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Elections in Papua New Guinea

2019 Local-Level Government Elections

Frequently Asked Questions

Asia-Pacific

International Foundation for Electoral Systems

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Frequently Asked Questions

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Disclosure:

These FAQs reflect decisions made by the Papua New Guinean elections authorities as of July 1, 2019, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

Please note that these FAQs were originally published on April 26 and updated on July 1 after the Papua New Guinea Electoral Commission released a revised local-level government elections schedule.

When are the 2019 local-level government elections?

The original schedule for the Papua New Guinea (PNG) local-level government elections was halted by Supreme Court order on April 25, hours before the PNG Electoral Commission would begin accepting candidate nominations. Following the resolution of the legal process through a unanimous Supreme Court ruling on May 31 and approval by the caretaker minister for intergovernment relations on June 6, the PNG Electoral Commission released a revised schedule. This schedule occurs under the original issue of writs from April 25 and maintains the return of writs on July 26, as advised by the acting state solicitor.

Original Election Schedule	
Issue of Writs	April 25, 2019, at 4:00 p.m. (done)
Nominations Open and Campaign Period Starts	June 27, 2019, at 4:00 p.m.
Candidate Nomination Period	June 27-July 4, 2019
End of Candidate Nomination	July 4, 2019, at 4:00 p.m.
Campaign Period	June 27-July 19, 2019
Polling and Counting Period	July 20-25, 2019
Returns of Writs	On or before July 26, 2019, at 4:00 p.m.

What impact does the revised schedule have on the elections?

Maintaining the local-level government elections within the original schedule for the return of writs results in a shorter timeframe in which nominations, campaigning, polling and counting can occur. The primary impact of this compressed schedule is the necessity of the Papua New Guinea (PNG) Electoral Commission using a new process for conducting polling and counting in a single day in each ward, covering all 20 provinces involved in the elections over five days. Conducting polling and counting on the same day at the ward level was already possible under prior procedures. The novelty of the process is the scale of its implementation and the removal of centralizing ballots to district or provincial levels as a possibility (see more under *How will election results be counted?*). The electoral commissioner can extend this period if there are unexpected delays.

Beyond these points, the PNG Electoral Commission's previous preparations for an earlier start of the elections remain in place.

Why are these elections important?

The local-level government (LLG) elections are conducted at the ward level where the majority of the country's rural population is located and many basic services are lacking. Electing leaders into the LLG assembly provides the avenue and means for representing these voters' interests and needs.

Additionally, the 2019 LLG elections mark a test for Papua New Guinea's (PNG) election administration as the first LLG elections since election delivery was decentralized to the provincial level for the 2017 national election. That election exposed flaws in the administration of the process at provincial levels,¹ among other challenges regularly faced with elections in PNG. The Papua New Guinea Electoral Commission has been preparing for the 2019 LLG elections for over a year and has worked closely with provincial staff, including election managers and returning officers.

Who is eligible to vote in the election?

The Constitution and Organic Law on National and Local-Level Government Elections state that a person is eligible to vote if he or she is:

- A citizen of Papua New Guinea;
- At least 18 years of age; and
- On the electoral roll.

How was the electoral roll prepared?

Prior to the 2019 local-level government (LLG) elections, the electoral roll underwent a public inspection, display and verification process where the provincial electoral offices were instructed to make the final 2017 electoral roll available for public scrutiny at the provincial, district and LLG levels, where possible. Due to limited funding from the national government for this exercise, some provinces were unable to conduct the exercise in all constituencies. Any amendments or new enrollments were collected and verified by the provincial offices and reconciled by the national office to produce the final 2019 electoral roll prior to the issue of election writs.

In 2018 and 2019, the Papua New Guinea Electoral Commission implemented formal provincial government proclamations that created, divided or abolished LLGs or wards among eight of 22 provinces as legally declared between 2013 and 2019. The new wards required the reallocation of existing voters to new ward electorate rolls from existing wards and the collection of any new enrollments among eligible voters. The new ward electoral rolls are included in the final 2019 electoral roll and will be managed and updated accordingly for future elections. The official LLG and ward geographical structure was announced by the minister of intergovernmental relations in the National Gazette No. G142 on February 28, 2019, based on the formal proclamations made by the governor-general.

How many registered voters are there?

During the 2017 national elections, there were approximately 5.1 million registered voters. During the 2019 local-level government elections, there will be approximately 4.6 million registered voters, as voters in the National Capital District and Autonomous Region of Bougainville do not elect local government representatives through this electoral process.

¹ <http://dpa.bellschool.anu.edu.au/node/6798>

Who are citizens voting for in the elections?

The registered voters in each ward electorate will elect a member of the local-level government (LLG) assembly, commonly known as the ward councilor. The ward councilors form the LLG assembly, which will be led by a head or president of the LLG who will be elected by the members of the LLG assembly.

Political parties do not formally align with local politics, but some local candidates may claim endorsements as the political space expands to local levels.

Are there reserved seats for women? What is the gender balance within the candidate pool?

There are no reserved seats for women in the national or local-level government elections in Papua New Guinea (PNG). The only exception in PNG is in the Motu Koita Assembly, which is a body representing a specially designated community within the boundaries of the National Capital District (NCD) but is not being contested in these elections. There are, however, two reserved seats for representatives of women's organizations in every rural LLG and one in urban LLGs,² though reportedly problems with implementation are widespread and the level of compliance is unknown.

Proposals to amend the Organic Law on the Integrity of Political Parties and Candidates have received strong political backing recently.

The gender balance of the candidate pool can only be determined after candidates are nominated from June 27-July 4. For the 2017 national elections, women candidates were 5.4 percent of the total candidate pool, though this varied widely from 3.5 percent in the Highlands to 9.9 percent in the NCD. Women candidates, however, faced an unfavorable environment, as none were elected in the 2017 national elections.

How will voters with disabilities cast their ballots?

Voters with disabilities may bring a person of their choosing to aid them in casting their ballot. If no such person is appointed by the voter, the presiding officer or assistant presiding officer will assist him or her to write their choices and place the ballot in the ballot box.

Sections 140 and 143 of the Organic Law on National and Local-Level Government Elections outline the protocol to assist voters who have a physical disability, are blind, have low vision or are illiterate.

Starting with the 2017 national election, the Papua New Guinea Electoral Commission introduced "express" lanes for voters with disabilities, although these formal lanes were only occasionally implemented. In practice, voters with disabilities are typically brought to the front of the voting queue and given preferential access to the polling place to cast their ballots.

² Independent State of Papua New Guinea. *Organic Law on Provincial Governments and Local-Level Governments*.

How are polling places determined? How many polling places will be set up?

Polling places are typically central locations in a city, town or village, such as schools, markets, church yards or other well-known locations. Polling places are established in a polling schedule that contains the election date, polling team numbers, and names of the ward, polling place or station and polling village or location. The polling schedule is published in the *National Gazette* as soon as practicable after the close of nominations.

The Papua New Guinea Electoral Commission is currently planning for approximately 10,000 polling places among the 6,369 wards in the 331 local-level governments (LLG) conducting elections in 20 of 22 provinces. The National Capital District and Autonomous Region of Bougainville are not involved in the LLG elections, as they have separate electoral processes for local government.

What is the structure of the government?

Papua New Guinea is a unicameral parliamentary democracy. The current National Parliament has 111 seats, with 22 provincial electorates and 89 open district electorates. Members are directly elected in single-member constituencies to serve five-year terms with eligibility for re-election. The prime minister is the head of government. The British monarch is the ceremonial head of the executive branch and appoints a ceremonial governor-general as the royal representative.

The local-level government (LLG) system consists of 29 urban and 302 rural LLG assemblies. There is currently little difference in either the composition or the functions and responsibilities of the two types of government. In both urban and rural LLGs, there is a head of the LLG assembly, known as the president, who will be elected by the other assembly members. LLGs have an average of 19 members, elected for a five-year term based on a ward system. There are 6,369 wards with each ward returning one member, known as a ward councilor. LLGs have full discretion to establish the committees they deem necessary to carry out their functions effectively and efficiently. Each LLG may also have up to three additional members appointed to represent the following interest groups – the Papua New Guinea Trades' Union Congress, the Employers' Federation and women's organizations – as provided for in the Organic Law on Provincial Governments and Local-Level Governments.

What electoral system is used?

The first-past-the-post voting system was previously used, but in 2002 the limited preferential voting system was enacted into law and implemented during the 2007 national election and 2008 local-level government (LLG) elections. In 2013, ward councilors and LLG presidents were elected directly by the people, following legal determinations by the governor-general in 2007 and 2008, whereas previously councilors elected their presidents. In 2018, these previous determinations were rescinded by the governor-general and only ward councilors will be elected among the 20 provinces participating during the 2019 LLG elections.

What is the election management body? What are its powers?

The Papua New Guinea Electoral Commission (PNGEC) is mandated by the Constitution of the Independent State of Papua New Guinea, Organic Law on National and Local-Level Government Elections and Electoral Law (National and Local-Level Government Elections) Regulation 2007 to prepare for, conduct and safeguard national, local-level government and other electoral events. The PNGEC consists of one electoral commissioner who is appointed by the governor-general, two deputy commissioners and six branch directors among approximately 114 full-time staff in the national and 22 provincial offices. The PNGEC is currently led by Electoral Commissioner Patilias Gamato ML.

Will the election management body use a media center?

In 2019, the Papua New Guinea Electoral Commission will not host a media center for media personnel and other accredited stakeholders at its headquarters as polling and counting will take place at the ward or local-level government levels. However, the PNGEC will post all media releases and official results on its website.

Who will be managing electoral security?

The police commissioner is working alongside the Papua New Guinea Electoral Commission to provide security for electoral officers carrying out election-related activities and ensure that officials are safe and polling and counting are peaceful. The provincial police commanders are responsible for each provincial contingent and will coordinate with the returning officer to provide security arrangements. At polling places, the presiding officers are responsible for liaising with local security personnel, while assistant returning officers are charged with this responsibility at counting centers.

How will election results be counted?

The counting and scrutiny processes will occur at the ward following the close of polling each day, in line with previously established procedures for the counting of ballots at the ward level. Counting at the ward level increases transparency and accountability so that voters or candidate scrutineers can witness the counting and know the provisional winners quickly. Prior plans to allow for centralizing ballots to district or provincial levels are no longer possible under the revised schedule.

Candidates may appoint one scrutineer to observe counting in their place and raise objections when necessary.

Under Papua New Guinea's limited preferential voting system, the local-level government (LLG) electoral counting process comprises three phases. The first phase is known as the first preference count. In this phase, the officials sort and count the votes of each ballot box for each ward electorate according to the voter's indicated first preference. During counting, officials also determine whether each ballot represents a formal/valid or informal/invalid vote; only formal votes are allocated to candidates using Form 66A. After the counting of all ballots, the officials determine whether a candidate received an absolute majority of the first preference votes. If no candidate receives an absolute majority, then the counting process will proceed to a new second phase known as quality check.

The second or quality check phase is when the formal/informal ballots are checked again to confirm all ballots have been designated accurately in the presence of scrutineers. Any ballots that may require a re-designation will be recorded on a dedicated Form 66QC and the new totals will be transferred to Form 66B to initiate the third phase of counting known as the distribution of preferences.

In the third phase, electoral officials will exclude the candidate who received the lowest number of votes and then distribute this candidate's votes to the remaining candidates based on the second preference marked on the ballots. If all second preference votes are distributed and no candidate reaches the absolute majority, then another round of exclusion takes place where the third preferences are distributed. This exclusion process continues until a candidate receives an absolute majority of votes.

Once a winning candidate is identified, the presiding officer in the ward verifies and signs the results forms and announces a provisional winner. The results forms and supporting materials will be transferred to the returning officer in the province for certification and formal declaration of results and signing and returning of the ward electorate writ. The candidate with the second highest vote total may request a recount prior to the provisional announcement of results by the presiding officer in the ward or assistant returning officer in the LLG, but only if the margin of votes between the candidates does not exceed 0.25 percent.

When will results be announced?

Although results must be announced before the return of writs on July 26, 2019, there are no set dates for announcing the results. Results for each ward will likely be announced on a rolling basis as election writs are signed and winning candidates are formally declared.

Who can declare results?

The winner of a ward electorate seat will be declared following verification of the ward election returns by the returning officer, who is appointed by the electoral commissioner. The ward's presiding officer or the provincial assistant returning officer in the local-level government can announce a "provisional winner," following counting and after verification of the result forms.

The returning officer in the province is the only electoral officer with the authority to sign the ward electorate writ and return the signed writ, result forms and other supporting documents to the electoral commissioner for receipt by the minister for intergovernmental relations.

The Papua New Guinea Electoral Commission will publicly announce the declared winners through media statements and its website.

Are there any codes of conduct?

The Papua New Guinea Electoral Commission will encourage candidates and scrutineers to abide by a nonbinding code of conduct based on the Organic Law on National and Local-Level Government (LLG) Elections and international practices for fair and peaceful elections. Electoral officials are being asked to

take and sign an “Oath of Office” when accepting their appointments as returning officers at the provincial level and assistant returning officers at the LLG level.

Who can observe during the election? How can they get accreditation?

International and domestic observer groups and scrutineers appointed by candidates can observe the polling and counting processes. Based on the receipt and review of accreditation applications, the Papua New Guinea Electoral Commission will issue accreditation badges to observers. Typically, the local-level government elections attract far fewer observers than national elections.

How will election disputes be adjudicated?

As described in Section 18 of the Organic Law on National and Local-Level Government Elections, the National Court will adjudicate disputes relating to the validity of an election or return of writ. To dispute an election or return, a voter or candidate in the disputed constituency must file a signed petition with the National Court or a court house in the relevant provincial capital headquarters within 40 days of the declaration of the election results. To be considered by the court, the petition must “set out the facts relied on to invalidate the election or return” and “be attested by two witnesses whose occupations and addresses are stated.” The petitioner must also pay a filing fee of PGK 5,000 (approximately USD 1,600).

The decision of the National Court can be reviewed by the Supreme Court, but the Supreme Court’s decision is final and cannot be further appealed. Disputes relating to the electoral roll will be addressed by the relevant district courts.

Resources

- [Organic Law on National and Local-Level Government Elections](#)
- [Organic Law on Provincial Governments and Local-Level Governments](#)
- [Papua New Guinea Electoral Commission Website](#)