



## **GUIDELINES FOR ELECTION OF VILLAGE AND PARISH/WARD ADMINISTRATIVE UNIT CHAIRPERSONS, NOMINATION AND APPROVAL OF EXECUTIVE COMMITTEE MEMBERS 2017**

### **1.0 LAW APPLICABLE**

These guidelines shall apply to the election of village and parish/ward administrative unit chairpersons, and nomination and approval of executive committee members. Additional information and clarifications shall be issued from time to time during the course of electoral process.

The election of the village and parish/ward administrative unit chairpersons, and nomination and approval of the executive committee members is governed by the following main laws:

- a) The Constitution of the Republic of Uganda, 1995 [As amended]
- b) The Local Government Act Cap. 243 [L.G.A] (as amended)
- c) The Electoral Commission Act Cap. 140 [ECA] (as amended)
- d) The Political Parties and Organization Act. 2005 (PPOA) as amended.
- e) The Parliamentary Elections Act, 2005 [PAR – EA] (as amended)
- f) Regulations made under the above Laws.

### **2.0 SCOPE OF THE GUIDELINES**

These guidelines shall apply to registration of willing village residents; display of the Village Council Registers; nomination of candidates for election as chairpersons of village and parish administrative units; campaigns; voting for Village and Parish Chairpersons; and nomination and approval of village and parish executive committee members.

### **3.0 COMPOSITION OF THE VILLAGE/PARISH ADMINISTRATIVE UNIT COUNCIL**

- (a) The Village Council consists of all persons of eighteen years or above residing in that village who are citizens and willing to be members.
- (b) The Parish Council consists of all members of the Village Executive Committees in the parish.

### **4.0 COMPOSITION OF THE VILLAGE/PARISH ADMINISTRATIVE UNIT EXECUTIVE COMMITTEE**

- (a) There shall be an executive committee at each village and parish administrative unit consisting of eleven (11) members as follows:
  - (i) Chairperson;
  - (ii) Vice Chairperson who shall also be Secretary for Children Welfare;
  - (iii) General Secretary;
  - (iv) Secretary for Information, Education and Mobilization;
  - (v) Secretary for Security;
  - (vi) Secretary for Finance;

- (vii) Secretary for production and environmental protection;
- (viii) The chairperson of the youth councils at the village who shall be the Secretary for Youths;
- (ix) The chairperson of the women councils at the village or parish level who shall be the Secretary for Women and also the Public Health Coordinator;
- (x) The chairperson of the organization for persons with disabilities (PWD) at the Village or Parish level who shall be secretary for persons with disabilities affairs; and
- (xi) The Chairperson of the council of older persons of the village or parish level who shall be the Secretary for the Council of Older Persons.

***NB: At least one-third of the executive committee members at the village or parish level shall be women (at least 4 of the members).***

- (b) The Village or Parish Chairperson shall be elected and shall be a member of the Village or Parish council.
- (c) Committee members in paragraph 4.0 (ii) to 4.0 (vii) above shall be nominated by the elected Village or Parish chairperson from among members of the council present and approved by the council one by one by show of hands.
- (d) Committee members in paragraphs 4.0 (viii) to 4.0 (xi) shall join the executive committee by virtue of having been elected chairpersons of the respective Village or Parish Committees of Special Interest Groups.

## **5.0 THE ELECTORAL PROCESS**

### **(a) Election Officials**

- a) District Returning Officer (RO)**  
The District Returning Officer shall be responsible for all election activities in the District
- b) Sub-County Election Official (SEO)**  
The SEO shall supervise the Parish Election Officials (PEOs) within the Sub-county or Town or Municipal Division, conduct voter education, distribute election materials to and collect materials and election results from PEOs.
- c) Parish Election Official (PEO)**  
The PEO shall conduct voter education on the electoral process within the parish, receive and distribute election materials to Village Election Official (VEOs) in the parish, retrieve materials and results from the VEO and submit to the SEO, conduct nomination of candidates for village elections, conduct election activities at parish/ward level and supervise the VEOs.
- d) Village Election Official (VEO)**  
The village election official shall register the willing village residents and women residents, display the compiled registers, conduct voting day activities and preside over the nomination and approval of village executive committee members. He/she shall carry out voter education to the electorate, candidates and/or candidates' agents present on the procedure of voting using these guidelines.
- e) Polling Assistant (PA)**  
The Polling Assistant shall assist the VEO (Presiding Officer) on voting day.
- f) Election Orderly Officer**  
The Election Orderly Official shall ensure that voters line up behind each candidate or representative or portrait or symbol in an orderly way to ease counting and that polling is peaceful.

**(b) Compilation of the village council registers**

- (a) The Electoral Commission shall designate a period during which willing village residents will register to participate in administrative unit council elections. For the avoidance of doubt, registration shall be conducted between 7.00 am and 6.00 pm, during the designated period.
- (b) Eligible and willing residents shall turn up in person at the registration centre within the village to register.
- (c) There shall be two registers for the registration of residents compiled as follows:-
  - (i) the village council register for purposes of electing the village chairperson and approval of members of the village executive committee and;
  - (ii) the village women's council register for purposes of electing the village women's committee.

***NB The willing women residents will register in both registers and participate in both elections. Both registrations are free of charge.***

**(c) Qualification for registration in the village council register.**

A person to be registered in the village council register shall be:-

- a) willing to be a member of the village council;
- b) a registered voter;
- c) a citizen of Uganda (Section 168A LGA);
- d) eighteen (18) years of age and above at the time of registration; and
- e) ordinarily resident in the village of registration.

**(d) Information required for registration**

Persons appearing for registration shall give to the Village Election Official (VEO) the following details:

- (i) Names;
- (ii) National ID Number or Voter Number or Application ID Number;
- (iii) Age;
- (iv) Sex; and
- (v) Village of Residence.

All persons appearing for registration shall be required to prove that they meet the above mentioned qualifications.

***NB: At the end of the registration exercise, any spaces left in the register books should be crossed out, counter signed and the total registered residents recorded on the front cover of the register book.***

**6.0 DISPLAY OF THE VOTER'S REGISTERS**

- a) The voters' registers for village council and village women's council shall be displayed for **two days** at the designated public/open place in the village and will be open for public inspection free of charge, between 7.00am and 6.00pm.

- b) The purpose of the display exercise is to:-
  - (i) allow voters to verify their particulars on the registers such as names, national ID number, age, sex, village of residence; and
  - (ii) enable voters to raise complaints that may lead to removal of those who have died; non-citizens; those who do not reside within the village; and those below 18 years of age, from the register.

## **7.0 HANDLING OF COMPLAINTS**

- (a) The Village Election Official (VEO) shall record the complaints raised on a form provided by the Commission.
- (b) After closure of the display exercise, the VEO shall transmit the form to the Parish Complaints Committee which shall convene to resolve the complaints raised in the respective villages.
- (c) The Parish Complaints Committee shall comprise of the Parish Election Official (PEO) as the Chairperson and VEOs of the villages within the parish as members.
- (d) The Commission shall issue a separate guideline for handling of election complaints.

## **8.0 NOMINATION OF CANDIDATES FOR ELECTION AS VILLAGE CHAIRPERSON**

- a) The Electoral Commission shall publish in the Gazette and the local media nomination days, place and the time when persons who wish to stand for election as village chairperson shall be nominated [Section 161(3) LGA].
- b) Aspiring candidates for election as village chairperson shall pick nomination forms from the **Parish Election Official (Nominating Officer)** of the parish in which the village is located.
- c) The Parish Election Official (Nominating Officer) shall conduct nominations at the parish.
- d) Nomination of candidates may be made for elections at Village or Parish/Ward by a Political Party/Organization sponsoring a candidate or by a candidate standing for elections as an independent. [Section 161 (2) LGA]
- e) Nomination forms for candidates sponsored by Political Parties/Organizations shall be endorsed by the sponsoring Political Party/Organization.
- f) Political parties/organizations shall furnish the Commission with names of persons authorized to endorse on nomination forms before nominations commence.
- g) No voter shall propose or second more than one candidate for nomination for the same office [Section 161 (5) LGA]. The Nominating Officer shall ensure that no person proposes and seconds more than one candidate by marking on the register, persons who have proposed and seconded a given candidate.

## **9.0 QUALIFICATIONS FOR ELECTION AS VILLAGE CHAIRPERSON.**

- (a) An aspiring candidate shall be a resident in the village, aged eighteen (18) years or above a citizen of Uganda and a registered voter [Section 161(6) LGA].
- (b) The aspiring candidate shall be registered on the Paris Council Register.
- (c) No academic qualifications shall be required for election of village chairperson.
- (d) No nomination fee shall be required.

## **10.0 NOMINATION PROCEDURE**

- (a) The aspiring candidate accompanied by his/her proposer and seconder shall present two copies of the nomination form to the Parish Election Official. The proposer and seconder shall be registered voters on the Village Council Register,

- (b) The Parish Election Official (Nominating officer) shall check the nomination papers to ensure the candidate has filled them properly.
- (c) The Parish Election Official (Nominating officer) shall check whether the aspiring candidate, proposer and seconder appear on the village council register.
- (d) If the aspiring candidate is standing as an Independent, he/she shall pick a symbol from the list of symbols approved by the Commission.
- (e) The Parish Election Official (Nominating officer) shall fill the nomination control form and the aspiring candidate shall sign/thumb print against his/her particulars on the nomination control form.
- (f) The Parish Election Official (Nominating officer) shall endorse on both nomination forms, declare the candidate duly nominated and hand over one copy of the nomination form to the nominated candidate.
- (g) If an aspiring candidate does not fulfill the requirements and is not nominated, the Parish Election Official (nominating officer) shall write the words **NOT NOMINATED** and initial at the top of the front page of both nomination papers. One copy of the nomination paper shall be returned to the aspiring candidate. **The nomination control form shall not be filled in this case.**

#### **11.0 SUBMISSION OF NAMES OF NOMINATED CANDIDATES TO VILLAGE ELECTION OFFICIALS**

The PEO shall submit the nomination control form which contains the names and other particulars of all nominated candidates for each village to the VEO of a given village before the voting day. The VEO shall keep the form for use during the election and return it to the PEO immediately after the election.

#### **12.0 CAMPAIGNS**

- (a) A period shall be designated by the Commission during which nominated candidates shall campaign.
- (b) Campaigns shall be conducted between 8:00a.m and 6:00pm on each of the appointed campaign days.

#### **13.0 VOTING**

- (a) The Electoral Commission shall, by notice in the Gazette and local media, appoint a day for elections at the village and parish/ward [Section 161(A) LGA].
- (b) Election of the village chairperson shall be by the electorate lining behind the nominated candidates, representatives, portraits or symbols.[Section 111(2) LGA].
- (c) Voting shall take place in a public/open place within the village.
- (d) After declaration of the results for the village chairperson, the Village Election Official (Presiding Officer) shall fill in form EC 10 [Section 167 LGA].

#### **14.0 VOTING DAY PROGRAM**

The following program shall guide the flow of activities on polling day:

- 7:00-10:00 : Verification of voters by the Village Election Official (Presiding Officer)
- 10:00-11:00 : Voter education and briefing of voters on voting procedures by the Village Election Official (Presiding Officer)
- 11:00-11:30 : Voting by the electorate lining up and counting of votes
- 11:30-12:00 : Filling of form EC 10 and declaration of chairperson elect
- 12:00-02:00 : Nomination and approval of Executive Committee members by the Village Council and filling form EC 11

## **15.0 THE POLLING PROCESS AND VOTE COUNTING**

- (a) The candidates or the representatives or portraits or symbols shall be positioned facing the same direction and in such a way that the distance between any two of them is about two (2) meters.
- (b) The Commission shall provide an Official Report Book for documenting receipt of all election materials, complaints lodged and any incident that may have occurred, and action taken, during the voting process.
- (c) Members of the Village Council entitled to vote shall line up behind each candidate or representative or portrait or symbol.
- (d) The Village Election Official (Presiding Officer) together with the Polling Assistant and Election Orderly Officer (EOO) shall count the number of voters lining up behind each candidate or representative or portrait or symbol.
- (e) Voters shall remain in the lines until the Village Election Official (Presiding Officer) declares end of counting.
- (f) The Village Election Official (Presiding Officer) may order for a recount of the voters(votes) where there is a complaint presented to him/her by a person entitled to vote at that election and he/she is satisfied that it is not a frivolous complaint, before making the declaration at the completion of the counting process.
- (g) The Village Election Official (presiding officer) shall fill the **Return Form for Transmission of Results (Form E.C. 10)** by recording the number of votes counted in the line for each candidate and declare the candidate who has obtained the largest number of votes the winner. Copies of Form EC 10 will be given to candidates or candidate's agents present.
- (h) Each candidate may appoint an agent to oversee the conduct of polling and counting of votes.

## **16.0 NOMINATION AND APPROVAL OF VILLAGE EXECUTIVE COMMITTEE MEMBERS**

The following village executive committee members shall be nominated by the elected chairperson from among members of the village council present and presented to the village council for approval one by one by show of hands. The nomination for the following offices and approval shall be done on the day of election of the chairperson.

- (a) Vice chairperson;
- (b) General secretary;
- (c) Secretary for information, education and mobilization;
- (d) Secretary for security;
- (e) Secretary for finance; and
- (f) Secretary for production and environmental protection.

After approval of the six (6) Committee members above, the Presiding Officer shall fill the **Declaration of Election Results of Village Administrative Unit Form EC 11** [Section 167 LGA].

## **17.0 SUBMISSION OF RETURNS FOR THE VILLAGE ELECTION TO THE PARISH ELECTION OFFICER**

After closure of the election at village level, the VEO shall immediately submit the following documents to the PEO:

- (a) Duly filled Forms EC 10 and EC 11 for the village;
- (b) The Nomination Control Form for the village; and
- (c) The Village Register Book.

## **18.0 ELECTION OF THE PARISH/WARD CHAIRPERSON, NOMINATION AND APPROVAL OF PARISH EXECUTIVE COMMITTEE MEMBERS**

The Parish Election Officer shall:

- (a) Receive Forms EC 10, EC 11 and the Nomination Control Form from the VEO.
- (b) File Forms EC 10, EC 11 and Nomination Control Forms for all the villages in the parish in the file folder provided by the Commission.
- (c) Compile a parish council register by copying the names and particulars of the village executive committee members on each Form EC 11 into the Parish Register Book.
- (d) Display the Parish Council Register at a public/open place within the parish for the two days appointed by the Commission.
- (e) Issue nomination forms to aspiring candidates.
- (f) Conduct nomination of candidates for election as parish administrative unit chairpersons at Parish/Ward level and fill the Parish Nomination Control Form.
- (g) File the parish nomination forms in the file provided by the Commission.
- (h) Conduct voting for the parish administrative unit chairpersons and preside over the nomination and approval of members of the Parish Executive Committee at parish level.
- (i) Fill Forms EC 10 and EC 11 accordingly.
- (j) File the duly filled Parish Forms EC 10, EC 11 together with Village Forms EC 10 and EC 11.
- (k) Immediately after the election submit the file containing nomination documents and the file containing election documents to the Sub-county Election Officer.

## **19.0 OFFENCES AND PENALTIES UNDER THE LOCAL GOVERNMENTS ACT, CAP 243**

The offences and penalties applicable to the election of Village and Parish/Ward Administrative Unit Chairpersons are prescribed under Sections 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, and 158 of the Local Governments Act, Cap 243.

The offences and penalties under the foregoing named sections include the following:

A person who:

- a) forges, fraudulently defaces or fraudulently destroys any election return, records or official mark on any election return or record (S.151 LGA);
- b) defaces, destroys, mutilates, tears or removes any election related notice or poster (S. 156 LGA);
- c) bribes or attempts to bribe any voter in the Local Council with an intention of soliciting for hi/ her vote (S. 147 LGA);
- d) engages in any sectarian practices with intention of soliciting for votes (S. 147 LGA);
- e) corruptly offers to any voter any food, drinks, refreshment or provisions for the purpose of influencing the person to vote in any manner at the elections(S. 147 LGA);
- f) makes use of or threatens to use force, violence or restraints, or inflicts physical or psychological injury or harm against any person for the purpose of influencing the person to vote in any manner;
- g) gives or lends or promises to procure any money, gift, loan, benefits or valuable consideration to any voter in order to induce any voter to vote or refrain from voting (S.148 LGA);
- h) accepts any money, gifts, benefits, or any valuable consideration from any candidate for purposes of voting such a candidate or influencing other voters to vote that candidate (S. 147 LGA);
- i) procures a person to vote, publishes of false statement of illness and death or withdrawal of a candidate, obstructs a voter or an aspiring candidate from exercising the right to participate in an election (S. 148 LGA);

- j) acts in a disorderly manner during campaigns with the intention of interfering with the campaign meetings (S.149 LGA);
- k) without authority destroys, takes, opens or otherwise interferes with ballot box or ballot documents and materials (S. 151 LGA);
- l) without authority takes out of the polling station any ballot paper or official documents relating to voting or is found in possession of materials relating to voting outside the polling station(S. 151 LGA);
- m) interferes with or obstructs an election officer in the course of his/her duty(S. 157 LGA);
- n) conducts campaigns outside the campaign period or within two hundred metres of a polling station (S. 155 LGA);
- o) seeks to influence in whatever manner any person to vote for any candidate or ascertain for which candidate any voter intends to vote or voted within two hundred metres of any polling station (S. 155 LGA);
- p) sells any intoxicating liquor within four hundred metres of any polling station(S. 155 LGA);
- q) convokes or take part in any gathering of more than twelve (12) persons, canvass for votes, utter slogans, distributes leaflets or pamphlets for or on behalf of any candidate, organizes or engages in public singing or dancing or uses bands of any instruments on polling day(S. 155 LGA);

commits an offence and shall be liable on conviction, to imprisonment, for a term ranging from two (2) to five (5) years, with attendant fines, and in addition to the imprisonment, be disqualified for a period of five years, where applicable, from the date of his/her conviction, from standing or participating in an election.



Justice Byabakama Mugenyi Simon  
**CHAIRPERSON, ELECTORAL COMMISSION**