Election ballot box |                          |                          |                          |                          |

5. Record the serial numbers of any unused seals including damaged ones.

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

Name of Presiding Officer ..... Signature of Presiding Officer.....

|  | <i>Polling Station Officer's Name</i> | <i>Signature</i> |
|--|---------------------------------------|------------------|
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |

| <i>Name of Political Party/Independent Candidate Representatives</i> | <i>Affiliation</i> | <i>Signature</i> |
|----------------------------------------------------------------------|--------------------|------------------|
|                                                                      |                    |                  |
|                                                                      |                    |                  |
|                                                                      |                    |                  |
|                                                                      |                    |                  |

PART D

MALAWI ELECTORAL COMMISSION  
POLLING STATION OPENING RECORD  
CERTIFICATION FOR OPENING OF A POLL

I certify that this polling station opened at ..... AM/PM.

Name of Presiding Officer.....

Signature of Presiding Officer ..... Date..... Time.....

|  | <i>Polling Station Officer's Name</i> | <i>Signature</i> |
|--|---------------------------------------|------------------|
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |





## PART F (ii)

MALAWI ELECTORAL COMMISSION  
BALLOT PAPER RECONCILIATION  
PRESIDENTIAL ELECTION

|    |                                                                                                   | <i>In Figures</i> | <i>In Words</i> |
|----|---------------------------------------------------------------------------------------------------|-------------------|-----------------|
| 1  | Number of registered voters at this polling station                                               |                   |                 |
| 2  | Number of voters who were authorized to vote elsewhere                                            |                   |                 |
| 3  | Number of Voters Marked on the Certified Voters Register as voted                                 |                   |                 |
| 4  | Number of ballot papers UNUSED                                                                    |                   |                 |
| 5  | Number of ballot papers CANCELLED (i.e. Spoilt)                                                   |                   |                 |
| 6  | Number of ballot papers CANCELLED (i.e. found within the polling station BUT NOT in a ballot box) |                   |                 |
| 7  | TOTAL (Lines 4+5+6)                                                                               |                   |                 |
| 8  | Number of ballot papers COUNTED (i.e. taken from the ballot box)                                  |                   |                 |
| 9  | TOTAL (Lines 7+8)                                                                                 |                   |                 |
| 10 | TOTAL Number of ballot papers to be ACCOUNTED FOR (from row 5 in the table on PART F(i))          |                   |                 |
| 11 | DISCREPANCY (Line 9 minus Line10)                                                                 |                   |                 |
| 12 | Number of ballot papers subject of complaints, if any.                                            |                   |                 |

Name of Presiding Officer.....

Signature of Presiding Officer ..... Date.....

[illegible]

| Name of Political Party/Independent Candidate Representatives |  | Affiliation | Signature |
|---------------------------------------------------------------|--|-------------|-----------|
|                                                               |  |             |           |
|                                                               |  |             |           |
|                                                               |  |             |           |
|                                                               |  |             |           |

PART G (i)

MALAWI ELECTORAL COMMISSION  
BALLOT PAPER ACCOUNT  
PARLIAMENTARY ELECTION

NOTE: Rows 1 (a) and (b) 2 MUST be completed at the start of polling day. Rows 3 and 4 should be completed at the time of receipt or dispatch of ballot papers, if applicable. Row 5 MUST be completed at the end of polling

|    |                                                                                                                                                                       |  |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. | (a) - Number of ballot papers received from Constituency Returning Officer                                                                                            |  |
|    | (b) - Adjustments after check count. NOTE: The ballot papers must be counted prior to polling day Plus(+) or Minus(-)                                                 |  |
| 2. | ACTUAL number of ballot papers RECEIVED from Constituency Returning Officer                                                                                           |  |
| 3. | PLUS extra ballot papers RECEIVED from another polling stations or the Constituency Returning Officer on polling day (if applicable AND after check counting) Plus(+) |  |
| 4. | LESS extra papers DISPATCHED to other polling stations or the Constituency Returning Officer on polling day (if applicable) Minus(-)                                  |  |
| 5. | TOTAL number of ballot papers to be ACCOUNTED FOR (Transfer TOTAL to PART F(ii) line..... ) Minus(-)                                                                  |  |

Name of Presiding Officer.....

Signature of Presiding Officer ..... Date.....

| Polling Station Officer's Name | Signature |
|--------------------------------|-----------|
|                                |           |
|                                |           |
|                                |           |
|                                |           |
|                                |           |
|                                |           |

| Name of Political Party/Independent Candidate Representatives | Affiliation | Signature |
|---------------------------------------------------------------|-------------|-----------|
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |

PART G (ii)

MALAWI ELECTORAL COMMISSION  
BALLOT PAPER RECONCILIATION  
PARLIAMENTARY ELECTION

|    |                                                                                                                                                  | In Figures | In Words |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------|
| 1  | Number of registered voters at this polling station                                                                                              |            |          |
| 2  | Number of voters who were authorized to vote elsewhere                                                                                           |            |          |
| 3  | Number of Voters Marked on the Certified Voters Register as voted                                                                                |            |          |
| 4  | Number of ballot papers UNUSED                                                                                                                   |            |          |
| 5  | Number of ballot papers CANCELLED (i.e. Spoilt)                                                                                                  |            |          |
| 6  | Number of ballot papers CANCELLED (i.e. found in the polling station not in a ballot box)                                                        |            |          |
| 7  | TOTAL (Lines 4+5+6)                                                                                                                              |            |          |
| 8  | Number of ballot papers COUNTED (i.e. taken from the ballot box)                                                                                 |            |          |
| 9  | TOTAL (Lines 7+8)                                                                                                                                |            |          |
| 10 | TOTAL Number of ballot papers to be ACCOUNTED FOR (from row in the table on PART F(i) ..... ) TOTAL number of ballot papers to be ACCOUNTED FOR) |            |          |
| 11 | DISCREPANCY (Line 9 minus Line10)                                                                                                                |            |          |
| 12 | Number of ballot papers subject of complaints, if any.                                                                                           |            |          |

Name of Presiding Officer.....  
Signature of Presiding Officer ..... Date.....

|  | Polling Station Officer's Name | Signature |
|--|--------------------------------|-----------|
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |

| Name of Political Party/Independent Candidate Representatives | Affiliation | Signature |
|---------------------------------------------------------------|-------------|-----------|
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |

PART H(i)

MALAWI ELECTORAL COMMISSION  
BALLOT PAPER ACCOUNT  
LOCAL GOVERNMENT ELECTION

NOTE: Rows 1(a) and (b) 2 MUST be completed at the start of polling day. Rows 3 and 4 should be completed at the time of receipt or dispatch of ballot papers if applicable. Row 5 MUST be completed at the end of polling

|    |                                                                                                                                                                       |  |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. | (a)-Number of ballot papers received from Constituency Returning Officer                                                                                              |  |
|    | (b)-Adjustments after check count. NOTE: The ballot papers must be counted prior to polling day Plus(+) OR Minus(-)                                                   |  |
| 2. | ACTUAL number of ballot papers RECEIVED from Constituency Returning Officer                                                                                           |  |
| 3. | PLUS extra ballot papers RECEIVED from another polling stations or the Constituency Returning Officer on polling day (if applicable AND after check counting) Plus(+) |  |
| 4. | LESS extra papers DISPATCHED to other polling stations or the Constituency Returning Officer on polling day (if applicable) Minus(-)                                  |  |
| 5. | TOTAL number of ballot papers to be ACCOUNTED FOR (Transfer TOTAL to PART F(ii) line ..... on page..... ) Minus(-)                                                    |  |

Name of Presiding Officer.....  
Signature of Presiding Officer ..... Date.....

|  | Polling Stations Officer's Name | Signature |
|--|---------------------------------|-----------|
|  |                                 |           |
|  |                                 |           |
|  |                                 |           |
|  |                                 |           |
|  |                                 |           |

| Name of Political Party/Independent Candidate Representatives | Affiliation | Signature |
|---------------------------------------------------------------|-------------|-----------|
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |

PART H(ii)

MALAWI ELECTORAL COMMISSION

BALLOT PAPER RECONCILIATION

LOCAL GOVERNMENT ELECTION

|    |                                                                                                  | In Figures | In Words |
|----|--------------------------------------------------------------------------------------------------|------------|----------|
| 1  | Number of registered voters at this polling station                                              |            |          |
| 2  | Number of voters who were authorized to vote elsewhere                                           |            |          |
| 3  | Number of Voters Marked on the Certified Voters Register as voted                                |            |          |
| 4  | Number of ballot papers UNUSED                                                                   |            |          |
| 5  | Number of ballot papers CANCELLED (i.e. Spoilt)                                                  |            |          |
| 6  | Number of ballot papers CANCELLED (i.e. found in the polling station not in a ballot box)        |            |          |
| 7  | TOTAL (Lines 4+5+6)                                                                              |            |          |
| 8  | Number of ballot papers COUNTED (i.e. taken from the ballot box)                                 |            |          |
| 9  | TOTAL (Lines 7+8)                                                                                |            |          |
| 10 | TOTAL Number of ballot papers to be ACCOUNTED FOR (from row..... in the table on PART H(i) ....) |            |          |
| 11 | DISCREPANCY (Line 9 minus line10)                                                                |            |          |
| 12 | Number of ballot papers subject to complaints if any                                             |            |          |

Name of Presiding Officer.....

Signature of Presiding Officer .....Date.....

|  | Polling Station Officer's Name | Signature |
|--|--------------------------------|-----------|
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |

| Name of Political Party/Independent Candidate Representatives | Affiliation | Signature |
|---------------------------------------------------------------|-------------|-----------|
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |

PART I

MALAWI ELECTORAL COMMISSION

POLLING STATION RECORD OF RESULTS FOR PRESIDENTIAL ELECTION

COUNCIL CODE:..... COUNCIL NAME:.....  
CONSTITUENCY CODE:..... CONSTITUENCY NAME:.....  
WARD CODE:..... WARD NAME:.....  
POLLING STATION CODE:..... POLLING STATION NAME.....

| Candidate<br>(List of candidates in<br>order as they appear<br>on the ballot paper) | Affiliation | Total Number of Votes |          |  |
|-------------------------------------------------------------------------------------|-------------|-----------------------|----------|--|
|                                                                                     |             | In Figures            | In Words |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
| Total No. of Valid Votes                                                            |             |                       |          |  |
| Total No. of Void Votes                                                             |             |                       |          |  |
| Total No. of Votes                                                                  |             |                       |          |  |
| Total No. of Registered<br>Voters                                                   |             |                       |          |  |

Name of Presiding Officer  
Signature of Presiding Officer

Date

|  | Polling Station Officer's Name | Signature |
|--|--------------------------------|-----------|
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |

| Name of Political Party/Independent Candidate Representatives | Affiliation | Signature |
|---------------------------------------------------------------|-------------|-----------|
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |

MALAWI ELECTORAL COMMISSION

POLLING STATION RECORD OF RESULTS FOR PARLIAMENTARY ELECTION

COUNCIL CODE:..... COUNCIL NAME:.....

CONSTITUENCY CODE:..... CONSTITUENCY NAME:.....

WARD CODE:..... WARD NAME:.....

POLLING STATION CODE:..... POLLING STATION NAME:.....

| Candidate<br><br>(List of candidates in<br>order as they appear<br>on the ballot paper) | Affiliation | Total Number of Votes |          |  |
|-----------------------------------------------------------------------------------------|-------------|-----------------------|----------|--|
|                                                                                         |             | In Figures            | In Words |  |
|                                                                                         |             |                       |          |  |
|                                                                                         |             |                       |          |  |
|                                                                                         |             |                       |          |  |
|                                                                                         |             |                       |          |  |
|                                                                                         |             |                       |          |  |
|                                                                                         |             |                       |          |  |
| Total No. of Valid Votes                                                                |             |                       |          |  |
| Total No. of Void Votes                                                                 |             |                       |          |  |
| Total No. of Votes                                                                      |             |                       |          |  |
| Total No. of Registered Voters                                                          |             |                       |          |  |

Name of Presiding Officer

Signature of Presiding Officer

Date

|  | Polling Station Officer's Name | Signature |
|--|--------------------------------|-----------|
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |

| Name of Political Party/Independent Candidate Representatives | Affiliation | Signature |
|---------------------------------------------------------------|-------------|-----------|
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |

MALAWI ELECTORAL COMMISSION

POLLING STATION RECORD OF RESULTS FOR LOCAL GOVERNMENT ELECTION

COUNCIL CODE:..... COUNCIL NAME:.....

CONSTITUENCY CODE:..... CONSTITUENCY NAME:.....

WARD CODE:..... WARD NAME:.....

POLLING STATION CODE:..... POLLING STATION NAME:.....

| Candidate<br>(List of candidates in order as they appear on the ballot paper) | Affiliation | Total Number of Votes |          |  |
|-------------------------------------------------------------------------------|-------------|-----------------------|----------|--|
|                                                                               |             | In Figures            | In Words |  |
|                                                                               |             |                       |          |  |
|                                                                               |             |                       |          |  |
|                                                                               |             |                       |          |  |
|                                                                               |             |                       |          |  |
|                                                                               |             |                       |          |  |
|                                                                               |             |                       |          |  |
| Total No. of Valid Votes                                                      |             |                       |          |  |
| Total No. of Void Votes                                                       |             |                       |          |  |
| Total No. of Votes                                                            |             |                       |          |  |
| Total No. of Registered Voters                                                |             |                       |          |  |

Name of Presiding Officer

Signature of Presiding Officer

Date

|  | <i>Polling Station Officer's Name</i> | <i>Signature</i> |
|--|---------------------------------------|------------------|
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |

| <i>Name of Political Party/Independent Candidate Representatives</i> | <i>Affiliation</i> | <i>Signature</i> |
|----------------------------------------------------------------------|--------------------|------------------|
|                                                                      |                    |                  |
|                                                                      |                    |                  |
|                                                                      |                    |                  |
|                                                                      |                    |                  |
|                                                                      |                    |                  |
|                                                                      |                    |                  |

PART L(i)

MALAWI ELECTORAL COMMISSION

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES RECEIPT  
OF RESULT PRESIDENTIAL ELECTION

Political Party/Independent Candidate Representatives must sign before receiving copies of the Polling Station Record of Results for Presidential Election (Form 18A) to acknowledge receipt (For each Political Party/Independent Candidate Representatives, only one representative to sign)

|   | <i>Name of Political Party/Independent Candidate Representatives</i> | <i>Affiliation</i> | <i>Time Received</i> | <i>Signature</i> |
|---|----------------------------------------------------------------------|--------------------|----------------------|------------------|
| 1 |                                                                      |                    |                      |                  |
| 2 |                                                                      |                    |                      |                  |
| 3 |                                                                      |                    |                      |                  |
| 4 |                                                                      |                    |                      |                  |
| 5 |                                                                      |                    |                      |                  |
| 6 |                                                                      |                    |                      |                  |
| 7 |                                                                      |                    |                      |                  |
| 8 |                                                                      |                    |                      |                  |
| 9 |                                                                      |                    |                      |                  |

I certify that the above listed Political Party/Independent Candidate representatives received copies of Polling Station Record of Results for Presidential Election (Form 18A).

Name of Presiding Officer.....

Signature of Presiding Officer..... Date.....

PART L(ii)

MALAWI ELECTORAL COMMISSION

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES RECEIPT  
OF RESULT

PARLIAMENTARY ELECTION

Political Party/Independent Candidate Representatives must sign before receiving copies of the Polling Station Record of Results for Parliamentary Election (Form 18B) to acknowledge receipt (For each Political Party/Independent Candidate Representatives, only one representative to sign)

|   | <i>Name of Political Party/Independent<br/>Candidate Representatives</i> | <i>Affiliation</i> | <i>Time<br/>Received</i> | <i>Signature</i> |
|---|--------------------------------------------------------------------------|--------------------|--------------------------|------------------|
| 1 |                                                                          |                    |                          |                  |
| 2 |                                                                          |                    |                          |                  |
| 3 |                                                                          |                    |                          |                  |
| 4 |                                                                          |                    |                          |                  |
| 5 |                                                                          |                    |                          |                  |
| 6 |                                                                          |                    |                          |                  |
| 7 |                                                                          |                    |                          |                  |
| 8 |                                                                          |                    |                          |                  |
| 9 |                                                                          |                    |                          |                  |

I certify that the above listed Political Party/Independent Candidate representatives received copies of Polling Station Record of Results for Parliamentary Election (Form 18B).

Name of Presiding Officer.....

Signature of Presiding Officer..... Date.....

PART L(iii)

MALAWI ELECTORAL COMMISSION

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES RECEIPT  
OF RESULT

LOCAL GOVERNMENT ELECTION

Political Party/Independent Candidate Representatives must sign before receiving copies of the Polling Station Record of Results for Local Government Election (Form 18C) to acknowledge receipt (For each Political Party/Independent Candidate Representatives, only one representative to sign)

|   | <i>Name of Political Party/Independent<br/>Candidate Representatives</i> | <i>Affiliation</i> | <i>Time<br/>Received</i> | <i>Signature</i> |
|---|--------------------------------------------------------------------------|--------------------|--------------------------|------------------|
| 1 |                                                                          |                    |                          |                  |
| 2 |                                                                          |                    |                          |                  |
| 3 |                                                                          |                    |                          |                  |
| 4 |                                                                          |                    |                          |                  |
| 5 |                                                                          |                    |                          |                  |
| 6 |                                                                          |                    |                          |                  |
| 7 |                                                                          |                    |                          |                  |
| 8 |                                                                          |                    |                          |                  |
| 9 |                                                                          |                    |                          |                  |

I certify that the above listed Political Party/Independent Candidate representatives received copies of Polling Station Record of Results for Local Government Election (Form 18C).

Name of Presiding Officer.....

Signature of Presiding Officer..... Date.....

PRESIDING OFFICER’S NOTES: This part of the form is to be used to record incidents or provide information which must be brought to the attention of the Malawi Electoral Commission. Polling Station staff will make all entries in legible handwriting using black or blue pen together with signature and date. Please include name, date, time and the name of the organization, if applicable.

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PRESIDING OFFICER’S WORKSHEET: Presiding Officer may use this part to record any important details such as ballot papers issues to the Ballot Paper Issuing Clerk at any point in time as polling is in progress, any mathematical calculations, etc.

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## FORM 18A

(ss. 92(1) & 93(2))

## POLLING STATION RECORD OF RESULTS FOR PRESIDENTIAL ELECTION

MALAWI ELECTORAL COMMISSION  
POLLING STATION RECORD OF RESULTS  
PRESIDENTIAL ELECTION

COUNCIL CODE:..... COUNCIL NAME:.....

CONSTITUENCY CODE:..... CONSTITUENCY NAME:.....

WARD CODE:..... WARD NAME:.....

POLLING STATION CODE:..... POLLING STATION NAME.....

| Candidate<br>(List of candidates in<br>order as they appear<br>on the ballot paper) | Affiliation | Total Number of Votes |          |  |
|-------------------------------------------------------------------------------------|-------------|-----------------------|----------|--|
|                                                                                     |             | In Figures            | In Words |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
|                                                                                     |             |                       |          |  |
| Total No. of Valid Votes                                                            |             |                       |          |  |
| Total No. of Void Votes                                                             |             |                       |          |  |
| Total No. of Votes                                                                  |             |                       |          |  |
| Total No. of Registered Voters                                                      |             |                       |          |  |

Name of Presiding Officer

Signature of Presiding Officer

Date \_\_\_\_\_

|  | <i>Polling Station Officer's Name</i> | <i>Signature</i> |
|--|---------------------------------------|------------------|
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |
|  |                                       |                  |

| Name of Political Party/Independent Candidate Representatives | Affiliation | Signature |
|---------------------------------------------------------------|-------------|-----------|
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
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|                                                               |             |           |

NOTE: To be completed by the Presiding Officer and submitted to the Constituency Returning Office. Please post a copy at the polling station and give a copy to political party and candidate representatives who have signed the Receipt of Results Form in the Record of Polling Process

FORM 18B

(ss. 92(1)& 93(2))

POLLING STATION RECORD OF RESULTS FOR PARLIAMENTARY ELECTION

MALAWI ELECTORAL COMMISSION

POLLING STATION RECORD OF RESULTS

PARLIAMENTARY ELECTION

COUNCIL CODE:..... COUNCIL NAME:.....

CONSTITUENCY CODE:..... CONSTITUENCY NAME:.....

WARD CODE:..... WARD NAME:.....

POLLING STATION CODE:..... POLLING STATION NAME:.....

| <i>Candidate</i><br><i>(List of candidates in order as they appear on the ballot paper)</i> | <i>Affiliation</i> | <i>Total Number of Votes</i> |                 |  |
|---------------------------------------------------------------------------------------------|--------------------|------------------------------|-----------------|--|
|                                                                                             |                    | <i>In Figures</i>            | <i>In Words</i> |  |
|                                                                                             |                    |                              |                 |  |
|                                                                                             |                    |                              |                 |  |
|                                                                                             |                    |                              |                 |  |
|                                                                                             |                    |                              |                 |  |
|                                                                                             |                    |                              |                 |  |
|                                                                                             |                    |                              |                 |  |
| Total No. of Valid Votes                                                                    |                    |                              |                 |  |
| Total No. of Void Votes                                                                     |                    |                              |                 |  |
| Total No. of Votes                                                                          |                    |                              |                 |  |
| Total No. of Registered Voters                                                              |                    |                              |                 |  |

Name of Presiding Officer

Signature of Presiding Officer

Date

|  | Polling Station Officer's Name | Signature |
|--|--------------------------------|-----------|
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |

| Name of Political Party/Independent Candidate Representatives | Affiliation | Signature |
|---------------------------------------------------------------|-------------|-----------|
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
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NOTE: To be completed by the Presiding Officer and submitted to the Constituency Returning Office. Please post a copy at the polling station and give a copy to political party and candidate representatives who have signed the Receipt of Results Form in the Record of Polling Process

FORM 18C(ss. 92(1)& 93(2))

POLLING STATION RECORD OF RESULTS FOR LOCAL GOVERNMENT  
ELECTION

MALAWI ELECTORAL COMMISSION

POLLING STATION RECORD OF RESULTS

LOCAL GOVERNMENT ELECTION

COUNCIL CODE:.....COUNCIL NAME:.....

CONSTITUENCY CODE:.....CONSTITUENCY NAME:.....

WARD CODE:.....WARD NAME:.....

POLLING STATION CODE:.....POLLING STATION NAME.....

| Candidate<br><br>(List of candidates in order as they appear on the ballot paper) | Affiliation | Total Number of Votes |          |
|-----------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                   |             | In Figures            | In Words |
|                                                                                   |             |                       |          |
|                                                                                   |             |                       |          |
|                                                                                   |             |                       |          |
|                                                                                   |             |                       |          |

| Candidate<br><br>(List of candidates in order as they appear on the ballot paper) | Affiliation | Total Number of Votes |          |
|-----------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                   |             | In Figures            | In Words |
|                                                                                   |             |                       |          |
|                                                                                   |             |                       |          |
|                                                                                   |             |                       |          |
| Total No. of Valid Votes                                                          |             |                       |          |
| Total No. of Void Votes                                                           |             |                       |          |
| Total No. of Votes                                                                |             |                       |          |
| Total No. of Registered Voters                                                    |             |                       |          |

Name of Presiding Officer

Signature of Presiding Officer

Date

|  | Polling Station Officer's Name | Signature |
|--|--------------------------------|-----------|
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |
|  |                                |           |

| Name of Political Party/Independent Candidate Representatives | Affiliation | Signature |
|---------------------------------------------------------------|-------------|-----------|
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |
|                                                               |             |           |

NOTE: To be completed by the Presiding Officer and submitted to the Constituency Returning Office. Please post a copy at the polling station and give a copy to political party and candidate representatives who have signed the Receipt of Results Form in the Record of Polling Process

FORM 19A

(ss. 93(2), 89 & 90)

CONSTITUENCY RECORD OF RESULTS FOR PRESIDENTIAL ELECTION BY  
POLLING STATION

MALAWI ELECTORAL COMMISSION

CONSTITUENCY RECORD OF RESULTS FOR PRESIDENTIAL ELECTION BY  
POLLING STATION

|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|-------------------------|--------------------------------------------------------|-------------------------------------------------------------------|-------------------------------------|----------------------------|----------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
|                         | CONSTITUENCY CODE:                                     |                                                                   |                                     |                            | REGION CODE:         |                                   | COUNCIL NAME:                     |                                   |                                   |
|                         | CONSTITUENCY NAME:                                     |                                                                   |                                     |                            | REGION NAME:         |                                   | COUNCIL CODE:                     |                                   |                                   |
|                         | (Record candidate name & affiliation in columns below) |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
| Polling<br>Station Code | Name of<br>Polling<br>Station                          | Total No. of<br>Registered<br>Voters at<br>the Polling<br>Station | Total No. of<br>Voters who<br>Voted | Total No. of<br>Void Votes | Total valid<br>Votes | Total Votes<br>for<br>Candidate A | Total Votes<br>for<br>Candidate B | Total Votes<br>for<br>Candidate C | Total Votes<br>for<br>Candidate C |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
| Total                   |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |

Name of Constituency Returning Officer

Signature of Constituency Returning Officer

Date

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES

| Name | Affiliation | Signature |
|------|-------------|-----------|
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |

NOTE: To be completed by the Constituency Returning Officer and submitted to the Commission through the District Returning Officer. Please give a copy to political party or independent candidate representative who have signed the Constituency Result Form.

FORM 19B(ss. 93(2), 89 & 90)

CONSTITUENCY RECORD OF RESULTS FOR PARLIAMENTARY ELECTION BY  
POLLING STATION

MALAWI ELECTORAL COMMISSION

CONSTITUENCY RECORD OF RESULTS FOR PARLIAMENTARY ELECTION BY  
POLLING STATION

|                      |                                                        |                                                       |                               |                         |                   |                             |                             |                             |                             |
|----------------------|--------------------------------------------------------|-------------------------------------------------------|-------------------------------|-------------------------|-------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
|                      | CONSTITUENCY CODE:                                     |                                                       |                               |                         | REGION CODE:      |                             | COUNCIL NAME:               |                             |                             |
|                      | CONSTITUENCY NAME:                                     |                                                       |                               |                         | REGION NAME:      |                             | COUNCIL CODE:               |                             |                             |
|                      | (Record candidate name & affiliation in columns below) |                                                       |                               |                         |                   |                             |                             |                             |                             |
| Polling Station Code | Name of Polling Station                                | Total No. of Registered Voters at the Polling Station | Total No. of Voters who Voted | Total No. of Void Votes | Total valid Votes | Total Votes for Candidate A | Total Votes for Candidate B | Total Votes for Candidate C | Total Votes for Candidate C |
|                      |                                                        |                                                       |                               |                         |                   |                             |                             |                             |                             |
|                      |                                                        |                                                       |                               |                         |                   |                             |                             |                             |                             |
|                      |                                                        |                                                       |                               |                         |                   |                             |                             |                             |                             |
|                      |                                                        |                                                       |                               |                         |                   |                             |                             |                             |                             |
|                      |                                                        |                                                       |                               |                         |                   |                             |                             |                             |                             |
| Total                |                                                        |                                                       |                               |                         |                   |                             |                             |                             |                             |

Name of Constituency Returning Officer

Signature of Constituency Returning Officer

Date

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES

|      |             |           |
|------|-------------|-----------|
| Name | Affiliation | Signature |
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |

NOTE: To be completed by the Constituency Returning Officer and submitted to the Commission through the District Returning Officer. Please give a copy to political party or independent candidate representative who have signed the Constituency Result Form.

WARD RECORD OF RESULTS FOR LOCAL GOVERNMENT ELECTION BY  
POLLING STATION

MALAWI ELECTORAL COMMISSION

WARD RECORD OF RESULTS FOR LOCAL GOVERNMENT ELECTION BY  
POLLING STATION

|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|-------------------------|--------------------------------------------------------|-------------------------------------------------------------------|-------------------------------------|----------------------------|----------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
|                         | CONSTITUENCY CODE:                                     |                                                                   |                                     |                            | REGION CODE:         |                                   | COUNCIL NAME:                     |                                   |                                   |
|                         | CONSTITUENCY NAME:                                     |                                                                   |                                     |                            | REGION NAME:         |                                   | COUNCIL CODE:                     |                                   |                                   |
|                         | (Record candidate name & affiliation in columns below) |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
| Polling<br>Station Code | Name of<br>Polling<br>Station                          | Total No. of<br>Registered<br>Voters at<br>the Polling<br>Station | Total No. of<br>Voters who<br>Voted | Total No. of<br>Void Votes | Total valid<br>Votes | Total Votes<br>for<br>Candidate A | Total Votes<br>for<br>Candidate B | Total Votes<br>for<br>Candidate C | Total Votes<br>for<br>Candidate C |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
|                         |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |
| Total                   |                                                        |                                                                   |                                     |                            |                      |                                   |                                   |                                   |                                   |

Name of Constituency Returning Officer

Signature of Constituency Returning Officer

Date

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES

| <i>Name</i> | <i>Affiliation</i> | <i>Signature</i> |
|-------------|--------------------|------------------|
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |

NOTE: To be completed by the Constituency Returning Officer and submitted to the Commission through the District Returning Officer. Please give a copy to political party or independent candidate representative who have signed the Constituency Result Form.

FORM 20A

(s. 93(2))

CONSTITUENCY SUMMARY OF RESULTS FOR PRESIDENTIAL ELECTION

MALAWI ELECTORAL COMMISSION

CONSTITUENCY SUMMARY OF RESULTS FOR PRESIDENTIAL ELECTION

REGION CODE:..... NAME:..... COUNCIL CODE:..... NAME:.....

CONSTITUENCY CODE:..... NAME:..... WARD CODE:..... NAME:.....

| Candidate Name<br><br>(List of candidates in order as they appear on the ballot paper) | Affiliation | Total Number of Votes |          |
|----------------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                        |             | In Figures            | In Words |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
| Total No. of Valid Votes                                                               |             |                       |          |
| Total No. Void Votes                                                                   |             |                       |          |
| Total No. of Votes                                                                     |             |                       |          |
| Total No. of Registered Voters                                                         |             |                       |          |

Name of Constituency Returning Officer

Signature of Constituency Returning Officer..... Date.....

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES

| Name | Affiliation | Signature |
|------|-------------|-----------|
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |

NOTE: To be completed by the Constituency Returning Officer and submitted to the Commission through the District Returning Officer. Please post a copy at the Constituency Tally Centre and give a copy to each of the Political Party of Independent Candidate Representative who have signed the Constituency Summary Result.

FORM 20B

(s. 93(2))

CONSTITUENCY SUMMARY OF RESULTS FOR PARLIAMENTARY ELECTION

MALAWI ELECTORAL COMMISSION

CONSTITUENCY SUMMARY OF RESULTS FOR PARLIAMENTARY ELECTION

REGION CODE:..... NAME:..... COUNCIL CODE:..... NAME:.....

CONSTITUENCY CODE:..... NAME:..... WARD CODE:..... NAME:.....

| Candidate Name<br><small>(List of candidates in order as they appear on the ballot paper)</small> | Affiliation | Total Number of Votes |          |
|---------------------------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                                   |             | In Figures            | In Words |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
| Total No. of Valid Votes                                                                          |             |                       |          |
| Total No. Void Votes                                                                              |             |                       |          |
| Total No. of Votes                                                                                |             |                       |          |
| Total No. of Registered Voters                                                                    |             |                       |          |

Name of Constituency Returning Officer

Signature of Constituency Returning Officer..... Date.....

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES

| Name | Affiliation | Signature |
|------|-------------|-----------|
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |

NOTE: To be completed by the Constituency Returning Officer and submitted to the Commission through the District Returning Officer. Please post a copy at the Constituency Tally Centre and give a copy to each of the Political Party of Independent Candidate Representative who have signed the Constituency Summary Result.

WARD SUMMARY OF RESULTS FOR LOCAL GOVERNMENT ELECTIONS

MALAWI ELECTORAL COMMISSION

WARD SUMMARY OF RESULTS FOR LOCAL GOVERNMENT ELECTION

REGION CODE:..... NAME:..... COUNCIL CODE:..... NAME:.....

CONSTITUENCY CODE:..... NAME:..... WARD CODE:..... NAME:.....

| Candidate Name<br><small>(List of candidates in order as they appear on the ballot paper)</small> | Affiliation | Total Number of Votes |          |
|---------------------------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                                   |             | In Figures            | In Words |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
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|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
| Total No. of Valid Votes                                                                          |             |                       |          |
| Total No. Void Votes                                                                              |             |                       |          |
| Total No. of Votes                                                                                |             |                       |          |
| Total No. of Registered Voters                                                                    |             |                       |          |

Name of Constituency Returning Officer

Signature of Constituency Returning Officer..... Date.....

POLITICAL PARTY/INDEPENDENT CANDIDATE REPRESENTATIVES

| Name | Affiliation | Signature |
|------|-------------|-----------|
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |
|      |             |           |

NOTE: To be completed by the Constituency Returning Officer and submitted to the Commission through the District Returning Officer. Please post a copy at the Constituency Tally Centre and give a copy to each of the Political Party of Independent Candidate Representative who have signed the Constituency Summary Result.

FORM 20D

(s. 93(2))

NOTIFICATION OF EFFECT OF NUMBER OF VOID VOTES FOR  
PARLIAMENTARY ELECTIONS

MALAWI ELECTORAL COMMISSION

NOTIFICATION OF EFFECT OF NUMBER OF VOID VOTES FOR  
PARLIAMENTARY ELECTIONS

Council Name:..... Code:.....

Constituency Name:..... Code:.....

To: The Chief Elections Officer

Take notice that according to the Summary of Results for the Parliamentary Election per candidate, the total number of void votes [ ]MAY or [ ]MAY NOT (Tick the applicable) affect the final result of the election.

Record number of votes for the candidates with the greatest number of votes and the difference in the number of votes

| Candidates<br><br>(Names the candidates with the highest and second highest number of votes ONLY) | Affiliation | Total Number of Votes |          |
|---------------------------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                                   |             | In Figures            | In Words |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
|                                                                                                   |             |                       |          |
| Difference of Valid Votes                                                                         |             |                       |          |
| Total No. of Void Votes                                                                           |             |                       |          |

Name of Returning Officer

Signature.....

Date.....

IMPORTANT: The total number of void votes will have an effect on the results if it is greater than the difference between the highest number of votes obtained by a candidate and the second highest number of votes.

FORM 20E

(s.93(2))

NOTIFICATION OF EFFECT OF NUMBER OF VOID VOTES FOR LOCAL  
GOVERNMENT ELECTIONS

Council Name:..... Code:.....

Constituency Name:..... Code:.....

Ward Name:..... Code:.....

To: The Chief Elections Officer

Take notice that according to the Summary of Results for the Parliamentary Election per candidate, the total number of void votes [ ]MAY or [ ]MAY NOT (Tick the applicable) affect the final result of the election.



Name of Returning Officer for the Council.....

.....

Signature of Returning Officer for the Council

Date

| Political Party/Independent Candidate Representatives |             |           |
|-------------------------------------------------------|-------------|-----------|
| Name                                                  | Affiliation | Signature |
|                                                       |             |           |
|                                                       |             |           |
|                                                       |             |           |
|                                                       |             |           |
|                                                       |             |           |
|                                                       |             |           |

NOTE: To be completed by the Council Returning Officer and submitted to the Commission. Please give a copy to each of the Political Party/Independent Candidate representative who have signed the record of results.

FORM 22

(s.94)

COUNCIL SUMMARY OF RESULTS FOR PRESIDENTIAL ELECTION BY  
CANDIDATE

MALAWI ELECTORAL COMMISSION

COUNCIL SUMMARY OF RESULTS FOR PRESIDENTIAL ELECTION

COUNCIL CODE:..... COUNCIL NAME:.....

| Candidate Name<br><br>(List of candidates in order as they appear on the ballot paper) | Affiliation | Total Number of Votes |          |
|----------------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                        |             | In Figures            | In Words |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
| Total Number of Valid Votes Cast                                                       |             |                       |          |
| Total Number of Void Votes                                                             |             |                       |          |
| Total Votes                                                                            |             |                       |          |
| Total No. of Registered Voters                                                         |             |                       |          |

Name of Returning Officer.....

.....

## POLITICAL PARTY/ INDEPENDENT CANDIDATE REPRESENTATIVES

| <i>NAME</i> | <i>AFFILIATION</i> | <i>SIGNATURE</i> |
|-------------|--------------------|------------------|
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |

NOTE: To be completed by the Council Returning Officer and submitted to the Commission. Please post a copy at the Council Tally Centre and give a copy to each of the political party and independent candidates' representatives who have signed the Council Summary of Results.

## FORM 23A

(s. 97)

NATIONAL RECORD OF RESULT FOR PRESIDENTIAL ELECTION BY COUNCIL

## MALAWI ELECTORAL COMMISSION

NATIONAL RECORD OF RESULT FOR PRESIDENTIAL ELECTION BY COUNCIL

(Record candidate name & affiliation in columns below)

[illegible]

## Chief Elections Officer

Signature of Chief Elections Officer

Date \_\_\_\_\_

Political Party/Independent Candidate Representatives

| <i>Name</i> | <i>Affiliation</i> | <i>Signature</i> |
|-------------|--------------------|------------------|
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |

FORM 23B

(ss.96 & 97)

NATIONAL RECORD OF RESULT FOR PRESIDENTIAL ELECTION BY  
CANDIDATE

MALAWI ELECTORAL COMMISSION

NATIONAL SUMMARY OF RESULT FOR PRESIDENTIAL ELECTION BY  
CANDIDATE

| <i>Candidate</i>                                                                | <i>Affiliation</i> | <i>Total Number of Votes</i> |                 |
|---------------------------------------------------------------------------------|--------------------|------------------------------|-----------------|
| <i>Candidate Name</i>                                                           |                    | <i>In Figures</i>            | <i>In Words</i> |
| <small>(List of candidates in order as they appear on the ballot paper)</small> |                    |                              |                 |
|                                                                                 |                    |                              |                 |
|                                                                                 |                    |                              |                 |
|                                                                                 |                    |                              |                 |
|                                                                                 |                    |                              |                 |
| Total Number of Valid Votes Cast                                                |                    |                              |                 |
| Total Number of Void Votes                                                      |                    |                              |                 |
| Total Votes                                                                     |                    |                              |                 |
| Total No. of Registered Voters                                                  |                    |                              |                 |

Chief Elections Officer.....

.....

Signature of Chief Elections Officer

.....

Date

Political Party/Independent Candidate Representatives

| <i>Name</i> | <i>Affiliation</i> | <i>Signature</i> |
|-------------|--------------------|------------------|
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |
|             |                    |                  |

FORM 24

(s.97)

NOTIFICATION OF EFFECT OF NUMBER OF VOID VOTES ON THE  
PRESIDENTIAL ELECTION RESULTS

MALAWI ELECTORAL COMMISSION

NOTIFICATION OF EFFECT OF NUMBER OF VOID VOTES FOR PRESIDENTIAL  
ELECTIONS

To: The Chairperson

Take notice that according to the National Summary of Results for the Presidential Election per candidate the total number of void votes [    ] may or may not [    ](tick the applicable) affect the final result of the election.

*Record number of votes for the candidates with the greatest number of votes and the difference in the number of votes*

| Candidate Name<br><br>(Names candidates in order of<br>greatest number votes ) | Affiliation | Total Number of Votes |          |
|--------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                |             | In Figures            | In Words |
|                                                                                |             |                       |          |
|                                                                                |             |                       |          |
|                                                                                |             |                       |          |
|                                                                                |             |                       |          |
|                                                                                |             |                       |          |
|                                                                                |             |                       |          |
| Difference of Valid Votes                                                      |             |                       |          |
| Total No. of Void Votes                                                        |             |                       |          |

Name of Chief Elections Officer.....

Signature.....      Date.....

FORM 25A

(s.96)

RESULTS OF EXAMINATION OF VOID VOTES FOR PRESIDENTIAL ELECTIONS

MALAWI ELECTORAL COMMISSION

EXAMINATION OF VOID VOTES AND RESULTS FOR PRESIDENTIAL ELECTION

I certify that I have received the following void votes and they have been examined by the Commission, affirmed or corrected as follows—

| <i>Number of Void<br/>Votes Received</i> | <i>Number of Void<br/>Votes Affirmed</i> | <i>Number of Void<br/>Votes Corrected</i> |
|------------------------------------------|------------------------------------------|-------------------------------------------|
|                                          |                                          |                                           |

Signature of Chief Elections Officer.....      Date.....

The Commission having examined and having corrected the decision on the following number of void votes has allocated them as follows—

| Name of Candidate<br>& Affiliation      | Number of Corrected Votes Allocated |          |
|-----------------------------------------|-------------------------------------|----------|
|                                         | In Figures                          | In Words |
|                                         |                                     |          |
|                                         |                                     |          |
| Total Number of Void<br>Votes Corrected |                                     |          |

Signature of Chief Elections Officer.....

Date.....

FORM 25B

(s.96)

RESULTS OF EXAMINATION OF VOID VOTES FOR PARLIAMENTARY  
ELECTIONS

MALAWI ELECTORAL COMMISSION

EXAMINATION OF VOID VOTES AND RESULTS FOR PARLIAMENTARY  
ELECTION

I certify that I have received the following void votes and they have been examined by the Commission, affirmed or corrected as follows—

Council Name:..... Code:.....

Constituency Name:..... Code:.....

Number of Void Votes Received

| Number of Void<br>Votes Received | Number of Void<br>Votes Affirmed | Number of Void<br>Votes Corrected |
|----------------------------------|----------------------------------|-----------------------------------|
|                                  |                                  |                                   |
|                                  |                                  |                                   |

Signature of Chief Elections Officer.....

Date.....

The Commission having examined and having corrected the decision on the following number of void votes has allocated them as follows—

| Name of Candidate<br>& Affiliation      | Number of Corrected Votes Allocated |          |
|-----------------------------------------|-------------------------------------|----------|
|                                         | In Figures                          | In Words |
|                                         |                                     |          |
|                                         |                                     |          |
| Total Number of Void<br>Votes Corrected |                                     |          |

Signature of Chief Elections Officer.....

Date.....

FORM 25C

(s.96)

RESULTS OF EXAMINATION OF VOID VOTES FOR LOCAL GOVERNMENT ELECTIONS

MALAWI ELECTORAL COMMISSION

EXAMINATION OF VOID VOTES AND RESULTS FOR LOCAL GOVERNMENT ELECTIONS

I certify that I have received the following void votes and they have been examined by the Commission, affirmed or corrected as follows—

Name of Ward..... Code.....

Name of Constituency..... Code.....

Name of Council..... Code.....

| <i>Number of Void<br/>Votes Received</i> | <i>Number of Void<br/>Votes Affirmed</i> | <i>Number of Void<br/>Votes Corrected</i> |
|------------------------------------------|------------------------------------------|-------------------------------------------|
|                                          |                                          |                                           |
|                                          |                                          |                                           |

Signature of Chief Elections Officer..... Date.....

The Commission having examined and having corrected the decision on the following number of void votes has allocated them as follows—

| <i>Name of Candidate<br/>&amp; Affiliation</i> | <i>Number of Corrected Votes Allocated</i> |                 |
|------------------------------------------------|--------------------------------------------|-----------------|
|                                                | <i>In Figures</i>                          | <i>In Words</i> |
|                                                |                                            |                 |
|                                                |                                            |                 |
| Total Number of Void<br>Votes Corrected        |                                            |                 |

Signature of Chief Elections Officer..... Date.....

| Candidate Name<br><br>(List of candidates in order as they appear on the ballot paper) | Affiliation | Total Number of Votes |          |
|----------------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                        |             | In Figures            | In Words |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
| Total Number of Valid Votes Cast                                                       |             |                       |          |
| Total Number of Void Votes                                                             |             |                       |          |
| Total Votes                                                                            |             |                       |          |
| Total No. of Registered Voters                                                         |             |                       |          |

Chairperson.....

Date.....

Seal of the Malawi Electoral Commission

FORM 26B

(ss.94 &97)

FINAL ELECTION RESULTS FOR PARLIAMENTARY ELECTION

MALAWI ELECTORAL COMMISSION

FINAL RESULTS FOR PARLIAMENTARY ELECTION

REGION CODE:NAME:COUNCIL CODE:NAME:

CONSTITUENCY CODE:NAME:

| Candidate Name<br><br>(List of candidates in order as they appear on the ballot paper) | Affiliation | Total Number of Votes |          |
|----------------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                        |             | In Figures            | In Words |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
|                                                                                        |             |                       |          |
| Total Number of Valid Votes Cast                                                       |             |                       |          |
| Total Number of Void Votes                                                             |             |                       |          |
| Total Votes                                                                            |             |                       |          |
| Total No. of Registered Voters                                                         |             |                       |          |

Chairperson.....

Date.....

Seal of the Malawi Electoral Commission

FORM 26C

(ss. 93(2) & 96)

FINAL ELECTION RESULTS FOR LOCAL GOVERNMENT ELECTION

MALAWI ELECTORAL COMMISSION

CONSTITUENCY SUMMARY OF RESULTS FOR LOCAL GOVERNMENT ELECTION

REGION CODE:NAME: COUNCIL CODE:NAME:

CONSTITUENCY CODE:NAME: WARD CODE:NAME:

| Candidate Name<br><br><small>(List of candidates in order as they appear on the ballot paper)</small> | Affiliation | Total Number of Votes |          |
|-------------------------------------------------------------------------------------------------------|-------------|-----------------------|----------|
|                                                                                                       |             | In Figures            | In Words |
|                                                                                                       |             |                       |          |
|                                                                                                       |             |                       |          |
|                                                                                                       |             |                       |          |
|                                                                                                       |             |                       |          |
|                                                                                                       |             |                       |          |
| Total Number of Valid Votes Cast                                                                      |             |                       |          |
| Total Number of Void Votes                                                                            |             |                       |          |
| Total Votes                                                                                           |             |                       |          |
| Total No. of Registered Voters                                                                        |             |                       |          |

Chairperson.....

Date.....

Seal of the Malawi Electoral Commission

18th day of June, 2025.

(FILE NO. SUB. D. 2:01)

T. E. S. MVALO  
Minister of Justice



**PRESIDENTIAL, PARLIAMENTARY AND LOCAL  
GOVERNMENT ELECTIONS (APPOINTMENT AND  
REVOCATION OF APPOINTMENT OF PARTY AND  
CANDIDATE REPRESENTATIVE) REGULATIONS, 2025**

GOVERNMENT NOTICE No. 49

PRESIDENTIAL, PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS ACT  
(No. 10 OF 2023)

PRESIDENTIAL, PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS (APPOINTMENT AND REVOCATION OF APPOINTMENT OF PARTY AND CANDIDATE REPRESENTATIVES) REGULATIONS, 2025

IN EXERCISE of the powers conferred by section 122 of the Presidential, Parliamentary, and Local Government Act, 2023, I, TITUS EDWARD SONGISO MVALO, Minister of Justice, on the recommendation of the Commission, make the following Regulations—

- Citation1. These Regulations may be cited as the Presidential, Parliamentary and Local Government Elections (Appointment and Revocation of Appointment of Party and Candidate Representatives) Regulations, 2025.
- Interpretation2. In these Regulations, unless the context otherwise requires—  
  
“centre” includes a registration centre, polling station, polling station tally station, constituency tally centre, district tally centre or national tally centre; and  
  
“officer of the Commission” means a presiding officer, returning officer, or any officer designated as such by the Commission.
- Monitoring of electoral processes3.—(1) A political party sponsoring a candidate in an election or an independent candidate intending to contest, or contesting, in an election shall have the right to monitor the registration of voters and related processes, polling, counting of votes and preparation of results records.  
  
(2) The Commission may invite a party or a candidate, as the case may be, to appoint representatives to witness and monitor any other processes related to the conduct of elections.
- Appointment of representatives4.—(1) The Commission shall, in relation to any electoral processes, notify a political party or a candidate concerned, of the date of receipt of list of names of people to be appointed as representatives.  
  
(2) The notification under subregulation (1) shall be through the mass media and other means of communication as may be deemed appropriate by the Commission.  
  
(3) The notification under subregulation (1) shall specify the manner of submission of the names and the place where the list of names shall be delivered.  
  
(4) A list of names for appointment as party or candidate representative shall specify the name of the representative and the centre at which the party or candidate wishes the representative to be stationed.  
  
(5) A person shall qualify to be designated as an election representative if that person is—

- (a) a citizen of Malawi;
- (b) aged eighteen years or above; and
- (c) not a candidate in the election.

(6) A person shall not be allowed access to any centre in his or her capacity as representative of a political party or a candidate, unless that person has been so designated and appointed by the Commission.

(7) A person designated as a representative of a political party or a candidate at a centre shall be issued with an identification document in the form as prescribed in the *Schedule*.

(8) A representative of a political party or candidate shall not write or make any alterations to the identification document issued to him or her by the Commission.

(9) A representative of a political party or candidate shall display the identification document, at all times, when he or she is at the centre.

5.—(1) A party or a candidate shall have the right to assign such number of representatives as prescribed under the Act.

Number of party and candidates representatives

(2) The Commission shall prescribe the number of representatives for a party or a candidate to be assigned to a centre, for all electoral processes, where the number is not specifically provided under the Act.

(3) Where the Commission prescribes the number of representatives under subregulation (2), the Commission shall notify each party or candidate in the election of the number prescribed.

6.—(1) A party or a candidate representative assigned to a centre shall report to the officer of the Commission designated as in-charge of the centre.

Reporting

(2) A party or a candidate representative shall be subject to the general and special directives of the officer of the Commission designated as in-charge of a centre.

7.—(1) The Commission may revoke the appointment of a representative of a political party or a representative of a candidate where—

Revocation of appointment

- (a) the appointment of the representative was based on false or inaccurate information; or
- (b) the representative—
  - (i) unreasonably refuses to co-operate with an officer of the Commission at a centre;
  - (ii) unjustifiably and in bad faith interferes with the duties of the election officers so as to disturb the electoral process;
  - (iii) is in breach of the duty to maintain the secrecy of the ballot; or
  - (iv) engages in any misconduct or fail to obey the directions or decisions of an officer of the Commission designated as in-charge of a centre.

(2) A representative of a party or a candidate whose appointment has been revoked shall be prohibited from continuing to be present at a centre or accessing the centre and may forcibly be removed if he or she refuses to leave, when requested to do so.

SCHEDULE (reg. 4(7))

IDENTIFICATION OF A CANDIDATE OR PARTY REPRESENTATIVE

MALAWI ELECTORAL COMMISSION  
[Type of the Election]  
PARTY/CANDIDATE REPRESENTATIVE  
Valid Until.....

Made this 18th day of June, 2025.

(FILE NO.SUB.D 2:01)

T. E.S MVALO  
Minister of Justice

GOVERNMENT NOTICE No. 50  
PRESIDENTIAL, PARLIAMENTARY, AND LOCAL GOVERNMENT ELECTIONS ACT  
(No. 10 OF 2023)

PRESIDENTIAL, PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS (ACCREDITATION FOR ELECTION OBSERVERS) REGULATIONS, 2025

IN EXERCISE of the powers conferred by section 122 of the Presidential, Parliamentary and Local Government Elections Act, 2023, I, TITUS EDWARD SONGISO MVALO, Minister of Justice, on the recommendation of the Commission, make the following Regulations—

- Citation1. These Regulations may be cited as the Presidential, Parliamentary and Local Government Elections (Accreditation of Election Observers) Regulations, 2025.
- Accreditation2.—(1) A person intending to observe an election shall apply to the Commission for accreditation as an election observer.  
(2) The application made under subregulation (1) shall specify that the application is in respect of any of the following categories—

(a) observers from the United Nations Organization and its agencies, the African Union and its agencies, the Commonwealth Secretariat and other international or regional organizations;

(b) observers from non-governmental organizations constituted, and operating, in Malawi;

(c) observers from non-governmental organizations constituted, and operating, in any foreign country;

(d) observers from foreign governments; or

(e) individual observers.

(3) An application for accreditation as an election observer shall be made in the form as prescribed in Form 14B of the Presidential, Parliamentary and Local Government Elections (Forms) Regulations, 2025.

GN. 48 of  
2025

(4) Upon receipt of an application under subregulation (1), the Commission shall assess the application and verify the authenticity of the information submitted and, where necessary, may request that further or additional information be provided by the applicant.

(5) Where the Commission is satisfied that the applicant has met the requirements for accreditation prescribed in the Act and these Regulations, the Commission shall—

(a) issue a certificate of accreditation to the applicant, subject to terms and conditions as the Commission may prescribe; and

(b) enter the name and particulars of the applicant and the individual observers in the register of accredited observers.

(6) Where the Commission is satisfied that the applicant has not met the requirements prescribed in Act or these Regulations, the Commission shall—

(a) reject the application;

(b) within five days from the date of making a decision, inform the applicant of its decision with reasons, in writing; and

(c) give the applicant a maximum of seven days to make good of the reasons for which the application was rejected.

(7) The Commission may reject an application for accreditation, where the applicant—

(a) submitted the application outside the prescribed time;

(b) submitted an application that is incomplete or contains inaccurate information;

(c) is ineligible; or

(d) does not meet any condition set by the Commission.

(8) A person accredited as an election observer under these Regulations shall be issued with an identity card in the form as prescribed in Form 14D of the Presidential, Parliamentary and Local Government Elections (Forms) Regulations, 2025.

GN. 48 of  
2025

(9) In addition to the identification card issued by the Commission, an election observer shall be required to put on an identification apparel approved by the Commission which shall have—

- (a) the words “ELECTION OBSERVER” clearly indicated on the back and front in a manner that is easier to read; and
- (b) the identification mark, symbol, emblem and name of the accredited person.

(10) An election observer shall exhibit the accreditation certificate to any electoral officer who demands to see it.

Register of  
accredited  
election  
observers

3. The Commission shall keep and maintain a register of accredited election observers in the form as prescribed in the *Schedule*.

Reports

4. The Commission may, from time to time, require an accredited election observer to submit information, statements or reports, relating to the performance of the election observer.

Code of  
conduct for  
election  
observers

5.—(1) A person accredited as an election observer shall be bound by the code of conduct governing election observers as the Commission may prescribe.

(2) Where an election observer contravenes the code of conduct prescribed in accordance with subregulation (1)—

- (a) the Commission may cancel or revoke the certificate of accreditation and notify the person concerned of the cancellation or revocation and state the reason for such cancellation, in writing; and
- (b) an electoral officer may exclude that election observer from any polling station, constituency tally centre or the national tally centre, as the case may be.

Limitation on  
number of  
election  
observers

6. The Commission may prescribe and publish the number of election observers that shall be permitted to—

- (a) enter or remain at any polling station; or
- (b) be present at a result tallying centre or national tally centre.

SCHEDULE

(reg. 3)

REGISTER OF ACCREDITED ELECTION OBSERVERS

| Serial<br>No. | Name of Election<br>Observer/Organization | Category | Date of<br>Accreditation | Accreditation<br>Certificate No. | Remarks |
|---------------|-------------------------------------------|----------|--------------------------|----------------------------------|---------|
|               |                                           |          |                          |                                  |         |
|               |                                           |          |                          |                                  |         |
|               |                                           |          |                          |                                  |         |
|               |                                           |          |                          |                                  |         |
|               |                                           |          |                          |                                  |         |

Made this 18th day of June, 2025.

