

# **REGULATIONS FOR UPDATING THE VOTER'S REGISTER.**

## **ARRANGEMENT OF SECTIONS.**

**SECTIONS**

**TITLE:**

### **PART: I**

#### **PRELIMINARY PROVISIONS:**

- 1. Short title and Commencement.**
- 2. Interpretation.**

### **PART: II**

#### **APPOINTMENT OF REGISTRATION OFFICERS, ASSISTANT REGISTRATION OFFICERS AND OTHER OFFICERS.**

- 3. Registration Officers.**
- 4. Assistant Registration Officers.**
- 5. Returning Officers.**

### **PART: III**

#### **APPLICATIONS TO BE REGISTERED AS A NEW VOTER.**

- 6. Registration of a new voters.**
- 7. Registration Station.**
- 8. Application for registration.**
- 9. Inspection of Application.**
- 10. Display of Application.**
- 11. Registration Day.**
- 12. Refusal for Registration.**
- 13. Inspection and Decision of Applications.**

### **PART: IV**

#### **TRANSFER OF PARTICULARS OF VOTERS.**

- 14. Application for transfer of particulars of Voters.**
- 15. Refusal of Application.**
- 16. Transfer of particulars.**

**PART: V**

**CORRECTION OF INFORMATION AND VOTER'S CARDS.**

17. **Lost or destroyed a Voter's Card.**
18. **Surrenders of Voter's Card.**
19. **Correction of information of Voter.**

**PART: VI**

**REMOVAL AND DELETION OF DISQUALIFIED VOTERS.**

20. **Discovery of disqualified voters.**
21. **Notice to deletion of disqualified Voters.**
22. **Determination of objection.**
23. **Deletion of disqualified Voters.**

**PART: VII**

**OBJECTIONS, APPEALS AND DECISIONS.**

24. **Display of a Register.**
25. **Inspection of a Register.**
26. **Objections.**
27. **Procedures for making objections.**
28. **Determination of objection by Registration Officers.**
29. **Decision of objection.**
30. **Dissatisfied with the decision.**
31. **Appeal to the Regional Court.**
32. **Decision of the Court.**

**PART: VIII**

**OFFENCES AND PENALTY.**

33. **Offences relating to registration.**
34. **Insertion of false information in an application form.**
35. **Making false information.**
36. **Offences relating to voter's card.**
37. **To destroy the voter's card.**
38. **Unlawful possession of a voter's card.**
39. **Offences relating to the Registration Officers.**
40. **Remaining at the Registration Station.**
41. **Penalty.**

**SCHEDULE - Forms**

**THE ELECTIONS ACT, NO. 11 OF 1984.**

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**REGULATIONS FOR UPDATING THE  
VOTER'S REGISTERS.**

[Made under section 13(8)]

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IN EXERCISE of the powers conferred upon it under section 13(8) of the Election Act, No. 11 of 1984 as amended by Act, No. 12 of 2002 and consolidated in 2005, **THE ZANZIBAR ELECTORAL COMMISSION**, do hereby makes the following Regulations for Updating Voter's Register as follows:

**PART: I  
PRELIMINARY PROVISIONS.**

<i>Short title and Commencement.</i>	<p>1. These Regulations may be cited as Regulation for updating the Voter's Register, of 2007, and shall come into operation after being approved by the Commission and published in the Official Gazette.</p>
<i>Interpretation.</i>	<p>2. In these Regulations, unless the context requires otherwise:</p> <p><b>"Updating Registers"</b> means insertion of particulars of a persons who qualified to be registered as a voters in the Registers, whom is not so registered earlier and to delete all the particulars of a persons who becomes disqualified as a Voter according to the Election Act;</p> <p><b>"Commission"</b> means the Zanzibar Electoral Commission as established under article 119 of the Constitution;</p> <p><b>"Register"</b> means the Permanent Voter's Register as prepared and maintained by the Commission according to the Election Act;</p> <p><b>"Election Act"</b> means the Election Act No. 11 of 1984 and includes all the amendments made time to time and includes consolidation made up to 2004;</p> <p><b>"Voter"</b> means a person who is qualified to be registered and registered as a voter in accordance with the Election Act;</p>

<p><i>Registration Officers.</i></p>	<p>“<b>New voter</b>” means a person who applied to be registered and registered as a voter in accordance with the provisions of these Regulations, who is not so registered earlier according to the Election Act;</p> <p>“<b>Registration Officer</b>” means a person who is appointed to register voters and shall include Assistant Registration Officer appointed as such in accordance with the Election Act;</p> <p>“<b>Political Party</b>” means a political party registered as such in accordance with the Political Parties Act, No. 5 of 1992;</p> <p>“<b>Director</b>” means a person appointed to be the Director of Elections in accordance with the Election Act and includes a person for the time being performing any of the functions of the Director;</p> <p>“<b>Sheha</b>” means an officer appointed to perform the functions of sheha under section 15 of the Regional Administration Authority Act, No. 1 of 1998, and includes any person appointed on his behalf in accordance with section 18 of that Act;</p> <p>“<b>Card</b>” means an identity given to voters issued and approved by the Commission to enable voter to vote in an election in accordance with the Election Act;</p> <p>“<b>Constitution</b>” means the Zanzibar Constitution of 1984;</p> <p>“<b>Deletion</b>” means deletion of names of a disqualified voter from the Register in accordance with the Election Act;</p> <p>“<b>Change of Residence</b>” means to change residence of a registered voter from one constituency to another;</p> <p style="text-align: center;"><b>PART II</b>  <b>APPOINTMENT OF REGISTRATION OFFICERS, ASSISTANCE REGISTRATION OFFICERS AND OTHER OFFICERS.</b></p> <p><b>3.(1)</b> There shall be a Registration Officers in every constituency who shall be appointed by the Commission in accordance with the terms and conditions as may be setup by the Commission.</p>
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<p><i>Registration of a new Voters.</i></p> <p><i>Registration Stations.</i></p> <p><i>Application for registration.</i></p> <p><i>Inspection of Application.</i></p> <p><i>List of</i></p>	<p>(a) register all new voters;  (b) make a photograph of all new voters;  (c) issue a voter’s card to the new registered voters, in accordance with the Election Act and these Regulations.</p> <p style="text-align: center;"><b>PART III  APPLICATION FOR REGISTRATION OF A NEW VOTERS.</b></p> <p><b>6.(1)</b> There shall be a registration of a new voters in the Register in every year, which shall be done according to these Regulations or as may be prescribed by the Commission or the Director from time to time.</p> <p><b>(2)</b> The registration of voters as provided under sub rule (1) of this rule, shall be for the new voters only according to these Regulations.</p> <p><b>7.</b> There shall be a registration stations to Register new voters in each constituency as shall be prescribed and announced by the Commission or the Director.</p> <p><b>8.(1)</b> A person who qualifies to be registered as a new voter may apply to the Registration Officer to be registered as a voter in the Register in that constituency in which he ordinarily resides, as provided in these Regulations.</p> <p><b>(2)</b> The Registration Officers after received an application from the one who intends to be registered as a new voter, shall give to the applicant form “<b>2MA</b>” as prescribed in the Schedule to these Regulations, in which the applicant shall complete and submit to the Registration Officer in a specified date and time as pronounced by the Commission or the Director.</p> <p><b>(3)</b> The Registration Officer after satisfied that the application form is properly filled and completed, shall submit to an Assistant Registration Officer for inspection.</p> <p><b>9.</b> An Assistant Registration Officer, shall conduct an inspection in order to discover whether the applicant is duly qualified to be registered as a new voter according to the Election Act, and after inspection shall report the results to the Registration Officer.</p> <p><b>10.</b> The Registration Officer after received the report</p>
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<p><i>application for registrations.</i></p>	<p>from Assistant Registration Officer, shall prepare and display the list of all the applications for the registration of a new voters and place that list in a conspicuous place in the office for seven days for the purpose of objection.</p>
<p><i>Registration day.</i></p>	<p><b>11.(1)</b> The Commission shall pronounce a date and time for:</p> <ul style="list-style-type: none"> <li>(a) registration of a new voters;</li> <li>(b) transfer of particulars of voters in relation to residential qualifications;</li> <li>(c) correction of information of voters in the Register,</li> <li>(d) deletion of disqualified voters in the Register,</li> </ul> <p>by publish a notice in the Official Gazette.</p> <p><b>(2)</b> The registration of voters shall be conducted in the presence of an agent of registration of a political parties appointed as such by a political party, and sheha of a concerned shehia, in the manner as shall be prescribed by the Commission or the Director.</p> <p><b>(3)</b> Subject to the provisions of the Election Act, these Regulations and other directions issued by the Commission or the Director, the Registration Officers, shall direct the Returning Officer to register all the applicants who are entitled to be registered subject to an inspection made under rule 9, and shall complete such a form as prescribed under section 17(1) of the Election Act.</p> <p><b>(4)</b> The Returning Officer after registering a new voter shall make a photograph of such a voter in the manner and procedures as prescribed by the Commission or the Director and provides to such a voter with the registration card.</p>
<p><i>Denial to be registered.</i></p>	<p><b>12.(1)</b> The Returning Officer when dissatisfied with the qualifications of a person applied for registration, shall inform and state the reasons for denial and give that person a form “<b>2KK</b>” as prescribed in the Schedule to these Regulations.</p> <p><b>(2)</b> The applicant if becomes aggrieved by the decision of the Returning Officer, may make a complaint to the Registration Officer within seven days from the date of that decision and submit a form “<b>2KK</b>” to the Registration Officer which is clearly and properly filled.</p>

<p><i>Inspection and decision of Application.</i></p>	<p><b>13.(1)</b> The Registration Officer after received a complaint from the aggrieved person as provided under rule 12, shall convene an inspection, and when he satisfied with the decision of the Returning Officer, shall not register that person and shall complete that a form “<b>2KK</b>” and give one copy to that person.</p> <p><b>(2)</b> A person who becomes aggrieved by the decision of the Registration Officer, may appeal to the Regional Court within twenty one days from the date of that decision.</p>
<p><i>Application for transfer of particulars.</i></p>	<p style="text-align: center;"><b>PART IV</b> <b>TRANSFER OF PARTICULARS OF VOTERS.</b></p> <p><b>14.(1)</b> A person who is registered as a voter in the Register, changed residence from one constituency to another, may apply to the Registration Officer, for transfer of his particulars from the former area to the current area of residence.</p> <p><b>(2)</b> The Registration Officer, while after received an application for transfer of particulars, as provided under sub rule (1) of this rule, shall give an applicant a form “<b>2MU</b>” as prescribed in the Schedule to these Regulations, in which the applicant shall complete and submit to the Registration Officer, within the period as shall be prescribed by the Commission or the Director.</p> <p><b>(3)</b> The Registration Officer, before giving an application form to the applicant, may ask some questions to the applicant in order to discover whether that applicant is duly qualified for his particulars to be transferred to that new area of residence in accordance with the Election Act.</p>
<p><i>Refusal of application.</i></p>	<p><b>15.(1)</b> The Registration Officer when satisfied that, the applicant has no qualification for transferring of particulars, shall give to the applicant a form “<b>2KU</b>” as prescribed in the Schedule to these Regulations.</p> <p><b>(2)</b> If the applicant becomes aggrieved with the decision of the Registration Officer, may appeal to the Regional Court within twenty one days.</p>
<p><i>Transfer of particulars.</i></p>	<p><b>16.(1)</b> The Registration Officer after received an application for transfer of residential particulars and</p>



	<p>when becomes satisfied that the applicant:</p> <p>(a) is a permanent resident in that constituency; and</p> <p>(b) is qualified to vote in that constituency,</p> <p>shall transfer the particulars of that applicant from the former area to the current area of resident, and shall immediately inform the Director.</p> <p>(2) The applicant shall be required to report to the registration office at a date and time, as shall be pronounced by the Commission or the Director, for given new voter's Card.</p> <p>(3) The applicant shall be obliged to handover the former registration card to the Registration Officer before be given a new Card.</p>
<p><i>Lost of Registration Card.</i></p>	<p style="text-align: center;"><b>PART V</b></p> <p style="text-align: center;"><b>CORRECTION OF INFORMATION AND VOTER'S CARDS.</b></p> <p>17.(1) A person whose registration card is lost or destroyed, may apply to the Registration Officer for a new registration card.</p> <p>(2) The Registration Officer after received an application in accordance with sub rule (1) of this rule, shall give to the applicant form "2MP" as prescribed in the Schedule to these Regulations.</p> <p>(3) The applicant shall submit that form "2MP" which is clearly filled and completed, to the Registration Officer within the prescribed time as shall be pronounced by the Commission or the Director.</p>
<p><i>Surrenders of a destroyed Voter's Cards.</i></p>	<p>18. A person whose registration card is destroyed, shall submit that card to the Registration Officer before making an application for a new registration cards as provided in these Regulations.</p>
<p><i>Correcting of information.</i></p>	<p>19.(1) A person who is registered as a voter in the register and wishes his information in the register to be corrected, may apply to the Registration Officer by payment of a fixed sum of money as may be prescribed by the Commission or the Director.</p> <p>(2) The Registration Officer after received an application, shall give to the applicant form "2MS" as prescribed in the Schedule to these Regulations.</p>

(3) The Registration Officer while after satisfied that, that applicant is entitled for his information to be corrected, shall complete part of form “2MS” and submit to the Director.

(4) A person who applied for his information to be corrected, and if deems necessary to the Registration Officer, may demand that applicant to handover his voter’s card before is given the new one.

**PART VI  
REMOVAL AND DELETION OF  
DISQUALIFIED VOTERS**

*Inspection for disqualified Voters.*

**20.(1)** The Registration Officer may make an inquiry in order to reveal all the disqualified voters in the Register according to the Election Act.

(2) In conducting an inquiry, the Registration Officer, shall utilize an information from an institutions which are legally recognized to record all persons, such institutions are:

- (a) the Registrar Generals Office, or
- (b) the Office of Sheha; or
- (c) the Educational Offenders Department; or
- (d) the Immigration Office; and
- (e) any other offices which for the direction of the Commission or the Director may have such information.

*Notice to deletion of disqualified Voters.*

**21.** The Registration Officer after discovering the existence of disqualified voters due to an inspection made under rule 20 in these Regulations, shall prepare a list containing all names of the disqualified voters, which shall keep and place in an open space in his office for the period of seven days.

(2) A person who have an objection or claims against any of the names listed under sub rule (1) in this rule, may submit his claim or objection to the Registration Officer within seven days from the date when that list is placed.

(3) The Registration Officer after received an objection as provided under sub rule (2) of this rule, shall give to the applicant a form “2MO” as prescribed in the Schedule to these Regulations, which shall be

<p><i>Determination of objection.</i></p>	<p>filled and returned to the Registration Officer within three days from the date of issued.</p> <p><b>22.</b> The Registration Officer shall inform in writing all parties, the place, date and time of hearing that objection and shall determine such objection according to the Election Act and these Regulations.</p>
<p><i>Deletion of name of a disqualified Voters.</i></p>	<p><b>23.</b> When the period of seven days elapses as provided under rule 21 in these Regulations, and according to the decision made in accordance with rule 22, the Registration Officer subject to the directives of the Commission or Director, shall delete all the names of disqualified voters according to the Election Act.</p>
<p><i>Display of Register.</i></p>	<p style="text-align: center;"><b>PART VIII OBJECTIONS, APPEALS AND DECISIONS.</b></p> <p><b>24.</b>The Registration Officer after registering a new voters, transferring the information of voters, correcting particulars of voters and deletion of all names of the disqualified voters in the Register, shall prepare and keep open the list of all information of voters for inspection for the period of seven days, that list shall contain:</p> <ul style="list-style-type: none"> <li>(a) new voters;</li> <li>(b) all transferred voters;</li> <li>(c) all voters whose particulars are corrected; and</li> <li>(d) all disqualified voters whose particulars are deleted.</li> </ul>
<p><i>Inspection of Register.</i></p>	<p><b>25.(1)</b> A person who is registered as a voter, may after been applied to the Registration Officer or the Director, make inspection to the Register of the constituency in which he is registered, in the date and time as shall be prescribed and announced by the Commission or the Director.</p> <p><b>(2)</b> A person after making inspection of the register in accordance with the sub rule (1) of this rule, discovered that, his name is not contained in that register, may apply to the Registration Officer for his name to be entered in that Register.</p> <p><b>(3)</b> The Registration Officer after received an application and satisfied that, the name of a person is not contained in the Register and while is duly required to be contained, shall correct and enter the name of</p>

<p><i>Objections.</i></p>	<p>that person in the Register and immediately inform the Director.</p> <p><b>(4)</b> When the Registration Officer becomes dissatisfied with the application made pursuant to sub rule (2) of this rule, shall not enter the name of that person in the Register, and give reasons for his denial and give to the applicant form “<b>2KK</b>” as prescribed in the Schedule to these Regulations.</p> <p><b>(5)</b> A person who becomes aggrieved by the decision of the Registration Officer made under sub rule (4) of this rule, may within seven days appeal to the Regional Court.</p> <p><b>26.(1)</b> A person who is registered as a voter in the Register, may object the name of other person to be in the Register in area in which he is registered on the following reasons:</p> <p>(a) that other person disqualified to be in that Register;</p> <p>(b) that other person is dead.</p> <p><b>(2)</b> The Director or Registration Officer may object any other person to be contained in that Register due to the reasons as provided in sub rule (1) of this rule.</p> <p><b>(3)</b> Any person who makes an objection in accordance with this rule, shall be called objector and the one to whom the objection is made called respondent.</p>
<p><i>Procedure of making objections.</i></p>	<p><b>27.(1)</b> Every objection made in accordance with rule 26, shall be made for filing a form “<b>2KP</b>” as prescribe in the Schedule to these Regulations, and submitted to the Registration Officer within seven days from the date of it issued.</p> <p><b>(2)</b> Every objection made under sub rule (1) of this rule, shall be submitted together with a security in an amount as may be determined and announced by the Commission and published a notice in the official Gazette.</p> <p><b>(3)</b> The Registration Officer after received an objection made in accordance with this rule, immediately shall inform the respondent about that objection made against him.</p>

<p><i>Hearing of objection.</i></p>	<p><b>(4)</b> For an objection made against the one who is dead, information shall be given to his relatives.</p> <p>Provided that, relatives according to this rule, shall mean;</p> <p>(a) a husband or wife; or  (b) a father or mother; or  (i) any other blood relatives of the respondent.</p> <p><b>28.(1)</b> The Registration Officer after satisfied that, an information is made to the respondent or his relatives, shall pronounce a date, place and time for hearing all objections and shall decide within fourteen days.</p> <p><b>(2)</b> All objections shall be heard open and all parties may call witnesses and any document which is relevant and material to such an objection made.</p> <p><b>(3)</b> If an objection is about to remove or remain the name in the Register, the Registration Officer, shall order the respondent to adduce evidence against that objection.</p> <p><b>(4)</b> When the Registration Officer is on the opinion that:</p> <p>(a) an evidence adduced against the respondent is satisfactorily; or  (b) an evidence adduced is not satisfactorily,</p> <p>shall delete or remain as the case may be, the name of the respondent in the Register.</p>
<p><i>Decision of Objection.</i></p>	<p><b>29.(1)</b> When on the date and time fixed for hearing of objection, the applicant does not appear or appear but failed to adduced a satisfactorily evidence to prove an objection, the Registration officer, shall remain the name of the respondent in the Register.</p> <p><b>(2)</b> When on the date and time fixed for hearing of an objection, the respondent does not appear without good reasons, the objection shall be heard ex-pert and determined according to the Election Act.</p> <p><b>(3)</b> When by an opinion of the Registration Officer, the objection is made without good reasons, shall order the applicant to pay compensation to the respondent such amount as may be determined and announced by the Commission by notice published in the Official Gazette.</p>

<p><i>Dissatisfied with the decision.</i></p> <p><i>Appeal to the Regional Court.</i></p> <p><i>Decision of the Court.</i></p>	<p>(4) An order of payment of compensation made under sub rule (3) of this rule, shall be deemed as to have been made by the District Court.</p> <p>(5) When the objection is made without good reasons, the Registration Officer shall states the reasons, and the amount of money paid as a security as provided under rule 27, shall be deemed to be the Government money.</p> <p><b>30.</b> When the applicant or respondent becomes aggrieved with the decision of the Registration Officer, may appeal to the Regional Court, twenty one days from the date of that decision.</p> <p><b>31.(1)</b> Appeal to the Regional Court shall be made by filing a form “<b>2KP</b>” as prescribed in the Schedule to these Regulations, which shall be issued by the Registration Officer.</p> <p>(2) Appeal made to the Regional Court, shall be heard and determined not more than fourteen days from the date of that appeal.</p> <p>(3) A person who becomes aggrieved by the decision of the Regional Court, may appeal to the High Court within fourteen days, and the decision of the High Court shall be final.</p> <p><b>32.(1)</b> When the name of any person:</p> <p>(a) is ordered by the court to be entered in the Register; or</p> <p>(b) is ordered by the court to be deleted in the Register;</p> <p>the Registration Officer or the Director as the case may be, after received that order from the court, shall either enter or delete as the case may be the name of that person from or in the Register.</p> <p>(2) A person whose name is ordered by the court to be deleted in the register, shall be obliged to handover the registration card to the Registration Officer or to the Director within seven days from the date of that decision.</p>
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**PART VIII  
OFFENCE AND PENALTY.**

*Offences relating to registration.*

**33.(1)** A person who has no qualification to be registered as a voter, and apply to the Registration Officer to be registered as a voter in accordance with rule 8, in these Regulations, shall commit an offence.

**(2)** A person who encourages another person who has no qualifications to be registered to make application for registration to the Registration Officer in accordance with rule 8, shall commit an offence.

*Insertion of the wrong information in an application form.*

**34.(1)** A person who applied and given an application form according to these Regulations and inserts of a wrong information in that application form, shall commit an offence.

**(2)** A person who encourages another person to inserts the wrong information in any form given by the Registration Officer according to these Regulations, shall commit an offence.

*Making a false information.*

**35.** A person who is required to make information by the Registration Officer or any other officer of the Commission, and gives false information relating to registration, shall commit an offence.

*Offence relating to registration card.*

**36.** A person who is required to handover the registration card to the Registration Officer or to the Director or any other officer of the Commission according to these Regulations, and failed to handover that card, shall commit an offence.

*To destruct registration card.*

**37.(1)** A person who intentionally destruct the registration card, shall commit an offence.

**(2)** To destruct the registration card according to this rule, means to do any act which result into adverse the quality of the registration card as issued by the Commission.

*Unlawful possession of a voter's card.*

**38.** A person who possess or retain the registration card which:

- (a) issued to another person without the consent of that other person; or
- (b) issued to a person who is dead; or
- (c) issued to a person whose name is deleted due to

<p><i>Offences relating to Registration Officer.</i></p> <p><i>Remaining at registration station after registration.</i></p> <p><i>Penalty.</i></p>	<p>be disqualified as a voter in the Register according to the Election Act; shall commit an offence.</p> <p><b>39.(1)</b> An officer of the Commission who is dealing with registration process and-</p> <p>(a) intentionally failed to exercise his functions; or</p> <p>(b) without due care entered or deleted an information in the Register; or</p> <p>(c) issued a registration card contrary to the Election Act or contrary to these Regulations; shall commit an offence.</p> <p><b>40.(1)</b> A person who remains at a registration station after being registered, shall commit an offence.</p> <p><b>(2)</b> Any person who contravenes any directions and instructions issued by the Commission or the Director in relation to registration processes, shall commit an offence.</p> <p><b>41.</b> A person who commit any offence under these Regulations, and if convicted, shall be punished according to the Election Act or any other Laws.</p> <p style="text-align: center;">—————</p> <p style="text-align: center;"><b>SCHEDULE:</b> <b>Forms.</b></p> <p style="text-align: center;">..... <b>(SALUM KASSIM ALI)</b> <b>DIRECTOR OF ELECTIONS</b> <b>ZANZIBAR.</b></p> <p><b>ZANZIBAR,</b> <b>....July, 2007.</b></p>
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