



**REPUBLIC OF LIBERIA**  
*Standard Elections*

**THE NEW ELECTIONS LAW**

**AN ACT**

**REPEALING DECREE NO. 85 OF THE PEOPLE'S  
REDEMPTION COUNCIL, ADOPTING A NEW TITLE 11  
IN LIEU THEREOF TO BE KNOWN AS THE NEW  
ELECTIONS LAW**

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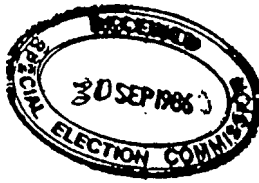
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THE EXECUTIVE MANSION  
OFFICE OF THE PRESIDENT  
MONROVIA, LIBERIA



SKD-1/DM-2/743/'86

September 29, 1986

Mr. Chairman:

I am pleased to forward herewith for appropriate action of your Commission, copy of the House's Enrolled Bill No. 34 entitled:

"AN ACT REPEALING DECREE No.; 85 OF  
THE PEOPLE'S REDEMPTION COUNCIL,  
AND ADOPTING A NEW TITLE 11: IN LIEU  
THEREOF TO BE KNOWN AS THE NEW ELEC-  
TIONS LAW",

which has today received Executive Approval.

Faithfully yours,

A handwritten signature in dark ink, appearing to read "Samuel Kanyon Doe".

Samuel Kanyon Doe  
PRESIDENT

Hon. Isaac Randolph  
Chairman  
Elections Commission  
Ashmun Street  
Monrovia, Liberia

AN ACT REPEALING DECREE NO. 85 OF THE  
PEOPLE'S REDEMPTION COUNCIL AND ADOPT-  
ING A NEW TITLE 11 IN LIEU THEREOF TO  
BE KNOWN AS THE NEW ELECTIONS LAW.

WHEREAS, It is necessary, in view of the multi-party system entrenched in the New Constitution of Liberia to enact Election Law consistent with, and in puruance of the provisions of the Constitution for the governance of an Election Commission thereunder.

It is enacted by the Senate and House of Representatives of the Republic of Liberia, in Legislature Assembled:

Section 1.

That the Decree No. 75 of July 21, 1985 repealing Title 12, Chapter 2 of the Liberian Code of Laws, known as the Elections Law and PRC Decree No. 85 of July 21, 1985, be and the same be repealed, and in lieu thereof a new Title 12 of the Liberian Code of Laws be enacted in lieu of the said Decree, as herein below recited word for word:

**CHAPTER 1. INITIATIONS AND GENERAL PROVISIONS**

The provisions herein shall be entitled and known as the Election Law of the Republic of Liberia.

**S 1.2: DEFINITIONS.**

Except when the context or a particular use of a word or phrase otherwise requires, the following terms, when used in this Section, shall have the following meanings:

- (a) "C" shall refer to the Election Commission of the Republic of Liberia.
- (b) "Ecom" shall be the abbreviated name used to refer to the Election Commission.
- (c) "Party" shall mean a political party or organization of not less than five hundred qualified voters in at least each of any six (6) constituencies. The title of a political party shall have met the minimum registration requirements as required by the Elections Commission by filing with said Elections Commission its title of party and by-laws in accordance with the Electoral Law. It shall include a platform for vote on any public issue, or its platform.

for a candidate for elective office.

- (d) All military, para-military personnel, trade unions, union of teachers, union of doctors and nurses, are hereby prohibited from forming political parties, but may participate in political activities by voting for the candidate of his/her choice during election time.
- (e) "Aspirant" when used in this title, means anyone canvassing for an elective public office under the provision of this title.
- (f) "General Elections" means any election for the offices of the President, Vice President, Senators and Representatives held every six (6) years.
- (g) "Special Elections" means election pursuant to Articles 64 and 91 of the Constitution called for the purpose of filling vacancies in the office of the President and Vice President and for the purpose of adapting an amendment to the Constitution, and to include election to fill the vacancies created for the election of fifty percent of the members of the Senate.
- (h) "By-Election" means any election other than a general or special election as provided for under the provision of Article 37 of the Constitution and to otherwise include election called for the purpose of filling vacancies created as a result of unexpired term in an elective position other than the Presidency and the Vice Presidency.
- (i) "Run-off Election" means an election following the result of the first ballot where no candidate obtains an absolute majority.
- (j) "Given Name" or "First Name" means the name preceding the surname of any person qualified to vote.
- (k) "Absolute Majority of Voter" means a number of votes greater than one-half the number of all voters who vote at an election, exclusive of voters whose ballot papers are rejected.
- (l) "Constituency" means a delineated area of a defined population which is qualified to have one representative in the National Legislature.
- (m) "Domicile" when used in this title shall refer to the residence in the constituency of an aspirant or candidate who seeks elective public office in which he lives and pays taxes.
- (n) "Residence" means a place where a voter lives.

- (o) "Polling Place" means any approved building or structure in which voters cast their votes during an election.
- (p) "Voting Precinct" means an area designated in a constituency where not less than a thousand registered voters may assemble for the purpose of casting their ballots during an election.
- (q) "Voter" means any qualified person who has been regularly registered and in possession of a Registration Card and whose name appears on a registration roll.
- (r) "Registration Card" means a card issued by the Elections Commission to an elector as an identification showing his/her name, and constituency, center and roll numbers which entitles him/her to vote during an election.
- (s) "Election Writ" means a writ issued by the Elections Commission directing the holding of an election.
- (t) "Magistrate of Elections" means an elections officer representing the Election Commission in the area of his appointment to perform such duties and functions prescribed in this title under the direction and supervision of the Elections Commission
- (u) "Chairman" when used in this title shall refer to the Chairman of the Elections Commission.
- (v) "Co-Chairman" is one of the Commissioners who has been designated as such to assist the Chairman in the administrative affairs of the Commission.
- (w) "Commissioner" means any of the five-member Commission.

#### S 1.3: Effect of Declaration.

Any declaration required to be made under the provision of this title and made before any person authorized by this title to receive such declaration shall have the same force and effect and in case of false declaration to the same penalty, as if such declaration had been made to any official authorized under the laws of the Republic to administer an oath.

#### S 1.4: Service of Notice.

Service of any notice required by the provision of this title may be made by delivering it personally or if it can be shown that the post office maintains a regular delivery service to such place, by mailing it to the last known residence or usual place of abode within the Republic and if with due diligence no such delivery can

be made, by affixing the notice to the door of such person's place of business, residence or usual place of abode in the Republic. However, where the notice to be served concerns a person alleged to have been judicially declared an incompetent or unsound mind, his guardian shall be served in accordance with the provisions of this Section..

**S 1.5: Service by Radio or Newspaper Communication:**

When it is impracticable to communicate any election matter by post without occasioning undue delay, any radio or newspaper communication in the ordinary course shall suffice for the purpose of this title.

**S 1.6: Signature of person unable to write:**

Any person required by this title to sign his <sup>own</sup> name may, upon satisfying an attesting witness that he is unable to write make a mark of the right thumb which shall be witnessed by the attesting witness.

**S 1.7: Chieftancy Election:**

Election of Chiefs shall be held every six (6) years by registered voters of the chiefdom, clan and town under the provisions of the Constitution, and the guidelines promulgated by the Elections Commission for the conduct of such election.

**S 1.8: Qualification:**

Persons aspiring for the position of chief shall possess the following qualifications:

**1. PARAMOUNT CHIEF:**

- (a) Be a Liberian citizen of the chiefdom;
- (b) Be owner of a house or hut and must be a tax payer; and
- (c) Attained the age of 30 years or more.

**2. CLAN CHIEF:**

- (a) Be a Liberian citizen of the clan;
- (b) Be owner of a house or hut and must be a tax payer; and
- (c) Attained the age of 25 years, or more.

**3. TOWN CHIEF:**

- (a) Be a Liberian citizen of the town;
- (b) Be owner of a house or hut and must be a tax payer; and
- (c) Attained the age of 25 years or more.

## CHAPTER 2.

### ELECTIONS COMMISSION: ORGANIZATION: ADMINISTRATION

#### S 2.1. Office Of The Elections Commission.

★ The Elections Commission of the Republic of Liberia, as an autonomous public commission established by the Constitution of Liberia, shall be composed of five (5) Members, one of whom shall be appointed as Chairman, and Co-Chairmen, respectively; each of the other three (3) Members shall be called Commissioner.

#### S 2.2. Appointment and Tenure.

7 The President shall nominate and, with the consent of the Senate, appoint and commission the Chairman, Co-Chairman and other Members of the Elections Commission, and who shall hold their office during good behavior for a period of seven (7) years effective as of the date of their Commission; they may however be removed upon proof of mis-conduct.

#### S 2.3. Qualification for Appointment.

The Commissioners shall be Liberian citizens and shall not be less than thirty-five (35) years of age. They shall be of good moral character, and no two (2) Commissioners shall be from the same county.

#### S 2.4. Quorum and Vote.

Any three (3) members of the Commission shall constitute a quorum for the transaction of business of the Commission, and a majority of the members of the Commission shall decide any question before it, and that decision shall be binding on the Commission.

#### S 2.5. Party Affiliation. Oath.

No Commissioner, election officer or any employee of the Elections Commission shall be a member, or an affiliate of any political party, or of an association or organization; nor shall any Commissioner, election officer or any employee of the Election Commission canvass for any elective public office directly or indirectly.

Before assuming office, each Commissioner, election officer and every employee of the Elections Commission shall solemnly subscribe to an Oath renouncing allegiance to, and severing all connections, affiliation and relationship with his/her own, or any other political party during his/her service or tenure with the Commission.

S 2.6. Remuneration.

Members of the Commission, Elections Officers and all other employees of the Elections Commission shall each receive legitimate honorarium, and actual and all necessary travelling and other expenses incurred by them in the performance of their duties in accordance with budgetary appropriations during their tenure with the Commission.

S 2.7. Seat Of The Commission.

The seat of the Commission shall be located in the Nation's Capital, and sub-branches throughout the Country according to the number of counties.

S 2.8. Police Protection For Members Of The Commission.

Members of the Commission shall be accorded Police Protection during their tenure.

S 2.9. Power And Duties.

The Elections Commission, as an autonomous agency of Government, independent of any branch of the Government, shall have the following powers and duties:

- (a) To administer and enforce all laws relative to the conduct of elections throughout the Republic of Liberia.
- (b) To organize the office of the Election Commission in manner as may be necessary and practicable for the effective operation of the Commission.
- (c) To propose to the National Legislature for enactment, amendment to, and repeal of, any provision of the Election Law.
- (d) To give accreditation to, and register all political parties and Independent candidates who meet the minimum registration requirements laid down by the Commission, by which authority they may exercise political franchise under relevant provisions of the Constitution.
- (e) Upon objections made by any person or group of persons, the Elections Commission may reject, and if already registered, revoke the certificate of accreditation of said party or Independent candidate, subject to appeal to the Supreme Court of Liberia. The revocation of the application of any proposed political party for accreditation as a full-fledged political party shall be predicated upon the following factors:

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- 1) Where a proposed political party or an independent candidate retains, organizes, trains or equips any person or group of persons for the use or display of physical force or coercion in promoting any objectives or interest, or arouse reasonable apprehension that they are so organized, trained or equipped, or by reason of their aims, or conduct or the behavior of their adherents, seek to impair or abolish the free democratic society of Liberia, or to endanger the existence of the Republic, or whose tendency and behavior are inconsistent with the free democratic process of the Republic.
  - (f) To revoke the registration and accreditation of an already legal party only upon the judicial determination of a court of competent jurisdiction, in accordance with due process.
  - (g) Conduct all elections for elective public offices including the chieftancy election and all referenda and declare the results thereof.
  - (h) Formulate and enforce guidelines controlling the conduct of all elections for elective public offices which guidelines shall not be inconsistent with the Provisions of the Constitution and the Elections Law.
  - (i) In consultation with the President of Liberia and such other appropriate officials of government appoint all such officials and employees as may be necessary for the effective performance of the duties and functions of the Commission.
  - (j) In consultation with the appropriate local officials, appoint elections officers in the political sub-divisions of the country who shall perform their duties under the direction and supervision of the Commission and in accordance with the provisions of this title.
  - (k) Maintain a register of all qualified voters which shall be subject to inspection under the provision of this title.
  - (l) Establish constituencies in every political sub-division and re-apportion the same when deemed necessary and expedient in accordance with population figure.
  - (m) Maintain a register of the Constitution, Article of Incorporation and Rules of all political parties and Independent candidates and their organizations and any amendment thereto.
-

- (n) Screen all candidates for elective public office and accredit their candidacy, and/or reject the candidacy of anyone who is not qualified under this title and the guidelines laid down by the Commission.
- (o) Prescribe the kinds of records to be kept by all political parties and independent candidates and their organizations and the manner in which they shall be kept,
- (p) Examine into and audit, or cause to be audited, the financial transactions of all political parties and independent candidates and their organizations by a chartered public accountant who shall not be a member of any political party or the organization of any independent candidate.
- (q) Be the sole judge of all contests relating to the election results, and the accreditation of all successful members who have been duly elected as President, Vice President, Members of the National Legislature, Paramount, Clan and Town Chiefs and City Mayors with their Common Councilmen. Appeal from the decision of the Commission in any election contest shall lie before the Supreme Court taken in accordance with the provisions of this Title relating to election contests.
- (r) Submit annual report to the National Legislature and the President of Liberia on the general operation of the Commission.
- (s) Perform such other duties and functions as may be provided by law.
- (t) Conduct all elections for public offices including the chieftancy election, and all referenda and declare the results thereof.
- (u) Formulate and enforce guidelines controlling the conduct of all elections for public offices which guidelines shall not be inconsistent with the provisions of the Constitution and the Elections Law.
- (v) Upon the nomination of the President, and with the consent of the Senate, the Commission shall commission upon directives of the President, all such officials and employees as may be necessary for the effective performance of the duties and functions of the Commission.
- (w) To issue citation for the appearance before it of any political party or its leaders, or other persons in connection with any complaint cognizable before it; to issue subpoenas for the purpose of obtaining witnesses in

any hearing, including subpoenas ad testificandum, and subpoenas duces tecum; to Punish for contempt for any obstruction or disobedience of *its* orders in an amount not less than twenty-five (\$25.00) dollars or not more than three hundred dollars (\$300.00).

- (x) To *revoke* the Certificate of Accreditation of any political party, or to impose a fine of not less than one thousand dollars (\$1,000.00), nor more than ten thousand dollars (\$10,000.00), according to the gravity of *the* offense committed or both.

#### SUB-CHAPTER A: DUTIES OF CHAIRMAN AND CO-CHAIRMAN:

##### S. 2.10: Chairman.

The Chairman of the Elections Commission shall have the following special duties and functions:

- (a) Be the official head and spokesman of the Commission;
- (b) Presides over all meetings and hearings of elections contests;
- (c) For the purpose of expediting the hearings and determination of all election offenders; and other business of the Commission shall apportion the Republic into five (5) administrative areas and assign a commission to an area who shall, in consultation with the Commissioner en banc, direct and supervise all election activities in his area of assignment including the hearing and determination of election offenses arising therefrom which determination having been previously approved by the Commission shall be final.
- (d) Controls, supervises and directs the administrative operation of the office of the Elections Commission and in consultation with the Commissioners, takes such corrective administrative measures for the smooth and effective operation of the Election Commission.

##### S. 2.11: Co-Chairman:

The Co-Chairman shall be the principal assistant to the Chairman in the over-all operation of the office of the Elections Commission. He shall perform all such other duties as may be assigned him by the Chairman and act in his absence.

#### SUB-CHAPTER B. LEGAL SECTION ESTABLISHED:

There shall be established in the office of the Elections Commission, a Legal Section which shall be the legal arm of the commission.

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S 2.13: Composition:

The Legal Section shall be composed of two (2) lawyers who shall serve as legal counsels to the Commission, one of whom shall be appointed as Senior Legal Counsel who shall be head of the Section; there shall be also two (2) legal research officers and such other employees as the Commission shall deem necessary for the effective operation of the Commission.

S 2.14: Qualification.

Except a research officer who may be an Attorney-at-law, anyone appointed as legal counsel must be a qualified lawyer and a Counselor-at-law, and must have practiced for not less than five (5) years prior to his/her appointment.

S 2.15: Appointment and Tenure.

Upon consultation with the Chief Justice of the Supreme Court of Liberia and the Minister of Justice, the Commission shall nominate and with the consent of the President of Liberia, appoint legal

appointed by the Commission on the basis of their Civil Service qualifications and shall serve at the pleasure of the Commission.

S 2.16: Duties and Functions.

The Legal Section of the Commission shall have the following functions and duties:

- (a) represent the Commission before the Supreme Court of Liberia in any elections litigations, or otherwise;
- (b) advise the Commission on all legal matters when so required;
- (c) submit to the Commission a written legal opinion on any question of legal implication when so required; and
- (d) perform such other legal duties relating to the administration of the Elections Law as may be required by the Commission.

S 2.17: Division.

There is hereby established in the office of the Elections Commission a Division of Administration to include those sections already provided for in this Title, which shall be sub-divided into administrative sections as may be necessary for the effective performance of the duties and functions of the Commission.

S 2.18: Divisional Head.

The Administrative Division of the Commission shall be headed by an Executive Director who shall be the principal administrative assistant to the Chairman in the over-all administrative activities and operation of the office of the Elections Commission. He shall be responsible for the general administration of the office of the Elections Commission and assisted by a corps of staff members who shall be the head of each section of the administrative division as may be established in the division. The Sectional heads shall be amenable to the Executive Director for the effective and smooth operation and functions of the Elections Commission.

S 2.19: Appointment and Tenure.

The President shall nominate, with the consent of the Senate, appoint an Executive Director; He shall serve at the pleasure of the President.

S 2.20: Qualification:

A person appointed to the post of Executive Director shall be a Liberian Citizen and a holder of a degree in Administration or its equivalent with not less than five (5) years of experience in Administration.

S 2.21: Duties and Functions:

The Executive Director shall have the following duties and functions:

- (a) have charge of the general administrative supervision Of the office of the Elections Commission under the direction of the Commission;
- (b) Serve as Secretary to the Commission; attend its deliberations and keep minutes of Its transaction;
- (c) Keep and preserve the records of the Commission;
- (d) Direct and supervise the works of the administrative sections and the local offices of the Commission in the counties and be responsible and accountable to the Commission for the effective and smooth operation of the division; and,
- (e) Perform such other duties and functions as may be required of him by the Commission.

SUB-CHAPTER D: ELECTIONS OFFICERS:Section 2.22: Appointment of Election Officers:

Elections Officers shall include Election Magistrates, Clerks of Writs, Registrars, Sheriffs, Poll Clerks, Judges and such other Poll Workers appointed by the Commission in accordance with the provision of section 2.9 (i) who shall carry out the duties assigned them by the Commission and by the provision of this Title in connection with the Registration of Voters or the holding of Election.

Section 2.23: Clerk of Writs:

A Clerk of Writs and an Assistant Clerk of Writs shall be appointed by the Commission in accordance with provision of this title. Writs for all elections shall be issued by the Clerk and returned to him. The Assistant Clerk shall assist the Clerk of Writs in the performance of his duties and act in his absence. The Clerk of Writs shall report to him by the Commission.

Section 2.24: Magistrates of Elections:

in accordance with the Provision of Section 2.9 (i) of the Commission shall be appointed by the Commission in each County/District.

Magistrates of Elections as shall be necessary, who shall serve as liaison between the Commission and the County/District they represent in respect of all Election activities within their County of assignment. Each such Magistrate shall comply with all general as well as special instructions issued to him by the Commission.

A Magistrate of Elections shall have power and functions within his area of jurisdiction to hear and determine objections of Voters registration claims and to the continuation of disqualified Voters on the registration rolls, end upon a proper showing, to order the reinstatement upon the registration rolls of names of qualified Voters struck off by mistakes.

Magistrates of Elections shall have power and jurisdiction in the first instance to hear and determine all election offense in which the penalty provided is not more than five hundred (\$500.00) dollars. In all other offenses, the Commission shall have original administrative jurisdiction subject only to judicial review by the Supreme Court of Liberia.

Section 2.25: Oath of Officers of Elections:

Each Magistrate, before assuming such office, shall make and subscribe to an oath before the Chairman of the Commission or his Commissioner designee for the faithful discharge of his duties. Such persons appointed as a Registrar of Voters, a Sheriff, a Clerk and other Poll Workers, before assuming such office, shall make and subscribe to an oath before the Magistrate of Elections to perform faithfully the duties of such office in accordance with the provisions of this title. Such oath shall be filed in the office of the Commission.

See: 4.4

S 2.26: Ineligibility To Hold Office as Elections Officers.

No candidate and/or person holding any official position in connection with any political organization or Elections Committee shall be appointed as Elections Officer by the Commission; any Elections Officer who knowingly becomes a candidate, or who is elected, appointed or otherwise becomes an official of any political organization or Elections Committee shall be considered to have automatically vacated his election office and dealt with under the provisions of this title.

S 2.27: Compensation of Elections Officers.

Each Elections Officer shall be paid honorarium of such amounts as may be prescribed by budgetary appropriation from time to time for duties actually performed.

S 2.28: Payment of Elections Officers.

The honorarium of Election Officer appointed by the Commission and all other public expenses arising from elections, shall be approved by the Chairman of the Commission and shall then be paid in accordance with standard procedure for disbursement.

S 2.29: Oaths.

Any Commissioner, Election Officer or employee of the Elections Commission, before assuming the duties and functions of his office shall subscribe the following oath which shall be filed in the office of the President of Liberia in case of a Commissioner, and in the office of the Election Commission, in case of Election Officers, officials or employee.

I \_\_\_\_\_ DO SOLEMNLY SWEAR (AFFIRM THAT  
I WILL TRULY AND FAITHFULLY EXECUTE AND PERFORM THE DUTIES OF  
\_\_\_\_\_ AND WILL UPHOLD, PROTECT AND SUPPORT THE  
CONSTITUTION OF THE REPUBLIC OF LIBERIA AND ALL LAWS TO THE BEST OF  
MY ABILITY, AND THAT I, AS OF TODAY'S DATE, AND DURING MY TENURE,  
RELINQUISH MY ALLEGIANCE TO THE POLITICAL PARTY OF WHICH I WAS A  
MEMBER OR A SUPPORTER, AND WILL IN NO MANNER OR FORM, UNDERTAKE TO  
DO ANYTHING ILLEGAL IN THE INTEREST OF SAID PARTY OR ANY OTHER  
PARTY WHICH MIGHT TEND TO SUPPORT SAID PARTY AND UNDERMINE THE  
FAITHFUL DISCHARGE OF THE DUTIES AND RESPONSIBILITIES OF MY OFFICE,  
AND OF THE ELECTIONS COMMISSION. SO HELP ME GOD.

CHAPTER 3: REGISTRATION OF VOTERS:SUB-CHAPTER A: GENERAL PROVISIONS:S 3.1: Who May Register:

Every citizen of Liberia who has attained the age of eighteen (18) years or older, may register as a voter except one who has been judicially declared to be incompetent or of unsound mind or who has been disfranchised as a result of conviction of an infamous crime and has not been restored to citizenship. Every voter shall be allowed to vote only in the constituency where he/she is registered.

S 3.2: Place or Center of Registration:

Not later than two (2) weeks, before the first day of registration, the Commission shall publicly advertise by printed notices in newspapers where feasible, by posters, placards and by radio and television broadcast and by any means, the lists of the location of places for registration centers in the local communities involved.

S 3.3: Time of Registration:

The offices of the Elections Magistrate in each county or places so designated shall be opened for Registration of Voters as may be prescribed by the Commission.

SUB-CHAPTER B: REGISTRATION ROLL:S 3.4: Registration Roll:

Registration Rolls shall be kept, in a form prescribed by the Commission and among other things, shall contain the family name and given name, residence, and sex of each voter. The names shall be numbered in regular progressive arithmetical order, commencing with number one (1).

S 3.5: Registration Card:

- (1) Each voter, after his/her name has been entered on the registration roll, shall be given a registration card by the registrar. The card shall contain particulars of the voter's name and the county/district, constituency, registration center and roll number.
- (2) In the event of loss or destruction of the registration card, and after proof has been established, the registrar shall issue a new card for a minimum fee of five (\$5.00) dollars to be paid in the Internal Revenue.

18 before/by Election Day

"constituency"  
See: 5.1

14 days

Places so designated?

FORM ?

CARD FORM !  
(Security)

Polling station ?

What proof

S 3.6: Roll To Be Kept For Public Inspection:

The general registration roll for each registration center shall be opened for public inspection at the office of the Magistrate of Elections without a fee on any day in a week during the hours the office is opened. A copy of each roll may be kept at such other places as the Commission may designate for public inspection.

No limits ?

S 3.7: Non-Compliance With Prescribed Forms Which Will Not Affect Validity of Rolls and Other Election Documents:

No registration roll or other election document shall be invalidated on the ground that it is not printed or because of any error made in the copying or printing thereof.

S 3.8: Public Officers To Furnish Information:

All public officers in the service of the government, all officers in the service of any local governing body, are hereby authorized and required to furnish the Commission or any Elections Officer, all such informations as may be required to enable the Commission or any such Elections Officer to prepare or revise the registration rolls.

S 3.9: Other Persons From Whom Information May Be Required:

For the purpose of preparing any registration roll or ensuring the registration of any voter on a registration roll, the Commission or a registrar or any person authorized for this purpose by the Commission, may require any person to answer any question or furnish any returns or fill in and sign any claim with regard to such registration. Every person to whom any question shall be put under this section, shall truthfully and to the best of his knowledge and belief, comply with any requirement made of him under this section.

S 3.10: Regulations for Preparation of Rolls:

The Commission may by regulation either general or applicable to any particular roll, specify the method of preparation and prescribe the Rules and Regulations to be observed in regard thereto.

SUB-CHAPTER C VERIFICATION ADDITIONS AND OBJECTIONS TO THE REGISTRATION ROLL:S 3.11 Claims for Registration:

- (1) A claim is a written application for registration as a voter, New names may be added to the appropriate roll by a registrar of elections pursuant to claims, which shall be made in the prescribed form signed by the claimant in the presence of and witnessed by, a Registered Voter and filed with the registrar

FORM?

of elections who keeps the roll on which the claimant seeks to be registered. A claim must contain in full the surname and

Not less than 2 days?

7

Form? Duplicates?  
No limit? ← 10 days

SUB-CHAPTER D: OBJECTION TO CLAIM AND REGISTRATION:S 3.15: Objection to Claim:

Any voter may object to the continuance of a name on the Registration Roll by reason of ineligibility or death of the voter. Such objection shall be submitted on the prescribed form to the Registrar of Elections who shall transmit it to the Magistrate of Elections for review. The Magistrate of Elections shall within thirty (30) days, determine the validity of the objection and shall give public notice within the locality of his findings. A copy of all findings shall be immediately forwarded to the Commission who shall after its review cause the roll to be amended accordingly.

3 Days

S 3.16: Objection to Registration:

An objection to the registration of person whose name has been added to a registration roll as a registered voter may be made by a Registrar of Elections or by any other person or voter and disposed off in the same form and manner as provided in Section 3.15 supra.

SUB-CHAPTER E: ALTERATION OF REGISTRATION ROLLS:S 3.17 Removal of Names Repeated On The Rolls:

When the name of the same voter appears on more than one (1) Registration Roll, or more than once in the same registration roll, the Commission shall order the removal of every such name except the correct name on the proper Registration Roll.

S 3.18: Alteration of Rolls by Registrar of Elections:

In addition to the powers of alteration conferred under this title, Registration Rolls may be altered by a Registrar of Elections.

- (1) By correcting any obvious mistake or omission, but not to the extent of wholly removing a name from the registration roll; and
- (2) By re-instating a name previously struck off by orders of the Commission.

S 3.19 When Registration Roll May Not Be Altered:

No Registration Roll may be altered within the thirty (30) days period immediately prior to an election, including Election Day, except upon order of the Honourable Supreme Court of Liberia on the determination of a manifest error.

30 DAYSS 3.20: Alteration Of Registration Rolls

Alterations of Registration Rolls shall be made in such manner that original writing, or printing shall not be obliterated or altered. The reason for the alteration, the date thereof, and such reference to authority, as may be deemed necessary, shall be set against the alteration together with the initials of the person authorized to make the alteration.

S 3.21: Names of Deceased Persons Over 18 Years To Be Furnished By The Ministry Of Health And Social Welfare:

Every County Health Center shall by its Registrar of Births, Deaths, and Burials send to the appropriate Magistrate of Elections in December of each year, a list in a prescribed form containing the names and addresses and ages of all persons who are eighteen (18) years of age or over whose death has been registered in the preceeding year, together with the deceased Voter's Registration Card.

S 3.22: Clerks of Monthly and Probate Courts To Furnish Names Of Persons Judicially Declared Incompetent Or Of Unsound Mind

The Clerk of the Monthly and Probate Court in any county or district shall furnish or send to the appropriate Magistrate of Elections, upon adjudication, the names and addresses of all persons who have been judicially declared incompetent or of unsound mind together with the incompetent voter's card previously obtained before such declaration or decree by the court.

S 3.23: Names of Disfranchised To Be Furnished By The Minister of Justice:

The Minister of Justice shall send to the Commission annually, in the month of December, a list containing the names and the addresses of all persons judicially convicted and sentenced for a disfranchisable offense and whose dis-enfranchisement continues. He shall also furnish along with the list, the Registration Cards of all such persons.

S 3.24: Restoration of Names on Registration Rolls Removed For Disqualification

Any person whose name is removed from a Registration Roll because he/she was judicially declared incompetent or of unsound mind or because he/she was convicted and sentenced for an offense disfranchising him as a voter, when no longer disqualified and restored to citizenship, may have his name added to a Registration Roll by re-registration or by making a claim in accordance with the Provisions of Section 3.11 of this title.

CHAPTER 4: CONDUCT OF ELECTIONS:

S 4.1: Voting Precincts:

- (1) The Commission shall describe and as far as practicable, delineate on a map the voting precincts in each constituency.
- (2) The number of registered voters in every precinct shall be approximately equal, and unless the Commission in any particular case so determine, the number of registered voters in any precinct shall not exceed one thousand (1000).

Article 80 (c) (d) Constitution:

c; vote only in const. where registered

d; 20,000 ± / constituency - limit on  
constituencies = 100

N/A for this  
election?

3

?

?

"constituency"

"precinct"

4.2. Polling Places.

- 1) The Commission shall designate Polling Places in each constituency to serve the voting precincts. A change of Polling Place after due designation, may be made by the Commission or giving at least forty-eight (48) hours notice to the voters affected thereby.
- 2) Polling Places shall have separate compartments constructed so as to protect each voter from observation whilst making his ballot papers.
- 3 Each Polling Place shall be provided with a ballot box or boxes, which shall have a lock and key and a cleft for receiving the ballot papers.
- 4 The Commission shall make arrangements for the list of polling places to be published not less than ten (10) days before the election and shall take all necessary steps to ensure that voters are made aware of the location of the various polling places before the election.
- 5 Each Polling Place shall be identified to the public by a suitable notice or other means.
- 6 There shall be a sheriff of the Poll appointed to preside at the voting and counting at each polling place who shall be assisted by other clerks where necessary.

4.3. Election Writs:

- 1) Writs shall be in the prescribed form and shall specify:
  - (a) The date of the election;
  - (b) the last date for nomination of candidates by political parties and nomination of independent candidates; and,
  - (c) the date for return of the election writ, with the results of the several elections within the county/district endorsed thereon. Such date to be not later than five (5) days after election.
- 2) Upon directives of the Commission, the Clerk of Writs shall issue writs for each election not later than ninety (90) days prior to the time prescribed for the election. Such writs shall direct the Magistrate of Elections for each county/district in accordance with the provisions of this title and the regulations and instructions of the Commission.

4.4. Duty of Magistrate of Elections

- 1) Subject to any directions given by the Commission, the Magistrate of Elections shall on receipt of the writ, endorse thereon the date of its receipt, and shall make all necessary arrangements for holding of the election.

SCREENS ?

Lock + key "

10 DAYS

Sheriff ?

5 days

90 days

- (2) The Magistrate of Elections may, with the approval of the Commission, appoint a deputy or deputies to act specially or generally, or for a particular constituency, who shall have the authority to perform all the duties of the Magistrate of Elections or such duties as are specifically described and subject to such limitations as are mentioned in the appointment.
- (3) The Magistrate of Elections shall take such steps as may be directed by the Commission to inform the political parties, independent candidates and the voters of:
- (a) The dates by which acts have to be done, nominations made, or otherwise as required by their title;
  - (b) the time-table for the electoral process;
  - (c) the general arrangements for taking the poll, counting the ballots and declaring the result of the poll; and,
  - (d) generally, as to the conduct of the election and the duties of parties and candidates.
- (4) The Magistrate of Elections shall in accordance with any directive from the Commission:
- (a) furnish the approved polling places and provide each one with a ballot box or boxes;
  - (b) provide each polling place with the necessary ballot papers prepared in the prescribed forms and furnished by the Commission.
  - (c) administer the oath to all persons serving in the polls; and,
  - (d) arrange for the poll and the count and the declaration of the results within his county/district.

S 4.5: Nomination Of Candidates:

- (1) Any political party which has been registered by the Commission shall send to the Commission a list of the candidates who will stand for election to the several elective offices in the several constituencies.
- (2) The list shall be accompanied by a statement by each candidate of his intention to stand as a candidate and his willingness to accept office if elected.
- (3) The list shall be received by the Commission not later than eight (8) weeks before the election.

Training  
Voter's Information

Logistics  
Not specified

8 weeks

- (4) Should any candidate on the list die after the list has been filed and after the ballot papers have been printed, the political party concerned may nominate another candidate and any votes given for the deceased candidate shall be transferred to and regarded as cast for the nominated candidate. Any such nominated candidate shall file a statement with the Commission as required by paragraph two (2) herein when his name is submitted.
- (5) Any independent candidate who has been registered by the Commission shall send to the Commission a notification of his candidature by means of a petition on the prescribed form, together with a statement of his willingness to accept office if elected.

#### S 4.6: Emblems

Any separate and distinct emblem shall be selected by each organized political party and by each independent candidate to represent such party or candidate. The selected emblem shall be notified to the Commission at the time of registration of the party or the candidate. The Commission may reject any emblem which is so confused thereby.

#### S 4.7: Ballot Papers:

- (1) Ballot Papers shall be in a form to be prescribed by the Commission, who shall arrange to print and issue them for the polls.
- (2) The Ballot Papers shall include the names of candidates in alphabetical order of surname, the name of the party, and the selected emblem. Different coloured ballots may be provided for elections to different elective offices.

#### S 4.8 The Polls:

- (1) The Sheriff for each voting precinct shall be present at the Polling Place with the registration roll for the precinct.
- (2) The Poll shall be opened from eight o'clock in the morning until six o'clock in the evening.
- (3) Before any vote is cast the Sheriff shall exhibit the ballot box empty, and shall then lock it.
- (4) The Commission shall prescribe regulations consistent with the following which in its opinion will portray fairness of the election:
- (a) marking of the hands of the voters;
  - (b) the production and marking of the registration cards;

Emblem

Ballot design =  
Commission's choice  
NUMBERED? (4.11)

8:00 - 12:00 (Δ?)

- (c) the marking of the register; and,
- (d) such other matters as are necessary for the security of the poll, for the prevention of election offenses and for maintaining of secrecy.

**S 4.9: Representatives at Polling Place:**

To ensure a fair and impartial democratic election:

- (1) Any registered political party or any independent candidate may appoint a representative to attend any polling place with sufficient identification, in any constituency in a voting precinct in which the party has nominated candidates or in which the independent candidate is a candidate. Any such appointment shall be made in a form to be prescribed by the Commission and a copy thereof shall be sent to the Magistrate of Elections not later than two (2) weeks before the election.
- (2) Any party representative or representative of an Independent candidate attending any polling place shall not speak to any voters; shall not attempt to see how a voter cast his vote; and shall obey all lawful instructions from the sheriff of the Polling Place.

**S 4.10: Persons Present At Polling Places:**

No one other than the elections officers, the party representatives appointed under paragraph 2, Section 4.9, or members of the Police Force on duty at the polling place, and voters voting or about to vote shall be permitted to enter or remain in a polling place during the polling.

**S 4.11: At The Opening Of The Polls:**

At the opening of the polls, the ballot box shall be opened and presented to the public including representatives of political parties and/or independent candidates for inspection. After it has been confirmed that the box is completely empty, it will be locked and disposed in opened view of the public. The serial number of any ballots issued shall be recorded by the clerk on the Tally sheet.

**S 4.12: At The Close Of The Polls:**

Following the close of the poll, the Sheriff shall in the presence of representatives of parties or candidates appointed under section 4.9 and 4.10:

- (a) Cause the clerk to tabulate the total votes cast;
- (b) Cause the tabulated register to be made in triplicate signed by the Sheriff, his clerk, the representatives of political parties and/or independent candidate(s).

Party delegates

Form 7

2 weeks

Numbered ballots  
(4.7)

Form

The original copy shall be inserted into the ballot box, locked and sent to the Commission through the Magistrate. A duplicate shall be sent to the Magistrate of Elections and the third copy shall be kept by the Sheriff of the Poll.

- (c) Cause the ballots cast to be tabulated with the recorded aerial numbers.
- (d) All ballot papers cast at the election, shall, other than questioned ballots, be placed in the ballot box; and,
- (e) Close and seal the ballot box and forward it to the Commission.

#### S 4.13. Question Ballots:

- (1) Ballot papers shall be disallowed and included in the number of question ballots in the following circumstances;
  - (a) If there is no mark in favour of any candidate on the front of the ballot paper;
  - (b) If the voter has voted for more than one (1) candidate for the same post;
  - (c) If there is any writing, signature or words on the ballot paper other than a mark for a candidate; and,
  - (d) If the position of the mark for the candidate on the ballot paper is such that it is not clear as for which candidate the voter intended to vote.
- (2) The Sheriff shall consult with the party representatives present at the count before disallowing any vote under these provisions.
- (3) The questioned ballots shall be separately parcelled and the number of votes in each category which have been rejected, be notified to the Magistrate of Elections.

#### S 4.14. Endorsement of Elections Tally:

When the Magistrate of Elections has received or been notified of the tally of the votes cast at each polling center in accordance with the registrar prepared after the tally at polling places, he shall total all the votes cast in each constituency and endorse each tally. He shall forward the writ forthwith to the Commission and not later than the date for return endorse thereon under section 4.3 of this Chapter and notify the Commission by telegraph, of otherwise of the tally.

The Commission shall collect all the tabulated results from every constituency received from the Magistrates; count the ballots and announce the returns of the elections not later than fifteen (15) days after the day of election.

3 copies

?

With whom?

Intent

Null and Void

2nd COUNT?  
15 days

This is where  
1985 went wrong

S 4.15: Elections Results How Determined:

All elections of public officers shall be determined by an absolute majority of the votes cast. If no candidate obtains an absolute majority in the first ballot, a second ballot shall be conducted on the second Tuesday following. The two candidates who received the greatest number of votes on the first ballot shall be designated to participate in the run-off election and the candidate who then obtains a majority vote shall be declared elected.

But you need  
15 days?

S 4.16: Preservation of Ballots:

The Commission shall preserve all writs issued for election, and all ballots cast and register of votes made in an election until the validity of such election and its result can no longer be disputed. The ballot papers may then be destroyed.

Set a limit!

CHAPTER 5: VOTING:S 5.1: Who May Vote:

Except one who has been judicially declared to be incompetent or of unsound mind, or who has been barred from voting as a result of his conviction and imprisonment for an infamous crime which disfranchised him as a voter and has not been restored to full citizenship, a Liberian citizen with a valid registration card may vote at any election in the voting precinct of the constituency in which he/she is registered or if he/she produces a valid registration card in any other voting precinct in the same constituency.

SEE: 3.1

S 5.2: Where To Vote:

A Liberian citizen with a valid Registration Card other than an election for the President or Vice President where a voter may vote in any constituency in the Country, or for a Senator where a voter may vote in any constituency in the Country, a registered voter shall vote only in the constituency in which he is registered; for municipal election only registered voters in the municipality; for Paramount chieftancy elections, only registered voters within the chieftdom; for clan chieftancy election only registered voters within the clan and for general town chiefs only the registered voters within amalgamated towns.

CAN VOTE ANYWHERE

① PRES

② VICE PRES

③ Senators

S 5.3: Leave of Absence To Vote:

An employer shall allow an employee leave of absence for such reasonable period as is necessary to enable the employee to vote on any election day without any penalty or deduction of pay, if the following conditions are met.

- (a) The employee notifies the employer before the day of the election that he desires such leave of absence; and

- (b) Such leave of absence is necessary to enable the employee to vote and that he returns to work on the day specified for his return to work.

S 5.4: Voting in Person: Identification of Voter:

Every person offering to vote at a polling place in any voting Precinct during any election shall state his full name and produce his registration card. If so requested by the Sheriff the voter shall state all particulars necessary for identifying his name as appeared on the registration roll under which the Vote is claimed. The Sheriff or one of his assistants shall verify on the register that the voter is registered and has not already voted at the particular election involved.

S 5.5: Absentee Voting:

A registered voter who is absent from the Country during an election and wishes to vote shall request the Commission registered mail for an absentee ballot forty-five (45) days before an election. Absentia votes shall be directed directly to the Commission by registered mail for inclusion into the result of the elections.

45 days  
ABSENTEE

S 5.6: Challenges:

If a registered voter is challenged by an officer of the poll or by a representative of a political party or independent candidate appointed to the poll, the said voter shall be permitted to vote only after investigation and upon administration by the Sheriff of the following oath:

I DO SOLEMNLY SWEAR OF AFFIRM THAT I HAVE NOT VOTED THIS DAY AT THE ELECTION AND THAT I AM TO THE BEST OF MY KNOWLEDGE CONSTITUTIONALLY AND UNDER THE ELECTIONS LAW QUALIFIED TO VOTE. SO HELP ME GOD.

Such oath subscribed to by such person shall be filed with the election returns and shall be competent evidence against the subscriber upon a prosecution for perjury. Any ballot cast after the oath shall be placed in an envelope marked "CHALLENGED VOTE" before it is placed in a ballot box.

Tendered Ballot

S 5.7: Casting of Ballot:

Upon receipt of the official ballot paper, the voter, unless he/she comes within the cares provided for in section 5.8 of this Chapter following, shall without any delay, retire to an unoccupied voting compartment alone and therein privately mark his/her ballot paper in accordance with the instructions issued by the Commission and according to his choice. The voter shall then fold the ballot paper forthwith and place the same in the official ballot box. He/she shall then leave the polling place.

S. 5.8: Casting of Ballot:  
Assistance to Unlettered and Physically Incapacitated:

A voter who is unlettered or physically incapacitated of voting may request an assistance of a helper to mark his ballot in the presence of an election officer. The Clerk shall enter on the register opposite the name of such assisted voter, the reason for such assistance. The one assisting the voter shall retire with him in an unoccupied compartment along with an election officer and at his direction, help him in the preparation and marking of his ballot and return the ballot paper properly folded for deposit in the official ballot box.

*Folded Ballot*

CHAPTER 6: CONTESTED ELECTION:

S. 6.1: Filing a Complaint with the Commission:

Any political party or candidate who has justifiable reasons to believe that the elections were not impartially conducted and not in keeping with the Elections Law, which resulted in his defeat or the defeat of a candidate shall have the right to file a complaint with the Commission; such complaint must be filed not later than seven (7) days after the announcement of the results of the elections.

*7 days*

S. 6.2: Investigation And Decision:

- (1) Time schedule. The Commission upon receipt of the complaint of the contestant, shall within thirty (30) days cite the parties; conduct an impartial investigation, and render a determination as provided for in Paragraph 2 of this section. The determination shall be accompanied by a summary of the investigation and the reason for it.
- (2) Effect of determination. The decision of the Commission shall have the following effects:
  - (a) If any person returned is declared not to be duly elected, but had already assumed such office, shall cease to hold such office;
  - (b) If any person not returned is declared duly elected to an office, he/she shall assume such office; and,
  - (c) If any election is declared void, a new election shall be held.
- (3) Harmless errors not to vitiate election. No election shall be declared void on account of any delay of nominations; the polling or return of the writ, or on account of the absence or error of any officer which shall not be proved to have affected the result of the election.

*30 days*

- (4) Bribery; undue influence: - effective on election. If at the trial of a contest, it is found that a candidate has committed or has attempted to commit bribery or undue influence, his election shall be declared void.
- (5) No decision that any person return was not elected, and no decision that an election is void, shall be made:
- (a) On the ground of any election offense committed by a person other than the candidate and without his knowledge or consent; or,
  - (b) On the ground of an election offense other than bribery or corruption; and,
  - (c) Finding not to bar prosecution for election offense:- No finding at the trial of a contested election shall bar or prejudice any prosecution for any election offense.

**S 6.3: Right Of Appeal To Supreme Court of Liberia by Contestant**

Any contestant affected by the decision of the Commission shall have the right to appeal to the Supreme Court of Liberia not later than seven (7) days after the decision is rendered.

**S 6.4: Filing Of Bill of Exceptions:**

The contestant shall file with the clerk of the Supreme Court the bill of Exceptions within seven (7) days after rendition of decision of the Commission and shall pay the cost of filing the Bill of Exception and of procuring a certified copy thereof the same as those paid by a Plaintiff and/or appellant in a civil action.

**S 6.5: Bill of Exceptions: Content:**

- (1) Content. The Bill of Exceptions shall:
- (a) state clearly and distinctly the grounds of exceptions of the facts relied upon to reverse the decision of the Commission;
  - (b) contain a prayer for the relief sought; and,
  - (c) be signed by the appealing contestant.

**S 6.6: Bill Of Exception:**

During the process of an election any Irregularity observed shall be noted and filed with the Elections Commission as a complaint not later than five (5) days from the date of the Elections.

5 days

S 6.7: Filing and Service of Bill of Exceptions:

Within seven (7) days after the Commission's determination of a contest, any contestant appealing from the determination, shall file his bill of exceptions to the office of the Clerk of the Supreme Court certified and with the seal of the Supreme Court thereon affixed. Copy shall be furnished the person apparently elected or in whose favour the Commission has decided; also service shall be made on the Commission through its Chairman. The Commission shall then within seven (7) days of receipt of the bill of exceptions, file with the Clerk of the Supreme Court, its return serve a copy thereof on the contestant.

S 6.8: Recognizance:

The contestant shall enter into a recognizance to the amount of Five Thousand (\$5,000.00) Dollars for payment of costs incurred on the appeal with the respect to the election of a President or Vice President and to the amount of Three Thousand (\$3,000.00) Dollars for payment of costs incurred on appeal with respect to all other elections the amount shall be Two Thousand (\$2,000.00) Dollars.

S 6.9: Hearing and Determination by the Supreme Court:

Upon filing of briefs by both contestants and the Commission within the time allowed by this title, the Clerk upon orders of Court, shall docket the proceeding on a separate docket calendar, then, notifying the parties of the assignment for hearing arguments produced by the Supreme Court en banc. Bared upon the arguments produced by both parties, the Clerk upon orders of court will notify the parties of the date and time of rendition of final judgement. If the Supreme Court sustains the decision of the Commission, the Commission shall act to effectuate the mandate of the court. If the Supreme Court reverses the decision of the Commission for whatever reason, the Commission shall within sixty (60) days, after judgement of the court, execute the mandate of the Supreme Court accordingly.

CHAPTER 7: ELECTION EXPENSES:S 7.1: Who May Contribute:

As herein after provided, any citizen(s), political party, association or organization, being of Liberian Nationality or origin, shall have the right to contribute to the funds and election expenses of any political party or candidate; such contribution shall be accompanied by filing with the Election Commission such information as the source; the date of the remittance; the amount of such contribution and such other informations necessary or required by the Commission.

No corporate or business organization and labour union may contribute to the funds or the election expenses of any political party or any independent candidate, and any Contribution made in violation of this provision shall, by the Commission, be declared

forfeited.

**S. 7.2: Remittance of Funds from outside Liberia to Political Parties or Independent Candidates: Restriction:**

There shall be no remittance of funds or other assets to any political party or organization, or any independent candidate from outside Liberia, unless remitted or sent by Liberian Citizens residing abroad. Any funds or other assets received directly or indirectly in contravention of this restriction, shall be turned over or transferred to the Commission within twenty-one (21) days of receipt to be kept in escrow in a designated bank, after thorough investigation has been made, such funds shall be turned over to the political party or organization or independent candidate to whom the money was sent if not in contravention of this restriction.

**S. 7.3: Limitation of Election Expenses: Expenses Per Candidate:**

1. Elections expenses shall not be incurred or authorized by a candidate beyond the following amounts:
  - (a) For President in excess of \$2,000,000.00.
  - (b) For Vice President in excess of \$1,000,000.00.
  - (c) For a Senator in excess of \$600,000.00.
  - (d) For a Representative in excess of \$400,000.00.
  - (e) For any other elective public office, in excess of \$75,000.00.

**2. "Application and Registration Fee:**

"Application and Registration fees of aspirants and candidates for any elective public office shall not exceed Five Hundred (\$500.00) Dollars. The Elections Commissions shall in its guidelines and regulations allocate such fees in accordance with the category of the elective public office sought".

**S. 7.4: Account of Political Parties and Requirements For Instruction and Examination:**

One month following the effective date of this title, all registered political parties in the country shall furnish the Elections Commission with the names of the Banking Institutions with which they maintain accounts respectively, indicating the dates of the establishment of the banking account; the account number and the names of the party officials upon whose signatures funds are withdrawn from the bank.

Any registered political party failing to furnish the information and the instruction required by this section, shall be guilty of an elections offense and punishable by a fine of Five Thousand

# 500

(\$5,000.00) Dollars.

Any Banking Institution failing to provide such information upon being duly advised by the political party and upon demand of the Commission shall be guilty of an election offense and punishable by a fine of not less than Ten Thousand (\$10,000.00) Dollars and not more than Twenty-Five Thousand (\$25,000.00) Dollars.

## **CHAPTER 8**

### **S 8.1 Merger and Consolidation:**

Registered political parties may be allowed to merge or consolidate as provided by this section.

#### **(1) Procedure:**

Registered political parties wishing to merge or consolidate shall each pass a resolution consenting to the merger or consolidation signed by 2/3 of the members of the executive committee.

#### **(2) Plan of Merger or Consolidation:**

The Executive Committee of each registered political party proposing to participate in the merger or consolidation shall approve a plan of merger or consolidation setting forth:

- (a) The name of each constituent registered political party;
- (b) Terms and conditions of the proposed merger or consolidation;
- (c) In case of a merger, a statement of any amendment in articles of incorporation of the surviving registered political party to be effected by such merger, and in case of consolidation, all statements required to be included in articles of incorporation for a political party.

#### **(3) Approval of Plan:**

The Executive Committee of each constituent political party, upon approving the plan of merger or consolidation, shall submit such plan to the vote of the local parties in the Counties.

### **S 8.2: Article of Merger or Consolidation:**

After approval of the plan of merger or consolidation by partisan of each constituent political party, the article of merger or consolidation shall be executed by the Executive Committee of each political party and verified by its Chairman, which shall set forth:

- (i) The plan of the merger or consolidation, any statement required to be included in article of incorporation;
- (ii) The date when the articles of incorporation of each constituent political party was filed with the Elections Commission, probated and registered; and,
- (iii) The manner in which the merger or consolidation was authorized with respect to each constituent political party.

S 8.3: Filing of Articles of Merger or Articles of Consolidation:

The articles of merger or consolidation shall be filed with the Elections Commission in accordance with guidelines laid down by the Commission, the said articles shall be accompanied by certified copies of the resolution of each Constituent party consenting to the merger or consolidation, the approved plan to merge or consolidate and the votes taken by each constituent party authorizing the merger or consolidation.

S 8.4: When Merger or Consolidation effective:

Upon the filing of the articles of merger or consolidation with the Elections Commission, the Commission shall make sure and be satisfied that each constituent political party participating in the merger or consolidation has complied with the provisions of Chapters 7 and 8 hereof. The participating political parties being cleared of all their obligations and requirements, the Commission shall issue a certificate of accreditation to the merged political party under its name and exercise franchise granted to a political party as if it were originally certificated as such.

CHAPTER 9:

S 9.1: Dissolution of Political Party:

- (1) A political party which has a perpetual existence according to its articles of incorporation, shall have the rights to be dissolved after it has failed at least two successive general elections to obtain an absolute majority to win the Presidency, provided, however, that it shall meet the following conditions:
  - (a) If, at a meeting of Its Executive Committee, two third (2/3) of the members vote on the proposal to dissolve by consenting that the dissolution shall take place. A certified copy of such resolution shall be filed with the Elections Commission along with the Articles of Dissolution.

- (b) Filing with the Commission, the verified Articles of Dissolution signed by members of the Executive Committee of such party with the address and the position of each in the party, stating the reason for the dissolution and the manner in which the dissolution was authorized, the Articles of Dissolution shall also be filed with the Registrar of Deeds for Montserrado County, in whose office the Articles of incorporation of the party were recorded.

S 9.2: Time When Effective:

The dissolution of a political party shall become effective only if the commission is satisfied that such political party has complied with the requirements of sections 7.2 through 7.4 of this chapter and is clear of its audits to be conducted as provided in this chapter.

S 9.3 Winding up Affairs of Political Party after Dissolution:

- (a) Continuation of Party for winding up. - A political party, whether voluntarily dissolved or otherwise, shall nevertheless be continued for the term of three (3) years from the date of such dissolution as provided by the Association Law of Liberia for the purpose of prosecuting and defending suits by or against it, and to enable it to gradually settle and close its business, to dispose of and convey its property and to discharge its liabilities, but not to continue the exercise of its political franchise granted under its certificate of accreditation as a registered political party.
- (b) Trustees. - Upon the voluntary dissolution or otherwise of political party, the Executive Committee of the party shall be trustees thereof, with full power to settle the affairs, collect the outstanding debts, if any, sell and convey any of its properties, prosecute and defend all such suits and for the payment of its liabilities and obligations.

CHAPTER 10: ELECTION OFFENSES.

S 10.1: Acts Constituting Malfeasance.

The following acts shall constitute malfeasance, punishable under this chapter:

- (a) Influencing or attempt to influence the results of any election;
- (b) Emitting or refusal to sign the register or any other document which is required to be signed in connection with any election without just cause;

- (c) Committing or attempt to commit any act designed to defeat the intention of a voter; and,
- (d) Unlawful disclosure of any knowledge officially acquired touching the vote of any voter.

Any election officer, or any person required to sign a register as provided in sub-section (b) or who does any of the acts above is guilty of an election offense and is punishable by a fine of not more than One Thousand (\$1,000.00) Dollars or imprisonment for not more than six months or both.

#### S 10.2. Offenses in Relation To Registration Cards:

Any person who does any of the following acts shall be guilty of an election offense and punishable by a fine not exceeding Two Hundred (\$200.00) Dollars or Sixty (60) days imprisonment or both:

- (a) Printing or distributing any registration card;
- (b) Altering any registration card;
- (c) Using or attempting to use at any election, a registration card issued to another voter.

#### S 10.3: Unlawful Disclosure Of Knowledge Relating To The Vote Of Any Voter:

Any party representative or representative of an Independent candidate or any individual assisting the voter discloses any knowledge acquired in his capacity as such relating to the vote of any voter, is guilty of an election offense and punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment for not more than six (6) months or both.

#### S 10.4: Bribery:

For the purpose of this title, bribery as an election offense is where any of the following acts is committed:

- (a) Offering or cause to be offered money or anything of value or benefit or promise to give anything of value with intent to induce or influence any person; election officer; poll worker in connection with an election which in so doing will tend to affect the true election results;
- (b) Receiving money or any valuable consideration; promise for the purpose of influencing any vote or cancelling or destroying any ballot paper; ballot box; election writs; a signed register with the intent to defeat the election; and,

- (c) After close of campaign, and on the day of an election, anyone who offers money or receiver money or valuable consideration for the purpose of influencing the voters to vote or not to vote, for particular candidate.

Any election officer, political party, or any candidate or the agent of any candidate or any person who does any of these acts is guilty of an election offense and is punishable by a fine not more than Five Thousand (\$5,000.00) Dollars or imprisonment for not more than Five (5) years or both.

S 10.5: Undue Influence:

Any person who, in connection with any election commits or attempts to commit any of the following acts is guilty of an election offense and punishable by a fine of not more than One Thousand (\$1,000.00) Dollars or by imprisonment for not more than one (1) year or both.

- (a) Threatens any person or persons, officers, procures, suggests; and uses or caused to be used any violence; or inflicts, or caused to be inflicted any injury, corporal punishment, damages, losses or disadvantage on any person or persons in support of a political party or a candidate; or,
- (b) Publishes by spoken, written, or printed words, or by signing whatever form or any matter intended or tending to prevent any person or persons from the free exercise of their franchise or such acts which threaten, or suggest any damage, loss or disadvantage either in the present or in the future, or on account of a political party or his political opinion; or,
- (c) Publishes or exposes, or caused to be published or exposed to public view, at any time between the issuance of an Election Writ and the close of the Poll thereon; any document written or printed matter containing any untrue statement, defamatory of any candidate and calculated to influence the vote of any voter.

S 10.6: Destruction, Removal or Mutilation of Ballot Papers or Boxes

Any person who carries away, destroys, conceals, or mutilates, or attempts to carry away, destroy, conceal or mutilate any ballot paper, register, ballot box, election writ, certificate or returns of any official document made in connection with an election for the purpose of invalidating the result of such election is guilty of an election and punishable by a fine of Five Thousand (\$5,000.00) Dollars or by imprisonment for a period of five (5) years or both.

S 10.7: Incurring Unauthorized Election Expenses:

Any political party or candidate who incurs any election expenses in excess of the limitation set forth in Section 7.4 of the Elections Law, is guilty of an election offense and is punishable by a fine of Five Hundred (\$500.00) Dollars or twenty five percent (25%) of the excess amount spent or whichever is greater.

S 10.8: Ballot Paper Fraud I:

Any person who falsely impersonates another for the purpose of voting or for the purpose of securing a ballot paper, or who fraudulently defaces a nomination, ballot paper, or who forges any nomination; ballot or alters, or who prints or supplies ballot papers without authority is guilty of an election offense and punishable by a fine of Five Thousand (\$5,000.00) Dollars or by imprisonment for five (5) years or both.

S 10.9: Ballot Paper Fraud II:

Any person who fraudulently places any official ballot paper or other paper into the official ballot box, or who fraudulently takes any official ballot paper out of any polling place, is guilty of an election offense and punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment not exceeding six (6) months or both.

S 10.10: Plural Voting At Same Election:

Any person who votes or attempts to vote more than once at the same election is guilty of an election offense and is punishable by a fine not exceeding Five Hundred (\$500.00) Dollars or by imprisonment for not more than six (6) months or both.

S 10.11: False Statements With Regard To Registration of Claims Applications and Objections:

Any person who willfully makes a false statement in any objection to registration a claim or to any name on a registration roll, or who willfully makes a false statement in any registration claim, application, return or declaration, or who signs as the claimant on a claim to register as a voter in the name of any other person, is guilty of an election offense and punishable by a fine not to exceed the sum of Five Hundred (\$500.00) Dollars or by imprisonment for not more than six (6) months or both.

S 10.12: Witnessing A Registration Claim Without Knowledge of Claim to The Facts:

Any person who witnesses the claim of a claimant for registration or of an application of an applicant to substitute a statement or qualification, without being personally acquainted with the truth of the statement contained in the claim or application or without satisfying himself by inquiring from the claimant or applicant or

or otherwise that the statements contained in the claim or application are true, is guilty of an election offense and punishable by a fine not exceeding Fifty (50) Dollars.

**S 10.13: Failure to Transmit Claim of Another:**

Any person who induces a claimant for registration to give him custody of a signed claim for registration for transmission to the appropriate registrar of elections or who accepts such custody upon request and fails to transmit such claim to the appropriate registrar of elections without just cause, is guilty of an election offense and punishable by a fine of not more than One Hundred (\$100.00) Dollars.

**S 10.14: Anonymous Publications:**

- (1) **Publication:** - Any person who publishes a handbill, pamphlet, notice or other advertisement relating to an election, which does not include prominently displayed name at the end thereof and address of the person authorizing or publishing it, is guilty of an election offense and is punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment for not more than six months or both.
- (2) **Distribution:** - Any person who knowingly distributes any handbill, pamphlet, notice or other advertisement relating to an election published in violation of paragraph (1), is guilty of an election offense and punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment for not more than six months or both.

**S 10.15:**

- (1) **Representatives:** - Any party representative or the representative of an Independent candidate accredited to the polling place or any person impersonating a representative who violates the provisions of section 4.0 (2), is guilty of an election offense and is punishable by a fine of Three Hundred (\$300.00) Dollars or by imprisonment for three (3) months.
- (2) **Single Offense:** - Any person who fails to obey the lawful direction of the Sheriff or any poll worker in a polling place on election day, or misconducts himself by committing a breach of peace or threat, is guilty of an election offense and is punishable by a fine of not more than Two Hundred (\$200.00) Dollars or by imprisonment for not more than thirty (30) days or by both and shall be removed from the polling place by the Sheriff or by any person authorized by him.
- (3) **Re-Entry of Polling Place After Being Removed:** - Any person ordered to be removed from a polling place by the Sheriff or any person authorized by him on election day for failure to obey the lawful directions of the Sheriff or for misconduct or threat, is guilty of an election offense and punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment for not more than six (6) months or both.

Suppleants?

- (4) Any person who, on election day or on any day to which the election is adjourned, in a polling place or within one hundred yards thereof, canvasses for votes, or solicits the vote of any voter, or induces any voter to vote or not to vote for any particular candidate at the election, is guilty of an election offense and is punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment for not more than six (6) months or both. For the purpose of this section, canvassing for votes shall include the display of any T-shirt, caps, etc. or placard, slogans, signs, pictures, emblems etc. in connection with the candidature of any party or person.

**S 10.16: Period of Permissible Withdrawal:**

Any candidate may withdraw from contesting an election and notify the Elections Commission before ballot papers are printed and before the election writs are issued and served.

**S 10.17: Refusal to Serve When Elected:**

Failure to serve when elected, is a serious elections offense by anyone and is punishable by a fine of not more than Five Thousand (\$5,000.00) Dollars or imprisonment for a period not exceeding five (5) years or both.

**S 10.18: Stirring Up Unrest and Rebellion in Lieu of Protest After Declaration of Election Results:**

Failure by a candidate or a political party to file and prosecute an election protest within the time allowed by this title, is a waiver and ends the rights of such candidate or political party to do so. Any candidate or a political party failing to take advantage of the provisions of this title relating to election contest and after the expiration of the time allowed to do so, resort to the dissemination of propaganda which contains statements intended to create political unrest, disloyalty or subvert the constituted authority of government; or to bring the government into disrepute at home or abroad; to oppose and refuse to recognize the government on account of disagreement with the elections results, or by commenting on the election in any manner or form intending to discredit its results to which no contest or protest had been filed, constitutes an election offense for the purpose of this title.

Any candidate or any political party found violating any of the provisions of this Section, shall be guilty of an election offense and is punishable by a fine of Ten Thousand (\$10,000.00) Dollars and imprisonment of the candidate or the leaders of the political party or parties involved for not more than ten (10) years. Notwithstanding, the pendency of any criminal proceeding against such candidate or political party in the courts of justice or the payment of such fine for the Commission of such election offense, the Elections Commission, upon petition of the Minister of Justice, or on its own motive, may revoke the certificate of such political party or parties involved upon proof of the violation.

S. 10.19: Commenting On Election During The Pendency Of An Election Contest:

The filing of a protest of an Election Contest takes from the province of the contestant or the political party protesting, the matter involved and places it under the jurisdiction of the Elections Commission or the Supreme Court in case an appeal is taken. It is therefore contemptuous and an election offense for the contestant or any political party or any person or group of persons to comment in any manner or form, on the merits of the proceedings tending to arouse public opinions; sympathy and confusion in the Liberian Society, and which in so doing may have the tendency to prejudice the fair and impartial determination of the other person commenting on the conduct of an election in any manner or form for which a contempt proceeding for a fine of Five Thousand (\$5,000.00) Dollars or imprisonment of such contestant or the leaders of such political party violating the provisions of this section for not more than five (5) years or both may be instituted.

S. 10.20: Notwithstanding the Penalty Provided to be Punishable:

Notwithstanding, the penalty provided in this Section - any such violator may be attached in contempt and punished accordingly.

S. 10.21: Freedom of Travel Throughout the Country and The Use of Public Facilities by Political Parties.

Political parties, without any molestation whatsoever by official action, are privileged to travel throughout the length and breadth of the country to canvass for membership or for elective public office and to hold and conduct orderly meetings and political rallies to raise funds or for any lawful purposes in the free exercise of their political franchise being responsible for the abuse of such privilege. They shall be entitled to appropriate security protection when timely public notice is give.

Political parties are also privileged to use, and shall not be denied the right to use any public building or such public facilities necessary and appropriate for their purpose, a timely request shall first be made to the appropriate authorities.

timely request

Any person or persons using their official power to molest the free travel to any part of the country of a political party or persons accredited by such party to travel to any part of the country, or after a public notice of the holding of an orderly political meeting or rally shall have been given, and after being granted due permit by the Ministry of Justice, any person or persons by any means, molesting the holding of any such meeting or rally or denying or refusing to allow the use of any public facility to any political party involved shall be subject to a fine upon proved complaint of the political party affected or involved. In any election year and upon declaration of the opening of campaign by the Elections Commission and during such period, any person or persons violating any of the provisions of this section shall be guilty of an election offense and punishable by a fine of (\$500.00) Five Hundred Dollars to be paid forthwith. Notwithstanding any such administrative action, should any damage result by the misconduct of any person or persons, the party or person so affected shall have a civil remedy under the appropriate provision of the Civil Procedure Law Revised.

S. 10.22: Abusive and Profane Language and Slogan as an Election Offense:

It shall be an election offense punishable by a fine of One Thousand (\$1,000.00) Dollars for political party, when having their political rallies or demonstrations to abuse another political party or its leaders by the use of profane language or slogan tending to reflect on such party or its leaders or a particular ethnic group or groups.

S. 10.23: Unfair Political Practices:

Under the multiparty system provided under the Constitution, every citizen of legal age of this Republic is entitled to join any political party of his choice and may resign therefrom for any reason without any molestation.

Administrative officials, military and para-military personnel or any personnel or any person or persons shall be guilty of an election offense if they arrest, detain, maltreat, interfere with any citizen because of the exercise of his political rights to join a party of his choice or because he refused to join a party in power or because he is seeking membership in another party, or being a member of a party in power, resigned therefrom in the exercise of his political franchise or being such a member befriend a member of any opposition party, any administrative official, military or paramilitary personnel or any other person or persons in support of a particular party or candidate who shall violate any of the provisions of this section shall be guilty of an election offense and punishable by a fine of Five hundred (\$500.00) Dollars in case of a person other than an employee or an official of government and in the case of an official of government, military or paramilitary personnel, he or they shall be summarily dismissed from office upon the recommendation of the Commission. Should there be any injury sustained from such misconduct or damage or loss suffered, the affected person or persons shall be entitled to

Civil remedy at law.

S. 10.24: Unlawful Election. Propaganda

(1) Prohibited Acts: It shall be an offense against the Election Law for any organized political party to do any of the following:

- (a) Disseminate propaganda which contains false statements intended to:
  - (i) create unrest; disloyalty; rebellion or terrorism among the Liberian people,
  - (ii) overthrow or subvert the authority into disrepute at home or abroad; or,

(b) Publish:

- (i) anonymous writings affecting or commenting on the conduct of an election; or,
- (ii) allegations derogatory to the Government without affixing thereto the name of the publisher or writer; or,

(c) Engage or consent to the engagement of aliens as members or officials of an organized political party or independent candidate.

(2) Liability of Members: Any member of a registered political party or independent candidate who directs, or with knowledge of the purpose thereof, participate in the unlawful acts defined in paragraph (1) above, shall be subjected to a fine of not more than Five Thousand (\$5,000.00) Dollars or imprisonment for not more than five (5) years or both.

S. 10.25: Civil Sanction.

Notwithstanding that criminal proceeding may be pending in court in respect of any violation of Section 10:18 by a political party, upon receipt of clear evidence of the violation, the Elections Commission, upon petition of the Minister of Justice or on its own motion, may outlaw such political party or parties and revoke their certificate. An appeal may lie from the determination of the Commission to the Supreme Court en banc, if notice of appeal is served and filed with the Commission within seven (7) days after its determination is made. If such an appeal is taken, the Chairman of the Commission shall immediately notify the Chief Justice of the Supreme Court, who shall summons the Associate Justices in an extraordinary session if not sitting in term to hear and determine such appeal as expeditiously as possible.

S 10.26: Penalty For Any Offense Not Provided:

A violation of any provision of this Title for which no other punishment is provided, Is punishable by a fine not exceeding Five Thousand (\$5,000.00) Dollars.

Section 2: This Act shall take effect immediately upon publication in handbills.

Any Law To The Contrary Notwithstanding.