

POLITICAL PARTIES  
TOOLKIT  
ON POLL  
WATCHING

TRAINERS' MANUAL FOR THE  
**2021 ZAMBIA GENERAL ELECTIONS**

SOUTHERN AFRICAN  
POLITICAL PARTIES AND  
DIALOGUE PROGRAMME.



**USAID**  
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# POLITICAL PARTIES TOOLKIT ON POLL WATCHING.

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TRAINERS MANUAL FOR THE  
2021 ZAMBIA GENERAL ELECTIONS

# ACKNOWLEDGEMENTS

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# FOREWORD

Elections are a very important feature in any democracy. Elections give voice to the political will of the people. The right to take part in government directly or through freely chosen representatives is also enshrined in the Universal Declaration of Human Rights (article 21.1) and the International Covenant on Civil and Political Rights (article 25).

While elections are an important feature in any democracy, they also need to be meaningful and credible. Elections must represent the free will of the people. Thus, the electoral processes, especially those processes related to the registration, polling, counting, transmission and determination of results need to comprehensively protect and safeguard interests of both the voters and candidates. This is what makes monitoring of elections an important, if not strategic undertaking especially for political parties and candidates.

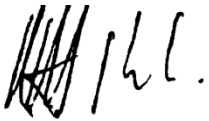
Election monitoring is about information gathering, examination and evaluation of the electoral process. It is the process of observing the conduct of an election and the behaviour of different stakeholders during an election (including political parties, the electoral commission officials, government, NGO's and the voters) in order to determine the compliance with relevant laws, regulations and international standards. Electoral monitoring therefore serves to ensure that the integrity of an election is upheld through shaping perceptions about the quality and legitimacy of electoral processes.

It is against this background that within the framework of the USAID's supported Southern Africa Political Parties and Dialogue (SAPP&D) Programme, DWF has been providing a selected number of political parties in Zambia with a comprehensive package of skills and tools for them to successfully implement a poll watching program within the context of their August 2021 general elections. These parties include the Forum for Democracy and Development (FDD), New Hope Movement for Multiparty Democracy (MMD), Patriotic front (PF) and United Party for National Development (UPND)

As part of that support, DWF has prepared this Political Parties Poll Watching Trainers Manual. The manual builds on and draws lessons from 2016 general elections as well as DWF's regional comparative experiences. The manual provides seeks to enhance the level of understanding of the participants on key thematic areas including the following

- Understanding the importance of election monitoring in enhancing credibility of elections
- Understanding the legal framework of Zambia with regards to poll watching and the role of political parties in this context
- Qualities of a poll agent, their roles and responsibilities
- Do's and don'ts in monitoring
- Polling station and totaling centers procedures and processes
- Procedures for logging complaints
- Understanding the relevant electoral forms to be used on the polling day

It is the expectation of Democracy Works Foundation that this trainer's manual serves as a tool kit that will go a long way in building the capacities of political parties in Zambia for them to effectively and meaningfully participate in the 2021 general elections. Furthermore, although the trainer's manual has been prepared primarily with the upcoming general elections in mind, political parties and other relevant stakeholders will find this tool kit equally useful for future elections as long as any updates on the electoral legal framework, procedures and regulations are taken into account. When such updates do take place, it is strongly recommended that the trainers are oriented on the same.



**Dr. Augustine Magolowondo**

DWF Chief of Party/ Southern Africa Political Parties and Dialogue Programme

# HOW TO USE THIS TRAINERS' MANUAL

The trainer's manual has been developed to be used primarily by trainers that should have first and foremost received appropriate orientation on political party's election monitoring. In the event that no such prior training nor orientation has been provided to the trainers, it is incumbent upon such a user to ensure that they will have comprehensively familiarised themselves with the contents of this manual as well as other relevant accompanying materials before they embark on any training.

The manual is broken down into 9 Units with each covering a specific area of interest in election monitoring from a political party's perspective. These units are presented in a logical order that must be strictly followed during trainings as they build unto each other. In addition to these nine units, the manual also contains a number of relevant electoral forms that are referred to in various places in the manual. It is important that the trainer must familiarise himself/herself with these forms and be able to appropriately introduce them as and when needed. Furthermore, this trainer's manual is also complemented by a PowerPoint presentation that has been compiled by the DWF expert trainers. This PowerPoint presentation has been aligned to this manual and can freely be used by the trainers where possible.

In some places there are icons which are used to point the trainer to a specific action. Below is the explanation of these icons.



Key Concept



Work in pairs



Very Important



Group work

As this manual is meant to capacitate political parties as they undertake monitoring of elections, it is important that every effort is made by the trainer to ensure accuracy and correctness of the information that he or she presents beyond what is contained in this manual.

This toolkit and its accompanying relevant materials can freely be reproduced by any interested stakeholder as long as Democracy Works Foundation is duly and explicitly acknowledged.

# UNIT 1

## Understanding the Context of the 2021 General Elections

### AIM

The objective of this unit is to introduce participants to the context within which the general elections of 2021 will be held.

### LEARNING OUTCOMES

On completion of the unit, participants will be able to:

- Understand the connection between democracy, elections and political parties
- Understand the legal framework governing the 2021 General Elections
- Identify and understand the key changes/ new developments in the Zambia's 2021 electoral process (in comparison with previous general elections)

### On Democracy, Elections and Political Parties

Article 56 (1) of the Constitution of the Republic of Zambia provides the holding of general election which shall be held, every five years after the last general election, on the second Thursday of August. According to the Zambian Constitution (2016), a General election means "Presidential, National Assembly and Local Government elections held on the same day" This means that in the August 2021 Elections, political parties will be participating in the following elections that will take place at the same time

- Presidential
- National Assembly
- Local Government (Mayors/ Council Chairpersons as well as for Ward Councillors)

But what is the connection between these elections and democracy and why do these elections matter to political parties?

Democracy is a system of government that puts the people at the center as it is defined simply as government of the people, for the people and by the people. The key principle in a democracy is that **"The will of the people shall be the basis of the authority of a government and that this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or equivalent free voting procedures"** (Art. 21 of the Universal Declaration of Human Rights (UDHR)).

There is a broad consensus therefore that genuine elections are an important feature of a democracy. It is through elections that the **WILL** of the people is practically seen and felt. When Zambians will be casting their vote in August 2021, the ballot that they will use to choose their preferred candidate for the position of President, Member of Parliament, Local Government

Councillor, Mayor or District Council Chairperson will symbolically- but most significantly so- represent that **WILL**. In this regard, you can therefore imagine the ballot box as the “container” of the will of the people. When the election officials will eventually open the ballot box to count the ballot papers, they will symbolically be opening the box to see how the will of the people, the Zambians, has been expressed.

In summary, we can say that elections are important for the following reasons

- **Ensuring legitimacy of the government**

Legitimacy of government means that a government is popularly chosen and accepted by the majority of people. Through elections, citizens authorize representatives to govern on their behalf and accept the right of public officials to hold office and to promulgate policies.

- **Elections enable citizens to take part in shaping a common future**

Through elections citizens are able to choose representatives to govern on their behalf. These representatives serve to bring to life certain policies that shape the future of a country.

- **Holding Representatives in check**

Related to the legitimacy of government is the notion that public officials hold their position representing the will and trust of the citizens. Elections therefore provide opportunities for people to express their liking or dislike of the leaders that are in positions or those that are aspiring for positions. If people do not like officials holding public office, elections provide them with an opportunity to vote them out. This is the actual meaning of the notion *power to the people*.

- **Ensure Government Responsiveness**

Elections cause democratic government to translate citizen preferences into policy. This is displayed in the different policy positions that manifestoes of political parties seeking office propagate. Parties in government also strive to implement their manifestoes and prioritize on preferences of citizens well knowing that should they not satisfy the aspirations of people, they stand the risk of being voted out of government.

Political parties are the only stakeholders that participate in elections in order to retain or win power. Through elections, political parties are therefore able to provide the electorate with democratic choices on who the people should entrust with the responsibility to govern.

## Understanding the legal framework governing the 2021 General Elections

Elections are held within the framework of a given set of laws and regulations that in essence serve as “rules of the game”. Understanding the electoral legal framework is important in order to ensure compliance.

In the case of elections in Zambia, the following legal instruments are key:

<b>The Constitution of Zambia (1991) and The Constitution of Zambia (Amendment) Act No. 2 of 2016;</b>	Contains the Bill of Rights and provides for the establishment of the Electoral Commission of Zambia. Article 229 (2) of the Republican Constitution mandates the Commission to implement; <ul style="list-style-type: none"><li>• the electoral process;</li><li>• conduct elections and referenda;</li><li>• delimit electoral boundaries;</li><li>• register voters;</li><li>• settle minor electoral disputes;</li><li>• regulate the conduct of voters and candidates;</li><li>• accredit observers and election agents.</li></ul>
<b>The Electoral Commission Act No. 25 of 2016;</b>	Contains provisions for the administration of the ECZ & the composition of the Commission.
<b>The Electoral Process Act No. 35 of 2016;</b>	Stipulates the processes for holding of the polls
<b>The Referendum Act</b>	Provides for processes for holding of a referendum;
<b>Electoral Regulations</b>	Provide for electoral procedures, voter registration, voter education and referenda

## Understanding the electoral system that will govern the 2021 General Election

An electoral system is a set of rules on how votes are converted into seats for political or civic authority. Political parties and their agents need to know this as it helps to understand how the winner for each of the election will be determined.

According to Article 47 of the Constitution, the **electoral system** in Zambia is in **two-fold**:

- **Elections to the office of President** shall be conducted directly under a **majoritarian electoral system** (The winning candidate must receive more than fifty percent of the valid votes cast- If at the initial ballot or first election, none of the presidential candidates gets more than fifty percent of the valid votes cast, a second ballot commonly referred to as a re-run, will be held within thirty-seven days of the initial ballot or first election)
- **Elections for National Assembly, Local Government (Mayor/ Councilor/Council Chairperson)** shall be conducted under the **First Past the Post (simple majority)**- A candidate who gets the highest number of votes cast in an election (the first candidate “past the post”) wins, regardless of the total percentage of votes the candidate receives

## Key changes worth noting with respect to the 2021 General Election

The following are some key changes that are important to note with regard to the upcoming general elections

### 1. PERSONS IN LAWFUL CUSTODY (INMATES) WILL HAVE THE RIGHT TO VOTE

Following the Constitutional court ruling in the case of Mr. Godfrey Malembeka vs the Attorney General and ECZ:

- All inmates in correctional centres and open-air farms are eligible to vote, and will vote in 2021 General elections
- 90 Polling Stations have been created across the Country
- Registered voters / inmates – 14,963

### 2. NEW REGISTER OF VOTERS

- The Commission conducted Voter Registration exercise from 9th Nov. to 20th December 2020 (the period includes extension for 5 days)
- Registered 7,023, 499 voters (final Figure as per the ECZ website confirmed on 26<sup>th</sup> June 2021)

### 3. CONVERTED POLLING STREAMS TO POLLING STATIONS

All Polling Streams will be Polling Stations manned by a Presiding Officer

## Other relevant information about the 2021 General Election

As we conclude this unit, it is also important to note the following regarding the upcoming general elections:

- The elections will be held ONLY in Zambia, in all the 10 Provinces which together have 116 Districts, 156 Constituencies and 1,858 Wards
- There is a total of 12, 152 Polling Stations as per the ECZ website confirmed on 26<sup>th</sup> June 2021. Out of these, 90 are polling stations in the Correctional Centres.

# UNIT 2

## Key Terms, officials and stakeholders in election monitoring

### AIM

The objective of this unit is to help participants to understand the key terms, officials and stakeholders in election monitoring

### LEARNING OUTCOMES

On completion of the unit, participants will be able to:

- Understand key terms related to election monitoring
- Understand the key officials and stakeholders in elections for effective poll watching
- Understand the various roles and responsibilities of key officials and stakeholders during the elections

### Key terms and acronyms

**Accreditation:** Authority or certification for one to be recognised in a Nomination Centre, Polling Station or Totalling Centre granted by the Electoral Commission.

**EPA:** Electoral Process Act – An Act to provide for a comprehensive process for a general election.

**EPGR:** Electoral Process (General) Regulations - The laws governing elections in Zambia

**Elections:** Process of voting through casting a ballot. In this instance it will mean the Presidential/Parliamentary and Local Government

**Polling District:** a segment in which the country is divided in a manageable manner for purposes of voting.

**Polling Station:** The venue used where voters cast their vote during an election.

**Voters register:** List of eligible voters

### Election Officials and their Roles

This section highlights the key election officials and their roles in elections:

- **Member of the Commission:** An office bearer of the Electoral Commission appointed in terms of the Constitution and the Electoral Act.

- **Chief Electoral Officer:** The Executive Head of the Electoral Commission of Zambia
- **District Electoral Officers:** District Electoral Officer is in charge of all electoral activities at district level. The District Electoral Officer is normally the Town Clerk or Council Secretary for the District
- **Returning Officer:** The person responsible to the Electoral Officer in matters of field administration in a given constituency.

The following election staff are found at a Polling Station. **EPGR Part I: Section 4 (1) and (2)**

- **Presiding Officer:** This is a person in charge of the Polling Station (**EPA- Part V: sections 37, 38, 42 and 43**). Their roles and responsibilities are to;
  - a. conduct elections according to electoral procedures;
  - b. ensure that stocks of election materials are adequate before deployment;
  - c. take care of equipment and materials under their custody;
  - d. communicate any problems to the Returning Officer;
  - e. record proceedings of the poll in a diary;
  - f. count the votes cast at the polling station;
  - g. announce the election results at the polling station;
  - h. maintain order around the polling station;
  - i. supervise all other polling and uniformed staff;
  - j. ensure return of all election materials and equipment to the Returning Officer;
  - k. perform any other duties as may be requested by the supervisor;
- **Polling Assistant** is a person who assists the Presiding Officer to conduct elections at a polling station (**EPA- Part V: sections 39,40, 42 and 43**). A Polling Assistant will be assigned either of the following functions:
  - a. To verify the identity of voters in the register of voters;
  - b. To mark a voter's thumb with indelible ink;
  - c. To issue Presidential, National Assembly and Local Government ballot papers;
  - d. To direct voters where to cast their votes and ensure the safety of the ballot boxes;
  - e. To assist the Presiding Officer during the counting of votes at the end of the poll.
  - f. To usher voters to their respective Polling Station to cast their vote.
- **Uniformed Staff:** The security appointed to maintain law and order around the polling station. (**Public Order Act – POA**)
  - a. To maintain law and order in the vicinity of and within the polling station;
  - b. To provide security for all the election staff, voters, equipment and materials;
  - c. To perform any other election duties as may be assigned by the Presiding Officer.

## Election Agents and Polling Agents

**(EPA- section 38).** Election and Polling Agents observe the elections on behalf of the candidates. They have to be appointed in line with the Electoral regulations.

**Election Agents: - (EPA- Part II: sections 8, 9 and 10).** An election agent represents the interests of a candidate in a constituency or ward during an election.

- A candidate for election to the office of the President may appoint and furnish the Electoral Commission with up to two names of election agents on the nomination paper for the election in that constituency;
- A candidate for election to the National Assembly should appoint not more than two election agents in a constituency/ward and furnish the name of the election agent on the nomination paper for the election in that constituency;
- A candidate for Local Government (Mayor/Council Chairperson or Councillor) should appoint not more than two election agents in a District / Ward and furnish the name of the election agent on the nomination paper for the election in that District or Ward;
- A candidate may revoke the appointment for an election agent at any time, or the election agent may resign the appointment, by giving a written notice to the candidate;
- A candidate shall notify the Returning Officer in writing that the election agent has ceased to act as such, and if a replacement has been appointed, will state in the notice the full name and address of the new election agent;

**Polling Agents: (EPA- Part VII: sections 77 and 78).** A polling agent represents the interests of a candidate in a polling station during an election.

- A candidate shall be allowed to appoint up to two polling agents per polling station, but only one agent will be allowed in a polling station at any particular time.
- Polling agents can witness voting and counting at the polling station.
- Polling agents cannot access the constituency totalling centre unless accredited and if this happens, the polling agent will replace the election agent
- A candidate or election agent should prepare and submit to the Returning Officer, a list of polling agents so appointed.
- Such appointment and the submission of the list of polling agents must take place at least four days before polling day.

## Other party officials allowed (Administrative arrangement)

In a bid to enhance transparency and in response to concerns from political parties, the ECZ also allows political parties to nominate party officials in addition to election and polling agents who also play a role in election monitoring

### At National Level:

- The party is allowed to nominate a total of five party officials to be at the National Results Centre
- The names should be submitted to the Electoral Commission of Zambia for accreditation at least four days before the polls
- Accreditation for these party officials is done in Lusaka

- These party officials would be allowed to rove around across constituencies, can access Constituency Totalling Centres and polling stations

**At a constituency level:**

- The party is allowed to nominate a total of five party officials who will be allowed to access the Constituency Totalling Centre and to access all polling stations within the constituency
- The names should also be submitted to the returning officer for accreditation at least four days before the polls
- The accreditation should be specific as to what the party official is allowed to monitor;
  - a. The official can be accredited to access polling stations during the voting and witness the counting;
  - b. The official can only be allowed to access polling stations during voting or
  - c. The party official can be accredited to only witness the counting at polling stations



At all times (during voting or counting), the total number of accredited party officials in a constituency should be five. Those with dual accreditation (access to polling stations during voting and witness counting) should be counted as part of the five officials.

## Key Stakeholders and their Roles

**Monitors: (EPA- Part VII: sections 77 and 78).** Monitoring is information gathering, examination and evaluation of the electoral process. A monitor may bring to the attention of the presiding officer or a member of the Commission any discrepancies that may arise during the conduct of an election.

**Observers: (EPA- Part VII: sections 77 and 78).** Observation is information gathering and/or on-site fact finding, making an informed judgment about the credibility, legitimacy and transparency of the electoral process. An observer may not bring to the attention of the presiding officer or a member of the Commission any discrepancies that may arise during the conduct of an election. However, an observer may inform the Commission in writing of any discrepancies observed during the conduct of an election.

**Media:** The role of the media in elections is to publicize all electoral activities. By so doing, the media helps the electorate to make informed choices. The media should also provide news of the electoral process up to the declaration of results. Public and private media shall give fair treatment to all candidates. The media shall broadcast confirmed election results as they are announced and published by Presiding Officers.

**Electorates or Voters: (EPA- Part VI: sections 8-10, 46 and 47).** These are persons who are registered to vote in an election. They should be Zambian citizens in possession of a green National Registration Card and a voters' card. In order to vote, they must be ordinarily registered in the polling district in which they apply to vote, they must appear in the register of the polling district and must have attained the age of 18 years. These qualifications are mandatory and it is an offence for a Presiding Officer to allow a person to vote who is not so qualified

# UNIT 3

## Election Monitoring: What it is and why it matters

### AIM

This unit aims at helping participants understand what election monitoring is all about and why it is important.

### LEARNING OUTCOMES

- Demonstrate an understanding of what election monitoring by political parties entails and its objectives
- Demonstrate an understanding of requirements and procedures to be followed in the appointment of election and polling agents.
- Demonstrate an understanding of qualities, roles and responsibilities of election and polling agents during the election process
- Demonstrate an understanding of how election and polling agents should conduct themselves during the election process.

## Election Monitoring and Election Observation

### ELECTION MONITORING

It is the process of observing the conduct of an election and the behavior of different stakeholders during an election in order to determine the compliance with relevant laws, regulations and international standards.

Election monitoring entails monitoring of Opening of Polling station, monitoring of Voting process, monitoring closing of the polling station, monitoring of counting, tallying and transmission of results

A monitor may bring to the attention of the presiding officer or a member of the Commission any discrepancies that may arise during the conduct of an election (**EPA- Part VII: sections 77 and 78**).

Monitors: They see, they take note and may intervene on the spot.

Election agents and polling agents are recruited to monitor elections on behalf of the candidates or political parties

### ELECTION OBSERVATION

Observation is a process of information gathering and/or on-site fact finding, making an informed judgment about the credibility, legitimacy and transparency of the electoral process.

The observer's: They see, they take note and they report back to their respective observer groups. However, an observer may inform the Commission in writing of any discrepancies observed during the conduct of an election (EPA- Part VII: sections 77 and 78).

## Political Party Election Monitoring

Monitoring is the act of observing and/or recording a process for a specific purpose. Election monitoring is therefore about information gathering, examination and evaluation of the electoral process.

It is the process of observing the conduct of an election and the behavior of different stakeholders during an election in order to determine the compliance with relevant laws, regulations and international standards.

Electoral monitoring serves to ensure that the integrity of an election is upheld through shaping perceptions about the quality and legitimacy of electoral processes.

A Party Monitor/Polling agent is an individual who observes the conduct of elections on behalf of an independent candidate or political party on (by-) election day.

## Importance of Political Party Election Monitoring

- Safeguard party interests
- Helps to ensure free and fair elections
- Reduce human error (mistakes)
- Prevents fraud, irregularities and intimidation
- Build confidence in the electoral process and results;
- Promote transparency and openness in the electoral process;
- Promote peaceful conflict resolution.

## Accreditation requirements for election and polling agents

- Accreditation for election and polling agents is now decentralised to district council (DEO).
- For party officials to be at National results centre, accreditation is done in Lusaka. Officials can rove in country but should seek accreditation
- Form of accreditation is the issuance of the oath or affirmation form (GEN 1)
- For accreditation, need full names, NRC numbers and residential address. They will get the oath affirmation form (as accreditation).
- Need to submit names at least four days before polls. It is recommended that the party or candidates should not wait until its four days before, the names can be submitted earlier for efficient processing by the DEO
- If the polling agent resigns or candidate decides to replace after submission of names, the party should write to returning officer who would communicate to DEO.

- Election and polling agents present at the polling stations and totalling centres must swear an Oath or make an Affirmation (Form GEN. 1)
- On arrival at a polling station a polling/election agent must report to the Presiding Officer/Returning Officer (as the case may be) and must show their National Registration Card (NRC) and an Oath or Affirmation form (GEN. 1).
- A polling agent who cannot produce evidence of swearing an Oath/Affirmation will not be allowed to attend the proceedings at the poll, counting and totalling.

## What are the key tasks of a polling Agent

- Represent the Political parties/ candidates at the Polling stations/ Totalling Centre
- **Identify human error and fraud:** You must have a good understanding of the electoral processes and procedures. Being alert will help you point out clerical mistakes or intentional fraud. Be able to intervene but not to interfere
- **Improve the process:** You can bring concerns and problems to the attention of the ECZ and suggest solutions.
- **Collect information about the voting process:** you provide your party with information about the conduct of the election at your polling station.
- **File official complaints:** in the event that you are not satisfied with any aspects of the voting process you are encouraged to file an official complaint. Failing to write a complaint will make it more difficult for your party to raise concerns about the process at (the) national level.
- Report back to the party after the monitoring exercise.

## Parties' Responsibilities in Election Monitoring

- It is the duty of every party or candidate to recruit its party monitors/polling agents
- All election and polling agents should be trained by their parties or candidates
- It is the duty of the appointing political party or candidate to pay their election agents for the work done
- As a party, Keep the polling agents motivated and incentivize why they should report back and submit relevant forms after monitoring exercise.

## Why is monitoring at a polling station crucial

- At a polling station, this is where you get it right. Results for all types of elections are announced at the polling station before consolidation at a totalling centre.
- At polling station, the polling agent can demand a recount before signing off the results
- At a polling station, the polling agent can witness and get/sign off results (Gen 20 – Announcement of the result of the poll). If polling agent disappears, you will not have a witness.
- Beyond the polling station, there is no physical contact with ballot papers again. The ballot boxes shall not be opened again unless there is a court petition.

- Verification and consolidation of the results at the Constituency Totalling Centre is based on the forms and documentation submitted by the Presiding Officer.
- At a Constituency Totalling Centre, you cannot ask a recount

### Rights of the party agents (Electoral process Reg 2016, 38, 47)

- Can object to a person to vote if it appears that the voters name is not in the register at polling station, has no NRC/voters card or has reasonable grounds to show that person is not a citizen
- An election agent or voter may object to any other conduct of election officer or any other person present at polling station
- An objection shall be made to the presiding officer in form GEN 15 (Objection and Decision concerning voting)
- If objection not accepted and not satisfied, can appeal to returning officer before close of voting using GEN 16 (Appeal to the returning officer)
- An election or polling agent may request PO to have the votes recounted as many times as it is reasonable

### Qualities of a good polling agent

As Polling Agents, you must be able to operate effectively on poll day. In order for this to happen, you must have the confidence and trust of the candidate who appointed you.

The calibre of the person that the party or independent candidate chooses to represent them is extremely important. To be effective you must be:

- Able to read and write. Should be able to document.
- able to sign the Announcement of Results Form and any other documents at the polling station;
- familiar with basic election rules and regulations relating to activities at a polling station; An informed agent will be able to ensure that the party or candidates right to a free and fair election is upheld
- knowledgeable about the duties of the election officials s/he will be working with;
- willing to collaborate with election officials to deliver a transparent and credible election;
- a resident of the polling station area and be reasonably familiar with the people in the locality;
- disciplined and reliable;
- Loyalty to the party or candidate. Integrity, non - bribable.
- Be able to abide by code of conduct/electoral procedures

### Do's and Don'ts of Polling Agents

As a candidate's representative, a polling agent may:

- Before the polls begin, witness the preparation of the ballot box and, if they so wish, add their own paper seal to them. The absence of polling agents at a polling station will not prevent the Presiding Officer from proceeding with preparations for the commencement of the poll.
- Confirm the emptiness of the ballot box and witness the opening of the polling station.

- Record the serial numbers of the seals used during voting.
- Record the names and numbers of voters as called out by Polling Assistant at table No.1; and
- Witness the Counting, Tallying process and announcement of results.
- Receive from the Presiding Officer (PO) a copy of the duly signed results (GeN 20) and hand over to the next party supervisor
- At the close of the poll, witness the closing of the ballot box and, if they so wish, add their own paper seal to them. The paper seal may be inspected by the polling agent at the place of the count.

A polling agent **should not:** (EPA- Part VIII: sections 81 - 89).

- Move around inside the polling station during the poll unless they want to intervene. If a polling agent notices a procedural irregularity during the Poll, may quietly draw the attention of the Presiding Officer to such an irregularity.
- Communicate with voters using signs or talk to them inside the polling station;
- Create any disturbance or hold up the voting proceedings;
- Canvass for votes outside the polling station within 400 metres of the parameter tape;
- Put up political notices within 100 metres of the polling station or interfere with Electoral Commission of Zambia's election notices;
- Insist on being allowed to see the serial number printed on a ballot paper;
- Insist on being allowed to leave the polling station in the vehicle which carries the ballot boxes and equipment to the totalling centre.

The conditions described above for the attendance of polling agents at polling stations apply equally to candidates themselves or their election agents. Any person who ignores these conditions may be told by the Presiding Officer to leave the polling station and its vicinity, and if so told must leave immediately.

# UNIT 4

## Before Voting Procedures

### AIM

To familiarize participants with the role of Polling Agents before the polling day.

### LEARNING OUTCOMES

- Demonstrate an understanding of the preparations to be in place for polling day.
- Understand how the polling station is set up
- The ability to draft a plan for Election Day.

A Poll day is described as the day on which the poll (elections) are held for electing a President, a Member of Parliament in a constituency and a Councillor in a ward;

The Polling Agent should be alert at all times and be well prepared for the Poll day. A check list is of great help in the planning process as it outlines all the tasks that need to be executed.

Below is a checklist for preparation before voting day. A good poll agent should have or do the following

- A Handbook of procedures/monitoring checklist to remind one self
- Information of Ballot papers serial ranges (schedule) for polling station
- Medication (if required) – If you underlying medical condition
- Voters register for your polling station
- Notebook and pen
- Oath or affirmation form (GEN 1)
- National Registration Card (NRC) and voters' card
- Ensure you get enough rest
- Know the time to be at polling station
- Know your polling station
- Get reporting formats and other checklists from your party
- Own lighting (torches)
- A phone with airtime and power back up for ease of communication
- Important Contact details of all relevant people (Party supervisor, election agent, DEO, Returning officer etc). All Polling Agents should have this information handy at all times

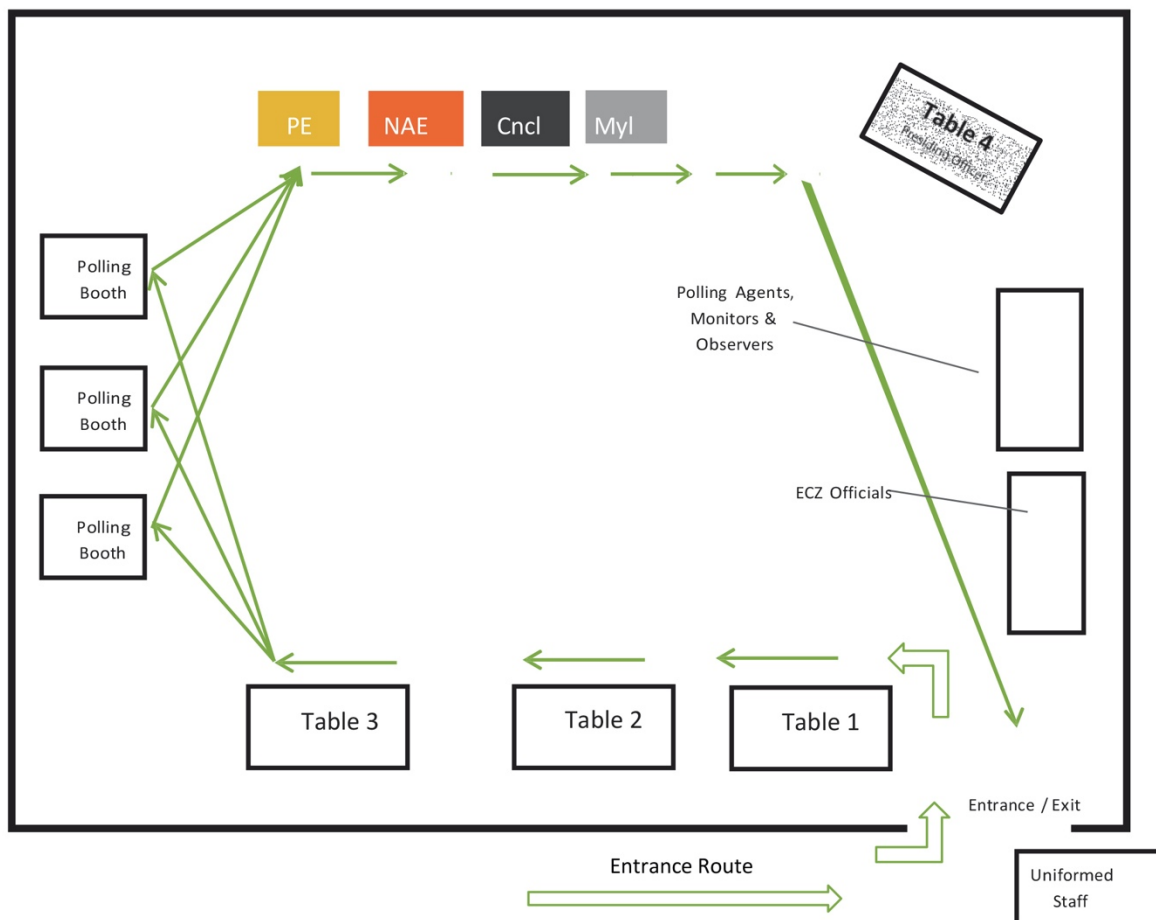
## Polling Station Layout

Polling Agents should take note of the following; (EPA- Part VI: sections 54 - 60).

- The Presiding Officer will set up the polling station the day before the poll;
- Poll day is described as the day on which the poll (elections) are held for electing a President, a Member of Parliament in a constituency and a Councillor in a ward;
- The identified room (polling station) should be well lit (natural light or lighting system) and spacious to allow voters to proceed from the entrance, through the various steps involved in casting a vote until they leave.
- A polling station will be housed in a room, in the case of a single polling station. However, in certain circumstances, one large room may be used for more than one polling station.
- Presiding Officers should ensure that they have all the furniture and equipment required on polling day for the polling station.
- The furniture should be arranged in such a manner that it allows the voters to move freely from one stage to another when voting.

The Presiding Officer is required to set the layout of the polling station as per the layout below:

### POLLING STATION LAYOUT - GENERAL ELECTION





As a polling agent, it is important to understand how a polling station should be set up. The layout should be such that it allows for voters to easily move from the entrance and through the stages of voting until they exit from the polling station.

Care should be taken to ensure that the voting booths are set up in such a way that the secrecy of the vote is not compromised (ensure voters privacy).

As Party Representatives, ensure you are placed at an appropriate place where you can have a full view of the proceedings.

Ensure placement of ballot box is in full view of everyone at the polling station.

## UNIT 4, ACTIVITY 1



**Step 1:** Divide participants into sizeable groups to demonstrate the layout of the polling station.

**Step 2:** Ask participants what considerations they have to take into account in arranging the polling station layout? Set up an effective polling station with all the material that are to be used.

**Emphasize:** Remember at all times – polling booths must not be placed close to windows. Always consider the location of windows in relation to the natural light in the room and polling booth. Protection of the secrecy of the vote is important.

# UNIT 5

## Opening the Polling Station

### AIM

Introduce learners to the preparatory steps taken before the opening of the polling station.

### LEARNING OUTCOMES

At the end of this unit, participants will have the ability to:

- List all procedures to be observed before the start time of the poll.
- Demonstrate understanding of who qualifies to be in a polling station.

### Preparations for Opening the Polling Station

**(EPA- Part VI: section 50 - 59);** The opening time of a polling station is 06:00 hours. The Polling Agents must monitor and ensure that the Presiding Officer at that polling station does the following before opening of a polling station:

- Put a boundary tape around the 400m perimeter;
- Issues the Polling Assistants and Ushers with Aprons;
- Completes the attendance form of poll staff, uniformed staff, polling agents, monitors and observers present;
- Makes a final briefing of polling assistants, polling agents, uniformed staff and observers;
- Ensures that all polling agents, monitors and observers are accredited. A polling agent should know the stakeholders that are entitled to be in a polling station.
- Inspects and seals the ballot boxes to be used. This should be done not more than ten minutes before the commencement of the poll (To be done following the procedure for sealing the ballot boxes);
- Positions the ballot boxes correctly;
- Ensures that placards are correctly labeled and clearly displayed.

### Stakeholders allowed to be in a Polling Station

The following stakeholders are entitled and allowed to be in a polling station;

- Presiding Officer, Polling Assistants, Polling Agents
- Registered voter at the polling station (after voting, should leave, 400m radius)
- Security Personnel
- Accredited monitors, observers and the media
- Candidates
- Commission staff

## Procedures for sealing the ballot boxes

- The presiding officer must show that the ballot box is empty to all that are present (Party Representatives, Observers etc)
- Polling agents should inspect and confirm that the ballot box is empty
- The presiding officer will close and seal the ballot box using the plastic security seals
- The number and serial numbers of the plastic security seals used will be recorded by the presiding officer in his diary
- As a party representative, also record the number and plastic seals used in your booklet or notebook

## Understanding colours for ballot box lids

It is important for polling agents to understand and know the colour codes for different types of elections

- Orange – Presidential
- Red – National Assembly
- Black – Ward Councillors
- Mayors/Council Chairperson- Purple
- Referendum - Brown

### UNIT 5, ACTIVITY 1



**Step 1:** Ask participants to work in pairs and discuss the scenarios below giving solutions.

**Scenario 1:** You are about to open the polling station. As you start checking the empty ballot boxes, someone tells you that Party Y is not present and that you should wait. What should you do?

**Scenario 2:** The polling agent for Party Z arrives shortly after polling commences with one voter having cast the vote. The polling agent insists that he wants to confirm the voter registration number of the voter who has just voted. What should you do?



The absence of a polling agent must not delay commencement of the polls. While the presence of a polling agent is important for ensuring transparency and witnessing the credibility of the poll (electoral laws/procedures), it does not invalidate the proceedings if there are no polling agents present at the time of opening a polling station.

# UNIT 6

## Voting Process and Closing of the Polls

### AIM

Introduce learners to the voting procedures and steps for closing of the polls at a polling station.

### LEARNING OUTCOMES

At the end of this unit, participants will have the ability to:

- List all procedures to be observed during the voting process.
- Understand who is eligible to vote and how people with special needs are assisted during the polls
- Understand what constitutes a spoilt ballot paper
- Demonstrate understanding of the process for closing of the polls

### What is voting

Voting is an act of casting a ballot paper on a poll day or voting day in order to choose a candidate of one's choice.

### Who is eligible to vote



A person who is eligible to vote must: (EPA- Part VI: sections 44 and 47).

- be a Zambian citizen;
- be in possession of a green National Registration Card;
- be in possession of a voter's card;
- have their particulars appearing in the Register of Voters.
- Voters can only vote in a polling station where they are registered unless they have a certificate of authority to vote from elsewhere.

### Certificate of Authority to Vote

**(Electoral Process General Regulations (EPGR) - section 40 (1) and (2)).** This is a form that is issued by a Returning Officer to a person who is unable to vote at the polling station at which they are entitled to vote because they are employed by the Commission to conduct elections at another polling station. The Returning Officer should verify the Officers' details using the Voters Card and the NRC.

The officer should present to the Presiding officer their green National Registration Card and voter's card in addition to the certificate when applying for a ballot paper.

Before the ballot paper is issued to the voter, the certificate must be surrendered to the Presiding Officer who must attach it to the marked copy of the register of voters with Polling Assistant at Table1.

As a polling agent, ensure you also take note of the people that are authorized to vote from elsewhere. You will need this information to reconcile/account for the ballot papers

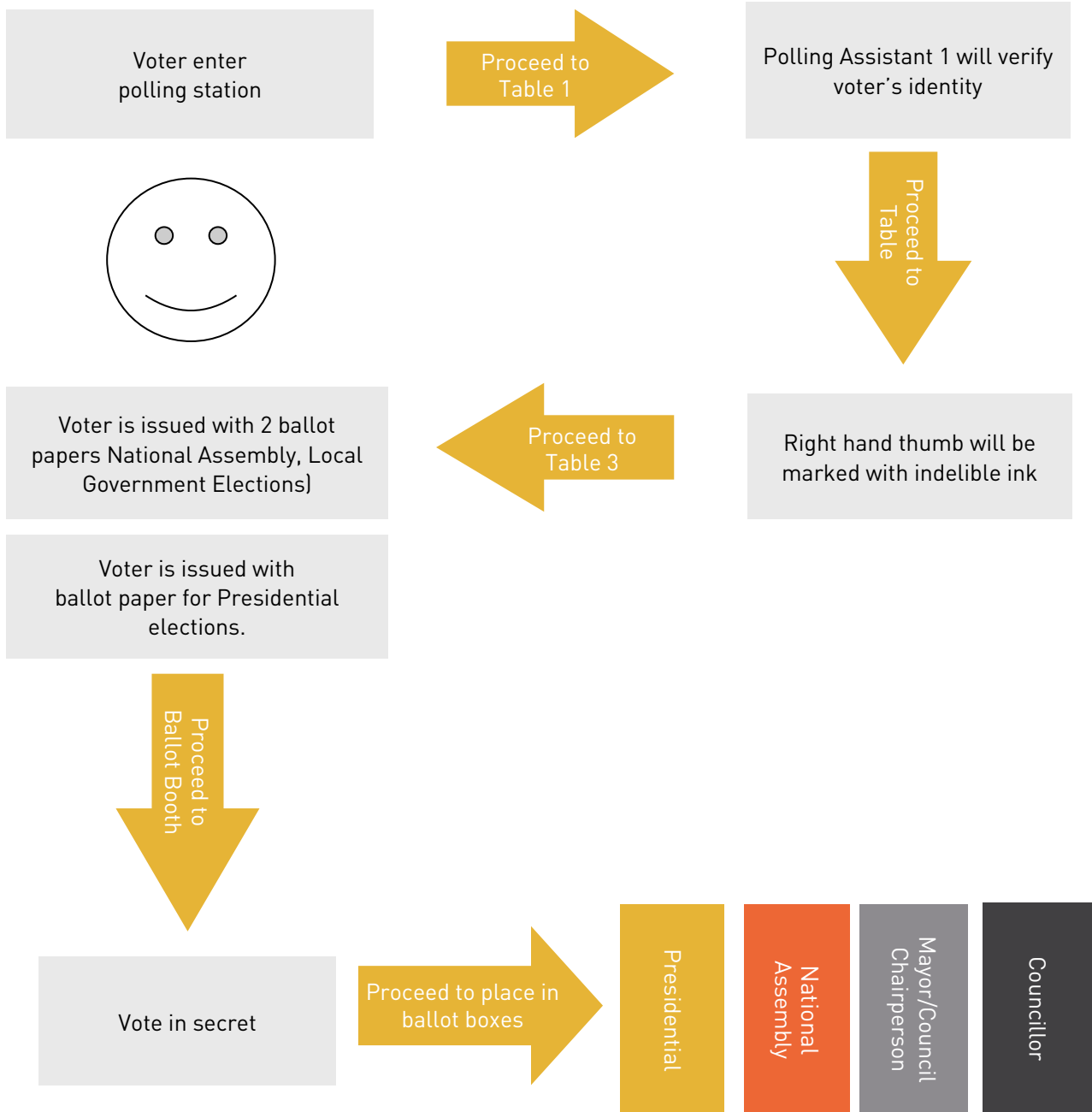


It is highly recommended that where possible, Polling Agents are deployed at the polling station where they are registered to vote to avoid de- franchising them.

## Voting process

- Polling Stations open at 06.00 hours and close at 18.00 hours (12 hours as provided for by law)
- Any lost time at opening is added at the end. For Example, if for some reasons voting only started at 07:20hrs, then closing will be done at 19:20hrs
- The time for opening will be recorded by the presiding officer
- As party representative, also record the opening time in your booklet/Notebook. This will help you to ascertain the closing time in line with the law

## VOTING PROCESS INSIDE THE VOTING STATION



## UNIT 6, ACTIVITY 1



**Step 1:** Read the case study below to participants:

Mary arrives at the polling station after walking six kilometres in the scorching heat. She produces her voter' card without her NRC but to her disappointment, she is told that she cannot vote despite her name appearing in the voters' register. She insists that she wants to vote. Polling agents are demanding an explanation why Mary cannot vote.

**Step 2:** Working in groups, ask participants, to respond to the following questions:

- What are the requirements for a person to vote?
- What should be done in Mary's case?

### Verification of Voters

Polling agents should have their own copy of the voters register for the polling station

When a name is called out at Table 1 (Identification Polling Assistant), it is recommended that the polling agent should cross out the name of voter whose name has been read out aloud.

Ensure where the agents are placed, they can hear the polling assistant at Table 1 calling out the names

At this stage, it is important for the polling agent to be alert and attentive to ensure only authorised voters are allowed to vote

### Procedure for Objection Concerning Voting

**(EPA- Part VII: section 64 (1-7)).** At a polling station, an election agent, polling agent or any voter may object to a particular voter proceeding to Polling Assistant at Table 2 by completing the Objection and Decision Concerning Voting Form (GEN 15) on the following grounds:

- The voter is not registered at that particular polling station;
- The voter is not in possession of a voter's card or green National Registration Card or both;
- The voter is not a Zambian citizen; and
- Any conduct contrary to the provisions of the Electoral Code of Conduct by an Election Officer or any other person present at a Polling Station.

Upon completion of the objection form, the person objecting must hand over the form to the Presiding Officer who will either accept or refuse the objection. If the Presiding Officer accepts the objection, the concerned person must not be allowed to vote and the Presiding Officer must keep a record of the decision made.

In the event that the Presiding Officer disallows the objection, the person objecting may appeal to the Returning Officer using the Appeal to the Returning Officer Form (GEN 16) before the close of the poll.

## Assistance to Voters

**(EPA- Part VI: section 61).** Voters who are blind, illiterate or incapacitated may ask for assistance to vote.

It is highly recommended that voters that need assistance should come with a relative or friend.

The relative or friend must be 18 years and above, in possession of a green registration card, and should present the NRC to the Presiding Officer for verification.

However, voters requiring assistance but do not come with a relative or friend can be assisted by the Presiding Officer as a last resort.

Assistance regarding marking of the ballot paper in the polling booth should be done in such a way that the secrecy of the vote is maintained.

Categories of people with special needs	Type of Assistance
Expectant mothers	Allowed to go to the front of the queue
Persons with disabilities	<ul style="list-style-type: none"><li>• Allowed to go to the front of queue</li><li>• May need assistance to enter the polling station</li><li>• May need assistance in all or some aspects of voting, in particular with marking their ballot papers (mostly the blind)</li></ul>
The aged	Allowed to go to the front of queue
Illiterate	Assistance with marking a ballot paper

## Using the Ballot Paper Voting Jacket for the Blind

The ballot paper voting jacket (Template) for a blind voter is aimed at ensuring that a voter who is visually impaired makes a personal choice while maintaining the secrecy of the ballot during the voting process.

Presiding Officers are urged to strictly follow the instructions given when using the jacket. It is also important for polling agents to understand how the jacket works for purposes of monitoring the process

When assistance has been given by a friend, a relative or a presiding officer, the Presiding Officer must mark against the voter's name in the register with the following symbols as applicable.

'I'	-	Illiterate voter
'B'	-	Blind voter
'I.R'	-	If the illiterate voter has been assisted by a relative;
'I.F'	-	If the illiterate voter has been assisted by a friend;
'I.PO'	-	If the illiterate voter has been assisted by a presiding officer;
'B.R'	-	If the blind voter has been assisted by a relative;
'B.F'	-	If the blind voter has been assisted by a friend;
'B.PO'	-	If the blind voter has been assisted by a presiding officer;
'P.I.R'	-	If the physically incapacitated voter has been assisted by a relative;
'P.I.F'	-	If the physically incapacitated voter has been assisted by a friend;
'P.I.PO'	-	If the physically incapacitated voter has been assisted by a presiding Officer



It is highly recommended that voters that need assistance are encouraged to come with a relative or friend to assist them. The Presiding Officer should be the last resort.

## Postponement of the Poll

**(EPA- Part VI: section 56 and 57).** The Presiding Officer is authorised to postpone the poll until later in the day or to another day where the orderly conduct of the poll is interrupted by a riot, open violence, flood or fire and any circumstance that renders voting impossible.

The Presiding Officer should inform the Returning Officer who, without delay, will inform the District Electoral Officer. The District Electoral Officer will in turn inform the Commission of the postponement and the reasons for the action. When the situation normalises, time lost during postponement must be compensated.

## Temporary Absence of Presiding Officer/APO

If the Presiding Officer needs to temporarily leave the station, the Presiding Officer should publicly nominate the Polling Assistant to act as Presiding Officer during the absence.

## Spoilt Ballot Papers

During the voting process, some ballot papers might be spoilt. A ballot paper is considered **spoilt** if: **(EPA- Part VI: sections 62 and 63).**

- it is accidentally torn by the Polling Assistant while issuing it to the voter;
- it is accidentally torn by the voter while marking on it;
- the voter realises that they have marked it wrongly before depositing it in the ballot box;
- it has ink stains;
- after being issued to a voter, it is found in or around the polling station.

A voter, who accidentally spoils or tears the ballot paper such that it cannot be used as a valid ballot paper, may ask the Presiding Officer for another one. If the Presiding Officer is satisfied that the ballot paper is spoilt, the Presiding Officer shall instruct the Polling Assistant issuing ballot papers, to issue another one to the voter.

The Presiding Officer must place the spoilt ballot paper in envelope marked "B" provided for this purpose.

## Close of Poll

The official time for closing the polling station will be determined by the Commission.

The Presiding Officer must ensure that the polling station closes at the appointed time. The Presiding Officer must stand at a central point of the polling station and announce that the polling station has closed even where there is no one as follows:

"The time is....., I, ..... (full name) being Presiding Officer for ..... Polling Station do hereby declare the Polling Station officially closed"

However, if there are still voters on the queue, a uniformed officer should be posted at the end of the queue by the Presiding Officer to prevent other persons from joining the queue after the closing time.

All those voters that were on the queue at time of closing should be allowed to vote. Anyone joining the queue after closing of the polling should not be allowed to vote (polling agents should be aware of this)

The Presiding Officer should record in the diary the time the polling station closed and the time the last voter cast their vote. As a party representative, also record the same in your notebook

If the polling station opened late, the closing time should be extended by the same period it delayed in opening e.g. If the official voting period is from 06.00 hours to 18.00 hours and the polling station opened at 06:20 hrs, the station should be closed at 18:20 hours. The Presiding Officer should also record in the diary the time the last voter cast their vote.

## Sealing of Ballot Boxes

The Presiding Officer should close and seal the aperture of the ballot box (es) using the plastic seals and must record the serial number of the seals and particulars of witnesses in the diary.

Request those present to record the serial number of the seals too.

If so wish, as a party representative, you can add own seal which can be inspected by the polling agent at the place of the count.

After this, the polling station is re-arranged in preparation for vote counting.



The Election Agent, Polling Agent, Monitors and Observers should witness the sealing of the ballot boxes.



It is important to be alert to possible things that could go wrong and how these may be addressed by applying legislation and procedures in place.

# UNIT 7

## Counting of Results

### AIM

This unit will take participants through the counting and tallying (totalling) process outlining procedures to be followed.

### LEARNING OUTCOMES

- Learners will understand the process to be followed in closing the polling station in preparation for the counting of ballot papers.
- Learners will demonstrate understanding of the counting process.

### Introduction

The Count is the last stage of the election process in a polling station. This is a process of allocating and adding up the votes cast for each candidate in an election. In the case of a general election, the Presiding Officer should conduct the count of ballot papers in the following order:

- Presidential
- Mayoral/Council Chairperson,
- National Assembly and
- Councillors.

This unit is therefore intended to guide you on the processes to be followed from the close of poll until the Count. It is very necessary for the Election Agents, Polling Agents, Monitors and Observers to witness the count in their respective polling stations to enable transparency, efficiency and fairness.



All Polling Agents must be present during the count; A Presiding Officer will record details of the people allowed to witness the Count and ensure that they have the necessary accreditation prior to commencing with the count.

### The Counting Procedure

The (EPA- Part VI: sections 67 to 73). Immediately after the close of voting, counting should be conducted at the polling station. Ballot boxes nor ballot papers from other polling stations should not be combined together during the count (as it used to be for streams).

In a case of the General Election, the Presidential ballot papers should be counted first, followed by the National Assembly and then Mayoral / Council Chairperson and lastly, Councillor Elections.

## Accounting for Ballot Papers (EPA- Part VI: section 66).

Before ballot papers are counted there has to be an accounting of all the ballot papers found in the ballot box for that election type i.e. Presidential, National Assembly etc. for that election. This is to ensure that all ballot papers can be accounted for (none went missing) and to know in advance how many ballot papers should be in each ballot box.

Accounting for ballot papers has five steps:

- The Presiding Officer will determine the number of ballot papers supplied at that Polling station (on the Ballot Paper Account Form (GEN 18));
- The Presiding Officer will determine the number of ballot papers used by voters at that Polling Station (this will be done by using the number of ballot paper counterfoils on the booklet);
- The Presiding Officer will determine the number of unused ballot papers at that Polling station (on the Ballot Paper Account Form (GEN 18));
- The Presiding Officer will determine the number of spoilt ballot papers (these are ballot papers that were torn or stained by an election official or voter); and
- Finally, the Presiding Officer will ascertain the overall number of ballot papers supplied (#1 of GEN 18) and subtracting the number of the used ballot papers excluding spoilt ballot papers (#2 of GEN 18) and the spoilt ballot papers (#3 of GEN 18).

## Counting of Ballot Papers

There are four steps to counting. Each step should be completed before the next step begins. All four steps should be completed for one election type before counting begins for the next category of election.

### STEP 1 - VERIFYING THE NUMBER OF BALLOT PAPERS CAST:

The Presiding Officer will;

- Confirm the seals used on the ballot box and verify that they are intact;
- Open the ballot box and empty the contents (ballot papers) onto a table;
- Count the total number of ballot papers found in the box and thereafter, put ballot papers in stacks of 20 and bundles of 100; and

**NOTE:** in this verification of the overall number of ballot papers found in the box, votes for individual candidates are not determined or tallied.

### STEP 2 - SORTING OF CANDIDATE BALLOT PAPERS:

- Sorting of ballot papers will result into a ballot paper being categorised as either valid or rejected.
- The Presiding Officer determines for whom each ballot paper was cast and shows that ballot paper to everyone present; announce for whom the vote was cast; and then put the ballot paper in the tray for the rightful candidate.

- If the Presiding Officer cannot determine the voter's intention, then the ballot paper is stamped "rejected" and placed in the "Rejected Tray"

## Valid Ballot Papers

A ballot paper will be considered valid if it meets the following criteria:

- It is marked with a cross
- The mark is other than a cross but choice of voter is clear;
- The voter makes any mark in a single line indicating their choice.

## Rejected (Invalid) Ballot Papers (EPA- Part Vi: Section 68(2) (A To F)).

A rejected ballot paper is:

- one which does not bear the official mark;
- one marked on more than one candidate;
- one on which anything has been written by the voter which could identify the voter;
- one not marked by the voter;
- one which is not clear for whom the voter has chosen; and
- One which has been marked with the voters' thumb print.

### STEP 3 - COUNTING OF CANDIDATE BALLOT PAPERS

- The Presiding Officer counts the number of ballot papers in each of the Candidate's tray in stacks of 20s; and
- One of the Polling Assistants should recount the ballot papers (clipped in 20s) in each tray and put them in bundles of 100 using a rubber band.

### STEP 4 - RECORDING OFFICIAL RESULTS FOR THE POLLING STATION

- The Presiding Officer will record the official results for the polling station on form GEN 20 – Announcement of Results of the Poll;
- The Presiding Officer will also complete three (3) other forms namely;
  - a. Ballot Paper Account Form – GEN 18;
  - b. Statement of Rejected Ballot Paper Form – GEN 19;
  - c. Record of proceedings at the count – ECZ 18



Copies of the Announcement of the Results (GEN 20) of the Poll Form should be given to party agents, monitors and observers, and a copy should be posted outside the polling station for the public to see.

## Check List for Counting Procedure

# Action Required	Yes	No
The Ballot Box is held up in front of all present to show that it is sealed before it is opened.		
The seal numbers are checked against those recorded in the Polling Station Diary.		
The Ballot Box is opened and emptied onto the table.		
The Ballot Box is held up, to show that it is empty.		
The ballot papers are counted.		
The number should tally with the total number of used ballot papers recorded in the Ballot Paper Account Form.		
The total number of ballot papers are recorded on the Record of Proceedings at the Count Form		
A check is done for the "Official Mark Stamp" and then the ballot papers are sorted out for each candidate.		
Individual ballot papers are held up and shown to persons present at the count.		
The ballot papers are placed in the correct tray.		
Any rejected ballot papers are placed in the tray marked "rejected".		
The reasons why a ballot paper has been rejected are announced.		
The ballot papers for each candidate are then counted in bundles of 20 and clipped.		
The ballot papers are verified by a second Counting Assistant who then should bundle them into hundreds.		
The rejected ballot papers are counted.		
The totals are recorded on the "Record of Proceedings at the Count" Form.		
The candidate ballot papers are packed separately in the envelopes marked 'H' for each candidate and the number of votes recorded on the envelope.		
The rejected ballot papers are packed in a separate envelope marked 'J'.		

# UNIT 8

## The Totalling and Transmission of Results

### AIM

- The aim of this unit is to introduce participants to the process of totalling of results.
- Explain the process of declaring results.
- Explain the process of transmission of results

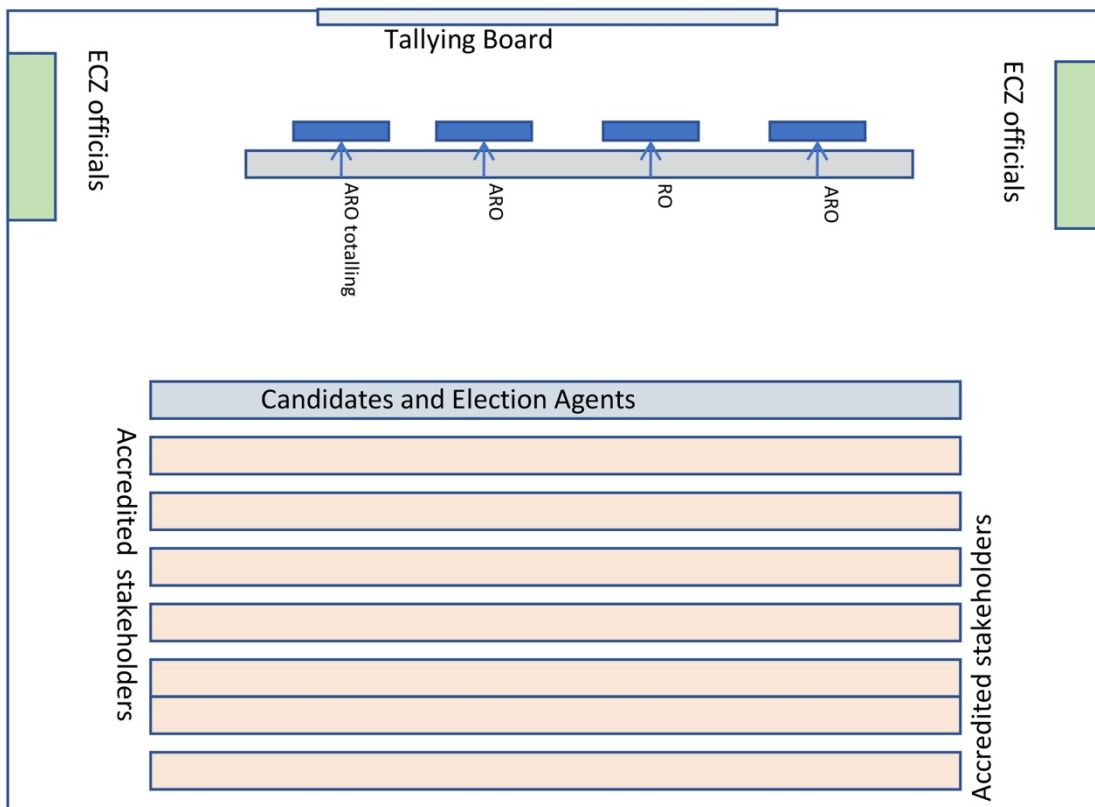
### LEARNING OUTCOME

After completing the unit, participants will be able to know the basic elements of totalling of results as well as transmission of results.

### Introduction

A totalling Centre/Collation Centre is a venue from where the consolidation of candidate votes in a Constituency or Ward is done.

### Totalling Centre layout



## What are the major functions of the Totalling Centre?

- Receive the results and equipment from the Polling Stations within the Constituency/Ward.
- Total the votes for each Ward (Local Government Elections), the Constituency for the National assembly election and the votes received in the Constituency for the Presidential election.
- Declare the results in the Constituency for the Councillor/Mayor/Council Chairperson and National Assembly elections.
- Announce the results for the Constituency for the Presidential election.
- Transmit the results to the National Results Centre at the Electoral Commission of Zambia.

## Who can be in the Totalling Centre?

- Members of the Electoral Commission
- The Chief Electoral Officer and Staff
- The Provincial Electoral Officer
- The District Electoral officer
- Candidates for that particular Constituency
- Counting Assistants
- Accredited Polling Agents / Election Agents appointed by a candidate
- Accredited Monitors or Observers, Media, or any other person authorised by the Commission.

## Totalling Procedure (EPA- Part VI: section 72(1) and (2)).

- At the commencement of the totalling the Returning Officer will announce that the totalling of the votes is commencing. The absence of the candidates or their representatives will not stop the start of the totalling of the Votes.
- The totalling of the Votes will begin as soon as the first Presiding Officer brings their ballot boxes and results to the Totalling Centre.
- Once the totalling has started, it will proceed until it has been completed and the results declared or announced.
- Persons attending the Totalling Centre are allowed to witness each step but are not allowed to interfere with the proceedings.
- The Returning Officer will open all envelopes containing the Record of Proceedings at the Count Forms (ECZ 18) at the Polling Station, election by election. This will be done for each Polling Station as the results are received.
- The Returning Officer will read out the:
  - Votes received by each candidate;
  - Number of rejected votes (GEN 19).
- The votes are then totalled when all the Polling Station results have been received and entered. The total results are then checked again to ensure that they are correct.

- The Returning Officer then completes the Declaration of Results Form (GEN 21) for National Assembly, Mayor/Council Chairperson, and Councillor elections and the Announcement of Results Form for the Presidential election.
- The results form for the Presidential election is signed by any Polling Agents and Monitors present.
- Copies of the Declaration and Announcement of Results Forms are given to Polling Agents and Monitors.

## Declaration or announcement of results at the totalling centre

Immediately after completing the Announcement/Declaration of Results Form, the Returning Officer should then;

- announce that the totalling of results has been completed;
- ask the party/candidate agents, monitors and observers present to append their signatures on the form;
- using the completed Announcement/Declaration of Results Form, read the statutory information on the form and then read out the number of votes obtained by each candidate, taking note of the full name (and political party) starting with the candidate with the least number of votes;
- declare the candidate with the highest votes as the duly elected Member of Parliament/ Councillor;
- give copies of the Announcement/Declaration of Results Form to each political party, monitors and observers present;
- post the results outside the Totalling Centre for the public to read.

**Note:** In a general election, the Returning Officer **announces** the Presidential, Mayoral / Council Chairperson Election results first and **declares** the National Assembly Election.

For a single constituency district, the Returning Officer will declare the candidate with the highest number of votes as duly elected Mayor/Council Chairperson for that district.

Results for a Councillor election may be declared when all the results for a Ward have been received.

**Note:** The Returning Officer must add results from all the polling stations in their Constituencies before announcing /declaring the candidate with the highest number of votes as duly elected.

**No recount should take place at the Totalling Centre.**

# Checklist for Totalling Centre

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	Yes	No
1. Are announcements clearly made of the name of each Polling Station as the results are received?		
2. Were the first and last columns tallied on the Record of Proceedings Form?		
3. Was the Declaration of Results Form completed (beginning with the candidate with the highest number of votes?)		
4. Were the results declared to the public beginning with the candidate with the lowest votes?		

---

## Transmission of results

**(EPA- Part VI: section 74).** Immediately after the announcement of the election results, the Returning Officer must transmit the results by telephone, electronically (scan or use Results transmission kit), or fax to the Electoral Commission- Head Office. The details of information to be transmitted are:

- full names of each candidate;
- party and symbol of each candidate;
- number of valid votes received by each candidate;
- number of rejected ballot papers;
- number of unused ballot papers; and
- the number of total votes cast.

The Returning Officer has a responsibility to transmit the final results to the Commission using the results management system or kit.

# UNIT 9

## Conflict Management

### AIM

- The aim of this unit is to introduce participants to the process of conflict management and resolution.
- Explain the various stages of conflict management and dispute resolution.
- Understand the conflict management and dispute resolution mechanisms.

### LEARNING OUTCOME

After completing the unit, participants will be able to appreciate the dispute resolution mechanisms with respect to electoral related conflicts.

### Introduction

The Electoral Commission of Zambia (ECZ) has the legal mandate to resolve electoral disputes that arise in the electoral process, through the Conflict Management Committees (CMCs) at National and District levels. **The role of the Committee is to prevent and manage electoral conflicts with a view to achieving peaceful elections and mutual resolutions through mediation of conflicts that may arise in the electoral process.**

The District Conflict Management Committee (DCMC) attends to conflicts and disputes arising from the districts. The composition and total number of DCMC members is twelve (12) in a Town/District council and fifteen (15) in a Municipal and City council and is composed of the following members;

- One(1) representative from each registered Political Party if they have participated in the previous general election or have presence in at least five provinces;
- One (1) representative from civil society organizations (as determined by the Commission);
- One (1) representative of such Government ministries and institutions as determined by the Commission.
- The Chairperson of the Committee is appointed by the District Electoral Officer (DEO) and the Vice Chairperson is elected by members from amongst themselves.

### Secretariat

Members of staff from the councils provide secretarial services to the District Conflict Management Committee. This role entails three things namely:

- ensuring that stakeholders adhere to the electoral code of conduct during the electoral process;
- the management of conflicts; and
- resolution of disputes that may arise.

The Committee has a mandate to attend to the diverse conflicts that arise during the election process such as:

- destruction of campaign posters;
- disruption of political rallies;
- name calling;
- biasness of appointed electoral officers; and
- recommend the disqualification of candidates or political parties.

The Committee has powers to advise the erring party, report crimes such as assault and corruption charges to the Zambia Police and Anti-Corruption Commission respectively for further action, and make recommendation for the revocation of an appointment of an electoral officer or the accreditation of any person or institution.

Notwithstanding these powers, the committee has limitations and cannot therefore

- declare or announce the results;
- operate as monitor/observers at polling stations;
- re-count or order the recount of votes;
- usurp the roles of election officers during elections; and/or v. fine or imprison a person.

## Procedure for Filing a Complaint

A voter, candidate, and political party in a constituency, where a breach of the Electoral Code has been committed in an election, can make a complaint to the Committee in writing. Once this is received by the Committee Secretariat, members of the Committee will then be informed and a meeting convened to attend to the conflict.

## Resolving Electoral Disputes

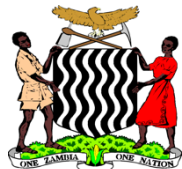
The Conflict Management Committees resolve electoral disputes amicably. The Committees use the method of mediation to resolve disputes. Mediation is a cooperative way of allowing parties to a conflict find solutions which are satisfactory to all.



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**REPUBLIC OF ZAMBIA**  
**The Electoral Process Act, 2016**  
**(Act No.35 of 2016)**

**The Electoral Process (General) Regulations, 2016**  
*(Regulations 5 and 32)*

**OATH OR AFFIRMATION**

I. ....  
*Surname* *Other Names*

having been appointed ..... do hereby

\*swear/solemnly and sincerely affirm that:

- (a) I will carry out the duties required of me as a result of my appointment impartially and to the best of my ability without fear or favour to any person or persons; and
- (b) I will not directly or indirectly reveal to any person any matter that may come to my knowledge or notice as a result of my appointment unless so authorised by law.
- (c) I will diligently discharge my duties in accordance with the law and shall abide with the Electoral Code of Conduct.

Signed: .....

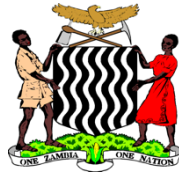
\*Sworn/Affirmed before me this ..... day of .....20 .....

Signed .....

Name in BLOCK LETTERS .....

\*Subordinate Court Magistrate / Local Court Magistrate / Electoral Officer/Returning Officer/Commissioner for Oaths/Head of Government School/Principal of a College.

\* In case of candidate, election agent or polling agent delete paragraph (a)



**REPUBLIC OF ZAMBIA**  
**The Electoral Process Act, 2016**  
**(Act No. 35 of 2016)**  
**The Electoral Process (General) Regulations, 2016**

**DECLARATION OF COMPLIANCE WITH ELECTORAL CODE OF CONDUCT**

I, ..... do solemnly and sincerely declare that:

- (1) I am a citizen of .....
- (2) My National Registration Card Number is .....
- (3) \*I am the Secretary General/Leader of ..... a political party registered under the Societies Act, and intending to participate in the elections.

\*I am a candidate intending to participate in the elections.

- (4) \*I shall ensure that the .....as a political party and its supporters, shall observe the Code of Conduct during campaigns and elections. \*I shall comply and be bound by the provisions of the Electoral (Conduct) Regulations.

- (5) I make this solemn declaration conscientiously believing the same to be true.

Signed: .....

Name: .....

Residential Address: .....

\*Sworn/Affirmed before me this ..... day of .....20 .....

Signed .....

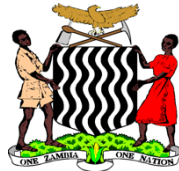
Stamp

Name in BLOCK LETTERS .....

Local Court Magistrate, Subordinate Court Magistrate, Head of Primary or Secondary School, Principal of a College, Commissioner for Oaths, District Electoral Officer, Returning Officer or Head of any government institution

***\*Delete where inapplicable***

FOR TRAINING PURPOSES ONLY



**REPUBLIC OF ZAMBIA**  
**The Electoral Process Act, 2016**  
**(Act No. 35 of 2016)**  
**The Electoral Process (General) Regulations, 2016**  
**OBJECTION AND DECISION CONCERNING VOTING**

I ..... being \*an election agent/voter  
hereby objects to.....of voter's card  
no.....being \*allowed/ refused to vote  
at..... polling station for the following  
reasons:.....  
.....  
.....

Name ..... of  
objector.....

NRC No..... Voter's card  
no.....

Signed:.....

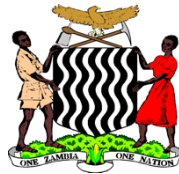
Date:.....

I..... being the duly appointed Presiding Officer  
for.....polling station hereby \*allow/reject the  
above objection on the ground(s)  
that:.....  
.....  
.....

Signed:.....

Date:.....

**\*Delete where inapplicable**



**REPUBLIC OF ZAMBIA**  
**The Electoral Process Act, 2016**  
**(Act No. 35 of 2016)**  
**The Electoral Process (General) Regulations, 2016**

**APPEAL TO THE RETURNING OFFICER**

To: The Returning Officer  
..... Constituency  
  
..... District

I.....an \*election agent/voter  
at.....  
..... Polling station hereby appeal against the decision of the  
Presiding Officer at the said polling station \*allowing / refusing.....  
..... of voter's card no ..... to  
Vote.

My appeal is based on the ground(s) that  
.....  
.....  
.....

Signed .....  
**Appellant**

Date .....

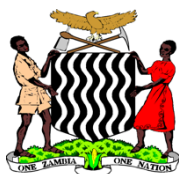
I.....duly appointed Returning Officer for  
..... Constituency hereby \*allow / reject the appeal on the ground(s)  
that  
.....  
.....

Signed: .....

Date: .....

**\*Delete where inapplicable.**





**REPUBLIC OF ZAMBIA**  
**The Electoral Process Act, 2016**  
**(Act No. 35 of 2016)**  
**The Electoral Process (General) Regulations, 2016**

**STATEMENT OF REJECTED BALLOT PAPERS**  
**PRESIDENTIAL/MEMBER OF PARLIAMENT/ MAYOR/COUNCIL**  
**CHAIRPERSON/COUNCILLOR\***

Polling Station: ..... Constituency: .....  
Date of Poll..... District: .....

Reasons for rejection by Presiding Officer	Total
1. No official Mark	.....
2. Votes shown for more than one candidate	.....
3. Voter identification by mark	.....
4. Unmarked or invalid due to uncertainty	.....
Total number of rejected ballot papers	.....

I ..... hereby certify that this is a correct statement of the ballot papers rejected by me as invalid.

Date ..... 20.....

.....  
**Signature of Presiding Officer / Assistant Presiding Officer**

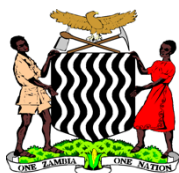
**INSTRUCTIONS**

- To be completed by the Presiding Officer at the conclusion of the count after results and before announcement of the results.
- The rejected ballot papers must be placed together in a marked envelope which must be sealed by the Presiding Officer.

**\*Delete where inapplicable**

**Appendix 7**

**GEN 20a  
(Regulation 49(2))  
(Complete in triplicate)**



**REPUBLIC OF ZAMBIA  
The Electoral Process Act, 2016  
(Act No. 35 of 2016)  
The Electoral Process (General) Regulations, 2016  
ANNOUNCEMENT OF THE RESULT OF THE POLL  
MEMBER OF PARLIAMENT/ MAYOR/COUNCIL CHAIRPERSON/COUNCILLOR\***

I ..... being the Presiding Officer  
for.....,  
(Presiding Officer's Name in full in BLOCK CAPITAL) (Name and Number of Polling Station)

in ..... Constituency do hereby announce that I have, in accordance with the law, counted the votes of the poll in the said polling station and that they have been given to:

	Name of Candidate	Party / Independent	Votes (in figures)	Votes (in Words)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

I further declare that a total of ..... ballot papers have been rejected by me as invalid and that a total of..... votes were cast.

Dated this ..... day of ..... 20 ..... Signed: .....

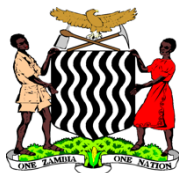
Witnessed by:

Name / Party) (Signature	Name / Party) (Signature	Name/Organization) (Signature
Name / Party) (Signature	Name / Party) (Signature	Name/Organization) (Signature
Name / Party) (Signature	Name / Party) (Signature	Name/Organization) (Signature
Name / Party) (Signature	Name / Party) (Signature	Name/Organization) (Signature
Name / Party) (Signature	Name / Party) (Signature	Name/Organization) (Signature
(Name and Signatures of Agents)	(Name and Signatures of Agents)	(Name and Signatures of Monitors)

**INSTRUCTIONS**

1. This form must be completed in sufficient quantities to give **one** copy to each polling agent by the Presiding Officer. The Presiding Officer must read out aloud the text from the original to the public outside and inside the polling station.
2. The full names of the candidates, party and votes received in figures must be inserted in the columns above, with the successful candidate's name at no. 1.
3. The original of this form must be delivered to the Returning Officer together with other material at the conclusion of the count. Copies can be given to each candidate/party agents and monitors.

**\*Delete where inapplicable**



**REPUBLIC OF ZAMBIA**  
**The Electoral Process Act, 2016**  
**(Act No. 35 of 2016)**  
**The Electoral Process (General) Regulations, 2016**

**ANNOUNCEMENT OF THE RESULT AT THE TOTALLING PRESIDENTIAL/ MAYOR/COUNCIL CHAIRPERSON\***

I .....being the Returning Officer for..... Constituency/District/Ward,  
*(Returning Officer's Name in Full in Capital LETTERS)*

do hereby declare that I have, in accordance with the law, ascertained the results of the poll in the said constituency and that they have been given to;

	Name of Candidate	Party/ Independent	Votes (in figures)	Votes (in Words)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

I further declare that a total of ..... ballot papers have been rejected as invalid.

The tie of votes recorded has been broken by casting a lot in accordance with the provision of the law.  
**Delete if not applicable)**

Dated this ..... day of .....20..... Signed.....  
Witnessed by:

Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
(Name and Signatures of Agents)		(Name and Signatures of Agents)		(Name and Signatures of Monitors)	



**REPUBLIC OF ZAMBIA**  
**The Electoral Process Act, 2016**  
**(Act No. 35 of 2016)**  
**The Electoral Process (General) Regulations, 2016**

**DECLARATION OF THE RESULT OF THE POLL**  
**MEMBER OF PARLIAMENT/ MAYOR/COUNCIL CHAIRPERSON/COUNCILLOR\***

I .....being the Returning Officer/District Electoral Officer  
for.....District/Constituency/ward,  
*(Returning Officer's/ CEO Name in Full in Capital LETTERS)*  
do hereby declare that I have, in accordance with the law, ascertained the results of the poll in the said constituency, district or ward and  
that they have been given to;

	Name of Candidate	Party/Independent	Votes (in figures)	Votes (in Words)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				

I further declare that a total of ..... ballot papers have been rejected as invalid and that a total of ..... Votes were cast.

\*The tie of votes recorded has been broken by casting a lot in accordance with the provision of the law.  
**(Delete if not applicable)**

I therefore declare that the said ..... to be this day  
 duly elected as ..... for .....  
 \*Constituency/District/Ward

Dated this ..... day of ..... 20.....Signed .....

**\*Please turn over to complete the Form**

Witnessed by:

Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
Name / Party)	(Signature	Name / Party)	(Signature	Name/Organization)	(Signature
(Name and Signatures of Agents)		(Name and Signatures of Agents)		(Name and Signatures of Monitors)	

**INSTRUCTIONS**

1. This form must be completed in sufficient quantities to give one copy to each candidate or their polling agent by the Returning Officer. The Returning Officer must read out aloud the text from the original to the public at the place where the totalling of the votes takes place.
2. The full names of the candidates, party and votes received in figures must be inserted in the columns above, with the successful candidate's name at no. 1.
3. The original of this form must be delivered to the Electoral Commission of Zambia by the quickest possible means and a copy must be retained by the Returning Officer.

**\*Delete where inapplicable**

FOR TRAINING PURPOSES ONLY



**ELECTORAL COMMISSION OF ZAMBIA**  
**The Electoral Act**  
**The Electoral (General) Regulations**  
 (Regulation 46)

**POLLING STATION RECORD OF PROCEEDINGS AT THE COUNT**  
**PRESIDENTIAL/MEMBER OF PARLIAMENT/ MAYOR/COUNCIL CHAIRPERSON/COUNCILLOR\***

Polling Station: ..... Constituency: ..... Date & Time of Close of Poll: .....  
 Polling Stream: ..... Date & Time Counting Commenced: .....  
 Total No. of Streams: ..... Number of Ballot Boxes: .....

Polling Station / Stream *Delete where inapplicable	Total No. of Ballot Papers in Ballot Boxes	1	2	3	4	5	6	7	8	9	10	11	12	13	14	Total Columns 1-14
		Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	
1.																
2.																
3.																
4.																
5.																
6.																
7.																
8.																
9.																
<b>Total</b>																

..... NAME OF PRESIDING OFFICER / ASSISTANT PRESIDING OFFICER ..... SIGNATURE OF PRESIDING OFFICER / ASSISTANT PRESIDING OFFICER .....

\*Delete where inapplicable



**ELECTORAL COMMISSION OF ZAMBIA**  
**The Electoral Act**  
**The Electoral (General) Regulations**  
 (Regulation 52)

**RECORD OF PROCEEDINGS AT THE TALLING OF THE VOTES**  
**PRESIDENTIAL/MEMBER OF PARLIAMENT / MAYOR/COUNCIL CHAIRPERSON/COUNCILLOR\***

Totalling Centre: .....  
 Date & Time Counting Commenced: .....  
 Constituency: .....  
 Date & Time Counting closed: .....  
 Total No. of Streams: .....  
 Number of Ballot Boxes: .....

Polling Station / Stream <small>*Delete where inapplicable</small>	Total No. of Ballot Papers in Ballot Boxes	1	2	3	4	5	6	7	8	9	10	11	12	13	14	Total Columns 1-14
		Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	Candidate name, party name and number of Votes	
1.																
2.																
3.																
4.																
5.																
6.																
7.																
8.																
9.																
<b>Total</b>																

.....  
**NAME OF RETURNING OFFICER / ASSISTANT RETURNING OFFICER**  
 .....  
**SIGNATURE OF RETURNING OFFICER / ASSISTANT RETURNING OFFICER**  
 .....

---

## ABOUT DEMOCRACY WORKS FOUNDATION (DWF).

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DWF is southern African non-profit company focused on democracy development in the region. DWF is headquartered in South Africa with country offices in Angola, Botswana, Lesotho, Malawi, Zambia and eSwatini. As an independent foundation, we are committed to building and promoting inclusive, equitable and sustainable consensus democracies in Southern Africa; our resilient democracy. We do so by providing tools, platforms and content to strengthen democrats, democratic culture and democracy institutions.

DWF works on the supply and demand side of democracy. We operate across several programmatic areas:

- Monitoring: we collect data, do research and provide analysis on the state of democracies.
- Institutions: we support the capacity of democracy institutions to fulfil their mandates.
- Citizens and leaders: we train future democrats to drive change.
- Climate and democracy: we strengthen the capacity of communities and democracy institutions to prioritize climate change initiatives.
- Culture: we provide platforms for democratic engagement to cultivate new ideas for democracy.
- Additionally, the Foundation provides advisory services on good governance and social impact and functions as a fiscal host and fund manager.

We believe that democracy is always a work in progress. It is often challenged and never complete. DWF is uniquely placed to continuously invest in and nurture resilient democracy and development.

Pursuant to its objectives, DWF is implementing a five year (2017 – 2022) USAID funded Southern Africa Political Parties and Dialogue (SAPP&D) Program that seeks to strengthen the capacities of political parties in Zambia amongst other countries including Angola, Botswana, Lesotho, eSwatini and Malawi to better respond to and represent the needs of society whilst at same time enhancing a democratic political culture that supports the meaningful participation of women, youth and marginalized individuals. Specifically, the programme seeks to achieve the following objectives:

- To strengthen participatory policy and platform development that accurately reflects citizen-identified needs to explicitly include access to clean water and energy and management of these resources.
- To develop a sustainable approach to building the capacity of internal party structures emphasizing democracy, transparency, accountability, and inclusiveness
- To inculcate a political culture and behavior within parties that supports meaningful participation of women, youth, and marginalized individuals in identifying party policy and in leadership structures.
- To establish a regional network of political parties and other relevant actors to share and support best practices, lessons learned and knowledge on strengthening democratic party structures.





Democracy Works Foundation Zambia  
Plot 37673 Off Twin Palm Road  
Ibex Hill, LUSAKA  
Zambia

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Email: [info@democracyworksfoundation.org](mailto:info@democracyworksfoundation.org)