

## GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 80 OF 2020

**The Electoral Process Act, 2016**

(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters)  
Regulations, 2020**

## ARRANGEMENT OF REGULATIONS

## PART I

## PRELIMINARY PROVISIONS

*Regulation*

1. Title
2. Interpretation
3. Division and declaration of polling districts
4. Functions of Chief Electoral Officer
5. Officers for registration of voters
6. Form of oath or affirmation for registration officers
7. Revocation of appointments

## PART II

## REGISTRATION OF VOTERS

8. Continuous registration of voters
9. Conduct of registration of voters
10. Application for registration as voter
11. Procedure for registration
12. Application for replacement of voter's card
13. Application to transfer
14. Death of registered voter
15. Control of persons in premises used for registration of voters
16. Voters registration records to be sent to Chief Electoral Officer
17. Register of voters
18. Inspection of register of voter

19. Appeals
20. Procedure for appeals
21. Claims
22. Objections
23. Powers of Commission on hearing of objections
24. Amendments resulting from an appeal

### PART III

#### CERTIFICATION OF REGISTERS OF VOTERS

25. Preparation of registers for certification
26. Certification of registers of voters
27. Publication of register of voters
28. Replacement of previous register of voters

### PART IV

#### GENERAL PROVISIONS

29. Formal correction of registers of voters
30. Chief Electoral Officer and registration officers may administer oaths
31. Evidence
32. Publication of notices
33. Certificate of registration officer as to date of publication of registers of voters
34. Voters' card *prima facie* evidence of contents
35. Cancellation of voter's card
36. Application for copy of register of voters

### PART IV

#### OFFENCES

37. Offences in relation to registration
38. Offences relating to voter's card
39. Prohibition against requiring or asking for production of voters' card
40. Offences by registration officers
41. False information
42. Forgery, falsification and fraudulent destruction
43. Possession of forged or false document
44. False entries
45. Refusal to leave premises when required
46. General Penalty
47. Revocation of S.I. No. 38 of 2010
48. Savings and transitional provisions

#### SCHEDULE

IN EXERCISE of the powers contained in section 125 of the Electoral Process Act, 2016, the following Regulations are made:

PART I  
PRELIMINARY

- |   |                |
|---|----------------|
| 1. These Regulations may be cited as the Electoral (Registration of Voters) Regulations, 2020.  | Title          |
| 2. In these Regulations, unless the context otherwise requires—   | Interpretation |
| “assistant registration officer” means a person appointed as an assistant registration officer by the district registration officer under regulation 5; |                |
| “biometrics” means biological features or traits of an individual capable of being recorded for purposes of voter registration;                         |                |
| “citizen” has the meaning assigned to the word in the Constitution;   | Cap. 1         |
| “Commission” means the Electoral Commission of Zambia established under the Constitution;   | Cap. 1         |
| “district registration officer” means a person appointed as a district registration officer by the Commission under regulation 5;                       |                |
| “district” has the meaning assigned to the word in the Constitution;  | Cap. 1         |
| “exclusion list” means the appendix in the register of voters which indicates names of persons ineligible to vote at a particular polling station;      |                |
| “national registration card” means a national registration card issued under the National Registration Act;   | Cap. 126       |
| “national registration number” means the serial number inserted on a national registration card issued under the National Registration Act;             | Cap. 126       |
| “polling district” has the meaning assigned to the words in the Act;  |                |
| “pre voter registration application” means the electronic submission of an applicant’s details prior to voter registration;                             |                |
| “register of voters” means a register of voters prepared and certified under these Regulations;   |                |
| “registration officer” means a person appointed as a district registration officer or assistant registration officer under regulation 5;                |                |

“true copy”, in relation to a register of voters, means a copy of that register of voters, which is certified as a true copy thereof under the hand of the Chief Electoral Officer; and  
 “voter’s card” means a card set out in Form IV in the Schedule.

(2) A person whose name appears in a register of voters shall, until that register of voters is replaced under regulation 28, be considered to be registered as a voter, except a person whose name appears on the exclusion list of the register of voters.

(3) A person whose name does not appear in a register of voters is not a registered voter.

(4) Where a registration officer under regulation 12 or 13 has reasonable grounds to believe, that a voter’s card is lost, incorrect or destroyed, that voter’s card is considered to have been cancelled.

(5) A person in possession of a voter’s card cancelled under subregulation (4) commits an offence.

Division and  
 declaration  
 of polling  
 districts

3. (1) The Commission shall divide Zambia into polling districts and shall declare and publish by Notice in the *Gazette*, the names by which the polling districts are to be known and the descriptions of the boundaries of those polling districts.

(2) The Commission may, at any time, by notice in the *Gazette*, vary the boundaries or the descriptions of the boundaries of a polling district.

Functions of  
 Chief  
 Electoral  
 Officer

4. The Chief Electoral Officer shall—

- (a) ensure that a registration officer performs the registration officer’s functions in accordance with these Regulations;
- (b) issue to any registration officer instructions that are necessary to ensure compliance with these Regulations; and
- (c) perform all functions that are conferred or imposed on the Chief Electoral Officer by these Regulations.

Officers for  
 registration  
 of voters

5. (1) There shall be in respect of each district—

- (a) a district registration officer, that the Commission may appoint, by notice in the *Gazette* for the purpose of conducting voter registration in that district; and
- (b) an approved number of assistant registration officers that the district registration officer for that district may, by notice in writing, appoint for the purposes of assisting voter registration in respect of that district.

(2) A district registration officer shall, where the district registration officer appoints a person to be an assistant registration officer under subregulation (1)(b), deliver a copy of the notice to the Chief Electoral Officer.

6. A registration officer shall, before exercising any of the functions conferred under these Regulations or under any other written law, take and subscribe an oath, or make an affirmation in lieu thereof, in Form 1 set out in the Schedule.

Form of oath or affirmation for registration officers

7. (1) The Commission may, by notice in the *Gazette*, revoke the appointment of a district registration officer.

Revocation of appointment

(2) A district registration officer may, by notice in writing, revoke the appointment of an assistant registration officer.

(3) Where a district registration officer revokes the appointment of an assistant registration officer under subregulation (2), the district registration officer shall give notice in writing of the revocation to the assistant registration officer and shall deliver a copy of the notice to the Chief Electoral Officer.

## PART II

### REGISTRATION OF VOTERS

8. (1) The Commission shall carry out the registration of voters on a continuous basis.

Continuous registration of voters

(2) The registration of voters under subregulation (1) may be suspended by the Commission, by statutory order, for the purposes of an election or for compilation and update of the register of voters.

9. Subject to these Regulations, a registration officer for a polling district shall carry out the registration of voters for that polling district.

Conduct of registration of voters

10. (1) A citizen who has attained the age of eighteen years may apply to be registered as a voter to the registration officer for the polling district in which that citizen ordinarily resides in Form II set out in the Schedule or using an electronic media that the Commission may determine.

Application for registration as voter

(2) An applicant for registration shall, at the time of making the application, produce to a registration officer that applicant's national registration card.

(3) An applicant may make a pre-voter registration application using an electronic medium in Form III set out in the Schedule to the Commission containing details that the Commission may determine prior to the applicant's physical application before a registration officer.

(4) The Commission may accept a pre-voter registration application under subregulation (3) and process the application accordingly.

Procedure  
for  
registration

11. (1) A registration officer to whom an application is made under regulation 10 shall register an applicant as a voter if that applicant—

Cap. 126

- (a) is a citizen and duly registered in accordance with the provisions of the National Registration Act;
- (b) has attained the age of eighteen years; and
- (c) is qualified for registration as a voter.

(2) A registration officer shall register the applicant under subregulation (1) by—

- (a) completing the relevant part in in Form II set out in the Schedule;
- (b) capturing the applicant's biometrics, portrait and any other relevant information that the Commission may determine; and
- (c) completing a voter's card in Form IV set out in the Schedule.

(3) For the purposes of subregulation (2), the—

- (a) details of the names of an applicant to be entered on an application to register as a voter and a voter's card shall be identical to the details recorded on the national registration card produced by the applicant under regulation 10; and
- (b) surname and one forename only of the applicant shall be recorded in full, together with not more than two initials in respect of other forenames, if any, of the applicant.

(4) A registration officer shall reject an application for registration as a voter where the applicant—

- (a) does not ordinarily reside in the polling district in which the application is made;
- (b) has not attained the age of eighteen years; or
- (d) is not qualified for registration as a voter.

(5) A rejection of an application to register as a voter shall be in Form V set out in the Schedule.

(6) For the purposes of these Regulations, the Commission may determine an expiry date of a voter's card.

12. (1) A person may apply for the replacement of a voter's card in Form VI set out in the Schedule where—

Application  
for  
replacement  
of voter's  
card

(a) that person's voter card is lost, defaced, destroyed or has expired; or

(b) by reason of a change of the name of that person or incorrect details on the voter's card, the particulars recorded on the voter's card do not correspond to the particulars recorded on that person's national registration card.

(2) In the case of an application under subregulation (1)(a), the applicant shall prove that applicant's identity to the registration officer by producing to the registration officer a national registration card issued to that applicant and the registration officer shall determine whether the applicant is duly registered as a voter.

(3) A registration officer to whom an application is made under this regulation shall issue the applicant with a new voter's card where the registration officer determines that—

(a) in the case of an application made under subregulation (1)(a)—

- (i) the applicant's voter's card is lost or destroyed;
- (ii) in the case of a defaced or expired card, the applicant has surrendered the voter's card;
- (iii) the applicant has properly identified oneself under subregulation (2); and
- (iv) the applicant is a registered voter; or

(b) in the case of an application under subregulation (1)(b) the—

- (i) applicant has surrendered the voter's card; and
- (ii) particulars recorded on the applicant's voters card do not correspond to the particulars recorded on that applicant's national registration card.

13. (1) A person registered in an existing register of voters for any polling district who becomes ordinarily resident in another polling district may, during the period of continuous registration, apply in Form VII set out in the Schedule, to the registration officer for the other polling district to be registered as a voter in that polling district.

Application  
to transfer

(2) A registration officer to whom an application is made under subregulation (1) shall determine whether the applicant ordinarily resides in the polling district in which the application is made and whether the applicant is a registered voter.

(3) An applicant under this regulation, shall surrender to the registration officer the voter's card relating to the polling district in which the applicant was registered.

(4) A registration officer to whom an application is made under this regulation shall, where the applicant meets the requirements of the Act and these Regulations, enter the name of the applicant in the register of voters in respect of which the application is made.

Death of  
registered  
voter

14. (1) Where a registered voter dies, a person who is in possession of the deceased person's voter's card shall, within a reasonable time after the death of that person, apply to the registration officer to surrender the card in Form VIII set out in the Schedule.

(2) A registration officer to whom an application is made under subregulation (1) shall make inquiries that may be necessary to satisfy that registration officer that the person to whom the card was issued is dead.

(3) Where a registration officer determines under subregulation (2) that the person whose name appears on the voters' card is dead, the registration officer shall inform the Chief Electoral Officer and shall forward that voter's card to the Chief Electoral Officer.

(4) Despite regulation 22, the Commission may consider advice from any person, indicating that a registered voter is deceased.

(5) The Commission may obtain and rely on records of deaths from the Department of National Registration Passports and Citizenship, village registers, and other official records to remove the deceased registration as a voter, from the register of voters.

Control of  
persons in  
premises  
used for  
registration  
of voters

15. (1) A registration officer shall maintain order in the premises used for the purpose of registering persons as voters and shall regulate the number of persons to be admitted at a time to such premises.

(2) A registration officer may require any person, other than a member of the Commission, the Chief Electoral Officer, or any other person authorised in writing by the Chief Electoral Officer to enter and remain thereon, or to leave premises used for the purpose of registering voters.

(3) The powers conferred by this regulation shall not be exercised so as to prevent any person from applying to be registered as a voter.

16. A district registration officer shall forward to the Chief Electoral Officer, in accordance with directions that the Chief Electoral Officer may give to the registration officer, all records completed by the registration officer under regulations 11, 12, 13 and 14 in respect of those polling districts.

Voters  
registration  
records to be  
sent to Chief  
Electoral  
Officer

17. (1) The Chief Electoral Officer shall, on receipt of the voter's registration records completed and entered under regulations 11, 12, 13 and 14, compile the register of voters in respect of a polling district showing—

Register of  
voters

- (a) the voter's card number of each card completed in that polling district;
- (b) the surname of the person to whom the voter's card relates;
- (c) one forename and the initials, if any, of the person as recorded;
- (d) the disability of the person, if any;
- (e) gender;
- (f) the number of the national registration card as recorded in respect of the person; and
- (g) the portrait in respect of the person.

(2) The Chief Electoral Officer may, where the Chief Electoral Officer has reasonable grounds to believe that any person has committed an offence under the Act or these Regulations, refuse to make an entry in the register of voters in respect of that person.

(3) Where the Chief Electoral Officer refuses to make an entry in the register of voters in respect of any person under this regulation, the registration of that person under regulation 11 shall be considered to be cancelled and that person shall surrender that person's voter's card given to the person in respect of the registration to the registration officer for the polling district to which the voter's card relates.

18. (1) The Commission may determine the period within which the register of voters may be inspected.

Inspection  
of register of  
voter

(2) A registered voter may inspect that registered voter's details on the register of voters electronically during the period for inspecting the provisional register of voters.

Appeals

19. (1) A person may appeal to the Commission if that—
- (a) person's application is rejected under regulations 11, 12, 13 or 17; or
  - (b) person is notified under regulation 17 that the Chief Electoral Officer has refused the entry in the register of voters in respect of that person.

(2) An appeal under this regulation shall be in Form IX set out in the Schedule and shall be delivered to the Commission by the registration officer for the district in which the appellant made application for registration as a voter.

(3) An appeal under this regulation shall be determined by the Commission.

Procedure  
for appeals

20. (1) The Commission shall, on receipt of an appeal under regulation 19, appoint a day and a place for hearing the appeal and shall cause the appellant, the Chief Electoral Officer, and the registration officer for the polling district in which the appellant made an application for registration as a voter, to be notified.

(2) For the purpose of determining an appeal under regulation 19, the Commission may—

- (a) summon any person to appear before it to give evidence on oath or affirmation, and may order the production of any document relating to the appeal at the hearing; or
- (b) adjourn the hearing of the appeal to any convenient time or place as it may consider appropriate.

(3) Where an appellant fails to appear at the hearing of an appeal on the day and at the place appointed by the Commission for the hearing of the appeal, the Commission shall dismiss the appeal.

(4) The Commission shall, on determination of an appeal, notify the registration officer, the appellant and the Chief Electoral Officer, of the result of the appeal in Form X set out in the Schedule.

(5) A registration officer shall, where the Commission allows an appeal under regulations 11, 12, 13 or 17, on being notified under subregulation (4), register the appellant.

(6) The Chief Electoral Officer shall, where the Commission allows an appeal under regulation 17, on being notified under subregulation (4), include the appellant in the register of voters.

(7) The Chief Electoral Officer shall, where the Commission dismisses an appeal and is of the opinion that the appeal was made without reasonable cause, notify the appellant of its decision, stating the reasons thereof.

(8) A person who is aggrieved by the decision of the Commission may appeal to a subordinate court.

21. (1) A person registered in a polling district under Regulation 11 may, if that person's name is omitted from the register of voters in respect of that polling district, otherwise than in accordance with the provisions of regulation 17, submit a claim under this regulation to be included in that register. Claims

(2) A claim under this regulation shall be in Form XI set out in the Schedule and shall be delivered to the registration officer for the polling district.

(3) A claim delivered to a registration officer under this regulation shall be determined by that registration officer for that polling district.

(4) If a registration officer determines under this regulation that the claimant was registered in a polling district under regulation 11 and that the claimant's name is omitted from the register of voters for that polling district, the registration officer shall uphold that claim, and notify the Chief Electoral Officer accordingly.

22. (1) A person may object to the inclusion of the name of a person in the register of voters in Form XII set out in the Schedule, on the grounds that the person is not qualified for registration as a voter or is dead. Objections

(2) A registration officer for any polling district may object under this regulation to the inclusion of the name of any person appearing in the register of voters for that polling district in Form XIII set out in the Schedule, on the grounds that such person is not qualified for registration as a voter or is dead.

(3) A person who objects under subregulation (1) shall serve a copy of the objection on the person whose name is the subject of the objection.

(4) The Commission shall determine an objection under this regulation prior to the certification of the register of voters for an election.

(5) The Commission shall not entertain an objection under subregulation (1) after certification of a register of voters for an election.

(6) The Commission shall appoint a day and a place for the hearing of an objection delivered to it under this regulation and shall cause—

- (a) a copy of the objection to be served on the person whose name is the subject of the objection; and
- (b) that person and the person by whom an objection is made to be notified, in a manner that the Commission may determine, of the day and place for the hearing.

(7) A person making an objection may appear in person, or may be represented by a person appointed in writing for the purpose of a hearing, at the hearing of the objection.

(8) A person whose name is the subject of an objection under this regulation may appear in person, or may be represented by any person appointed in writing for the purpose of a hearing, at the hearing of the objection, or may deliver a signed statement to the Commission setting forth the answer to the objection.

(9) Where a person making an objection or the person whose name is the subject of the objection is represented at the hearing of the objection under this regulation, the Commission may, if it considers it necessary, but subject to the provisions of subregulation (5), adjourn the hearing to enable the person making the objection or a person whose name is the subject of the objection to appear in person and may make an order accordingly.

Powers of  
Commission  
on hearing of  
objections

23. (1) The Commission shall determine the procedure for the hearing of an objection under regulation 22.

(2) The Commission shall determine an objection with the necessary modifications in accordance with the provisions that apply in relation to an appeal under regulation 19, except that in relation to an appeal, claim and objection, the Commission may permit a voter to register in terms of regulation 11 as if the voter had registered before the close of the registration period.

Amendments  
resulting  
from an  
appeal

24. The Chief Electoral Officer shall effect a necessary amendment occasioned by an appeal, claim or objection prior to the certification of the register of voters for an election.

### PART III

#### CERTIFICATION OF REGISTER OF VOTERS

Preparation  
of register of  
voters for  
certification

25. (1) The Chief Electoral Officer shall cause a register of voters for each polling district to be prepared for certification.

(2) A register of voters prepared under this regulation shall be in a form that the Chief Electoral Officer may determine.

(3) Subject to the provisions of this regulation, the particulars entered under regulation 17 in the register of voters for any polling district, including any amendments shall be entered in a register of voters prepared for that polling district under this regulation.

(4) The Chief Electoral Officers shall make an entry in a register of voters prepared under this regulation in respect of a person who is required to surrender a voter's card in consequence of an objection.

(5) The particulars prescribed in regulation 17 shall be entered in a register of voters prepared for any polling district under this regulation in respect of a person—

(a) registered in that polling district under regulation 11—

(i) whose name is, in the opinion of the Chief Electoral Officer, inadvertently omitted from the register of voters for a polling district;

(ii) who has not been notified of a refusal in respect of a register of voters under regulation 17; and

(iii) who has not made a claim in respect of a register of voters under regulation 21;

(b) who the registration officer for that polling district is required to register under regulation 20(5) in consequence of an appeal; and

(c) whose claim to be included in the register of voters for that polling district is upheld under regulation 21.

26. (1) The Chief Electoral Officer shall, where the preparation of any register of voters for any polling district is completed under regulation 17, certify the register of voters as the register of voters for that polling district in Form XIV set out in the Schedule.

Certification  
of register of  
voters

(2) The Chief Electoral Officer shall, where the certification of the register of voters for any polling district is completed under these regulations, publish a notice in the *Gazette* stating—

(a) that the certification of the register of voters for that polling district has been so completed; and

(b) that the certified register of voters replaces all registers of voters previously prepared in respect of that polling district.

Publication  
of register of  
voters

27. (1) The Chief Electoral Officer shall, as soon as practicable after the certification of a register of voters under regulation 26, deliver a number of true copies thereof that the Chief Electoral Officer may consider necessary to the district registration officer for the polling districts to which the register of voters relates.

(2) A district registration officer shall, on receipt of a true copy of a register of voters delivered under sub regulation (1), publish at the office of the district registration officer within whose district the polling district to which a register of voters relates is situated, and at other places that may be determined, a notice that such register of voters has been duly certified and that a true copy thereof is open for inspection at a place and time, that may be specified in the notice.

Replacement  
of previous  
register of  
voters

28. (1) A register of voters prepared for any polling district under this Part shall, on certification thereof under this Part, replace any register of voters previously prepared and certified for the same polling district.

(2) A true copy of a register of voters prepared and certified under this Part and delivered to a district registration officer under regulation 27 for publication, shall during the period of that publication be kept under the control and custody of that district registration officer and shall not, except in accordance with the directions of the Commission, be removed from that custody.

#### PART IV

##### GENERAL PROVISIONS

Formal  
correction of  
registers of  
voters

29. (1) The Chief Electoral Officer may, at any time after the certification of a register of voters under these Regulations, make an insertion, alteration and amendment therein that may be reasonably required—

- (a) to correct any clerical error;
- (b) to correct any misnomer or incorrect description;
- (c) to ensure that the name of any person does not appear in more than one register of voters or in the same register of voters more than once.

(2) The Chief Electoral Officer shall, where the Chief Electoral Officer makes an insertion, alteration or amendment in a register of voters under this Regulation, cause that insertion, alteration or amendment to be made in every certified register of voters.

- |   |   |
|---|---|
| <p>30. (1) A registration officer or the Chief Electoral Officer may summon any person to appear before the registration officer or the Chief Electoral Officer to give evidence on oath or affirmation for the purpose of—</p> <p style="margin-left: 40px;">(a) considering or determining any matter which is required to be considered or determined under these Regulations; or</p> <p style="margin-left: 40px;">(b) being satisfied to the necessity of making an insertion, alteration or amendment in a register of voters.</p> <p>(2) A registration officer or the Chief Electoral Officer may administer oaths or affirmation for the purpose of subregulation (1), and may order the production of any document bearing on any issue relevant thereto.</p> | <p>Chief Electoral Officer and registration officer may administer oath</p>   |
| <p>31. In any proceedings before a competent court, a true copy of the register of voters prepared under these Regulations shall, for the purpose of those proceedings, be admissible in evidence as proof of the contents of that register of voters.</p>  | <p>Evidence</p>   |
| <p>32. Where any notice is required by these Regulations to be published and, in the opinion of the authority which is required to publish the notice, the prescribed mode of publication does not give sufficient publicity to the notice, the authority may, in addition to publishing the notice as required by these Regulations, exhibit copies of the notice in prominent places within the polling district to which the notice relates, or take other steps that the authority may consider necessary for having sufficient publicity thereto.</p>  | <p>Publication of notices</p>   |
| <p>33. (1) A certificate under the hand of the district registration officer for any polling district certifying the manner and date of publication under regulation 27 of a true copy of the register of voters prepared for the polling district under regulation 25, shall be admissible as <i>prima facie</i> evidence of the matters therein certified in all legal proceedings.</p> <p>(2) A certificate under subregulation (1) purporting to be signed by a district registration officer shall be presumed, until the contrary is proved, to have been signed by the district registration officer.</p>  | <p>Certificate of registration <i>prima facie</i> evidence of its content</p> |
| <p>34. A voter's card completed under these Regulations shall be admissible as <i>prima facie</i> evidence of the matters contained therein in any proceedings under these Regulations.</p>   | <p>Voter's card <i>prima facie</i> evidence of contents</p>                   |
| <p>35. A voter's card is deemed to be cancelled if it is—</p> <p style="margin-left: 40px;">(a) required to be surrendered under regulations 12 and 13; or</p> <p style="margin-left: 40px;">(b) is lost or destroyed.</p>  | <p>Cancellation of voter's card</p>   |

Application  
for copy of  
register of  
voters

36. (1) An interested person may apply to the Chief Electoral Officer for a copy of a register of voters and the Chief Electoral Officer may, if that copy is available and on payment of a prescribed fee, supply a copy to that person.

(2) A registered voter may check electronically for that registered voter's details on the register of voters.

PART V  
OFFENCES

Offences in  
relation to  
registration

37. A person commits an offence if that person—

- (a) not being qualified for registration as a voter, without lawful excuse applies to be registered under regulation 11; or
- (b) having been registered under regulation 11 applies for the second or subsequent times to be registered as a voter.

Offences  
relating to  
voter's card

38. A person commits an offence if that person—

- (a) being required to surrender a voter's card under these Regulations, wilfully fails to do so;
- (b) without lawful authority, the onus of proving which shall lie on the person, is in possession of a voter's card which was not given to the person in pursuance of these Regulations; or
- (c) without lawful authority, the onus of proving which shall lie on the person, asks or requires another person to give to the person the voter's card given to that other person in pursuance of these regulations.

Prohibition  
against  
requiring or  
asking for  
production  
of voter's  
card

39. (1) A person shall not in any public place, or in or at any dwelling house require or ask for the production, or use any words, whether written or spoken, or signs which may reasonably be understood to indicate that the person is requiring or asking for the production by any person of that person's voter's card.

Cap. 87

(2) In this regulation, "dwelling house" and "public place" have the meaning assigned to the words in section 4 of the Penal Code Act.

(3) A person who contravenes subregulation (1) commits an offence.

Offences by  
registration  
officers

40. A registration officer or assistant registration officer commits an offence if that registration officer or assistant registration officer—

- (a) willfully fails to perform the functions of the officer under

- these Regulations;
- (b) fraudulently completes, alters or destroys a voter's registration record or a voter's card; or
- (c) gives to a person a voter's card otherwise than in pursuance of these Regulations.
41. A person who knowingly gives false information to a registration officer or to an assistant registration officer commits an offence.
42. A person commits an offence if that person forges, or falsifies any material particular, or fraudulently destroys—
- (a) a voter's registration record;
- (b) a voter's card;
- (c) a register of voters; or
- (d) a true copy of a register of voters.
43. A person who, without lawful excuse, is found in possession of a voter's registration record or any voter's card which is forged or false in any material particular commits an offence.
44. An appellant, claimant or objector who knowingly makes a false entry on the form completed in pursuance of these Regulations for the purposes of an appeal, claim or objection, commits an offence.
45. A person who fails to leave any premises being used by a registration officer or an assistant registration officer for the purpose of registering persons as voters under these Regulations, on being lawfully required to leave that premises by the registration officer or assistant registration officer, commits an offence.
46. A person who commits an offence under these Regulations for which a specific penalty is not provided is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or a term of imprisonment for a period not exceeding two years, or to both.
47. The Electoral (Registration of Voters) Regulations, 2010, are hereby revoked.
48. Despite the revocation of the Electoral (Registration of Voters) Regulations, 2010, the polling districts declared, the district registration officer and assistant district registration officers appointed, and the voter's cards issued under the revoked Regulations shall continue to be the polling districts, the district registration officers, the assistant registration officers and the voters' cards for purposes of these Regulations, as if they were declared, appointed, or issued, under these Regulations.

False information

Forgery, falsification and fraudulent destruction

Possession of forged or false document

False entries

Refusal to leave premises when ordered

General Penalty

Revocation of S.I. No. 38 of 2010

Savings and transitional provisions S.I. No. 38 of 2010

SCHEDULE  
(Regulations 6, 10, 11, 12, 13, 14, 19, 20, 21, 22 and 26)

**Form I**  
(Regulation 6)



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**OATH OR AFFIRMATION**

I ..... having been appointed as  
..... swear solemnly/ sincerely affirm that I will carry  
out the duties required of me as a result of my appointment, impartially and to the best of my  
ability without favour to any person or persons, and that I will not directly or indirectly reveal  
to any person or persons any matter that may come to my knowledge or notice as a result of  
my appointment unless so authorized by law.

\*Sworn/Affirmed before me this ..... day of ....., 20.....

Signed: .....

NAME IN BLOCK LETTERS:.....

\*Magistrate/Local Court Magistrate/District Electoral Officer/District Registration Officer/  
Head of a Government School/Principal of a College/Commissioner for Oaths.

**\*Delete which do not apply**

**Form II**  
(Regulations 10(1) and 11(2))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**APPLICATION TO REGISTER AS A VOTER**

**Registration No:** .....

1. Surname: ..... First name: .....  
Other names (initials only): .....
2. Gender: Male  Female
3. Date of Birth: ...../...../.....  
Adult (if DOB unknown)
4. Residential address: .....
5. Postal address: .....
6. Mobile telephone number: .....
7. National registration card number: ...../...../.....
8. Polling District:
  - (i) Name: .....
  - (ii) Number: ...../.....
  - (iii) Polling Station: .....
9. Type of disability
  - (i) Blind: Yes/No  literate in Braille Yes/No
  - (ii) Without hand: Yes/No
  - (iii) Other disability .....

.....  
*Signature or fingerprint of applicant*

Date: ....., 20.....

**OFFICIAL USE ONLY**

Voters' Card Number: .....

.....  
*Name of Registration Officer*

.....  
*Signature*

Date: ....., 20.....

**FINGERPRINT**

**VOTER'S  
PORTRAIT**

**Form III**  
(Regulations 10(3))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**

(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**PRE-APPLICATION TO REGISTER AS A VOTER**

**Registration No:** .....

1. Surname: ..... First name: .....
2. Gender: Male  Female
3. Date of Birth: ...../...../.....  
Adult (if DOB unknown)
4. Residential address: .....  
.....
5. Postal address: .....
6. Mobile telephone number: .....
7. National registration card number: ...../...../.....
8. Polling District:
  - (i) Name: .....
  - (ii) Number: ...../.....
  - (iii) Polling Station: .....
9. Type of disability
  - (i) Blind: Yes/No  literate in Braille Yes/No
  - (ii) Without hand: Yes/No
  - (iii) Other disability .....

**Form IV**  
(Regulations 11(2))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**VOTER'S CARD**

**1. THE FRONT SHALL CONTAIN THE FOLLOWING DETAILS:**

- (a) Voter's card number;
- (b) Voter's Portrait;
- (c) Surname;
- (d) First name;
- (e) Initials;
- (f) Issuing registration/polling station; and
- (g) Date the card was issued.

**2. THE BACK SHALL CONTAIN THE FOLLOWING DETAILS:**

- (a) Gender;
- (b) Date of birth;
- (c) Residential Address;
- (d) Polling District;
- (e) Expiry date;
- (f) Signature or Fingerprint of Voter; and
- (g) Signature of Registration Officer.

Form V  
(Regulation 11(5))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**

(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**REJECTION OF APPLICATION TO REGISTER AS A VOTER**

Polling District: .....

District: .....

To (Applicant) .....

(Full names in BLOCK CAPITALS)

of (Address of Applicant): .....

.....

I hereby refuse to register you in the above polling district on the grounds that:

- \*(a) I am not satisfied as to your identity
- \*(b) I am not satisfied that you are ordinarily resident in the said polling district
- \*(c) I am not satisfied that you are qualified for registration
- \*(d) I am not satisfied that you have attained the age of 18 years

For the following reason(s): .....

.....

..... Date: ....., 20.....

\*Registration Officer/ Chief Electoral Officer

An appeal against this refusal to register may be lodged on Form X in accordance with Regulation 21.

**\*Delete which do not apply**

Copy to: Chief Electoral Officer

**Form VI**  
(Regulations 12(1))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**APPLICATION TO REPLACE A VOTER'S CARD**

Surname: ..... First name: .....

Other names (initials only): .....

Current residential address: .....

.....

Postal address: .....

National Registration Card number: ...../...../.....

Voters' Card number (if known): .....

Mobile number: .....

**I declare that:-**

\*(i) My voter's card has been \*lost/destroyed/defaced and I am applying for a replacement.

A police report and a copy of my national registration card are attached. \*My defaced voter's card is attached.

\*(ii) I have changed my name, which was formerly: .....

to ..... I have attached copies of \*deed poll/ national registration card/marriage certificate and my voter's card.

\*(iii) My voter's card has expired and is attached.

..... Date ....., 20 .....

Signature or fingerprint of applicant

Application \*accepted/rejected. If rejected - for the following reason: .....

.....

.....

\*Replacement Voter's Card issued on (Date): ....., 20 .....

..... Date ....., 20.....

Registration Officer

**\*Delete which do not apply**

Form VII  
(Regulations 13(1))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016  
(Act No. 35 of 2016)**

**The Electoral Process (Registration of Voters) Regulations, 2020**

**APPLICATION TO TRANSFER TO ANOTHER POLLING DISTRICT**

Surname: ..... First name: .....

Other names (initials only): .....

Current residential address: .....

.....

Postal address: .....

.....

National registration card number: ...../...../.....

Voter's card number (if known): .....

Mobile number: .....

**I declare that:-**

\*(i) I am duly registered in the polling district mentioned above.

\*(ii) I have changed my address, which was formerly: .....

..... in the

..... Polling District.

\*(iii) I apply for transfer to ..... Polling District.

.....

Date ....., 20 .....

Signature or fingerprint of applicant

Application \*accepted/rejected. If rejected - for the following reason:

.....  
.....

Registered in new polling district on (Date): ....., 20.....

..... Date ....., 20.....  
Registration Officer

**\*Delete which do not apply**

**Form VIII**  
(Regulations 14(1))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**NOTIFICATION OF DEATH OF A REGISTERED VOTER**

TO: The Registration Officer:

..... Polling District

I wish to notify the Electoral Commission of Zambia that the following registered voter is deceased:

Surname: ..... First name: .....

Other names (initials only): .....

National Registration Card number of deceased: .....

Voter's Card number of deceased (if known): .....

Date of death: ..... Place of death: .....

Names of person notifying the death:

Surname: ..... First name: .....

Other names (initials only): .....

Physical address of person notifying the death: .....

.....

Mobile number of person notifying the death: .....

I \*have/have not attached the deceased person voter's card.

I \*have/have not attached a copy of the \*burial permit/\*death certificate/\*affidavit.

.....  
Signature or fingerprint of applicant

Date: ....., 20 .....

Penalty for making a false entry - By virtue of the Electoral (Registration of Voters) Regulations, the penalty for making false entry shall be as prescribed by the Commission.

---

In accordance with the above regulation, I am satisfied that the aforementioned registered voter is deceased. I have taken action to have the deceased voter deleted from the Register of Voters, and I \*have/have not returned the voter's card to the Chief Electoral Officer.

.....  
Registration Officer

Date ....., 20.....

**\*Delete which do not apply**

**Form IX**  
(Regulations 19(2) and 23)



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**APPEAL AGAINST REJECTION OF APPLICATION TO**

**REGISTER AS A VOTER**

The Chairperson, Electoral Commission of Zambia

Surname: ..... First name: .....

Other names (initials only): .....

National Registration Card number: ...../...../.....

Residential address: .....

.....

Postal address: .....

Mobile number: .....

1. I, the above-mentioned appellant, applied to be registered as a voter under the Electoral (Registration of Voters) Regulations, 2020 in the ..... Polling District but the \*Registration Officer/Chief Electoral Officer rejected my application to be so registered on the following grounds: .....

.....

.....

2. I have\*attached/\*not attached a copy of Form V given to me by the \*Registration Officer/Chief Electoral Officer.

3. I hereby appeal against the rejection of my application on the following grounds:

.....  
.....

..... Date ....., 20.....  
Signature or fingerprint of Appellant

**\*Delete which do not apply**

**Form X**  
(Regulations 20(4))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**DETERMINATION OF AN OBJECTION OR APPEAL BY THE COMMISSION**

The Commission has considered the \*Objection/Appeal by:

Surname: ..... First name: .....

Other names (initials only): .....

National Registration Card number: ...../...../..... or \*by the Registration

Officer for .....Polling District or \*by the Chief

Electoral Officer that:

1. The application to register as a voter was rejected
2. A name should be removed from the Register of Voters

The Commission has determined that the \*Objection/Appeal has been \*Successful/

Unsuccessful.

Accordingly ..... should be  
(Full name in BLOCK CAPITALS)

\*added/removed \*to/from the Register of Voters for .....

Polling District ..... District.

..... Date ....., 20 .....

Commission Secretary

Reason for decision: .....

.....

..... Date: ....., 20.....

Commission Secretary

Copy to: Chief Electoral Officer  
District Registration Officer  
Registration Officer  
Appellant

**\*Delete which do not apply**

**Form XI**  
(Regulations 21(2))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**CLAIM FOR INCLUSION IN REGISTER OF VOTERS**

Surname: ..... First name: .....

Other names (initials only): .....

National Registration Card number: ...../...../.....

Voter's card number:.....

Residential address :.....

.....

Postal address:.....

Mobile number:.....

I, hereby claim that:

1. I, the above mentioned claimant applied to be registered under Electoral (Registration of Voters) Regulations, as a voter in ..... Polling District of ..... District and I have been given a Voter's card which bears the number set out above.
2. My name should be included in the register of voters for ..... Polling District of ..... District.

.....  
Signature or fingerprint of claimant

Date ....., 20 .....

I am \*satisfied/\*not satisfied that the aforementioned registered voter was omitted in from the register of voters and the claim is \*upheld/\*rejected.

.....  
Registration Officer

Date ....., 20.....

**\*Delete which do not apply**

Form XII  
(Regulations 22(1))



REPUBLIC OF ZAMBIA



The Electoral Process Act, 2016  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**OBJECTION BY A PERSON TO THE RETENTION OF A  
NAME ON THE REGISTER OF VOTERS**

The Registration Officer:

..... Polling District

Surname: ..... First name: .....

Other names (initials only):.....

Residential address: .....

.....

Postal address: .....

.....

Mobile number: .....

National Registration Card No.: ...../...../.....

Voter's Card No: .....

1. I, the above-mentioned objector , being registered under the Electoral (Registration of Voters) Regulations,2020 in the above mentioned Polling District, do hereby object to the retention in the Register of Voters for .....  
Polling District.

Surname: ..... First name: .....

Other names (initials only):.....

Voters' card number:.....

National registration card number: ...../...../.....

2. The grounds of objection are: .....  
.....

.....  
Signature or fingerprint of objector

Date: ....., 20 .....

Form XIII  
(Regulations 22(2))



REPUBLIC OF ZAMBIA



The Electoral Process Act, 2016  
(Act No. 35 of 2016)

The Electoral Process (Registration of Voters) Regulations, 2020

OBJECTION BY A REGISTRATION OFFICER TO THE RETENTION  
OF A NAME ON THE REGISTER OF VOTERS

The Chief Electoral Officer

I, Surname: ..... First name: .....  
Other names (initials only): .....being the Registration Officer  
for ..... Polling District in ..... District Mobile  
number: .....

- Do hereby object to the retention of:  
Surname: ..... First name: .....  
Other names (initials only): .....  
in the Register of Voters for .....  
Polling District in ..... District, bearing the  
following details:  
Voter's card number: .....  
National registration card number: ...../...../.....
- The grounds of objection are: .....

..... Date: ....., 20 .....  
Signature or fingerprint of Registration Officer

**\*Delete which does not apply**

**Form XIV**  
(Regulations 26(1))



**REPUBLIC OF ZAMBIA**



**The Electoral Process Act, 2016**  
(Act No. 35 of 2016)

**The Electoral Process (Registration of Voters) Regulations, 2020**

**CERTIFICATE**

I, HEREBY CERTIFY that this is a true copy of the Register of Voters prepared in respect of the above named polling district in accordance with the Electoral (Registration of Voters) Regulations and that this register will come into force with effect from ..... replacing all previous registers and shall remain legally in force until a new Register of Voters is prepared and certified in accordance with the Regulations.

.....  
*Chief Electoral Officer*

Made by the Electoral Commission of Zambia at Lusaka this 22nd day of September, 2020.

JUSTICE E. E. CHULU,  
*Chairperson*

E. J. SIKAZWE,  
*Member*

A. D. SIMWINGA,  
*Member*

LUSAKA  
22nd September, 2020  
[EC.101/5/2 CONF.]

