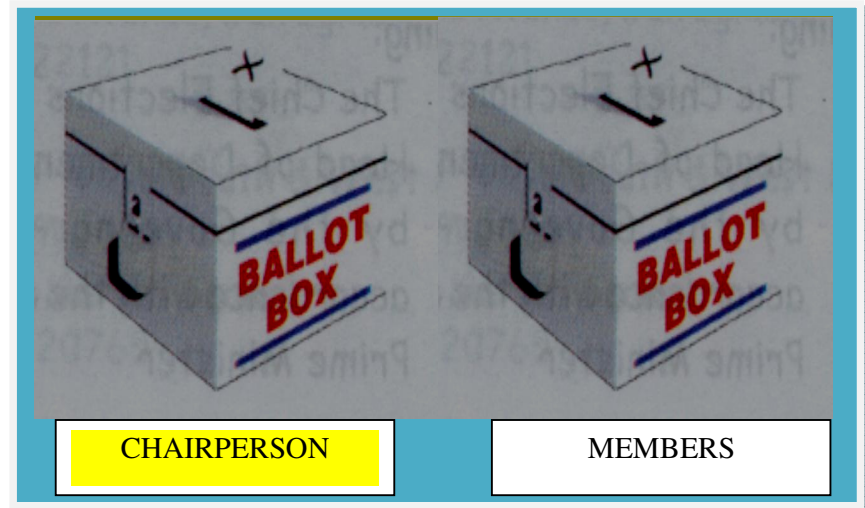


VILLAGE COUNCIL ELECTIONS TRAINING MANUAL



Elections and Boundaries Department

Telephone: 501-222-4042/501-222-4992

Fax: 501-222-4991

Email: electbound@bt1.net

Website: www.elections.gov.bz

*Elections and Boundaries Department
January 2013*

ELECTIONS AND BOUNDARIES

DEPARTMENT

BELIZE

***VILLAGE COUNCIL
ELECTIONS
TRAINING
MANUAL***

*Elections and Boundaries Department
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INTRODUCTION

**VILLAGE/COMMUNITY COUNCIL
ELECTIONS**

The law that governs Village Council Elections is the Village Council Act, Chapter 88 of the Laws of Belize.

By virtue of Section 35 (1) Part VI of the Act, The Elections and Boundaries Commission is empowered to make regulations relating to elections.

Statutory Instrument No. 134 of 2009 and No. 31 of 2010 are the most recently enacted.

A general Village Council election is called every three years to elect leaders at the village/community level. One Chairperson and six Members are elected for Village Councils.

VILLAGE COUNCIL (ELECTIONS) REGULATIONS, 2009

STATUTORY INSTRUMENT NO 134 OF 2009

STATUTORY INSTRUMENT NO 31 OF 2010

ELECTION DAY NOTICE (Regulation 3)

The Chief Elections Officer, with the approval of the Elections and Boundaries Commission, shall appoint an election day and time for every Village and Community Council established under PART II of the Village Councils Act, and different election days may be appointed for different villages and communities.

The appointment of the date and time shall be not less than 21 days before the date set for elections.

Village Council (Elections) Regulations, 2003, S.I. 100 of 2003 and 12 of 2007 have been revoked.

QUALIFICATIONS FOR CHAIRPERSONS AND MEMBERS (Regulation 4)

Any person who:

- a. Is a citizen of Belize **and**
- b. Is at least eighteen years old **and**
- c. Has ordinarily resided in the village for at least one year immediately preceding the election

QUALIFICATIONS TO VOTE (Regulation 5)

A person is eligible to vote in a Village or Community Council Election where that person:

- a. Is on the official voters list for that village or community; **or**
- b. Is a Belizean either by birth or naturalization; is at least eighteen years of age and has been residing in the village for a continuous period of not less than two months prior to the date of the election; **or**
- c. A Permanent Resident in Belize, and is in possession of a Permanent Residence Card or proof of possession thereof; is at least eighteen years of age and has been residing in the village for a continuous period of not less than two months prior to the date of the election.

Residents are entitled to vote in **only** one Village or Community Council Election for that period.

DISQUALIFICATIONS (Regulation 6)

(1) A person shall be disqualified from seeking election as a Chairperson or Member of a Village or Community Council, or from voting in any such election, if that person:

- a. Is certified to be of unsound mind under the laws of Belize.
- b. Has voted in another village or community election held for that period.

(2) It is an offence for a person to seek election as a Chairperson or Member of a Village or Community, or to vote again if that person knowingly (proof of which lies on the person) acts in breach of sub-regulation (1) (b).

CONDUCT OF ELECTIONS (Regulation 7)

(1) The Chief Elections Officer shall, with the approval of the Elections and Boundaries Commission, appoint any number of Public Officers as Election Clerks for the purpose of the conduct of Village and Community Council elections.

(2) Before the day fixed for the nomination and election of Chairpersons and Members of Village and Community Councils, Election Clerks shall obtain, from the Chief Elections Officer, the prescribed number of certified copies of the proper register of electors for the time being in force for that particular Village or Community as well as other election materials including ballot boxes, blank ballot papers, chalk, duster, blackboard, chairs, tables, pencils, rulers, indelible inks and tissue.

(3) An Officer appointed as an Election Clerk shall be responsible for:

- a. Setting up of the polling station,
- b. Taking and recording of nominations
- c. Taking of the polls,
- d. Counting of the ballots,
- e. Announcement of the results, and
- f. Immediate verbal forwarding of official results to the Chief Elections Officer

(4) An Election Clerk shall, within two days of the holding of elections, return all elections materials, including ballot boxes, marked ballots and officially marked list of electors to the Chief Elections Officer.

(5) For the purpose of sub-regulation (3), the Chief Elections Officer shall, with the approval of the Elections and Boundaries Commission, appoint any number of Public Officers as Election Officers for the purposes of assisting the Election Clerks.

NOMINATION PROCESS (Regulation 8)

(1) On Election Day, the Election Clerk or any assistant duly authorized, shall attend between the hours of nine and ten 'o'clock in the forenoon and receive nominations first of Chairpersons and then for Members of that Village or Community Council.

(2) Every nomination for **Chairperson** of a Village or Community Council shall be seconded by another person who is eligible to vote in that Village or Community and the Election Clerk, or any assistant duly authorized, shall record on the Form as set out in the Schedule, the names of the persons nominating and seconding the motion with the nominee indicating acceptance of the nomination by signing the Form as set out in the schedule.

(3) Every nomination for **Members** of a Village or Community Council shall be seconded by another person who is eligible to vote in that Village or Community Council and the Election Clerk, or any assistant duly authorized, shall record on the Form as set out in the Schedule, the names of the persons nominating and seconding the motion with the nominee indicating acceptance of the nomination by signing the Form as set out in the schedule.

(4) No person shall be nominated or be accepted as a candidate in **absentia**.

(5) If at ten 'o' clock in the forenoon only one candidate has been nominated for the post of Chairperson, the Election Clerk shall forthwith declare such candidate as having been duly elected as Chairperson of that Village or Community Council.

(6) If at ten 'o' clock in the forenoon only six candidates have been nominated to fill the vacant post of Members of the Village or Community Council, the Election Clerk shall forthwith declare such candidates as having been duly elected as Members of that Village or Community Council.

(7) No candidate for Chairperson or Member of any Village or Community Council shall accept nomination in more than one Village or Community and in the event of so assenting and contesting, having been elected, that position shall be declared vacant and the next candidate in line with majority votes shall be returned as duly elected to fill that vacant position.

(8) Where there is more than one Candidate nominated to fill the vacant post of Chairperson of a Village or Community Council, the Election Clerk shall, immediately after declaring nominations closed, proceed with the taking of the polls in accordance with Regulation 9.

(9) Where there are more than six candidates nominated to fill the vacant post of Members of a village or Community Council, the Election Clerk shall, immediately after declaring nominations closed, proceed with the taking of polls in accordance with Regulation 9.

(10) Where there are two candidates nominated for the post of Chairperson, the Election Clerk shall assign numbers by the flipping of a coin.

(11) The Election Clerk shall:

- a. Clear an obstruction free area in the nominating station;
- b. Request each candidate to choose a side of the coin;
- c. Flip the coin in the air allowing it to fall freely onto the cleared area.

(12) Where there are three or more candidates for the post of Chairperson, the Election Clerk shall invite them to draw numbers, commensurate with the number of candidates for Chairperson, from an obscure container.

(13) Where candidates for election as Members of a Village or Community Council are associated with a particular slate, along with a candidate for Chairperson, the Election Clerk shall assign succeeding numbers to candidates on that slate.

E.g. The candidate for Chairperson assigned number one (1) and the Members who form part of his/her slate if any, shall be assigned numbers one to six (1 – 6).

E.g. The candidate for Chairperson assigned number two (2) and the Members who form part of his/her slate if any, shall be assigned numbers seven to twelve (7 – 12).

(14) Where there are candidates for election as Members of a Village or Community Council who are not associated with any slate, the Election Clerk shall assign succeeding numbers after appropriate numbers have been assigned to candidates on that slate.

E.g. Any candidate who is not associated with any party or slate shall be assigned succeeding numbers (13, 14, 15 etc.). **Note that these numbers are assigned only after appropriate numbers have been assigned to candidates associated with a slate.**

(15) There shall be established a one hundred yards line, to be known as the restricted area, which shall be agreed upon by the Election Clerk and candidates, prior to the commencement of the taking of the polls.

(16) Where the Election Clerk is ultimately responsible for the maintenance of order inside the nomination, polling and counting stations and within the restricted area, the Election Clerk may enlist the services of as many Law Enforcement Officers as are necessary to assist in the maintenance of law and order inside the nomination, polling and counting stations and within the restricted area.

(17) After nomination has been completed and the taking of the polls begin, the Election Clerk may, with the assistance of Law Enforcement Officers present, if so required, order the evacuation of the nomination and polling station where only elections Workers and Agents for candidates shall remain as electors begin forming a line outside the polling station for the commencement of the taking of the polls.

TAKING OF THE POLLS (Regulation 9)

(1) The Election Clerk shall announce the commencement of the taking of the polls and invite agents to view the empty ballot boxes after which the Election Clerk shall lock the box for the commencement of the voting process.

(2) The Election Clerk shall repeat the process in sub-regulations (1) for verifying that a ballot box is empty in every instance where a different ballot box is brought into service.

(3) A voter may approach the official desk and give his name and voter's identification card to the Election Officer (if he is in possession of one at that time) and the Election Officer shall announce the name of the voter in a loud enough tone of voice to allow agents of candidates to take necessary note.

(4) Having found the voter's name on the list, the Election Officer shall proceed to strike a line through the name while another Election Officer supervises the dipping of the voter's right index finger, at least to the first joint, into the indelible ink provided.

(5) Having been satisfied that a Permanent Resident Card Holder is eligible to vote, the Election Clerk shall take note by causing that person's name and permanent resident number to be added to the list of electors.

(6) The Election Clerk shall initial the back of the blank ballot paper and issue it to the voter who may then:

- a. Proceed to vote in the prescribed manner;
- b. Fold the marked ballot;

- c. Place the ballot paper in the ballot box provided; and
- d. Immediately exit the polling station.

(7) Where a voter has made an error in voting, the voter may hand the spoiled ballot to the Election Clerk who shall:

- a. Immediately write the word “CANCELLED” across the front of the ballot paper;
- b. Place the ballot paper in an envelope provided; and
- c. Initial the back of another ballot paper and hand it to the voter.

(8) Where a voter is incapacitated and unable to vote in the prescribed manner either through blindness, or other physical causes, including the inability to write, that voter shall be allowed to bring along into the polling station a person of that voter’s choice to mark the ballot paper on the voter’s behalf and to place the ballot so marked inside the ballot box.

(9) Where a voter is incapacitated and unable to vote in the prescribe manner either through blindness, or other physical causes, including the inability to write and that voter is unaccompanied in the polling station, the Election Clerk shall summon Agents of the candidates to witness the Election Clerk’s marking of the ballot as instructed by the voter and place the ballot so marked inside the ballot box.

(10) No voter shall vote by proxy.

(11) Agents shall not interfere in the voting process. They shall be summoned to witness the marking of the ballot paper whenever the need arise for the purpose of sub-regulation 9 of this section.

(12) In order to facilitate the reconciliation process the Election Clerk shall keep the ballots in multiples of 50 and as the taking of the polls progresses, the Election Clerk may periodically announce the exhausting of every 50 ballots.

COUNTING OF THE BALLOTS (Regulation 10)

(1) At the time designated for the closing of the polls, being 1 o’clock, 3 o’clock or 5 o’clock in the afternoon, in accordance with the schedule prepared by the Elections and Boundaries Department, and approved by the Elections and Boundaries Commission, a Police Officer shall position himself, on the direction of the Election Clerk, at the end of the line. The police officer so positioned, shall not allow any person to join the line for the purposes of voting.

(2) After the last vote has been cast, the Election Clerk shall inform the agents of the number of ballots issued including the number of spoiled ballots.

(3) In those Villages and Communities where there are more than one Polling Station, the Election Clerk shall cause the various boxes to be brought to one central counting location.

(4) In cases where ballot boxes are moved from a polling station to a central counting station, the Election Clerk shall cause agents to accompany ballot boxes to the counting station and to remain with those boxes until they have been properly handed over to designated counting agents.

(5) Prior to commencing the counting process, the Election Clerk shall, with the assistance of the Police Officers present, if so required, order persons other than Election Workers, candidates and their agents to evacuate the counting station.

(6) The Election Clerk shall cause doors and windows of counting stations to remain closed during the counting process.

(7) Where two candidates for the post of Chairperson of a Village or Community Council emerge with equal highest number of votes the tie breaker shall be decided by the flipping of a coin in accordance with Regulations 8 (11).

(8) Where two candidates for the post of Member of a Village or Community Council emerge with equal sixth highest number of votes, the tie breaker shall be decided by the flipping of a coin in accordance with Regulations 8 (11).

ANNOUNCING OF RESULTS (Regulation 11)

(1) Having confirmed the results of the Election inside the counting station, the Election Clerk shall proceed to publicly announce the results:

- a. First announcing the number of votes received by each candidate for Chairperson after which the Election Clerk shall declare the name of the person duly elected to the post of Chairperson of that Village or Community Council;
- b. Then by announcing the numbers of votes received by each candidate for Members of that Village or Community Council and declare the names of the six persons duly elected to the post of Members of that Village or Community Council.

ELECTION OFFENCES (Regulation 12)

(1) A person who is the holder of a liquor license granted under the Intoxicating Liquor Licensing Act shall be prohibited from the sale of

all forms of intoxicating liquor during the period from the opening of nominations right up to the announcing of the results and the owners of such establishments shall close such establishments to the public during these times.

(2) A person who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to a fine of two hundred and fifty dollars (\$250.00) or to imprisonment for six (6) months.

PENALTY FOR BREACH OF REGULATIONS (Regulation 13)

(1) A person who seeks election as Chairperson or Member of any village or community knowing that they do not have the qualifications is guilty of an offence.

(2) Any person who votes in more than one village or community is guilty of an offence.

Contravention of any regulations made under subsection (1) or (2) of this section is guilty of an offence and is liable on summary conviction to a fine not exceeding three thousand dollars (\$3,000.00) or imprisonment for a term not exceeding two (2) years, or both such fine and imprisonment.

CHALLENGING OF RESULTS (Regulation 13)

(1) Any challenge or complaints regarding the conduct or the results of any Election in any Village or Community shall be referred, in writing, to the Elections and Boundaries Commission.

(2) A challenge or complaint made under sub-regulation (1) shall be made no later than seven days after the date of such Election.

(3) The decision of the Elections and Boundaries Commission shall be final.

ELECTIONS OFFICIALS FOR VILLAGE COUNCIL ELECTIONS

Election Clerk Election Officer Counting Clerk

The Counting Clerks works in the Counting Station. He assists in the reconciliation and counting of votes under the supervision of the Election Clerk.

Other Stakeholders

POLICE OFFICER

Police Officers are stationed inside and outside of polling and counting stations to maintain law and order at the request of the Election Clerks and Election Officers.

POLLING AND COUNTING AGENTS

Polling and Counting Agents are representatives of the Candidates officially designated to witness the polling and counting processes on behalf of their Candidates at specific polling and counting stations. Each Candidate may appoint Polling Agents to attend at polling and counting stations in a village/community council election.

Roles and Responsibilities of Agents

- To witness all aspects of the voting and counting processes, except the marking of the ballot paper

- Prior to the opening of polls, examine the ballot box to ensure that it is empty; and inspect the voting booth to ensure there is nothing there, which may in any way, influence the voter
- To witness the marking of ballots of Incapacitated Voters
- May, through the Election Officer, challenge and/or verify the identity of an elector
- To perform their functions in accordance with the Election Rules
- To cooperate fully with the instructions of the Election Officers
- To bring to the attention of the Election Clerks/Election Officers any action which they consider is not in accordance with the provisions of election rules

To refrain from speaking to or attempting to influence any voter, from the time the voter enters the polling station, until he/she leaves the polling station.

Non-attendance of Candidates and/or Agents will not invalidate the voting and/or counting proceedings.

Polling Stations and Election Supplies

Polling Station

Establishing the Polling Station

The Polling Station refers to the room or building where voting takes place. It is usually a public building e.g. classrooms, and should be accessible to all voters. It comprises furniture, ballot boxes and voting booths. All instructions to electors are placed outside of the polling station. Entry and exit signs are to be visible at all times.

Limits of the Polling Station

There will be a demarcation of one hundred (100) yards from the polling station where no person can assemble or congregate. The law prohibits politicians and campaigners to canvass an elector within the line. The Election Clerk can request the assistance of the Police in removing persons violating the law.

Who May Visit the Polling Station?

The Election Clerk

Has overall responsibility for the management and conduct of the Election.

The Chief Elections Officer

The Chief Elections Officer (CEO) is the Head of the Elections and Boundaries Department. The CEO may appoint other staff to visit any polling/counting station.

The Candidate

Candidates are authorized to visit any of the polling stations within their village/community. While inside the polling station, the candidate **must** limit his/her time and should not interfere with or influence the voters, or the process.

Election Supplies

Documents and Materials Used at the Polling Station

Each Election Clerk is provided with the following supplies and forms to be used at the polling station.

List of Electors—contains names of persons qualified to vote

Ballot Paper—a form used by the elector to record his vote by marking the name or number of the candidate(s) of his or her choice

Ballot Box—is a container that holds the ballot paper and accommodates approximately five hundred (500) ballots. It is placed in full view during the taking of poll

Pencils—used to mark the name or number of the desired candidate

Indelible Ink—used to stain the elector's forefinger

Polling Booth—compartment that protects the secrecy of the vote

Guidance to Electors—notices posted outside the polling station giving directions to the electors

Polling Station Diary—used by Election Clerk to record information/activities for example:

- Inspection of ballot boxes at opening and closing of polls
- Particulars of electors who present themselves to vote after another person has voted using his/her name
- Particulars of electors not permitted to vote because of refusal to answer questions by the Election Officer
- Spoilt or cancelled ballot papers

Envelopes—used, unused or spoilt election documents are to be placed in envelopes. These envelopes display the purpose for which they are to be used. The polling station's name is to be clearly indicated.

Oath Forms—administered to all Election Officers and witnessed by a Justice of the Peace

Report Forms—forms to record the result of the Poll

1. **What is a Spoilt Ballot?**

- A ballot marked in error by the voter which is returned to the Election Officer for another
- The spoilt ballot **does not** go into the ballot box

2. **What is a Rejected Ballot?**

A ballot is declared **rejected** at the **count** for the following five reasons. Any ballot paper:

- a) Which does not have the initials of the Election Clerk on the back of it
- b) In which the elector has voted for more candidates than there are seats to be filled
- c) Which is not marked for any candidate
- d) Which contains any writing or mark by which the elector could be identified
- e) Which is unmarked or void for uncertainty

A rejected ballot is void and not counted as a vote

If any of the above occurs on a ballot paper, the Election Clerk shall mark **“Rejected”**. **“Rejected Objected To”** is written, if any objection is made to his decision by any of the persons who are entitled to be present.

The decision of the Election Clerk is final. If an election or return is petitioned, the Election Clerk’s decision is subject to reversal.

Sealing of Ballot Boxes and Envelopes (Where the boxes are being transferred from one point to another)

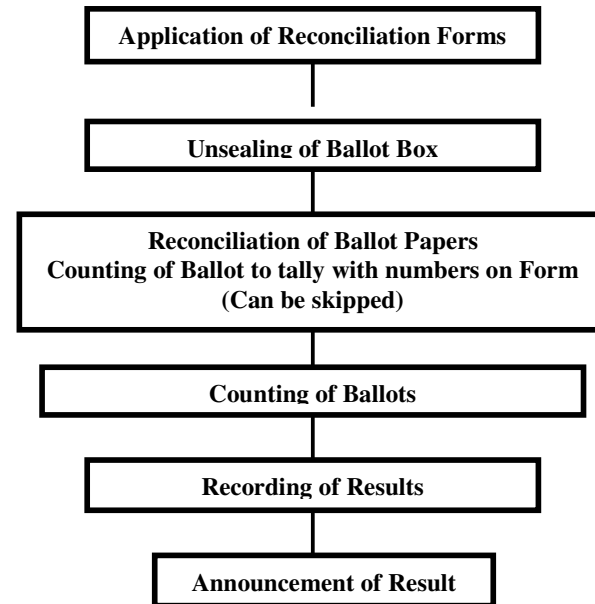
At the close of polls, the Election Clerk/Officer seals the following in the presence of Polling Agents and other witnesses:

- Ballot boxes used at his station preventing the introduction of additional ballot papers
- Keys of ballot boxes used at the poll
- Unused and spoilt ballot papers
- Marked copies of the Voters’ List

Transportation of Ballot Boxes

Election Officers, accompanied by Police Officers, transports the ballot boxes and parcels to the Counting Station.

Flow Chart of the Counting Process



Who May Be Admitted into the Counting Station?

- The Chief Elections Officer and other Staff
- Counting Agents
- Candidates
- Police

Counting Rules

Recount

The Candidate or his Agent may request:

- a) Recounting of ballot papers
- b) Rechecking of figures recorded by the Counting Clerk or the Election Clerk

The Election Clerk may refuse such request if he believes that it is **not** reasonable.

The Election Clerk may request a recount if he questions the accuracy of the count or recheck the figures recorded by the Counting Clerks.

Report to the Chief Elections Officer

The Election Clerk declares the final results after consulting with the Chief Elections Officer. After results are declared, each Election Clerk submits a report to the Chief Elections Officer showing the number of persons who voted at each polling station, number of spoilt ballot papers, and number of used ballot papers.

After the counting, the Election Clerk places all election materials including copies of the Voters' List used at the polling station, inside the ballot box. The box is placed in a secure environment.

Ballot boxes are delivered, as soon as possible, to the Chief Elections Officer, Central Office, Elections and Boundaries Department. The Election Clerk will immediately **seal** into one parcel the following:

- Voting papers
- Marked copies of the register of electors
- Other papers that were used at the Polling Stations

Election Management Rules

The Polling Agents

Not more than **two** Polling Agents per Polling/Counting Station are allowed within the polling/counting station at any one time; and not more than **two** Polling Agents are allowed within the counting station at any one time. **“Runners”** are allowed limited time to consult with Polling Agents inside the polling station **only**. Agents are strictly prohibited from campaigning within the one hundred yards line.

The Press at the Polling Station

The Press is **not** allowed within the one hundred yards line of the polling station nor inside the polling station. Once the Election Clerk has updated the Chief Elections Officer, he/she may pass the information to the Press beyond the one hundred yards marker.

Counting Stations

The Election Clerk sets the rules in the counting station. His/her decision is final. Anyone who disagrees may file a complaint to the Elections and Boundaries Commission after Election Day.

Offences by Election Officers

As per The Representation of The People Act Chapter 9, Part VII “Offences”, Section 30, every Election Officer who is guilty of the following offences, on conviction, is liable to be imprisoned for any term not exceeding five years.

- a) Makes, in any record, return or other document which he is required to keep or make under this Act, any entry, which he knows or has reasonable cause to believe to be false, or does not believe to be true; **or**
- b) Permits any person whom he knows or has reasonable cause to believe not to be a blind person or an incapacitated person to vote in the manner provided for blind persons or incapacitated persons, as the case may be; **or**
- c) Refuse to permit any person whom he knows or has reasonable cause to believe to be a blind person or an incapacitated person to vote in a manner provided for blind persons or incapacitated persons, as the case may be; **or**
- d) Willfully prevents any person from voting at the Polling Station, which he knows has reasonable cause to believe is validly cast for any candidates in accordance with the provisions of this Act; **or**
- e) Willfully counts any ballot paper as being cast for any candidate, which he knows or has reasonable cause to believe was not validly cast for such candidate.