

CONSTITUTIONAL INSTRUMENT

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THE PUBLIC ELECTIONS (EARLY VOTING) REGULATIONS, 2023

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CONSTITUTIONAL INSTRUMENT No. 3 OF 2023

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THE CONSTITUTION OF SIERRA LEONE, 1991
(ACT No. 6 OF 1991)

THE PUBLIC ELECTIONS (EARLY VOTING)
REGULATIONS, 2023

Short title

In exercise of the powers conferred upon it by section 33 of the Constitution of Sierra Leone, 1991 (Act No. 6 of 1991) and section 171 of the Public Elections Act (Act No. 17 of 2022), the Electoral Commission hereby makes the following Regulations -

PART I-PRELIMINARY

1. In these Regulations, unless the context otherwise requires- Interpretation.

"Act" means the Public Elections Act, 2022 (Act No. 17 of 2022);

"Commission" means the Electoral Commission for Sierra Leone;

"early voter" means a person who is eligible to vote earlier than the day scheduled for voting;

"early voting" means voting that takes place before the day scheduled for voting;

"early voting centre" means a centre designated by the Electoral Commission for early voting.

Qualification
for early
voting.

2. A person shall not qualify for early voting unless -

- (a) he is of either Islam or Christian faith who will be out of Sierra Leone on a pilgrimage and would be absent from Sierra Leone on the day scheduled for voting;
- (b) he is registered to be entered as an early voter under sub-regulation (b) of Regulation 4; and
- (c) his name is entered on the early voters list under Regulation 4.

Application
for early
voting.

3. (1) A person who wishes to be registered as an early voter shall submit an application set out in the form specified in the Schedule.

(2) An application under sub-regulation (1) shall be made to a returning officer in the District of the applicant, not later than 7 days before the day scheduled for voting and accompanied by a declaration in writing by the applicant and such other supporting documentation as may be required by the Commission, stating or proving that the applicant is -

- (a) registered at a polling station in the District of the returning officer to whom the application is made; and
- (b) attending a pilgrimage that will prevent him from being present at the polling centre where the applicant is registered the day scheduled for polling.

4. (1) A returning officer shall, on receipt of an application under Regulation 3, - Early voters list.

- (a) issue the applicant, a certificate that entitles the applicant to vote on a date set aside for early voters;
- (b) enter the registration details of the applicant on the early voters list; and
- (c) enter the registration details of the applicant on the absent voters list of the polling centre where the applicant is registered.

(2) A person shall not vote as an early voter unless that person's name appears on the early voters list.

(3) A person whose name is entered on the early voters list under paragraph (b) of Regulation 4 shall vote at an early voting centre specified by the Electoral Commission under sub-regulation (2) of Regulation 5 before the day scheduled for voting as specified by the Commission.

(4) A person whose name is transferred to the early voters list shall not vote on the day scheduled for voting.

(5) A returning officer shall compile a list of registered early voters and give a copy of the list to all political parties on request.

5. (1) The Commission shall establish voting centres at district headquarter towns to be used as early voting centres. Early voting centres.

(2) A person qualified for early voting shall vote at a voting centre designated by the Commission under sub-regulation (1).

Elections to which early voting applies.

6. Early voting under these Regulations shall apply only to Presidential elections.

Manner of voting.

7. (1) Early voting elections shall be conducted in accordance with section 72 of the Act on the day scheduled for voting, with the necessary modifications.

(2) The returning officer shall ensure that at the end of the early voting session, the ballot boxes used shall be sealed in accordance with section 78 of the Act, with necessary modifications until the day scheduled for counting of ballots.

(3) Thereafter, the early voting ballots shall be transferred to the respective ballot boxes containing the normal ballots at the last station of designated counting centres.

Period of early voting.

8. The period of voting for early voters shall be between 8 am to 4 pm or as can be determined by the Commission.

Procedures for early voting.

9. The Commission may develop procedures for early voting.

Electoral Commission for Sierra Leone (EC_{SL})

EARLY VOTING APPLICATION AND DECLARATION FORM

I.....do hereby declare that I am a registered voter who would not be able to vote on polling day of 24th June, 2023 because I will be travelling to the Holy Land of Mecca on Islamic pilgrimage.

Please find below details of my registration.

District.....Polling Centre Code.....

Polling Centre Name.....

Voter Card Number.....

Visa/Pilgrimage Number.....

Signature..... Date.....

MADE *this day of* , 2023.

Mohamed Kenewui Konneh
Chairman,
Electoral Commission for Sierra Leone.

FREETOWN,
SIERRA LEONE