



**NATIONAL ELECTORAL COMMISSION
(NEC)**



**PROCEDURES FOR NOMINATION OF
PRESIDENTIAL CANDIDATES FOR
ELECTIONS IN 2018**

Presidential Election 2018 – Sierra Leone

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NATIONAL ELECTORAL COMMISSION (NEC) GUIDE TO NOMINATION PROCEDURES FOR PRESIDENTIAL ELECTIONS 2018

1. INTROCUCTION/FOREWORD

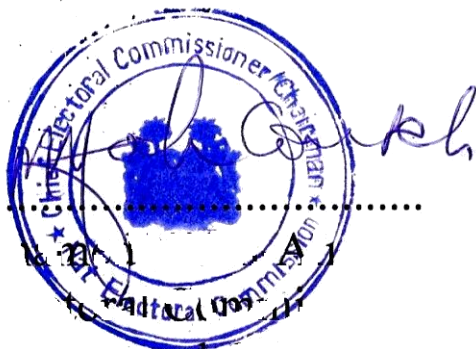
The purpose of this guide to nomination procedures is to assist all political parties and their candidates, in the nomination process for the 2018 Presidential elections.

THIS GUIDE CONTAINS THE FOLLOWING INFORMATION:

- Timeline for Presidential nomination
- Nomination procedures for Presidential candidates
- Publication of the list of nominated candidates
- Objection procedures for Presidential 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.

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 (Act No. 4 of 2012) and the Constitution of Sierra Leone 1991 (Act No. 6 of 1991).



MOHAMED N'FAH-ALIE CONTEH
Chief Electoral Commissioner/Chairman
National Returning Officer
National Electoral Commission

2. BACKGROUND

During the recently concluded 2017 Civil and Voter Registration exercise, eligible citizens of Sierra Leone of 18 years and above had an opportunity to register. Following the civil/voter registration, the Provisional Voter Register (PVR) was made available for public viewing during the Exhibition period. The Exhibition allowed registered voters to confirm or correct their details, if necessary, and make challenges against names existing on the PVR; prove claims for Inclusion and Objection during the Inquiry period and collect their voter ID Cards. The Exhibition resulted in the final Voters' Register (FVR).

This guide deals with the next step in the electoral process, namely the nomination of Presidential candidates by registered political parties. During the days of submission, the National Returning Officer will receive the nominations for Presidential candidates at the NEC headquarters in Freetown.

On 7th March 2018 registered voters in Sierra Leone will vote in four elections; for (a) President; (b) for Ordinary Members of Parliament, (c) for Mayors/Chairpersons and (d) for Councillors.

In the elections to the office of the President, a candidate will be declared elected if s/he polls 55% of the valid votes cast. If no candidate obtains such a share of the vote, a second ballot shall be conducted, in which the two Presidential candidates who obtained the highest number of valid votes in the first election shall participate in the Run-off, 14 days of the pronouncement of the result of the previous election. The Presidential candidate who obtains a majority of the valid votes cast at the second election is declared President. Only individuals who are members of a registered political party and nominated by a political party can stand in the Presidential election.

3. TIMELINE FOR PRESIDENTIAL ELECTIONS

Presidential Election

Date	Item
November/December 2017	Internal preparations at NEC Headquarters and distribution of nominations forms
20 th December 2017-10 th January 2018	Submissions of Endorsed Candidates List
10 th January 2018	Deadline Date for Submissions
17 th – 26 th January 2018	Nomination of Presidential Candidates
27 th January 2018	Deadline for submitting objections (5:00 pm)
5 th - 6 th February 2018	Provisional List of Candidates Published through government Gazette
4 th February – 5 th March 2018	Campaign Period
6 th March 2018	Cooling Off Period
7 th March 2018	Polling Day

Please note that the timeline for the nomination process with regards to the Presidential elections is determined by a decision of the National Electoral Commission taken in accordance with Section 164 of the Public Elections Act, 2012.

NOMINATION PROCEDURES FOR PRESIDENTIAL CANDIDATES

1. PERIOD AND PLACE OF SUBMISSION

Dates of Submission	17th – 26th January 2018
Time of Submission	9: 00 am - 5:00 pm
National Returning Officer	Chief Electoral Commissioner
Place of Nominations	NEC Headquarters, OAU Drive, Tower Hill, Freetown

2. ELIGIBILITY CRITERIA

Presidential candidates must meet the following eligibility criteria:

- a) must be a member of a political party;
- b) must be nominated by a political party;
- c) must be a citizen of Sierra Leone;
- d) must not be less than forty years old;
- e) must be a registered voter,
- f) must be otherwise qualified to be elected as a Member of Parliament;

(For further information, please refer to Sections 41, 42, 75 & 76 of the Constitution of Sierra Leone, 1991 and Section 44 of the Public Elections Act, 2012).

3. PROCESS OF NOMINATION

Documents required

- a) Presidential Candidate Nomination Checklist (NEC Form PRE 02)
- b) Nomination Form signed in accordance with the below description (NEC Form PRE 03)
- c) Statutory Declaration (NEC Form PRE 03(A), must be submitted by both the Presidential and the Vice-Presidential candidates individually)
- d) Nomination Declaration Form for Political Parties (NEC Form PRE 01)
- e) The sum of One Hundred Million Leones (Le. 100,000,000)
- f) Voter Identification Card
- g) Code of Election Campaign Ethics (NEC Form OMP/PCMP 08). This document can be signed during the nomination process.

(For further information, please refer to Section 42 of the Constitution of Sierra Leone, 1991 and Sections 45 & 46 of the Public Elections Act, 2012).

Nomination steps

- a) Nominations papers must be submitted to the National Returning Officer at the NEC Headquarters in Freetown before 5:00 pm 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 PRE 02) as a proof of submission and receipt (see appendices).
- c) Nomination papers of a Presidential candidate must be submitted by the candidate to the National Returning Officer (the Chief Electoral Commissioner/Chairman of the National Electoral Commission).
- d) The Nomination of Presidential candidate must be in writing in the form as prescribed in the **Third Schedule of the Public Elections Act, 2012**. The prescribed Nomination Paper of Presidential Candidate (NEC Form PRE 03) is enclosed with this guide;
- e) The prescribed **Nomination Paper of Presidential Candidate** must include the name of the candidate designated for the office of Vice-President;
- f) The prescribed Nomination Paper of Presidential candidate must be signed by three executive members of the political party nominating the Presidential candidate;
- g) The Presidential and Vice Presidential candidates and three (3) nominators must all sign in the presence of the two (2) witnesses who must sign in the place indicated on the prescribed **Nomination Paper of Presidential Candidate**;

- h) Both the Presidential and the Vice-Presidential candidates must individually submit a Statutory Declaration (NEC Form PRE 3A), signed by a Commissioner of Oaths, Justice of the Peace or a Magistrate.
- i) The Presidential candidate must bring a Nomination Declaration Form for Political Parties (NEC Form PRE 01) signed by the National Chairperson and the National General Secretary of the political party, stating that the Presidential and Vice-Presidential Candidates are members of the party, and that the political party nominates them for these positions.
- j) The Presidential candidate is required to deposit with the National Returning Officer a non-refundable fee of One Hundred Million Leones (Le. 100,000,000) or deposit a written receipt issued by or on behalf of the Accountant General received for or on account of the candidate in respect of that sum. The National Returning Officer will issue an official receipt;
- k) The Presidential candidate is required to sign the Code of Election Campaign Ethics (NEC Form OMP/PCMP 08) prepared by the NEC as a condition for acceptance of nomination papers.
- l) The Voter Identification Cards of the Presidential and Vice-Presidential candidates and of the three (3) Executive members of the political party who nominated the Presidential candidate must be present to verify that they are voters.

Note: Candidates must present their nomination forms in person and have their photographs taken by NEC for the ballot papers.

7. PUBLICATION OF PROVISIONAL LIST OF CANDIDATES

At the end of the prescribed nomination period for the Presidential Election, the National Returning Officer will immediately publish the Provisional List of Presidential candidates through Government Notice and other means that the NEC might find appropriate. The Provisional List will detail their full names, addresses, and occupations. This notice will in addition contain the following information:

- Name of the political party to which the Presidential candidate belongs;
- Name, addresses and occupations of the three (3) executive members of the political party who nominated the Presidential candidate.

For further information, please refer to Section 47 of the Public Election Act, 2012.

8. OBJECTIONS AND APPEALS

Who can file an objection?

Any registered voter has the right to object to the nomination of a Presidential candidate.

For further information, please refer to Section 47 of the Public Elections Act, 2012.

Where and when should objections be filed?

Objections should be filed in the Supreme Court of Sierra Leone within seven (7) days of the publication of the Provisional List of Presidential candidates.

For further information, please refer to Section 47 of the Public Elections Act, 2012.

Grounds for Objection

- Nomination Papers are not filled in correctly;
- Statutory Declarations are not filled in correctly;
- One or several of the nominator(s) is not qualified to be a nominator;
- Particulars of a candidate or nominator are not as required by law;
- Candidate is not a Sierra Leonean citizen (otherwise by naturalisation);
- Not a member of a political party;
- Has not been nominated by a political party;
- Not forty years of age or older;
- Candidate is not qualified to be a member of Parliament under Section 76 of the Constitution of Sierra Leone, 1991;
- Nomination fees not paid.

For further information, please refer to Section 76 of the Constitution of Sierra Leone, 1991 and Sections 44, 45 & 46 of the Public Elections Act, 2012.

Decision on an objection

Objections on the nomination of Presidential Candidate shall be referred to the Supreme Court of Sierra Leone.

For further information, please refer to Section 45 of the Constitution of Sierra Leone, 1991, and Section 47 of the Public Elections Act, 2012.

9. PUBLICATION OF FINAL LIST OF CANDIDATES

In case there are no objections to the nominated Presidential candidate, the NEC will publish the final list of candidates immediately after the end of the seven-day objection period.

In case objections do occur, the final list will be published immediately after the Supreme Court has made its ruling(s) within 30 days after the end of the objection period.

The decision of the Supreme Court shall be final.

(Section 47(3) of the Public Elections Act, 2012).

Please note that due to time constraints, the printing of the Presidential ballot papers will begin immediately after the close of nomination without prejudice to any pending objections lodged with the Supreme Court.

10. DEATH OF A CANDIDATE

In the event of the death of either a Presidential candidate prior to polling day, the NEC will re-open nominations for the deceased candidate's political party. This further nomination day will take place within seven (7) days from the date of the death of the candidate to allow the party to nominate a new Presidential candidate as appropriate. A new date for the Presidential Election will be set.

For further information, please refer to Section 42 of the Constitution of Sierra Leone 1991: and Section 48 of the Public Elections Act, 2012.

11. ELECTION OF A SOLE CANDIDATE

Where only one candidate is nominated after close of nomination or should a candidate withdraw, and only one candidate remains for the Presidency, no election will be held and the sole remaining candidate will be declared President.

For further information, please refer to Section 42(2)(c) of the Constitution of Sierra Leone, 1991 and Section 49 of the Public Elections Act, 2012.

PUBLIC ELECTIONS ACT, 2012 (Section 45(3))
**STATUTORY DECLARATION OF PRESIDENTIAL/
VICE PRESIDENTIAL CANDIDATE**

I.....

Do solemnly and sincerely declare that-

1. I am a citizen of Sierra Leone;
2. I have attained the age of forty years;
3. I am registered as a voter with registration number.....
4. (i) I have paid all my taxes; or
(ii) I have made arrangements satisfactory to the appropriate authority for the payment of my taxes

(Delete where inapplicable)
5. I have not been adjudged or otherwise declared to be of unsound mind or detained as a criminal lunatic under the law in force in Sierra Leone.
6. I have not been convicted:-
 - i. For an offence involving fraud or dishonesty; or
 - ii. For any offence punishable by death; or
 - iii. For an offence relating to or connected with election under a law in force in Sierra Leone.
7. I am not a person disqualified from practicing a profession in terms of paragraph (g) of subsection 76 of the constitution.
8. I am not under sentence of death imposed on me by any court.
9. I am not disqualified to be registered as a voter under the provision of any law relating to public elections.
10. I am not disqualified for election by any law in force in Sierra Leone by reason of my holding or acting in any office the function of which involve a responsibility for or in connection with the conduct of an election or any responsibility for the compilation or revision of any electoral register.
11. I am not a member of any commission established by the constitution, or, member of Armed Forces of the Republic, or a public officer, or an employee of a corporate body established by an act of parliament. I have not been in any of the foregoing capacities stated above during past twelve months.
12. I am not a chief.
13. I am no otherwise disqualified from standing for the election by law in force in Sierra Leone.

I make this solemn declaration knowing and believing it to be true.

Subscribed solemnly declared by me.....

.....
Candidate / Ward

Before Me

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