

**GOVERNMENT OF ZAMBIA**  
**STATUTORY INSTRUMENT NO. 38 OF 2010**

**The Electoral Act, 2006**  
**(Act No. 12 of 2006)**

**The Electoral (Registration of Voters) Regulations, 2010**

**ARRANGEMENT OF VOTERS**

**PART I**  
**PRELIMINARY**

1. Title
2. Interpretation
3. Division and declaration of polling districts
4. Functions of Director of Elections
5. Officers for registration of voters
6. Form of oath or affirmation for registration officer
7. Revocation of appointment

**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 from one register of voters to another
14. Death of registered voter
15. Control of persons in premises used for registration of voters
16. Voters registration records to be sent to Director of Elections
17. Register of voters
18. Inspection of register of voter

20. Procedure for appeals
21. Claims
22. Objections
23. Powers of Commission on hearing of objections
24. Effecting of amendments resulting from appeals

### PART III

#### CERTIFICATION OF REGISTER 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. Director of Elections and registration officers may administer oaths
31. Evidence
32. Publication of notices
33. Certificate of district registration officer as to date of publication of register of voters
34. Voter's card *prima facie* evidence of contents
35. When voter's card deemed to be cancelled
36. Application for copy of register of voters

### PART V

#### OFFENCES

37. Offences in relation to registration
38. Offences relating to voter's card
39. Prohibition against requiring or asking for production of voter's 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. Penalty
47. Savings
48. Revocation of S.I No. 238 of 1973

SCHEDULE Prescribed Form

IN EXERCISE of the powers contained in section *one hundred and twenty-nine* of the Electoral Act, 2006, the following Regulations are hereby made:

PART I  
PRELIMINARY

- |  |                |
|--|----------------|
| 1. These Regulations may be cited as the Electoral (Registration of Voters) Regulations, 2010.   | Title          |
| 2. (1) In these Regulations, unless the context otherwise requires—  | Interpretation |
| “assistant registration officer” means an assistant registration officer appointed under regulation 5;   |                |
| “Commission” means the Electoral Commission of Zambia established under the Constitution;  | Cap. 1         |
| “functions “ includes powers and duties;   |                |
| “national registration card” means a national registration card issued under the National Registration Act;  |                |
| “national registration number”, in relation to a national registration card, means the serial number inserted on the national registration card under the National Registration Act;   | Cap. 126       |
| “polling district” means any polling district as described under the Act;  |                |
| “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 the register of voters, which is certified as a true copy thereof under the hand of the Director of Elections; | Cap. 126       |
| “voter’s card” means a card in Form IV set out in the Schedule; and  |                |
| “voter’s registration record” means a registration form in Form III set out in the Schedule.   |                |
| (2) A person whose name appears in a register of voters shall, until the register of voters is replaced by virtue of the operation of regulation 28, be deemed to be registered as a voter.  |                |
| (3) A person whose name does not appear in a register of voters shall not be deemed to be registered as a voter.   |                |
| (4) Where a registration officer has reasonable grounds to believe, for the purpose of the exercise of the registration officer’s functions under regulation 12 or 13, that a voter’s card is lost, incorrect or destroyed, the voter’s card in question shall be deemed to have been cancelled.                           |                |

- (5) A person who is in possession of a voter's card which is deemed to be cancelled under sub regulation (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 the 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 Director of Elections
4. The Director of Elections shall —
- (a) ensure that a registration officer performs the registration officer's functions in accordance with these Regulations;
- (b) issue to a registration officer such instructions as are necessary to ensure compliance with the provisions of these Regulations; and
- (c) perform all such functions as are conferred or imposed upon the
- Officers for registration of voters
5. (1) In respect of each district, there shall be—
- (a) a district registration officer, as the Commission may specify, by notice in the *Gazette*; and
- (b) such approved numbers of assistant registration officers as the district registration officer for that polling district may, by notice in writing, appoint for the purpose of assisting in the exercise of the functions in respect of that polling district.
- (2) A district registration officer shall, where the district registration officer appoints any person to be an assistant registration officer under paragraph (b) of sub regulation (1), deliver a copy of the notice referred to in that paragraph to the Director of Elections.
- Form of oath or affirmation for registration 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 I set out in the Schedule.
- Revocation of appointment
7. (1) The Commission may, by notice in the *Gazette*, revoke the appointment of a district registration officer.
- (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 pursuant to sub-regulation (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 Director of Elections.

## 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 referred to under sub-regulation (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 appointed for a polling district shall carry out the registration of voters for that polling district. Conduct of registration of voters
10. (1) A person who has attained the age of eighteen years may make an application to be registered as a voter to the registration officer for the polling district in which the applicant ordinarily resides in Form II set out in the Schedule. Application for registration as voter
- (2) An applicant for registration shall, at the time of making the application, produce to a registration officer a national registration card issued to the applicant under the National Registration Act. Cap. 126
11. (1) If a registration officer to whom an application is made under regulation 10 determines that — Procedure for registration
- (a) the applicant is duly registered in accordance with the provisions of the National Registration Act;
- (b) the applicant has attained the age of eighteen years; and
- (c) the applicant is qualified for registration as a voter; Cap. 126
- the registration officer shall register the applicant —
- (i) by completing the voters registration record for the polling district in Form III set out in the Schedule; and
- (ii) by completing a voter's card in Form IV set out in the Schedule.
- 2) For the purposes of sub regulation (1), the details of the names of an applicant to be entered on a voters registration record and a voter's card in relation to an applicant shall be identical to the details recorded on the national registration card produced by the applicant under regulation 10:
- Provided that the 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.
- (3) A registration officer shall reject an application for registration as a voter where
- (a) the applicant fails to meet the requirements of the Act or these Regulations;
- (b) the applicant does not ordinarily reside in the polling district

in which the application is made;

(c) the applicant has not attained the age of eighteen years; or

(d) the applicant is not qualified for registration as a voter.

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

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

Application  
for  
replacement  
of 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 —

(a) that person's voter's 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 paragraph (a) of sub regulation (1), 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 under the National Registration Act, and the registration officer shall determine whether the applicant is duly registered as a voter.

Cap. 126

(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 paragraph (a) of sub regulation (1)

(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 themselves under sub regulation (2); and

(iv) the applicant is a registered voter; or

(b) in the case of an application under paragraph (b) of sub regulation (1)

(i) the applicant has surrendered the voter's card; and

(ii) the particulars recorded on the applicant's voter's card do not correspond to the particulars recorded on that applicant's national registration card.

(4) A registration officer to whom an application is made under

this regulation shall reject the application if the applicant fails to meet the requirements of the Act or these Regulations.

13. (1) A person registered in the current 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 from one register of voters to another

(2) A registration officer to whom an application is made under sub regulation (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.

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

Death of registered voter

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

(3) Where, pursuant to sub regulation (2), a registration officer determines that the person whose name appears on the voter's card is dead, the registration officer shall inform the Director of Elections and shall forward such voter's card to the Director of Elections.

(4) Notwithstanding 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 Departments of National Registration, Passports and Citizenship, village registers and like records to remove deceased registered voters from the register of voters.

15. (1) A registration officer shall maintain order in the premises used for the purpose of registering persons as voters and

Control of persons in premises used for registration of voters

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 Director of Elections or any other person authorised in writing by the Director of Elections to enter and remain thereon, to leave the 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 having an opportunity to make an application to be registered as a voter.

Voters  
registration  
records to be  
sent to  
Director of  
Elections

16. A registration officer of a polling district shall forward to the Director of Elections, in accordance with such directions as the Director of Elections may give to the registration officer, all voters registration records completed by the registration officer under regulations 11, 12, 13 and 14 in respect of such polling district.

Register of  
voters

17. (1) The Director of Elections shall, upon receipt of the voters registration records completed and entered under regulations 11, 12, 13 and 14, compile the register of voters in respect of any polling district showing

- (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) the number of the national registration card as recorded in respect of any persons; and
- (f) the portrait in respect of such person.

(2) The Director of elections may, where the Director of Elections 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 Director of Elections refuses to make an entry in the register of voters in respect of any person under this regulation, the registration of such person under regulation 11 shall be deemed to be cancelled, and such person shall surrender that person's voter's card given to the person in respect of such registration to the registration officer for the polling district to which such voter's card relates.

Inspection of  
register of  
voters

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

19. (1) Any person

(a) whose application is rejected under regulations 11, 12, 13 or 17; or Appeals

(b) who is notified under regulation 17 that the Director of Elections has refused the entry in the register of voters in respect of that person;

may appeal against such refusal to the Commission.

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

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

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

Procedure  
for appeals

(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 hereof; 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, upon determination of an appeal notify the registration officer, the appellant and the Director of Elections, of the result of such appeal.

(5) If the Commission allows an appeal under regulations 11, 12, 13 or 17 the registration officer, upon being so notified under sub regulation (5), shall register the appellant.

(6) If the Commission allows an appeal under regulation 17, the Director of Elections, upon being so notified under sub regulation (4), shall include the appellant in the register of voters.

(7) If the Commission dismisses an appeal and is of the opinion that the appeal was made without reasonable cause, the Director of Elections shall notify the appellant accordingly.

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

## Claims

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 such register.

(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 such claim, and notify the Director of elections accordingly.

## Objections

22. (1) A person whose name appears in the register of voters for any polling district may object under this regulation to the inclusion therein of the name of any person appearing therein, on the grounds that such person is not qualified for registration as a voter or is dead.

(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 such polling district, on the grounds that such person is not qualified for registration as a voter or is dead.

(3) An objection under sub-regulations (1) and (2) shall not be entertained after certification of a register of voters for an election.

(4) An objection

(a) under sub regulation (1) shall be made in Form XII set out in the Schedule; and

(b) under sub regulation (2) shall be made in Form XIII set out in the Schedule;

and shall be determined by the Commission

(5) An objection under this regulation shall be determined by the Commission prior to the certification of the 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) such person and the person by whom the objection is made, to be notified, in such manner as determined, of such day and such place.

(7) A person making an objection may appear in person or may be represented by any person appointed in writing for the purpose, 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, 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 sub regulation (5), adjourn the hearing to enable the person making the objection or the person whose name is the subject of the objection to appear in person and may make an order accordingly.

23. (1) The procedure for the hearing of an objection under regulation 22 shall be such as the Commission may direct.

(2) An objection shall be determined with the necessary modifications in accordance with the provisions that apply in relation to an appeal under regulation 19:

Provided 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.

24. The Director of Elections shall effect all necessary amendments occasioned by appeals, claims, and objections prior to the certification of the register of voters for an election.

Powers of  
Commission  
on hearing  
of objections

Effecting of  
amendments  
resulting  
from  
appeals by  
Director of  
Elections

## PART III

## CERTIFICATION OF REGISTER OF VOTERS

Preparation  
of register  
for  
certification

25. (1) The Director of Elections 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 such form as the Director of Elections 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) An entry shall not be made in a register of voters prepared under this regulation in respect of any 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) any person registered in such polling district under regulation 11

(i) whose name is, in the opinion of the Director of Elections, inadvertently omitted from the register of voters for such polling district;

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

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

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

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

Certification  
of register of  
voters

26. (1) The Director of Elections 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.

(2) The Director of Elections shall, where the certification of the register of voters for any polling district is completed under this regulation, publish a

notice in the *Gazette* stating

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

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

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

Publication  
of register of  
voters

(2) A district registration officer shall, upon 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 the register of voters relates is situated, and at such other places as may be determined, a notice that the register of voters has been duly certified and that the true copy thereof is open for inspection at such place or places and at such times, as may be specified in the notice.

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

Replacement  
of previous  
register of  
voters

(2) A true copy of a register of voters prepared and certified under this Part shall, subject to the provisions of this Part, be kept under the control and custody of the Director of Elections and shall not, except as the Commission may otherwise direct or for the purpose of these Regulations or of any proceedings before a court of competent jurisdiction under these Regulations, be removed from such custody.

(3) 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 such publication be kept under the control and custody of such district registration officer and shall not, except in accordance with the directions of the Commission, be removed from such custody.

#### PART IV

##### GENERAL PROVISIONS

29. (1) The Director of Elections may, at any time after the certification of any register of voters under these Regulations, make such insertions, alterations and amendments therein as may be reasonably required to —

Formal  
correction of  
register of  
voters

- (a) correct any clerical errors;
- (b) correct any misnomer or incorrect description; and

(c) 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 Director of Elections shall, where the Director of Elections makes any insertion, alteration or amendment in a register of voters under this regulation, cause such insertion, alteration or amendment to be made in every certified register of voters.

Director of  
Elections  
and  
registration  
officers may  
administer  
oaths

30. (1) A registration officer or the Director of Elections may, for the purpose of-

(a) considering or determining any matter which is required to be considered or determined under these Regulations; or

(b) being satisfied as to the necessity of making any insertion, alteration or amendment in a register of voters;

summon any person to appear before the registration officer or the Director of Elections to give evidence on oath or affirmation.

(2) A registration officer or the Director of Elections may administer oaths or affirmation for the purpose of sub-regulation (1), and may order the production of any document bearing on any issue relevant thereto.

Evidence

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 such proceedings, be admissible in evidence as proof of the contents of such register of voters.

Publication  
of notices

32. Where any notice is required by these Regulations to be published and, in the opinion of the authority 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 such other steps as the authority may consider necessary for having sufficient publicity thereto.

Certificate  
of district  
registration  
officer as to  
date of  
publication  
of register of  
voters

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, as the case may be, shall be admissible as *prima facie* evidence of the matters therein certified, in all legal proceedings.

(2) A certificate under sub regulation (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.

34. A voter's card completed under these Regulations shall be admissible as *prima facie* evidence of the matters contained therein in any proceedings under these Regulations. When voter's card deemed to be cancelled.

Voter's card  
*prima facie*  
evidence of  
contents

35. Any voter's card

(a) required to be surrendered under regulations 12 and 13;  
or

(b) which is lost or destroyed;  
shall be deemed to be cancelled.

36. Any interested person may apply to the Director of Elections for a copy of any register of voters and the Director of Elections may, if such copy is available and upon payment by such person of a prescribed fee, supply such copy to such person.

Application  
for copy of  
register of  
voters

## PART V

### OFFENCES

37. A person who—

(a) knowing that the person is not qualified for registration as a voter, makes an application 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;

commits an offence.

Offences in  
relation to  
registration

38. A person who —

(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 upon 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 upon the person, asks or requires any other person to give to the person the voter's card given to that other person in pursuance of these Regulations;

commits an offence.

Offences  
relating to  
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 taken to indicate that the person is requiring or asking for the production by any person of that person's voter's card:

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

Provided that nothing contained in these Regulations shall make it unlawful for any person to require or ask for the production of any voter's card under the provisions of these Regulations or any law.

(2) In this regulation, "dwelling house" and "public place" shall have the meaning assigned to them in section *four* of the Penal Code.

(3) Any person who contravenes sub-regulation (1) commits an offence.

Offences by  
registration  
officers

40. A registration officer or assistant registration officer who —

- (a) wilfully fails to perform the functions of the person's office under these Regulations;
- (b) fraudulently completes, alters or destroys a voters registration record or a voter's card; or
- (c) gives to a person a voter's card otherwise than in pursuance of these Regulations;

commits an offence.

False  
information

41. A person who knowingly gives false information to a registration officer or to an assistant registration officer commits an offence.

Forgery falsification and fraudulent destruction

42. A person who forges, or falsifies in any material particular, or fraudulently destroys—

- (a) a voters registration record;
- (b) a voter's card;
- (c) a register of voters; or
- (d) a true copy of a register of voters;

commits an offence.

Possession  
of forged or  
false  
document

43. A person who, without lawful excuse, is in possession of a voters registration record or a voter's card which is forged or false in any material particular commits an offence.

False entries

44. An appellant, claimant or objector who knowingly makes any false entry in any form completed in pursuance of these Regulations for the purposes of an appeal, claim or objection, as the case may be, commits an offence.

Refusal to  
leave  
premises  
when  
ordered

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, upon being

lawfully required to leave such premises by such registration officer or assistant registration officer, commits an offence.

46. A person who is convicted of an offence under these Regulations is liable, upon conviction, to a fine not exceeding five thousand penalty units or to imprisonment for a period not exceeding two years, or to both. Penalty

47. Notwithstanding regulation 48, the polling districts declared, the registration officers and district registration officers appointed, and the voters' cards issued under the revoked Regulations shall continue to be the polling districts, the registration officers, the district registration officers and the voters' cards for purposes of these Regulations, as if they were declared, appointed, or issued, as the case may be, under these Regulations. Savings

48. The Electoral (Registration of Voters) Regulations, 1973, are hereby revoked. Revocation  
of S.I No.  
238 of 1973

SCHEDULE

(Regulations 2, 6, 10, 11,12,13, 14, 19, 20, 21, 22 (4) (a), 22 (4) (b) and 26)

Form I  
(Regulation 6)



REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010

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 authorised by law.

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

Signed:.....

NAME IN BLOCK LETTERS:.....

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

\*Delete which do not apply



Form II  
(Regulation 10)

REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010

APPLICATION FOR A VOTERS CARD

Full name of applicant in BLOCK CAPITALS:.....

Current residential address: .....

.....

Postal address:.....

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

Date of birth:.....

Age last birthday:.....

Mobile telephone number:.....

**I declare that:-**

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

..... Date ..... 20 .....

*Signature or thumbprint of applicant*

..... Date ..... 20 .....

*Registration Officer*

\*Delete which do not apply



Form III  
(Regulation 11)

REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010

VOTERS REGISTRATION RECORD

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:.....

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

Signature of Applicant

Official use only

Voters' card number: .....

Name of Registration Officer

SPACE FOR SPACE FOR  
THUMBPRINT PORTRAIT

Signature of Registration Officer

Date ..... 20 .....



REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010

VOTER'S CARD

Male  Female  Date of Birth \_\_\_\_\_

Place of Birth \_\_\_\_\_

residential Address \_\_\_\_\_

Postal Address \_\_\_\_\_

Polling District \_\_\_\_\_

\_\_\_\_\_  
*Signature of Voters or thumb print*

\_\_\_\_\_  
*Signature of registration Officer*



Form V  
(Regulation 11 (4))

REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010

REJECTION OF APPLICATION TO REGISTER AS A VOTER

Polling District: ..... District: .....

To (Applicant): ..... (Full name 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 you have attained the age of 18 years

For the following reason(s):

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

\*You must surrender your voters' card to the Registration Officer for  
..... polling district.

.....  
*\*Registration Officer/ Director of Elections*

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

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

\*Delete which do not apply

Copy to: Director of Elections



Form VI  
(Regulation 12)

REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010  
APPLICATION TO REPLACE A VOTERS CARD

Full name of applicant in BLOCK CAPITALS: .....  
Current residential address: .....  
.....  
Postal address: .....  
National registration card number: ...../...../.....  
Voters' card number (if known):.....  
Mobile telephone number:.....

**I declare that:-**

- \*(a)* My voter's card is *\*lost/destroyed/defaced* and I am applying for a replacement voter's card. A police report and a copy of my national registration card are attached  
*\*My defaced voter's card is attached.*
- \*(b)* I have changed my name, which was formerly: .....  
..... I have attached copies of *\*deed poll/ national registration card/marriage certificate* and my voter's card.
- \*(c)* I have changed my residential address to that shown above since:.....  
(approximate date) and have attached my voter's card. I apply for transfer to the .....Polling District.
- \*(d)* My voter's card has expired and is attached.

..... Date ..... 20 .....

*Signature or thumbprint of applicant*

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

.....  
.....  
.....  
voters' card issued on (Date): ..... 20 .....  
..... Date ..... 20 .....

*Registration Officer*

*\*Delete which do not apply*



Form VII  
(Regulation 13)

REPUBLIC OF ZAMBIA

The Electoral (Registration of Voters) Regulations, 2010

APPLICATION FOR TRANSFER OF POLLING DISTRICT

Full name of applicant in BLOCK CAPITALS:.....

Current residential address: .....

.....

Postal address: .....

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

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

Mobile telephone number:.....

Current polling district where registered:.....

I declare that:-

- (a) I am duly registered in the polling district mentioned above.
- (b) I have changed my address, which was formerly:.....  
.....in the ..... polling district;
- (c) I apply for transfer to the .....Polling District.

..... Date ..... 20 .....  
*Signature or thumbprint 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



REPUBLIC OF ZAMBIA

The Electoral (Registration of Voters) Regulations, 2010

NOTIFICATION OF THE 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:

Name of deceased (Full name in BLOCK CAPITALS):.....

National registration card number of deceased: ...../...../.....

Voters' card number of deceased (if known): .....

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

Name of person notifying the death:.....

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

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

I \*have/have not attached the deceased persons voters' card.

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

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

*Signature or thumb-print of person notifying the death*

Penalty for making a false entry - By virtue of the Electoral (Registration of Voters) Regulations,/ the penalty for making entry will be as shall be 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 voter deleted from the register of voters, and I \*have/have not returned the voters' card to the Director of Elections.

..... Date ..... 20 .....

*Registration Officer*

\*Delete which do not apply



Form IX  
(Regulation 19)

REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010

APPEAL AGAINST REJECTION OF APPLICATION TO REGISTER AS VOTER

The Chairperson  
Electoral Commission of Zambia

Full name of appellant in BLOCK CAPITALS: .....

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

Residential address: .....

.....

Postal address: .....

Mobile telephone number: .....

(i) I, the above-mentioned appellant, applied to be registered as a voter under the Electoral (Registration of Voters) Regulations, 2010 in the ..... Polling District but the \*Registration Officer/Director of Elections rejected my application to be so registered on the following grounds:

.....  
.....

(ii) I \*attach/do not attach a copy of Form V given to me by the \*Registration Officer/Director of Elections in respect of the rejection.

(iii) I hereby appeal against the rejection of my application on the following grounds:

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

.....Date ..... 20 .....

*Signature or thumb-print of appellant*

\*Delete which do not apply



Form X  
(Regulation 20 (4))

REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010

DETERMINATION OF AN OBJECTION OR APPEAL BY THE COMMISSION

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

\*Full name in BLOCK CAPITALS: .....

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

or

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

\*by the Director of Elections that:

- \* (i) The application to register as a voter was rejected
- \* (ii) A name should be removed from the register of voters

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

..... (Full name in BLOCK CAPITALS) should be \*added/removed \*to/  
from the Register of Voters for ..... Polling District  
..... District.

Reason for decision:

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

..... Date ..... 20 .....  
*Commission Secretary*

\*Delete which do not apply

Copy to: Director of Elections  
Registration Officer  
Appellant



Form XI  
(Regulation 21 (2))

REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010  
CLAIM FOR INCLUSION IN VOTERS REGISTER.

Full name of claimant in BLOCK CAPITALS: .....

Current residential address:.....

.....

Postal address:.....

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

Voter's card number: .....

Mobile telephone number: .....

**I hereby claim that:**

- (i) I, the above-mentioned claimant, applied to be registered under the Electoral (Registration of Voters) Regulations, 2010 as a voter in the ..... Polling District and I have been given a Voters' card which bears the number set out above.
- (ii) My name should be included in the register of voters for the ..... Polling District.

.....  
*Signature or thumb-print of claimant*

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

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

.....  
*Registration Officer*

Date ..... 20 .....

\*Delete which does not apply



FormXII  
(Regulation 22 (4)(a))

**REPUBLIC OF ZAMBIA**  
**The Electoral (Registration of Voters) Regulations, 2010**  
**OBJECTION BY REGISTERED PERSON TO THE RETENTION OF A NAME ON THE REGISTER OF VOTERS**

The Registration Officer.....Polling District

Full name of objector in BLOCK CAPITALS: .....

Residential address: .....

.....

Postal address: .....

Mobile telephone number: .....

Polling District in which registered: .....

Number of voters' card: .....

(i) I, the above-mentioned objector, being registered under the Electoral (Registration of Voters) Regulations, 2010 in the above mentioned Polling District, do hereby object to the retention in the Register of Voters for .....Polling District.

Name of person objected to: .....

Voters' card number: .....

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

(ii) The grounds of objection are: .....

.....  
.....

.....  
*Signature or thumb-print of claimant*

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



Form XIII  
(Regulation 22 (4) (b))

REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010

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

The Chairperson  
Electoral Commission of Zambia

I, being the registration officer (Full name in BLOCK CAPITALS).....  
..... for the ..... Polling  
District .....District.

(i) Do hereby object to the retention in the Register of Voters for:  
.....Polling District.

Name of person objected to: .....

Voter's card number: .....

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

(ii) The grounds of objection are:

\*The person is not qualified for registration for the following reason(s):  
.....

\*The person is deceased

.....  
*Registration Officer*

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

\*Delete which does not apply



Form XIV  
(Regulation 26)

REPUBLIC OF ZAMBIA  
The Electoral (Registration of Voters) Regulations, 2010

**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.

.....  
*Director of Elections*

Made by the Electoral Commission of Zambia at Lusaka this..... day of ....., 2010.

JUSTICE F.N.N. MUMBA,  
*Chairperson*

G.M. MWAPESI,  
*Member*

J.I. JALASI,  
*Member*

JUSTICE E.E. CHULU,  
*Member*

LUSAKA  
5th May, 2010  
[EC. 101/5/6 CONF ]

