



Republic of Sierra Leone
National Electoral Commission



**PROCEDURES FOR NOMINATION OF
LOCAL COUNCIL CANDIDATES
ELECTIONS 2012**

Sierra Leone Elections 2012

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NATIONAL ELECTORAL COMMISSION (NEC) GUIDE TO NOMINATION PROCEDURES FOR LOCAL COUNCIL ELECTIONS 2012

1. INTROCUCTION

The purpose of this guide to nomination procedures is to assist all political parties and their candidates, as well as independent candidates, in the nomination process for the 2012 Local Government elections.

THIS GUIDE CONTAINS THE FOLLOWING INFORMATION:

- Timeline for Local Council nomination
- Nomination procedures for Local Council candidates
- Publication of candidates
- Objection procedures for Local Council candidate nominations
- Death of a nominated candidate
- Withdrawal of nominated candidate

This guide also contains (in the appendix) the necessary forms and documents needed for the candidate nomination process. *Please note that candidate for Chairperson and for Councillor will use the same forms for nomination.*

The NEC hopes that this information will be of assistance to you. However, the information contained here is not intended to be legally exhaustive. Further information can be found in the Public Elections Act, 2012, Local Government Act, 2004 as amended and the 1991 Constitution of Sierra Leone.



DR CHRISTIANA A. M. THORPE
Chief Electoral Commissioner and Chairperson,
National Returning Officer
National Electoral Commission

2. TIMELINE FOR LOCAL COUNCIL ELECTIONS

Local Government Elections

Date	Item
12 th – 23 rd Sept, 2012	Submission of nominations for Chairperson and Councillor candidates
12 th – 24 th Sept, 2012	Objections against nominated candidates received
25 th Sept, 2012	Deadline for Returning Officer's decision on all objections
27 th Sept, 2012	Deadline for appealing rejected nominations to the National Electoral Commission
29 th Sept, 2012	Deadline for National Electoral Commission to announce decision on appeals

The timeline for the nomination process in regard to the Local Council elections is determined by the National Electoral Commission taken in accordance with Public Elections Act, 2012.

3. PERIOD AND PLACE OF SUBMISSION

Dates of Submission	12th – 23rd September, 2012
Time of Submission	10am 5pm
Returning Officers	District Electoral Officers
Place of Nominations	See Appendix A

The nomination for each ward/locality will take place in the District Electoral Office in the district to which the ward/locality belongs, or in another Nomination Centre at district level. A list of the Nomination Centres is found in Appendix A.

4. ELIGIBILITY CRITERIA

Candidates for the election of Chairperson or Councillor must meet the following eligibility criteria:

- a) must be a citizen of Sierra Leone (not a naturalised citizen);
- b) must not be less than twenty one years of age;
- c) must be a registered voter and normally resident in the ward/locality in which (s)he seeks election
- d) must have paid all taxes and rates in that locality
- e) must not be employed by the Council, a Member of Parliament, the Judiciary, RSLAF, NEC, SLP or the Civil Service.
- f) Must not be a Paramount Chief, a Chieftom Speaker or a Minister.

A candidate for Chairperson or Councillor can stand either on behalf of a registered political party, or register as an independent candidate.

5. PROCESS OF NOMINATION

No person can be nominated in more than one ward/locality, nor by more than one political party. No person can participate in both elections to councillor and Chairperson at the same time.

Nomination fees

All fees must be paid by bank draft/cash to account number 001-113762-10-00-01 at the Sierra Leone Commercial Bank (SLCB). Bank deposit slips are to be submitted during the nomination process.

Documents Required

- a) Local Council candidate nomination checklist (NEC Form LG01)
- b) Nomination form signed in accordance with the description below (NEC Form LG02)
- c) Sierra Leone Commercial Bank receipt for the sum of Le 5,000,000.00 for Chairperson/Mayor candidates, or Le 1,000,000.00 for Councillor candidates (see “f” below)
- d) Voter registration cards (to be presented in accordance with below)

- e) Recent rates receipt or tax clearance certificate (not more than 6 months old)

Nomination Steps

- a) Nominations papers must be submitted to the Returning Officer in the district in question before 5:00pm in the afternoon of the last day for the delivery of the nominations papers.
- b) The candidate must bring the above mentioned nomination documents along with the checklist (NEC Form LG01) as a proof of submission and receipt (see appendices).
- c) The nomination of a Local Government candidate must be in writing in the form prescribed by the Public Elections Act, 2012. The prescribed Nomination Paper of Local Government Candidate (NEC Form LG02) is enclosed with this guide;
- d) Every candidate shall be nominated by three electors of the electoral area (district for Chairperson / Mayor candidates, ward for Councillor candidates) for which (s)he is a candidate. The three nominators must all sign the Nomination Paper of Local Government Candidate in the place indicated.
- e) The candidate should indicate the political party that (s)he wishes to stand for, or if (s)he wishes to stand as an independent candidate. The candidate will only be nominated as standing for a particular political party if the candidate is included on the Political Party List of Endorsed Local Government Candidates (NEC Form LG00) submitted by that political party (see further below)
- f) The candidate is required to submit a bank deposit slip (of a non refundable fee of Le5,000,000.00 for Chairperson / Mayor candidates and Le1,000,000.00 for Councillor candidates from the Sierra Leone

Commercial Bank to the Returning Officer). The Returning Officer will issue an official receipt.

- g) The candidate is required to accept the Code of Election Campaign Ethics (NEC Form LG03) prepared by the NEC as a condition for acceptance of nominations papers.
- h) The voter registration identity cards of the candidate and the three persons who nominated him/her must be presented to verify that they are electors.
- i) Candidates must present their nominations in person.

Chairperson/Mayor and Councillor Candidates nominated by political parties

Political parties that wish to present Chairperson/Mayor and Councillor Candidates in the 2012 elections must submit a list of candidates that the party wishes to endorse, using the Political Party List of Endorsed Local Government Candidates (NEC Form LG00). This list must be sent to the NEC headquarters no later than 7th September, 2012 and include for each candidate;

- 1. Name of Candidate
- 2. Date of Birth
- 3. Voter Identification Number
- 4. The ward or locality in which they will stand for election

This list must be signed by the National Chairperson and the National/General Secretary. Any political party that does not send such a list no later than 7th September, 2012 will not be presenting any candidates in the 2012 Local Government elections.

Only persons included on this list will be accepted as candidates standing for the political party in question. Persons who are not on any political

party list can only register as independent candidates. Each party can only endorse one person per ward/locality (except in the case of multimember wards), and no person can be endorsed in more than one ward/locality.

Please note that if a person is on a list sent to the NEC by a political party, the person will still need to be nominated in accordance with the process described above. Also note that the NEC Form LG00 is not included in this guide due to its size. It has been provided to the political parties through the Political Parties Liaison Committee.

Independent Chairperson/Mayor and councillor candidates

Any person who declares himself/herself as being independent, or who is not included on the list submitted by any political party, will be nominated as an independent candidate. No person can be nominated in more than one ward/locality.

Each person being nominated as an independent candidate will choose a symbol to be placed on the ballot paper next to his/her name. Only the symbols included on a list provided by the NEC are available to the independent candidates, and each symbol can only be used by one candidate in each ward/locality. The candidates will choose a symbol in the order that they presented their nomination papers. Once the candidate has chosen a symbol, the number of that symbol will be noted on the nomination paper.

6. POSTING OF PROVISIONALLY NOMINATED CANDIDATES

After submissions, the Returning Officer shall publish the names of candidates (and in relevant cases his/her party) and names of the electors nominating him/her by posting the information in a conspicuous manner in the district in question.

7. OBJECTIONS AND APPEALS

Who Can File An Objection?

Any elector in the electoral area in question (district for Chairperson/ Mayor Candidates, ward for Councillor Candidates) may file an objection to the nomination of a Chairperson/Mayor or Councillor Candidate. Objections must be filed in person with the Returning Officer in the District using the NEC Form LG04, which will be available with the Returning Officer.

Where And When Should Objections Be Filed?

Any objection must be filed no later than 24th September, 2012 at 5pm. The recipient of the objections is the Returning Officer in the District.

Common Grounds for Objections

- Nominations Papers are not filled out correctly
- Candidate is not a Sierra Leonean citizen (or is a naturalised citizen)
- Candidate is not a registered voter, or not ordinarily resident in the locality (Chairperson/Mayor candidate) or ward (Councillor candidate) for which (s)he has been nominated.
- Candidate is not twenty one years of age or older
- One or several of the nominators are not qualified to be a nominator
- Deposit not paid
- Candidate is not qualified to be a Chairperson/Mayor or Councillor under section 6 of the 2004 Local Government Act.

Decision of an Objection

The Returning Officer shall decide on an objection no later than 5pm on 25th September, 2012.

Appeals

Only an aggrieved candidate not satisfied with the decision of the Returning Officer to uphold an objection against him/her the right to appeal. This should be done to the NEC Headquarters in Freetown no later than 5pm on 27th September, 2012, using the NEC Form LG09. Objectors who have had

their appeals against the candidacy of a nominee rejected cannot appeal to the NEC and should direct their challenge to the High Court. The Returning Officers can provide additional information on the appeals process. The NEC will give a decision on any received appeals no later than 5pm on 29th September, 2012.

Objectors have the right to appeal to the High Court, as do aggrieved candidates whose appeal to the NEC has been dismissed.

8. PUBLICATION OF THE FINAL LIST OF CANDIDATES

As soon as decisions on any appeals regarding Local Government nominations have been made, and in any case not later than ten (10) days before the election date, the NEC will publish the full names, gender, affiliation and ward/locality of the candidates. This will be done by Government Notice, and by other appropriate manners in the district.

9. DEATH OF A NOMINATED CANDIDATE

In the event of the death of a Chairperson/Mayor or Councillor candidate not less than 10 days prior to Election Day, the political party will be given the opportunity to nominate a new candidate. The elections will still take place in that ward/locality on November 17, 2012. Please note that for practical reasons, it will not be possible to replace the name of the party's candidate on the ballot paper.

In the case of the death of an independent candidate, no substitution will be allowed and the election will proceed.

In the event of the death of a Local Government candidate taking place with less than 10 days prior to Election Day, the Returning Officer shall withdraw the notice of the poll and report the matter to NEC. Then Electoral Commission shall in such a case appoint a new election day in the electoral area in question and the appropriate procedures shall start afresh.

10. WITHDRAWAL OF NOMINATED CANDIDATE

Any Local Government candidate may withdraw her/his nomination in writing signed by (and endorsed by the respective party) and delivered by her/him to the Returning Officer not later than 4pm of the tenth day (November 7, 2012) before Election Day.

If only one candidate is nominated after the close of nominations, then no election will be held and that candidate will be declared duly elected by the NEC.

APPENDIX A.**LIST OF ADDRESSES OF NOMINATION CENTERS****DISTRICT: LOCATION/ADDRESS**

REGION	DISTRICT	ADDRESS
EAST	Kailahun	Old Barrack Road, Kailahun
	Kenema	64 Hanga Road, Kenema
	Kono	8 Gandhi Fania Street, Koidu
NORTH	Bombali	5 Gibrilla Street, Makeni
	Kambia	District Council Area, Kambia
	Koinadugu	Main Makeni Road-One Mile, Kabala
	Port Loko	24, New London, Off Kambia Road, Port Loko
	Tonkolili	Kono-Makeni Highway, Magburaka
SOUTH	Bo	79 Tikonko Road, Bo
	Bonthe	13 Classin Lane, Bonthe Island
	Moyamba	62 Congowo Road, Moyamba
	Pujehun	Minkailu Street, Pujehun
WEST	Western Rural	Old Main Motor Road, Waterloo
	Western Urban	7 Henry Street, Freetown

APPENDIX B.

**POLITICAL PARTY LIST OF ENDORSED LOCAL
GOVERNMENT CANDIDATES**

DISTRICT: _____

NAME OF PARTY _____

WARD	NAME OF CANDIDATE (SURNAME, FIRST NAME, MIDDLE INITIALS)	ID CARD NUMBER

SIGNATURE OF THE NATIONAL CHAIRMAN _____

SIGNATURE OF THE SECRETARY GENERAL _____

NATIONAL ELECTORAL COMMISSION

CHECKLIST FOR LOCAL GOVERNMENT CANDIDATES

We hereby confirm that the below items have all been submitted and received as part of the nomination of the Local Government candidate. *(Please tick for each item)*

Name of candidate _____ Council/Ward _____

Documents	Received
Local Government candidate nomination checklist, NEC/LG 01	
Nomination paper of Local Government candidate, NEC/LG 02	
Code on election campaign ethics, NEC/LG 03	
Candidate nomination fee receipt from Sierra Leone Commercial Bank	
Voter registration card of the Local Council Candidate and those of the three electors (original)	

Submitted by _____ Date _____
 Signature of candidate

Received by _____ Date _____
 Signature of Returning Officer

NATIONAL ELECTORAL COMMISSION
NOMINATION PAPER OF LOCAL GOVERNMENT CANDIDATES
PUBLIC ELECTIONS ACT, 2012 (SECTION 60(2))

Ward/Council for which candidate seeks election_____

District_____

Date of Election: November 17th, 2012

1. I, the undersigned, am the Local Government candidate to whom this nomination paper relates and I hereby certify that I am willing to stand for election for councilor or Chairperson / Mayor for the _____ Ward/Council
2. I also hereby state that I am qualified and not disqualified for election to the office in accordance with the requirement of section 75 and 76 of the 1991 Sierra Leone Constitution.

Full name_____ Sex_____

(Last name, first name, middle initial)

Address_____

Occupation_____

Voters' ID Cards Number

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Symbol (Party/Independent)_____

Date_____

Signature of candidate

We, the undersigned are the three (3) nominators of the above candidate and are electors of the Ward/ Council for which this candidate seeks election.

1. Full name _____

Address _____

Occupation _____

Voters' ID Cards Number

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Date _____ Signature _____

2. Full name _____

Address _____

Occupation _____

Voters' ID Cards Number

--	--	--	--	--	--	--	--	--

Date _____ Signature _____

3. Full name _____

Address _____

Occupation _____

Voters' ID Cards Number

--	--	--	--	--	--	--	--	--

Date _____ Signature _____

NATIONAL ELECTORAL COMMISSION
CODE OF ELECTION CAMPAIGN ETHICS

PREAMBLE

1. Noting the recent violent past of Sierra Leone, and the need for continued peace; and given the desirability for a free, fair, peaceful and well-regulated election and the avoidance of aggravation of ethnic tension and political discord, we agree and accept:-
 - a. That a Code of Conduct for Campaign Activities, taken to mean all activities undertaken in furtherance of the electoral campaign for a political party or candidate will generally respect and contribute to the holding of a free and fair election,
 - b. To subscribe to the Code of Conduct and to the very best of our ability, to comply with and to take all reasonable steps to ensure its full observance,
 - c. To adhere/uphold conditions conducive to the conduct of free, fair and democratic elections within a climate of democratic tolerance in which political activities may take place without fear of coercion, intimidation or reprisals.

APPLICATION OF THE CODE

2. In this Code, “Party” includes –
 - a. any entity that subscribed to this Code of Conduct, including independent candidates, political parties, alliances or coalitions of parties, and political movements other than parties; and
 - b. the candidate, leader, officials, members, agents, representatives and supporters of any entity that subscribed to this Code of Conduct.
3. “Campaign period” refers to:-

The period of time during which the election campaign activities can legally take place as announced by the National Electoral Commission.
4. “Campaign Activities” refer to:-

Any and all actions undertaken in the furtherance or promotion of a political party or candidate for election.

COMPLIANCE WITH THE CODE

5. All Parties that have subscribed to this “Code”:-
 - a. Are bound by the Code,
 - b. Will take decisive steps to prohibit leaders, officials, candidates and members from infringing the Code; and
 - c. Must, therefore, instruct its leaders, officials, candidates and members to adhere to the terms of the Code; and dissuade its supporters from breaching the Code.
 - d. Will be responsible for breaches of the Code undertaken by supporters, officials, members, agents, and representatives.
 - e. Will not make false, frivolous or vexatious complaint or generally abuse the right to complain about violations of the Code.

6. The political party as represented by the Candidate who has subscribed to this Code will instruct party officials, members and supporters to observe the Code to ensure compliance.

PERMITTED CAMPAIGN ACTIVITIES

7. All Parties that have subscribed to this Code are entitled to undertake activities normally associated with election campaigns, including the publication of materials, use of national and local media, and the organization of campaign events as per the existing laws, rules and regulations.

COMPLIANCE WITH THE ELECTION PROCESS

8. All Parties that have subscribed to this Code will co-operate with election officials to ensure:-
 - a. The safety, security and integrity of voters, electoral officials, party agents, accredited elections observers and election materials such as ballot papers, ballot boxes, etc, before, during and after the polls;
 - b. All Parties that have subscribed to this Code shall accept that voters have complete freedom to exercise their franchise in secret without being subjected to any annoyance or obstructions.
9. A Party that has subscribed to this Code will not –
 - a. Procure votes by forcible occupation of polling stations or through illegal activities in the polling stations;
 - b. Interfere unjustifiably or in bad faith with the duties of election officials, disturb the process of casting or counting of votes; or
 - c. Provide false information to voters in relation to the voting process or in any way attempt to inform voters that their votes will not be secret.

SYMBOLS

10. A Party that has subscribed to this Code will not –
 - a. imitate the symbols of another Party;
 - b. steal, disfigure or destroy political or campaign materials of another Party; or
 - c. Permit its supporters to do anything prohibited by this section.

CAMPAIGN CONDUCT

11. No Party that has subscribed to this Code shall indulge in any activity which may create, or aggravate, tension between race, gender, ethnicity, language, class, region or religion.
12. All Parties that have subscribed to the Code of Conduct shall have the right to present their political principles and ideas without fear of intimidation or threat. However, criticism of other parties, when made, shall be confined to their policies and programmes, past record and work. Parties and candidates shall refrain from unfounded criticism of any aspect of private life, not connected with public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegation or distortions shall be avoided.

13. All Parties that have subscribed to this Code shall respect the rights and freedoms of other political parties to campaign and to disseminate their political ideas and principles without let or hindrance. There shall be equal access to the state media. Journalists who are engaged in their professional activities shall have a free hand to do so without any intimidation.
14. All Parties, candidates, agents and party entities that have subscribed to this Code shall not obstruct, disrupt, break up or cause to be broken up, meetings or rallies organized by other political parties and candidates; nor should they interrupt or prevent speeches and cause the destruction of handbills, leaflets, and the pasting of posters by other political parties and candidates. However, the posting of these handbills, leaflets, and posters must be with the consent of the owners of the properties.
15. All Parties that have subscribed to this Code shall in accordance with the Public Order Act of 1965 notify the Inspector General of Police/Paramount Chiefs of any meeting or rally. The Police/Paramount Chief should ensure that no preferential treatment is accorded to one party or particular candidate to the detriment of other parties that have subscribed to this Code of Conduct.
16. All Parties that have subscribed to this Code of Conduct shall not use state power, privilege or influence or other public resources for campaign purposes.
17. All Parties that have subscribed to this Code shall desist from coercing or offering pecuniary gains or other kinds of inducements to individuals to vote for or particular party or candidate, or to abstain from voting.
18. All Parties will refrain from acts of forgery, destruction, fraud, unauthorized removal, or concealment of election materials.
19. All Parties will respect the secrecy of the ballot and will refrain from any act likely to threaten or compromise said secrecy.

INTIMIDATION AND VIOLENCE

20. All Parties that subscribe to this Code accept that intimidation, coercion or threatening behaviour, in any form, is unacceptable, and leaders of these parties will direct their officials, candidates, members and supporters not to intimidate or undertake acts of violence against any person at any time.
21. All Parties that have subscribed to this Code shall ensure that they do not coerce or intimidate Paramount Chiefs or their sub-chiefs, or any other authority to deny any Party the right of access to any chieftom for political functions.
22. All Parties that have subscribed to this Code shall not raise any private force or militia or use the regular army or other forces to intimidate and gain political or electoral advantage.

ACCEPTANCE OF THE OUTCOME OF A FREE AND FAIR ELECTION

23. All Parties that have subscribed to this Code will accept the outcome of the election as certified. Should controversy arise, all Parties will submit any grievances to the relevant Courts, the National Electoral Commission or the Political Parties Registration Commission as appropriate and shall accept and comply with the final decisions set down.

CAMPAIGN SILENCE PERIOD

- 24.All Parties that have subscribed to this Code shall not make use of the radio/television stations or convene or hold political activity twenty four hours prior to polling day.
- 25.All Parties shall abide by the prohibition on campaigning within four hundred yards of a place of voting on polling day.
- 26.No Party which has signed this Code will permit supporters, officials, candidates, members, agents, representatives to undertake any action in contravention of this Code.

COMMUNICATION AND MONITORING ADHERANCE TO THE CODE

- 27.All Parties that have subscribed to this Code will make every effort to maintain communications with other Parties that have subscribed to this Code.
- 28.Breach of this Code can result in prosecution before the Electoral Offences Court.
- 29.All Parties that have subscribed to this Code, civil society and the media shall ensure the dissemination of the issues raised in the Code widely throughout the length and breadth of the country.

COMPLIANCE WITH THE LAW

- 30.All Parties that have subscribed to this Code will adhere to existing laws, rules and regulations.

I hereby commit to adhere to the Code of Election Campaign Ethics

Name _____ Party/Independent _____

Election contesting _____ Locality/Ward _____

Voters' ID Cards Number

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Signature

Date

NATIONAL ELECTORAL COMMISSION
OBJECTION TO NOMINATION OF LOCAL
GOVERNMENT CANDIDATE
PUBLIC ELECTIONS ACT, 2012 (SECTION 63)

TO: THE RETURNING OFFICER

DISTRICT _____

Election (Circle as appropriate) CHAIRPERSON/MAYOR COUNCILOR

Name of objector (in CAPITALS)_____

Address of Objector_____

Voter ID Card Number_____

I, the above-named objector being registered pursuant to the provisions of the Public Elections Act, 2012 as an elector in the register of electors for the above-named district with voter identification card number _____ do hereby object to the nomination of the following person:

<i>Council / Ward</i>	<i>Name of person objected to</i>	<i>Voter Identification Card of Person objected to</i>	<i>Political party (or "independent")</i>

The ground (s) of my objection is (are)-

Dated this day _____ of September, 2012

Signature or thumbprint of the objector

NATIONAL ELECTORAL COMMISSION
APPEAL AGAINST UPHELD OBJECTIONS TO THE
NOMINATION OF LOCAL GOVERNMENT CANDIDATES
PUBLIC ELECTIONS ACT, 2012 (SECTION 63 (5))

TO: The National Electoral Commission

DISTRICT _____ WARD _____ PARTY _____

Name of appellant (in CAPITALS) _____

Address of appellant _____

I, the above-named appellant, having been provisionally nominated in accordance with the Public Elections Act, 2012 in the above-named district and ward with voter identification card number _____ do hereby appeal against the upheld objection against me.

The ground (s) for appealing the upheld objection is (are)-

Dated this day _____ of September, 2012

Signature of the appellant