

# Republic of Suriname / República de Suriname

Electoral Law of 1987

Ley Electoral de 1987



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## MINISTERIE VAN ONDERWIJS EN VOLKSONTWIKKELING

Afdeling Vertalingen

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### OFFICIAL GAZETTE

of the

### REPUBLIC OF SURINAME

Resolution of 23 October 1987 No. 6944 concerning the publication in the Official Gazette of the Republic of Suriname of the current text of the "Electoral Law" (Official Gazette 1987 No. 62, as last amended by Official Gazette 1987 No. 71)

**THE PRESIDENT OF THE REPUBLIC OF SURINAME, IN VIEW OF** the State Decree of 14 May 1986 concerning the establishment and tasks of the Departments of General Administration (1986 Decree on Establishment and Tasks of Departments of General Administration), Official Gazette 1986 No. 23.

**CONSIDERING** that it is desirable to publish the current text of the "Electoral Law" (Official Gazette 1987 No.62), as last amended by Official Gazette 1987 No.71, in the Official Gazette of the Republic of Suriname in order to facilitate reference thereto.

**HAS DECIDED** To determine that the "Electoral Law" (Official Gazette 1987 No.62), as it runs after the amendments made therein by General Decree A-25A of 17 October 1987 (Official Gazette 1987 No.70) and General Decree A-25B of 19 October 1987 (Official Gazette 1987 No.71), as well as a copy of this resolution, be published in the Official Gazette of the republic of Suriname.

Paramaribo, 23 October 1987

L.F. RAMDAT MISIER

The Minister of Justice,

S.F. GILDS

The Minister of Home Affairs,

District Administration and National Mobilization,

J.A. WIJDENBOSCH

Issued in Paramaribo on 23 October 1987.

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GENERAL DECREE A-25 of 29 September 1987 concerning rules for the election of members of the representative bodies in Suriname (Electoral Law) (Official Gazette 1987 No.62), as it runs after the amendments made therein by General Decree A-25A of 17 October 1987 (Official Gazette 1987 No.70) and General Decree A-25B of 19 October 1987 (Official Gazette 1987 No.71)

## CHAPTER I

### The Independent Electoral Council

#### Article 1

1. There is an Independent Electoral Council which shall supervise the general elections and declare the results of the elections legally binding for the country.
2. The Electoral Council shall consist of at least 7 members and 3 substitute members, who are all appointed and discharged by the President. Their appointment shall be for six years. The members are immediately eligible for re-appointment. The person who has been appointed to fill a vacant seat, shall resign the moment the person in whose place he has been appointed should have resigned.
3. The President shall appoint the Chairman and deputy Chairman from among the members.
4. A secretary as well as a secretariat shall be assigned to the Independent Electoral Council. The secretary shall be appointed by the President.
5. The Chairman, the members and substituting members of the Independent Electoral Council shall make the following oath or promise before the President: "I swear (promise) that as Chairman (member, substituting member) of the Independent Electoral Council, I shall conscientiously observe the provisions of the Constitution, the Electoral Law and the Franchise Act and behave accordingly: So help me God (I so promise)!"
6.
  - a. The members and substituting members are dismissed by the President: (1) at their own request; (2) when they have reached the age of sixty-five years; (3) in case of apparent unfitness due to continuous sickness, physical or mental disabilities; (4) when they have been placed under legal restraint; (5) if they accept a post that is incompatible with their office.
  - b. The members and substituting members can be dismissed by the President: (1) if they have been sentenced for a criminal offense; (2) if they have been declared bankrupt or have been given moratorium or have been imprisoned for debts; (3) in case of misbehavior or apparent continuous negligence in filling their office; (4) if they stay outside Suriname for a period exceeding five months, other than in virtue of leave of absence.
7. Residents of Suriname who are Surinamese nationals, are at least 23 years of age, and have not been excluded from their right to vote, may be appointed as members of the Electoral Council.
8. A member or substituting member of the Electoral Council may not simultaneously be a Minister, Under-Minister, member of the National Assembly, member of the Judiciary, member of the State Advisory Council, member of one of the armed forces, member of the Audit Office, or a candidate or substituting candidate in elections for which he or she actively exercises the duties as referred to in this Decree.
9. By means of State Decree, other groups of persons may also be excluded from membership of the Independent Electoral Council.

#### Article 2

1. The Electoral Council supervises the careful compilation and continual updating of the voters' lists is referred to in Article 16 of this decree, and ascertains that the corrections and additions which prove to be necessary, or were instructed by court order, are made.
2. At the request of the Electoral Council, the Minister in charge of Home Affairs shall enter the necessary corrections and addition on the voters' lists when inaccuracies have been ascertained.
3.
  - a. The Electoral Council shall supervise the distribution of the polling cards prescribed in Article 90 of this decree, so that each person who is entitled to vote receives the polling card at least three days before the day on which the elections are to be held.
  - b. At the request of the Electoral Council, the District Commissioners shall supply all

information on the organization of the activities regarding the distribution of polling cards to the Electoral Council, which is authorized to make relevant recommendations.

- c. The Electoral Council shall supervise that the District Commissioner concerned provides the opportunity for voters to collect their polling cards even on election day.
4.
  - a. The Electoral Council shall supervise that the instruction issued with respect to the performance of the various polling in the electoral districts shall be uniform as far as possible, and that the activities of the polling stations on election day shall be executed in the prescribed manner.
  - b. The Electoral Council is entitled to appoint persons to exercise supervision over the correct course of the activities of the polling stations, who will report any detected irregularities as soon as possible.
  - c. The Chairman and other members and substitute members of the polling station and main polling stations are obliged to supply the supervisors appointed by the Electoral Council with the information necessary for the performance of their task.
  - d. In case of complaints regarding an inadequate functioning of any polling station or main polling station, the Electoral Council immediately takes the measures it deems necessary.
5.
  - a. The Electoral Council is entitled to have information gathered from and an investigation carried out in the appropriate public offices by one or more of its members or substitute members, or by its secretary or its officials, which it deems necessary for the performance of the task imposed on it by this decree, with, if so desired, the co-operation of persons appointed by the Electoral Council.
  - b. The Minister in charge of Home affair shall supply the Electoral Council, within the shortest possible time, with the information it deems necessary for the performance of the task imposed on it by this decree.
6.
  - a. Before 1 April of each year, the Electoral Council shall draw up a report for the Government and the National Assembly regarding its activities in the past official year.
  - b. Within two months after the day on which periodic or by elections for a representative body have been held, the Electoral Council shall draw up written report for the government and the National Assembly regarding its supervision of the elections that were held.
7.
  - a. The Electoral Council shall draw up its code of order.
  - b. This code of order shall be published in the Official Gazette of the Republic of Suriname after it has been approved by the President.
8.
  - a. The remunerations for the Chairman and the members of the Electoral Council, as well as the fee attendance money for the substituting members for each meeting in which they participate in accordance with the provision of this decree, shall be determined by state decree.
  - b. The salary of the secretary of the Electoral Council shall be determined by State Decree.
9. Further regulations concerning the tasks or activities of the Electoral Council shall be determined by State Decree.

## **CHAPTER II**

### **The Election of Members of the National Assembly and of the Local councils**

#### **Article 3**

The members of the National Assembly are elected by those who, on the twenty-fifth day before the day of the nomination of candidates, are residents of Suriname, Surinamese nationals, and have reached the age of eighteen years.

#### **Article 4**

The members of a Local Council are elected by those who, on the twenty.fifth day before the day of the nomination of candidates, have their main or actual place of residence in the constituency of the district concerned, are Surinamese nationals, and have reached the age of eighteen years.

### **Article 5**

For the implementation of this decree, those who have been included in the population registers of a district, are considered to have their principal or actual residence in that district, subject to proof of the contrary.

### **Article 6**

The following persons are excluded from exercising their right to votes:

- a. those who do not have the right to vote under an irrevocable court order;
- b. those who have been deprived of their freedom by law;
- c. those who, under an irrevocable court order on account of insanity or frailty of intellectual faculties, have lost control over their property.

### **Political Organizations**

### **Article 7**

For the implementation of this decree, a combination of political organizations, formed with a view to the participation in general, free and secret elections, shall also be considered a political organization, provided that this combination consists of political organizations which meet the requirements of the Decree on Political Organizations, and have not been excluded from participation in the elections in view of the provisions of Article 8 of said decree.

## **CHAPTER III THE STRUCTURE OF THE NATIONAL ASSEMBLY, THE LOCAL COUNCILS AND THE DISTRICT COUNCILS**

### **The National Assembly**

### **Article 8**

1. The members of the National Assembly are elected in such district for a term of five years.
2. They shall resign the moment the newly elected National Assembly takes office.

### **Article 9**

For the representation per district to the National Assembly, the following division shall apply:

1. Paramaribo: 17 seats
2. District of Wanica: 7 seats
3. District of Nickerie: 5 seats
4. District of Commewijne: 4 seat
5. District of Sipaliwini: 4 seats
6. District of Brokopondo: 3 seats
7. District of Marowijne: 3 seats
8. District of Para: 3 seats
9. District of Saramacca: 3 seats
10. District of Coronie: 2 seats

### **The Local Councils**

### **Article 10**

1. The members of the Local Councils are elected for a term of five years.
2. They shall resign the moment the newly elected Local Council takes office.
3. For the composition of a Local Council the following division shall apply:
  - fewer than 1,001 residents: 7 seats
  - from 1,001 - 2,000 residents: 9 seats
  - from 2,001 - 5,000 residents: 11 seats
  - from 5,001 - 10,000 residents: 13 seats
  - from 10,001 - 13,000 residents: 15 seats
  - over 13,000 residents: 17 seats

## **The District Councils**

### **Article 11**

1. The political organizations taking part in the election for the Local Councils shall also nominate candidates for the District Councils on the day of nomination
2. The District Council has a term of five years.
3. The composition of the District Council taking place after elections have been held in the district for the composition of the Local Councils
4. The seats on the District Council are assigned to the political organisations represented on the Local Councils of the district concerned, in proportion of the total number of seats obtained in the Local Councils.
5. For the composition of a District Council, the following division shall apply:
  - fewer than 10,001 residents: 7 seats
  - from 10,001 to 30,000 residents: 9 seats
  - from 30,001 to 50,000 residents: 11 seats
  - from 50,001 to 100,000 residents: 15 seat
  - over 100,000 residents: 21 seats

### **Article 12**

He who becomes a member of the National Assembly, a District Council or a Local Council, so as to fill a seat that has become vacant prematurely, shall resign at such times as the person in whose place he has been appointed should have resigned.

## **CHAPTER IV THE ELECTORAL ADMINISTRATION**

### **Voters' Register**

#### **Article 13**

On behalf of the Minister in charge of Home Affairs, a voters' register is kept and updated dally, in which the persons included in the Central Population Register, who are entitled to vote, shall appear.

#### **Article 14**

1. The personal index cards of the Population Register can, insofar as they refer to the voters, be regarded as a voters' register and be used as such.
2. Likewise, the computer file, being part of the Central Population Register, can also, insofar as lt. refers to the voters, be regarded as a voters' register and be used as such.

### **The Arrangement of the Register**

## **Article 15**

1. Every voter's surname, first names or initials, date, year and place of birth, address, the date of issue of the identity card, identity number, as well as the number of the administrative jurisdiction he lives in shall be stated in the voters' register
2. In the voters' register, married women and widows are mentioned under the husband's or deceased husbands name, with the addition of their own name, preceded by the word "born" or an abbreviation of this word.

## **CHAPTER V THE VOTERS' LISTS**

### **The Composition of the Lists**

#### **Article 16**

1. Voters' lists are compiled from the voters' register, indicating separately those entitled to vote in an electoral district, as well as in a constituency, for members of the National Assembly and the Local Councils, respectively.
2. The voters' lists are open for inspection as from the thirtieth day before they become final, at the Ministry of Home Affairs and, in the districts, at the District Commissioners' office, as well as in the districts, at the District Commissioners' offices, as well as at the police stations.
3. Everyone entitled to vote may examine whether he has been entered on the voters list of his district or constituency.
4. The Minister of Justice provides the Minister in charge of Home Affairs regularly and as soon as possible with a specification of persons who have been excluded from exercising the right to vote. On receiving said specification, the Minister in charge of Home Affairs notifies the persons(s) concerned of such an exclusion and the duration thereof.
5. The voters' lists are closed on the twenty-fifth day before the day of the nomination of candidates. These lists are valid for the relevant elections, with due regard for the amendments and/or additions which, in accordance with the provisions in Articles 17 through 24, are made in this period.
6. Voters' lists are available on remuneration of the costs.

### **Request for Improvement of the Lists**

#### **Article 17**

1. The Minister in charge of Home Affairs may, by virtue of his office, make the necessary amendments of and/or supplements to the voters' lists.
2. Everyone may request in writing of the Minister in charge of Home Affairs to have a correction of and/or supplement to the voters' lists made on the basis of the fact that he or someone else has not been properly included thereon. The minister shall decide on this request within five days. This request must be made at the latest on the twenty-fifth day preceding the day of the nomination of the candidates.
3. The structure and layout of said request shall be determined by state decree. The form on which the request is to be filled out shall be made available free of costs and can be acquired from the Minister of Home Affairs, the District Commissioners' offices and the police stations in the districts.

#### **Article 18**

All parties concerned shall immediately be notified in writing of the Minister's decision regarding a request



for correction and/or supplementation of the voters' list. This decision shall be made public by means of publication in the Government Advertiser of the Republic of Suriname.

## **Administrative Appeal**

### **Article 19**

1. The minister's decision as referred to in Article 18 may be appealed with the President within five days after the public notice thereof.
2. The President shall decide within five days after submission of the appeal, stating the reason on which his decision has been based. The person concerned and the public will be notified of this decision in the manner as described in Article 18.
3. The Minister in charge of Home Affairs shall be notified of the President's decision. The Minister shall immediately carry out the decision.

## **Appeal with the Court**

### **Article 20**

1. Within ten days after publication of the President's decision, each person concerned may appeal the decision with the Judge of the First Cantonal Court by means of a petition in which the reasons are stated, and on submission of the required evidence and a copy of the decision concerned.
2. The Cantonal Court shall notify the Minister in charge of Home Affairs within three days after receipt of the petition and, if the decision concerns someone other than the petitioner, the person concerned, by means of registered letter.
3. The petition is immediately laid down at the office of the Court Clerk, and shall lie open for inspection by the public for a period of three days.

### **Article 21**

1. Everyone is entitled to make objection up to six days after the expiration of the period referred to in the preceding article. The objection must be submitted to the court in writing.
2. Within twenty-one days at most after submission of the petition, the Judge shall make a decision and order the correction of or supplementation to the voters' lists, if his pronouncement leads thereto.
3. The Court Clerk shall notify the minister of the above-mentioned court decision within forty-eight hours, whereupon the Minister shall supervise that the amendment of the voters' lists in accordance with the Judge's decision.

### **Article 22**

1. The procedure is free of administrative costs and fees.
2. The Judge may, if there are grounds thereto, decide that other costs shall come to the account of the national treasury, if the petition is granted.

### **Article 23**

Everything concerning the electoral administration shall be regulated by means of state decree.

## **CHAPTER VI**

## **THE ELECTORAL DISTRICTS, THE CONSTITUENCIES AND THE POLLING STATIONS**

### **The Electoral Districts and the Constituencies**

### **Article 24**

1. For the election of the members of the National Assembly, Suriname is divided into electoral districts whose boundaries correspond with the boundaries of the current district division.
2. For the election of the members of the Local Councils, the districts are divided into constituencies whose boundaries are specified by separate decree.

## **The Polling Stations**

### **Article 25**

1. For each constituency there is at least one polling station consisting of five members, one of whom is chairman, and one deputy chairman, and five substitute members, who shall be appointed and discharged by the minister in charge of Home Affairs.
2. The chairman, members and substitute members of the polling stations shall take the following oath before the Minister in charge of Home Affairs.

*I swear (promise) that as chairman (member, substitute member) of the polling station, I shall conscientiously observe the provisions of the Constitution, the Electoral Law and the Franchise Act and behave accordingly.*

*So help me God (I so promise)!*

3. Further regulations concerning the work of the polling stations and the boundaries of each polling station's precinct shall be laid down by state decree.
4. Each voter shall cast his vote in a polling station to which he has been directed.
5. Regulations may be laid down by state decree in virtue of which the voter, in case of an election for members of the National Assembly, shall be entitled to cast his vote at another polling station within the same electoral district than the one to which he has been directed.

## **The Main Polling Stations**

### **Article 26**

1. For the election of members of the National Assembly as well as of members of the Local Councils, a main polling station is established for each electoral district.
2. The main polling station committee consists of five members, one of whom is chairman and one deputy chairman, and three substitute members. The main polling station that is established for the election of the members of the Local Councils shall also serve as the main polling station that determines the compilation of the Local Councils and the District Councils.
3. The chairman is the District Commissioner of the district in which the main polling station is established. In the absence of the District Commissioner, the Minister in charge of Home Affairs shall appoint the chairman of the main polling station committee, for which appointment the District Secretaries serving in the district concerned shall be the first to be considered.
4. The chairman, the members and the substitute members shall be appointed and dismissed by the President.
5. The chairman of the main polling station shall appoint a secretary from among the members.

### **Article 27**

Everything concerning the main polling stations shall further be laid down by state decree.

### **Article 28**

The chairman, members and substitute member of the main polling station committee shall take the following oath before the Minister in charge of Home Affairs or an official to be appointed thereto by him:

*I swear (promise) that as chairman (member, substitute member) of the main polling station, I shall conscientiously observe the provisions of the Constitution, the Electoral Law and the*



*Franchise Act and behave accordingly.*

*So help me God (I so promise)!*

## **The Central Polling Authority**

### **Article 29**

1. For the election of the members of the National Assembly, a Central Polling Authority shall be established.
2. The Central Polling Authority referred to in the preceding paragraph shall also be charged with supervising the determination of the composition of the District Councils on the basis of the results of the elections for the Local Councils.
3. The Central Polling Authority referred to in the first paragraph shall also serve as Polling Authority for the election of the members of the Local Councils.

### **Article 30**

The chairman, members and substitute members of the Central Polling Authority shall take the foiling oath before the Presidents.

*I swear (promise) that as chairman (member, substitute member) of the Central Polling Authority, I shall conscientiously observe the provisions of the Constitution, the Electoral Las and the Franchise Act and behave accordingly.*

*So help me God (I so promise)!*

## **CHAPTER VII**

### **THE REGISTRATION OF POLITICAL ORGANIZATIONS AND THE NOMINATION OF CANDIDATES FOR THE ELECTIONS OF MEMBERS OF THE REPRESENTATIVE BODIES**

### **Article 31**

1. Any political organization may, for the elections of members of the representative bodies, request the Central Polling Authority to enter its name or an indication thereof, or both, as well as a party symbol, if so desired, in a public register which is kept by the Polling Authority. At the time of registration, a seat in Suriname must also be stated.
2. The submission for entry in the register is made by two persons who have been authorized thereto in writing by the political organization. They must also submit the written power of attorney. Documents required in pursuance of the decree concerning rules for political organizations shall also be submitted together with the request.
3. If the submission referred to in the preceding paragraph concerns a combination of political organizations, the documents of the political organizations which make up the combination, required in pursuance of the decree concerning political organizations, shall also be included. Powers of attorney, issued by the political organizations which make up the combination, shall also be submitted, from which the authority to submit the combination for registration appears.
4. Submission for entry in the register shall be possible from the twenty-fourth through the nineteenth day preceding the day of nomination of the candidates, determined in virtue of Article 85 paragraph 1. Registration is possible from 08:00 hours to 15:00 hours at the office of the Central Polling Authority.

### **Article 32**

The data submitted for entry in the register shall lie open for inspection at the office of the Central Polling

Authority for three days after the period referred to in the preceding article.

### **Article 33**

During the term mentioned in the preceding article, a political organization who itself requested registration, may make an objection in writing against the registration of another political organization, stating the reasons for such an objection, if the name or indication or symbol of last mentioned political organization is in whole or in principal the same as that of the objecting political organization, 80 that confusion could be expected.

### **Article 34**

The Central Polling Authority shall decide within two days on the registration, and the party(ies) concerned shall be notified of this decision immediately, and the decision will be brought to public notice in the prescribed manner.

### **Article 35**

1. The Central Polling Authority shall refuse registration in the following cases:
  - a. If submission did not take place within the term laid down for such;
  - b. If in the symbol offered for registration, the coat of arms or the flag of Suriname have been used, or if the symbol is contrary to public order or good manners.
  - c. if an objection has been made against the registration of a name, abbreviation or symbol and this objection has been found to be legitimate.
  - d. if the conditions as described in the decree concerning rules for political organizations have not been met.
2. Registration of a political organization is also refused if it forms part of a combination of political organizations already submitted for registration.
3. Without prejudice to the above, registration shall also be refused if two organizations have objected against one another's particulars, and such particulars are not more widely known for either organization. In such a case, the registration of both organizations can be refused.
4. The Central Polling Authority may also refuse registration officially on the basis of the conditions referred to in the preceding paragraph.
5. Reasons shall be given for the refusal laid down in a decree.

### **The Administrative Appeal of a Decision of the Central Polling Authority**

### **Article 36**

1. The political organization which has been refused registration, or the political organization whose objection has been found invalid, may appeal the decision with the President within two working days following the receipt of the decision of the Central Polling Authority.
2. The President shall decide upon such an appeal within three days, stating the reasons for his decision. The persons concerned shall be notified of the decision immediately and public notice will be given thereof in the prescribed manner. The Central Polling Authority is notified of the President's decision and is responsible for the execution thereof.

### **The Request for Registration in Second Instance Article 37**

1. The political organization whose registration has been refused in first instance or on appeal, on the grounds mentioned in Article 35 paragraph 1 under b and c, or whose appeal has been found invalid, may once more make a submission, as referred to in Article 31 paragraph 1, during three working days following upon the receipt of the decision of the Central Polling Authority or the President.
2. The Central Polling Authority shall take a decision as soon as possible, to which the provisions of Article 35 shall apply. Registration shall be refused in the cases mentioned in Article 35 paragraph 1

under a and b, and furthermore if the Central Polling Authority, with due respect for the norm laid down in Article 33, is of the opinion that in all reasonableness, a refusal should be given. This decision cannot be appealed in any manner.

3. The Central Polling Authority may, however, in deliberation with the political organization, during the working days mentioned in paragraph 1 of this article, determine which particulars may be registered according to the Central Polling Authority.

## **The Nomination of Candidates for the Election of Members of the National Assembly**

### **Article 38**

1. On the day of nomination of the candidates for members of the National Assembly, lists of candidates may be submitted at the office of the Central Polling Authority from 08.00 hours until 15.00 hours.
2. At least fourteen days before the day of nomination of the candidates, public notice is given hereof by the Central Polling Authority.
3. The structure and layout of the lists shall be laid down by state decree, which will also set the time on which and the place where the forms may be acquired by the voters free of charge.

### **Article 39**

1. Every list must be signed by the executive board of the political organization.
2. The persons who sign the lists should be eligible to vote according to the voters' lists which are valid on the moment the lists of candidates are submitted.

### **Article 40**

Above the list of candidates, the indication of the political organization and the party symbol, if this was registered, shall be placed.

### **Article 41**

1. The candidates are placed on the lists with their names, initials and address. The initials may be replaced in part or in whole by first names. If the candidate is a married woman or a widow, she will be given on the list under the name of her husband or deceased husband, with the addition of her maiden name, preceded by the word "born" or an abbreviation thereof.
2. The candidates' names shall be placed on the lists in the order to which the signatories give their preference.
3. The name of a candidate may not appear on more than one list.

### **Article 42**

1. For each electoral district a list of candidates will be submitted.
2. On the list, the number of candidates may not exceed the number of seats available for the electoral district.
3. On the list referred to in the preceding paragraphs, no more than ten substitute candidates may be placed. Their order on the list is determined by the place which they take on the list of candidates.

### **Article 43**

1. With each list a written certificate is submitted of each candidate appearing on the list, from which it appears that he agree with his nomination on this list.
2. The structure and layout of this certificate shall be laid down by state decree, which will also mention the time on which and the place where forms are available for the voters free of charge.

### **Article 44**

1. The submission of lists of candidates shall take place by two persons who have been authorized by the political organization to do so.
2. The persons mentioned in paragraph 1 should submit:
  - a. a written power of attorney from which their authority appears;
  - b. a certificate of the Central Polling Authority from which the registration of the political organization in the public registrar referred to in Article 31 appears.

#### **Article 45**

The submitted lists shall be immediately open for inspection by everyone for a period of three days.

#### **Investigation of the Lists and the Decision on their Validity**

#### **Article 46**

On the day of nomination of the candidates, immediately after the time mentioned in Article 38 paragraph 1 has passed, the main polling station shall meet to investigate the lists.

#### **Article 47**

If, upon investigation, any of the following negligences appear, the main polling station shall immediately notify the persons who submitted the list as well as the executive board of the political organization thereof by means of a registered letter or against a dated receipt thereof:

- a. that a candidate on a list has not been stated in the manner as prescribed in Article 41 paragraph 1;
- b. that, with respect to a candidate, the certificate referred to in Article 41 paragraph 1 is lacking;
- c. that the list has not been submitted personally by the persons referred to in Article 44 paragraph 1;
- d. that the name or indication of the political organization is not in accordance with those which have been registered in virtue of Articles 31 through 37, or that the power of attorney referred to in Article 44 paragraph 2a or the evidence of registration referred to in Article 44 paragraph 2b are lacking.

#### **Article 48**

1. Within three days after the day on which the notice has been sent, the persons who submitted the lists may restore the negligence or negligences indicated in the notice at the secretariat of the main polling station from 08.00 hours until 15.00 hours.
2. In case of absence or prevention of either of the persons or of both persons who submitted the list, one or two other persons will act instead, who must also be authorized by the political organization.

#### **Article 49**

Immediately after the lists have been investigated by the main polling station, the chairman shall have them lie open for inspection at the secretariat of the main polling station.

#### **Decisions on the Validity of the Lists and the Removal of Candidates**

#### **Article 50**

1. On the eighth day at the latest after the lists of candidates have been submitted, the main polling station shall decide in a public session on the validity of the lists of candidates, as well as on maintaining candidates thereon.
2. The lists which are not in accordance with Articles 31 paragraph 1, 39 paragraph 1 and 44 paragraphs 1 and 2, are invalid.
3. In the following cases, candidates will be removed from the lists:
  - a. if no certificate of the candidate has been submitted stating his approval of his nomination;

- b. if a candidate appears on more than one party list;
- c. if more candidates appear on a list than the number permitted according to Article 42 paragraph 2;
- d. if a candidate appears on a list of candidates of an electoral district to which he does not belong.

## **Article 51**

The main polling station shall send the invalid lists as well as the lists from which candidates have been removed, to the President, together with the official minutes of the meeting during which this was decided.

## **The Administrative Appeal**

### **Article 52**

1. Within three days after the day on which the main polling station has decided on the validity of the lists of candidates and on maintaining the candidates on such lists, every signatory may appeal to the President on the decision taken.
2. The President shall decide on the eighth day at the latest after the appeal has arrived, stating the reasons for his decision. The appealers and the main polling station shall be notified of the decision.

### **Publication of Lists of Candidates Article 53**

1. Immediately after the term for appeal has passed or, in case of an appeal, after the President has notified the main polling station of his decision, the main polling station shall, in a public session, put the lists of candidates, as they have been declared valid, on a summary list one beside another in accordance with the order to be determined by lot.
2. The summary list shall be brought to public notice immediately by publication in the Government Advertiser of the Republic of Suriname. A copy of this list shall lie open for inspection by the public at the offices of the District Commissioners and at all police stations in the districts.

## **Nomination of Candidates for the Election of Members of the Local Councils**

### **Article 54**

1. On the day of the nomination of candidates for the election of members of the Local Councils, the lists of candidates can be submitted between 08.00 hours and 15.00 hours to the main polling station of the electoral district of which the constituencies concerned are part.
2. At least fourteen days before the day of the nomination of the candidates, the Central Polling Authority shall give public notice of this.
3. The structure and layout of the lists shall be decided by state decree, which will also include the time on which and the place where forms can be acquired by the voters free of charge.

### **Article 55**

1. Each list shall be signed by the executive board of the political organization.
2. The persons who sign the lists must be entitled to vote in accordance with the voters' lists on the moment of submission.

### **Article 56**

The indication of the political organization and its party symbol shall be given above the list of candidates.

### **Article 57**

The candidates are placed on the lists with their name, initials and address. The initials may be replaced in whole or in part by first names.

If the candidate is a married woman or a widow, she is placed on the list under the name of her husband or deceased husband and her maiden name is added, preceded by the word “born” or an abbreviation thereof.

### **Article 58**

1. The number of candidates on a list may not exceed the number of available seats on the Local Council.
2. The name of a candidate may not appear on more than one list.

### **Article 59**

1. A written certificate of each candidate that he approves of his nomination must also be submitted together with the list.
2. The structure and layout of this statement shall be laid down by state decree, which shall also include the time on which and the place where forms can be acquired by voters free of charge.

### **Article 60**

1. The list of candidates must be submitted by two persons who have been authorized thereto by the political organization.
2. The persons referred to in paragraph 1 should submit the following: a written power of attorney from which their authority appears, a certificate issued by the Central Polling Authority from which the registration of the political organization as referred to in Article 31 appears.

### **Article 61**

The submitted lists shall immediately be open for inspection by the public for a period of three days.

### **Investigation of the Lists and Decision as to Their Validity**

### **Article 62**

On the day of the nomination of candidates, immediately after the time mentioned in Article 54 has passed, the main polling station shall meet in order to investigate the lists.

### **Article 63**

If the investigation shows one or more of the following negligences, the main polling station will notify the persons who submitted the lists as well as the executive board of the political organization concerned of this immediately by means of a registered letter or against a dated receipt:

- a. that the list has not been signed by at least twenty persons authorized to do so. In determining this number, the persons who have signed more than one list will not be included;
- b. that a candidate on a list has not been stated in the manner prescribed by Article 57;
- c. that, with respect to a candidate, the certificate referred to in Article 59 paragraph 1 is lacking;
- d. that the list has not been submitted personally by the persons referred to in Article 60 paragraph 1.

### **Article 64**

1. Within three days after the day on which the notice was given, the persons who submitted the list may restore the negligence or negligences mentioned in the notice at the secretariat of the main polling station between 08.00 hours and 15.00 hours.
2. In case of absence or prevention of the person who submitted the list, another signatory shall take



his place.

### **Article 65**

Immediately after the lists have been investigated by the main polling station, the chairman shall have them laid open at the secretariat for inspection by the public .

### **Decision as to the Validity of the Lists and the Removal of Candidates**

### **Article 66**

1. On the eighth day at the latest after the lists of candidates have been submitted, the main polling station shall decide in a public session on the validity of the lists as well as on maintaining the candidates thereon.
2. The lists which are not in accordance with Articles 54 paragraphs 1 and 3 and 60, are invalid.
3. In the following cases, candidates shall be removed from the list(s):
  - a. if no certificate of a candidate has been submitted stating that he accepts his nomination;
  - b. if a candidate appears on more than one list;
  - c. if more candidates have been placed on the list than the number permitted;
  - d. if a candidate has been placed on a list of a constituency in which he does not live.

### **Article 67**

The main polling station shall send the invalid lists and the lists on which candidates have been removed to the President as soon as possible, together with the minutes of the meeting during which the decision was taken.

### **The Administrative Appeal**

### **Article 68**

1. Within three days after the main polling station has decided on the validity of the lists of candidates and on maintaining the candidates thereon, each signatory may appeal to the President with regard to the decision.
2. The President shall decide on the eighth day at latest after the appeal has been received, stating the reasons for his decision. The appellant(s) and the Central Polling Authority shall be notified of his decision.

### **Publication of the Lists of Candidates**

### **Article 69**

1. Immediately after the term of appeal has passed, or in case of an appeal, after the President has given his decision to the main polling station, the main polling station committee shall, in a public session, place the separate valid lists of candidates on a summary list in an order determined by lot.
2. The summary list shall be made public through publication in the Government Advertiser of the Republic of Suriname. A copy of this list will be open for inspection by everyone at the District Commissioners' offices and all police stations in the districts.

### **The Nomination of Candidates for the District Councils**

### **Article 70**

1. On the day of the nomination of candidates for the election of members of the Local Councils, lists of candidates for the District Council can also be submitted to the main polling station between 08:00 hours and 15.00 hours..
2. These lists shall be submitted by the political organizations which participate in the elections for the Local Councils.
3. At least fourteen days before the day of the nomination of the candidates, the Central Polling Authority shall be notified hereof.
4. The structure and layout of the lists shall be determined by state decree, which will also give the time on which and the place where forms may be acquired by the voters free of charge.

#### **Article 71**

1. Each list must be signed by the executive board of the political organization.
2. The persons who sign the lists must be entitled to vote according to the voters' lists which are valid at the time of submission.

#### **Article 72**

The indication of the political organization and the party symbol will be placed above the list of candidates.

#### **Article 73**

1. The candidates are placed on the list with their name, initials and address. The initials may be replaced in part or in whole by the first names. If the candidate is a married woman or a widow, she is placed on the list under the name of her husband or deceased husband, with her maiden name added, preceded by the word “born” or an abbreviation thereof.
2. The names of the candidates will be placed on the list in the order preferred by the signatories.
3. The name of a candidate may not appear on more than one list.

#### **Article 74**

Candidates on the list must be persons who have been nominated as candidates for the Local Councils of the district.

#### **Article 75**

1. A certificate of each candidate stating that he agrees with his nomination must also be submitted together with the list.
2. The structure and layout of this certificate shall be determined by state decree, which will also give the time on which and the place where forms may be acquired by the voters free of charge.

#### **Article 76**

1. The lists of candidates shall be submitted by two persons who have been authorized thereto by the political organization.
2. The persons referred to in paragraph 1 should submit the following:
  - a. a written power of attorney from which their authority appears;

- b. a certificate of the Central Polling Authority from which the registration of the political organization in the public register appears.

## **Article 77**

The submitted lists shall be immediately open for inspection by the public for a period of three days.

## **Investigation of the Lists and the Decision as to their Validity**

## **Article 78**

On the day of the nomination of the candidates, immediately after the time referred to in Article 38 paragraph 1 has passed, the main polling station will meet to examine the lists.

## **Article 79**

1. If the investigation shows one or more of the following negligences, the main polling station will immediately notify the persons who submitted the list as well as the executive board of the political organization by means of a registered letter or a dated receipt:
  - a. if a candidate has not been placed on the list in the manner as prescribed in Article 73 paragraph 1;
  - b. if, with respect to a candidate, the certificate referred to in Article 75 paragraph 1 is lacking;
  - c. if the list has not been submitted personally by the persons mentioned in Article 76 paragraph 1;
  - d. if the name or indication of the political organization is not in accordance with those registered in virtue of Articles 31 through 37, or if the power of attorney referred to in Article 76 paragraph 2, or the certificate of registration referred to in Article 34, is lacking.
2. Within three days after the day on which the notice has been given, the persons who submitted the list may restore the negligence or negligences referred to in the notice at the secretariat of the main polling station between 08.00 hours and 15.00 hours.

## **Article 80**

Immediately after the lists have been examined by the main polling station, the chairman has them laid open for inspection at the secretariat by the public.

## **Article 81**

1. On the eighth day at the latest after the submission of the lists of candidates, the main polling station shall decide in a public session on the validity of the lists as well as maintaining candidates thereon.
2. The lists which are not in accordance with Articles 71 and 76 shall be invalid.
3. In the following cases candidates shall be removed from the lists:
  - a. if no certificate from the candidate has been submitted from which the approval for his nomination appears;
  - b. if a candidate appears on more than one list;
  - c. if more candidates have been placed on a list than permitted by Article 42 paragraph 2;
  - d. if a candidate is placed on a list of candidates for an electoral district in which he does not live.

## **Article 82**

The main polling station shall immediately send the invalid lists and the lists from which candidates have

been removed to the President, together with the minutes of the meeting during which the decision was taken.

### **Article 83**

1. Within three days after the day on which a main polling station has decided on the validity of the lists of candidates and on maintaining candidates and substitute candidates on these lists, every signatory may appeal the decision with the President.
2. The President shall decide no later than the eighth day after the appeal was received, stating the reasons for his decision. The appellant(s) and the main polling station shall be notified of his decision.

### **Publication of the Lists of Candidates**

### **Article 84**

1. Immediately after the term for appeal has passed or, in case of an appeal, after the President has given his decision to the main polling station, this main polling station shall, in a public session, place all valid lists of candidates on a summary list in the order to be determined by lot.
2. The summary list is made public immediately by publication in the Government Advertiser of the Republic of Suriname. A copy of this summary list shall be open for inspection by the public at the District Commissioners' offices and the police stations in the districts.

### **Determination of Day of Nomination and Voting for Periodic Elections for Members of Representative Bodies**

### **Article 85**

1. The day of the nomination of candidates for a periodic election for members of representative bodies shall be determined by state decree, in such a manner that between this day and the day of voting there shall be at least forty-five (45) days.
2. The nomination of candidates to fill vacant seats, for which the preceding chapters of this decree have not provided, shall take place within forty days after the President has been notified by the representative body of the fact that the seat has become vacant. Within eight days hereof, this will be brought to public notice by publication in the Government Advertiser of the Republic of Suriname, by order of the President.

### **Article 86**

When determining the day of the nomination, the President shall also determine the day of the voting.

## **CHAPTER VIII POLLING**

### **Article 87**

1. Polling for the National Assembly or the Local Councils shall take place in every electoral district and constituency, and votes can only be cast for candidates whose names appear on the respective valid lists of candidates.
2. With the exception of the cases mentioned in the following Chapter IX, the voter must personally take part in the polling.

## Article 88

1. Preceding the Polling, the Minister in charge of Home Affairs shall provide for:
  - a. the publication on time in the Advertiser of the Republic of Suriname as well as in the newspapers, of the locations where and times when the voters will be able to cast their vote;
  - b. the allocation of an appropriate polling place for each polling station.
2. At the request of the Minister in charge of Home Affairs, the boards of denominational schools will make available the appropriate classrooms and the material therein for the arrangement and the use as a polling station, against a compensation of the resulting costs, if desired.
3. The Minister in charge of Home Affairs shall appoint persons to serve at the polling stations.
4. The District Commissioner will take care of the arrangement of the polling station.

## Article 89

1. Polling shall begin at 07.00 hours and last until 19.00 hours.
2. The voter shall cast his vote at the polling station to which he has been assigned.

## Summons for Voting

## Article 90

1. At least three days before the day of the elections, every person who is eligible to vote shall receive a polling card from the District Commissioner of the district on whose voters' list he appears.
2. The polling card shall state:
  - a. the representative body for which the elections are being held;
  - b. the name and the first names or initials of the voter;
  - c. the voter's date of birth;
  - d. the number under which the voter appears on the voters' list to be used for the voting;
  - e. date of issue and the number of the identity card;
  - f. the electoral district and the number of the constituency to which the voter belongs;
  - g. the address of the polling station;
  - h. the day and the hours when the polling shall take place.
3. The lists of candidates shall be brought to public notice by means of publication in the Advertiser of the Republic of Suriname as well as in the newspapers. The lists shall also be available for perusal at the District Commissioners' Offices.

On the day of the election, the list, in print, shall be posted in a clearly visible manner at the entrance of the polling station.

4. The voter who is entitled to participate in the voting and whose polling card has been mislaid or who did not receive one, shall, at his request, be issued another polling card by the District Commissioner, provided that he can duly identify himself. The polling station is also authorized to issue the polling card.
5. The structure and layout of the polling cards shall be further determined by state decree.

## Article 91

Every employer is obliged to ensure that every employee of his who is eligible to vote, shall be given the

opportunity to do so, if the person involved is unable to participate in the elections other than during working hours.

## **The Polling Station**

### **Article 92**

1. The chairman acting as such at the opening of the session of the polling station, and the members, as well as the eligible voters then present who are at the disposal of the polling station, shall participate in the voting at this polling station if it is situated within the constituency in which they appear on the voters' list.
2. During the session the chairman or acting chairman and two members of the polling station shall always be present. The chairman shall decide who will act as 3rd, 4th and 5th member of the polling station. A record shall be kept of all changes in the composition of the polling station with due mention of the reason for and the time of the replacement.

## **The Arrangement of the Polling Station**

### **Article 93**

1. Copies of this decree, a copy of the decisions concerning the elections, as well as a copy of the voters' list shall lie on the table in the polling station.
2. The table shall be placed in such a way that the voters can observe the actions of the polling station committee.
3. The ballot box, made in accordance with the provisions laid down by state decree, shall be placed near the table. If a ballot box is completely filled with ballots, an empty ballot box shall be placed near the table.
4. A ballot box shall be closed with two different keys, one of which is held by the chairman. The other key shall be held by a member of the polling station who has been appointed by the chairman.
5. If there is a tie when the polling station committee has to take decisions, the chairman shall have the decisive vote.

### **Article 94**

1. Beyond the space meant for the public, one or more reading desks shall be placed in the polling station, apart from one another. Access to these desks should be in clear view of the polling station committee and the public.
2. The further arrangement of the polling station shall be laid down by state decree.

## **The Ballot**

### **Article 95**

1. On the side of the ballot to be used in the election, a summary list of the candidates participating in the election is printed, in the same manner as introduced to the electorate. An uncoloured representation of the party symbol of the political organization involved, is added.

The reverse side of the ballot bears the seal of the state or another identifying mark made with a punch or clipper.

2. The design of the ballot shall be further laid down by state decree.



## Article 96

1. An adequate number of ballots should be available in every polling station. These ballots shall be sent to the polling station in one or more sealed packages, on each of which the number of the ballots contained therein must be mentioned.
2. Only the ballots referred to in Article 95, paragraph 1 shall be used for the Polling.
3. The chairman of the polling station committee shall ensure, before the commencement of the polling, that a sufficient amount of indelible election ink is available at his polling station.

## Polling

## Article 97

1. Before the commencement of the polling, the polling station committee shall open the package containing the ballots in time, count the ballots and close the ballot box(es) after having ensured that it (they) are completely empty.
2. Only the persons who are entitled to vote shall be admitted to the polling, insofar as they are in possession of the polling card which was sent to them or was issued pursuant to Article 90, paragraph 4. He who can identify himself to the satisfaction of the chairman by means of an identity card issued in virtue of the Identification Act, who appears on the voters' list, and to whom Article 90, paragraph 4 applies, shall also be permitted to vote.
3. Before admitting an individual to the polling, the polling station committee shall require that his identity be satisfactorily ascertained.

## Article 98

1. The voter shall present his polling card at the polling station if such a card was issued to him.  
  
A person acting as proxy as referred to in Chapter IX shall also submit the power of attorney.
2. The polling station shall thereupon inspect the voter's fingers for traces of election ink. If, according to the polling station, traces of election ink appear on one or more of the voter's fingers, the voter shall not be permitted to cast his vote.
3. If no election ink is detected on the voter's fingers, he shall be admitted to the polling only after he has dipped the extreme joint of the little finger of his left hand in election ink. If, due to his physical condition, the voter is not able to perform this act according to the polling station, he shall dip another finger in the election ink. If it appears that this act is impossible as well, the polling station shall exempt him of this requirement.
4. The chairman shall call, in a clearly audible manner, the name of the voter and the number under which he appears on the voters' list.
5. Every voter who is admitted to the polling shall receive from the chairman a ballot which is folded to the side on which the boxes are printed. The ballot is handed over after the chairman, in the presence of the voter, has placed his signature on the side that bears the state seal. Two members of the polling station shall record the number of ballots issued.

## Article 99

The voter thereupon immediately proceeds to a reading desk which is not in use and casts his vote by colouring with a red pencils.

- a. the white round in the black square placed on the ballot in front of seats to be filled in the Local Council concerned, in case of an election for a Local Council;
- b. the white round in the black square placed on the ballot in front of the name of a candidate of his choice, thereby also indicating the political organization of his choice, in case of an election for the National Assembly.

#### **Article 100**

1. Before the voter may deposit the ballot in the ballot box, the chairman shall ascertain without touching the ballot, that the ballot bears, on the outer side, the prescribed seal and mark as well as his signature.
2. A member of the polling station committee shall record, by placing his initials beside the voter's name on a copy of the official voters' list, that the voter has participated in the polling.

#### **Article 101**

1. A voter may, if he has made a mistake in filing in the ballot, request another ballot only once, provided that he returns the first ballot that was handed to him.
2. The returned ballot shall immediately be rendered unusable by the chairman in a manner to be prescribed by state decree.

#### **Article 102**

The polling station may allow a voter to have himself assisted if he is physically disabled.

#### **Article 103**

1. The voter who, after a warning, does not comply with this decree or with the provisions laid down for the execution thereof, shall not be admitted to the ballot box and shall be compelled to return the ballot in case this has already been handed to him.
2. The voter who is admitted to the polling, but refuses to deposit his ballot in the ballot box, shall also be compelled to return the ballot.
3. The returned ballot shall be rendered unusable by the polling station in a manner to be prescribed by state decree.

### **The Order in the Polling Station and Interruption of the Polling in Case of Disorder**

#### **Article 104**

1. During the time the polling station is in session, the voters are entitled to be present in the polling station, insofar as the order is not disturbed and the polling is not impeded.
2. The voters may not be armed when they enter the polling station, unless they are members of the armed forces or carry a weapon that forms part of their official attire or the outfit worn by them with permission of the public authorities under which they resort .
3. If the voting does not proceed in accordance with the decree, the voters who are present in the polling station may raise objections. The polling station shall make mention thereof in the official report of the proceedings.

#### **Article 105**

1. The polling station committee is charged with maintaining the order in the polling place.
2. Only if called in and only to restore the order, may any member of the armed forces be in the polling station or the entries thereto.
3. The civilian and military authorities are obliged to comply with a request thereto by the polling station.

## **Suspension of the Polling**

### **Article 106**

1. If the polling station committee is of the opinion that the disorder in the polling place or its entries renders the proper continuance of the polling impossible, this shall be declared by the chairman.

Polling shall immediately be suspended and shall resume after the chairman declares that the order has been restored. If the order is not restored on the day of the election, polling shall be resumed the following day, or if this is a Sunday or a holiday, on the day following thereupon, at 07.00 hours. A notification of when the polling is to be resumed shall be posted on the door of the polling station.

2. The ballot box(es) is (are) immediately closed and sealed in the presence of the voters present in the polling station.

### **Article 107**

1. The following shall then be placed in separate packages, which are sealed:
  - a. the key with which the ballot box has been locked;
  - b. the unused ballots;
  - c. the ballots returned and rendered unusable;
  - d. the polling cards that were submitted;
  - e. the voters' lists;
  - f. the written powers of attorney.
2. An official report is drafted of the suspended session, in which report the activities referred to in the first paragraph shall also be mentioned.
3. The form and design of the official report shall be determined by state decree.
4. The polling station shall immediately send notification of the suspension to:
  - a. the President;
  - b. the Central Polling Authority;
  - c. the main polling station of the electoral district concerned.

### **Article 108**

1. Immediately after the official report referred to in the preceding Article has been signed, it is submitted to the commander of the nearest police station. together with the ballot box ( es ) and the sealed packages, by the chairman of the polling station. The person who has taken the ballot box(es) and sealed packages in custody, shall hand these over to the polling station committee on the day the polling is resumed, before the commencement of the voting.
2. The packages are opened before the polling is resumed.
3. The resumed polling, if it takes place on another day than the day fixed for the election, shall last until 14.00 hours.

**Article 109**

As soon as the time allotted for the voting by Articles 89 and 108 has elapsed, this shall be announced by the polling station and only the voters still present in the polling station at the time of the announcement shall be allowed to cast their votes.

## CHAPTER IX VOTING BY PROXY

**Article 110**

1. Persons entitled to vote by proxy are:
  - a. the voter who is appointed chairman, member or substitute member of a polling station or main polling station, which is not situated in the electoral district where his name appears on the voters' list; {extension:::the members of the Central Polling Authority, the members of the Independent Electoral Council and its local observers:::}
  - b. the voter who belongs to the Corps of Suriname or to the National Army and who, on account of duties on the day of the election, is not present in the electoral district in which his name appears on the voters' list.
2. Only a person whose name appears on the same voters' list as that of the person who has given him power of attorney may act as proxy. Only one proxy per person shall be allowed.
3. The voter referred to in the first paragraph shall direct himself at least six days before the day fixed for the elections to the District Commissioner of the administrative jurisdiction in which he appears on the voters' list. He shall submit a certificate of the person he wishes to appoint as his proxy, from which it appears that the person concerned is willing to act as such. Thereupon the voter signs the power of attorney in the presence of the District Commissioner, who then adds a signed authorization thereto that the requirements referred to in this decree have been met.
4. The Minister in charge of Home Affairs shall determine models for the above mentioned power of attorney and authorization.
5. All provisions which apply to the voter shall also apply to the proxy, provided that in execution of Article 98, the chairman of the polling station shall read out the name of the proxy, as well as the number under which he appears on the voters' list.

**Article 111**

The rights and obligations of the voter shall also apply to the Proxy who is in a polling station.

**Article 112**

1. The proxy may not cast his vote if he knows that the person who gave him proxy has died.
2. A vote cast by a deceased proxy-giver shall be deemed to have been validly cast nevertheless.

## CHAPTER X THE CLOSING OF THE POLLS AND THE TASK OF THE POLLING STATIONS IN COUNTING THE VOTES

**The Closing of the Polls and the Sealing of Packages**

**Article 113**

1. The doors of the polling station shall be closed on the hour indicated in Articles 89 and 109. The voters who are present in the polling station after the doors are closed may still cast their vote.
2. The polls are closed as soon as the last ballot has been cast.

**Article 114**

1. Immediately after the polls have been closed, the polling station shall determine:
  - a. the number of persons who voted;
  - b. the number of ballots issued;
  - c. the number of ballots in the ballot box;
  - d. the number of voters who refused to accept a ballot;
  - e. the number of ballots that were returned and were rendered unusable;
  - f. the number of unused ballots.
2. The numbers referred to in the preceding paragraph shall be announced by the chairman to the voters present in the polling station.

**Article 115**

1. The polling station shall thereupon determine how many initials have been placed on the copy of the voters' list and shall provide the certificate with a stamp. The copy of the list is placed in a package, which is sealed.
2. Thereupon, the written powers of attorney that were submitted shall be placed in a package which is to be sealed, together with the certificate of the polling station concerning the number of initials that were placed.
3. Finally, the following are packed in a similar manner:
  - a. the unused ballots;
  - b. the ballots that were returned and were rendered unusable;
  - c. the polling cards that were submitted.
4. After the actions referred to above have been completed, an official report is drafted, in accordance with a model to be determined by state decree. The report must be signed by the chairman and the members of the polling station committee.

**The Counting of Votes****Article 116**

The ballot boxes shall be opened on the day of the elections, with due account given to the fact that the time-span between the sealing of the packages referred to in Article 115 and the opening of the ballot boxes may not exceed one hour, with the proviso that the polling station committee shall not leave the polling station And shall keep the ballot box(es) under its supervision.

**Article 117**

1. If the polling station committee is of the opinion that the disorder in the polling station or its entries renders a proper counting of the votes impossible, this shall be declared by the polling station. The counting of the votes shall be suspended immediately and shall resume after the chairman declares that the order has been restored.

2. The provisions of Articles 106 through 108 shall also apply as much as possible.

### **Article 118**

Immediately after the ballot boxes have been opened, the ballots shall be shuffled, counted, and their total number compared with the number of persons who has cast their vote.

### **Article 119**

1. The chairman shall open the ballots and announce for each ballot:
  - a. the name(s) of the candidate(es) upon whom the vote was cast, if it concerns an election for the Local Council;
  - b. the name of the candidate on whom, and the indication of the political organization on which the vote was cast, if it concerns an election for the National Assembly.
2. The chairman shall thereupon announce for each ballot per list the name of the candidate on whom the vote was cast.
3. The eldest member of the polling station committee shall verify the ballot. Two other members shall keep note of every vote cast.

### **Article 120**

1. The polling station shall determine whether or not a ballot is valid immediately after it has been opened.
2. Ballots are invalid if they have not been used according to this decree and the regulations governing its execution.

Ballots shall also be invalid:

- a. if names have been added to the lists of candidates or if other additions have been made;
- b. if none of the white rounds in the black squares has been coloured red;
- c. if voting for a candidate took place in a different manner than prescribed by Article 99;
- d. if, for the National Assembly, a vote has been cast on more than one Political organization.

Furthermore, ballots shall also be invalid if they bear any indication of the voter or if they have not been provided with the required stamp.

3. Additions shall not include stops, lines, figures, nail imprints, folds, tears, holes and stains, unless these have apparently been made on purpose.
4. The chairman shall immediately announce the reasons for doubt and invalidation, as well as the decision. If any voter present 80 requires, the ballot must be shown. The matter shall be recorded in the official report of the polling station.

### **Article 121**

1. In case of an election for the Local Council, the polling station shall determine the number of votes cast on each candidate on every list.
2. In case of an election for the National Assembly, the polling station shall determine:
  - a. for each list the number of votes per candidate;
  - b. the number votes cast on each political organization.

### **The Activities after the Results of the Polling**



**Article 122**

1. The voters who are present in the polling station may raise objections against the determination referred to in the preceding Article, which must be stated in the official report referred to in Article 3.
2. The opened ballots, valid and invalid, shall be placed in one or more packages, each kind separate, and sealed.
3. An official report is then made of the polling, in accordance with a model to be determined by state decree.
4. The official report of the polling must be signed by all the members of the polling station and must be taken as soon as possible to the main polling station of the district by the chairman, together with the sealed packages mentioned in Article 107, paragraph 1 and Article 115, paragraph 2.

**CHAPTER XI****THE TASK OF THE MAIN POLLING STATION IN DETERMINING THE RESULT OF THE ELECTIONS****Article 123**

The main polling station shall meet as soon as all official reports of the local polling stations have been submitted.

**Article 124**

The main polling station shall determine:

- a. the number of votes cast on each candidate appearing on the list;
- b. the number of votes cast on each political organization per electoral district and per constituency;
- c. the total number of votes cast on candidates and for political organizations in the electoral district;
- d. the number of seats on the District Council should be awarded to political organizations in proportion with the total number of seats won on the Local Councils. If, after the full number of seats have been awarded, there are still seats left over, these seat will be awarded to the political organization with the next highest fraction value. If the fraction value is identical, the lot shall decide.

**Article 125**

1. The chairman shall publish the results of the elections.
2. The voters in the polling station may submit objections, which will be incorporated in the official report.
3. The form and structure of the official report shall be determined by state decree.

**Article 126**

1. If the objections mentioned in the official reports, as referred to in Article 125 paragraph 2, are deemed not implausible and are of such a serious nature that the legitimacy thereof could be of such a serious nature that there would be an appreciable difference in the result of the counting, the determination referred to in article 124 will be suspended and the main polling station may decide to recount the voters of one or more of the polling stations of the electoral district or constituency.
2. If the main polling station decides that in one or more polling stations of the electoral district or

constituency there will be a recounting of the votes, the sealed packages as referred to in Article 118 paragraph 3 will be opened and actions will be taken as mentioned in Articles 118 through 121, and a record of the recounting will be drafted. The form and structure to be given to the official record will be determined by state decree.

3. In the determination as referred to in Article 124, due account is given to the recounting of the votes, and not to the results of the polling stations concerned.

#### **Article 127**

The main polling station will send the records of the counting of the votes together with the documents required to the Central Polling Authority.

### **CHAPTER XII THE TASK OF THE CENTRAL POLLING AUTHORITY IN DETERMINING THE RESULTS OF THE ELECTIONS**

#### **Article 128**

Immediately after the copies of the official reports have been received from all main polling stations, the Central Polling Authority shall commence activities to determine the results of the elections.

#### **Article 129**

1. Candidates for the Local Councils are elected by ordinary majority vote.
2. The Central Polling Authority declares candidates elected according to the order of the number of votes cast on each candidate.
3. In case of an equal numbers of votes, the decision shall be taken by lot.

#### **Article 130**

Candidates for the District Councils are assigned by the Central Polling Authority and declared elected proportionate to the number of seats won by their political organization on the Local Council and the number of seats available on the District Council. The allocation of seats shall take place in accordance with the provisions of Article 124, under d.

#### **Article 131**

1. Candidates for the National Assembly are elected in virtue of the system of proportional representation on the basis of largest average formula with preferential votes.
2. The seats are allocated per district in accordance with the provisions of Article 8.
3. The first seat is awarded to the political organization with the highest number of votes. The remaining available seats are awarded one at a time to the party with the greatest average number of votes.
4. If more than one political organization has the highest number of votes, each of the organizations shall be awarded a seat.
5. If, after a second seat has been awarded, two or more political organizations have the highest average number of votes, a seat is awarded to each of these political organizations.
6. In the cases referred to in paragraphs 4 and 5, the number of seats to be awarded must be sufficient,

or the lot shall decide.

7. The Central Polling Authority shall, after the total number of seats has been awarded to a political organization, divide the number of votes on that list by the number of seats awarded. The candidates who have gained more votes than this amount, have been chosen by preference.

For the rest, and insofar as candidates have gained an equal amount of preferential votes, the seats shall be awarded in accordance with the sequence on the lists of candidates submitted by the political organization.

8. If a political organization has gained only one seat, this seat is awarded to the candidate of that political organization who has gained the highest number of votes.

### **CHAPTER XIII**

#### **ANNOUNCING THE RESULTS OF THE ELECTIONS**

##### **Article 132**

1. The Central Polling Authority shall announce the results of the elections as soon as possible and shall also determine the number of seats won by each political organization in the representative bodies. The announcement is made during a session of the Central Polling Authority. Voters shall have access to the office insofar as the order there is not disturbed and the proceedings are not hampered by their presence.
2. The date and time of the meeting shall be announced in time by the chairman.
3. Voters may not be armed when they enter the office, unless they are members of the armed forces or carry a weapon that forms part of their official attire or the outfit worn by them with the permission of the public authorities under which they resort.
4. The chairman is charged with maintaining the order in the office.
5. Only if called in by the chairman and only to restore the order, may a member of the armed forces be in the office or the entrances thereto.

The civilian and military authorities are obliged to comply with the chairman's request.

6. The voters present in the office may raise objections.

##### **Article 133**

1. After all activities have been concluded, an official record of voting is immediately drafted. This record shall state the results of the elections as well as all objections that have been raised.
2. The official record of voting must be signed by all the members of the Central Polling Authority who are present. It is presented to the President and to the Independent Electoral Council.

##### **Article 134**

The results of the elections shall be announced immediately, with due observance of Article 1, paragraph 1 and Article 29, paragraph 1, by means of placement in the Official Advertiser of the Republic of Suriname and in all newspapers.

##### **Article 135**

1. The chairman of the Central Polling Authority shall send a copy of the official record of voting to the legislative body for which the elections were held.

2. The elected person shall receive a copy of the official record of voting from the chairman, from which his election appears. This, copy shall serve as the person's credentials. The distribution of the copies of the record of voting shall take place through the District Commissioner concerned.

#### **Article 136**

1. The elected person shall sign for delivery of the copy and shall notify the main polling station of the district in writing within fourteen days after the date of receipt whether he accepts his election.
2. If the elected person does not provide the required written notification referred to above within the specified time, he shall be deemed not to have accepted his election.

#### **Article 137**

1. The chairman of the main polling station concerned shall immediately notify the President, the Independent Electoral Council and the Central Polling Authority as soon as an elected person has accepted his election.
2. Such notification shall also be made if a candidate dies before the elections, if an elected person does not accept his election, or if the time-span referred to in Article 136, paragraph 1 has elapsed, as well as whenever seats become vacant due to resignation, death, recall, or for any other reason.
3. If the vacancies referred to in the preceding paragraph concern the National Assembly, the candidates who have not been elected shall take the place in the order in which they appear on the list. If there are no more candidates on a list, the first following deputy candidate shall fill the vacancy.
4. If the vacancies concern a District Council, the seats will be filled by the following candidates on the list for which the seats are vacant, in the order in which they appear on the list.
5. If the vacancies concern a Local Council, a premature vacancy will be filled by:
  - a. declaring elected the candidate who follows immediately on the list of candidates after the member whose seat has become vacant;
  - b. holding new elections, if the member whose seat has become vacant is the only or the last candidate on the list of candidates.

### **CHAPTER XIV SOME SPECIAL CASES WITH RESPECT TO THE ELECTIONS**

#### **Article 138**

1. If an increase or decrease of the number of members of the District Council or Local Council is necessary, this will be brought about in the following elections.
2. If no lists of candidates have been submitted or if on the submitted lists there are fewer candidates than vacant places, the main polling station will notify the President and the Central Polling Authority thereof.
3. New elections will thereupon be held, for which within fourteen days after the notification referred to in the preceding paragraph, the candidates will be nominated on a day to be determined by resolution. Articles 85 and 86 will equally apply in this case.

#### **Article 139**

A member or acting member of the Central Polling Authority, a main polling station or a polling station

may not similarly be a Minister, Deputy Minister, a member of the National Assembly, a member of the judiciary, a member of the State Advisory Council, a member of the armed forces, a member of the Audit Office or of the Constitutional Court, or a candidate or deputy candidate for any elections in which he or she actively exercises the duties as mentioned in this decree.

## **CHAPTER XV GENERAL AND PENAL PROVISIONS**

### **Article 140**

1. The person who has been elected for a representative body shall submit to this body within a time-span of 21 days after his election, his credentials as referred to in Article 135, paragraph 2, as well as an extract from the Register of Births or, if he cannot produce this, a deed of acquaintance from which his age appears, and a document issued by himself, stating all public functions he holds.
2. If he does not meet these requirements within the specified time, he shall be deemed not to have accepted his election.

The representative body shall notify the President hereof as soon as possible.

3. The provisions of Article 137, paragraphs 3, 4 or 5 shall then apply.

### **Article 141**

1. The members of the representative bodies submit their resignation at all times.
2. This resignation is sent to the President, who notifies the representative body.
3. If a member of the National Assembly or any other representative body no longer meets the requirements, he shall no longer be allowed to be a member of the National Assembly or any other representative body.

### **Article 142**

1. He who submits a list of candidates and deputy candidates as referred to in Articles 44 paragraph 1, 60 and 76 paragraph 1, knowing that it is provided with the signature of one or more persons who are not entitled to participate in the elections for which the list has been submitted, while without the signatures or signatures concerned an insufficient number of signatures would remain on the list, shall be punished with imprisonment not exceeding three months or a fine not exceeding Sf. 1,000 (one thousand guilders).
2. He who knows he is not entitled to participate in the elections and signs a list of candidates or deputy candidates meant for submission, shall be threatened with an equal punishment.

### **Article 143**

The voter who is not acting as a proxy in the sense of Article 110 or who, acting as a proxy, has accepted more than one power of attorney, and submits a power of attorney to one or more polling stations in order to cast his vote more times than is permitted, shall be punished with, imprisonment not exceeding one year or a fine not exceeding Sf. 1,000 (one thousand guilders).

### **Article 144**

1. He who submits a list of candidates or deputy candidates, knowing that it is provided with a signature of one or more persons whose signature also appears on another list of candidates that has already been submitted, whilst without the signature(s) concerned, there would be insufficient

signatures for a valid list of candidates or deputy candidates, will be punished with imprisonment not exceeding three months or a fine not exceeding Sf. 1,000 (one thousand guilders).

2. He who has signed more than one list of candidates or deputy candidates, intended for submission, shall be threatened with equal punishment.

#### **Article 145**

The voter who does not meet the obligation laid down in Article 103, paragraphs 1 and 2 to return the ballot, shall be punished with an imprisonment of no more than fourteen days or a fine not exceeding Sf. 200 (two hundred guilders).

#### **Article 146**

The offences mentioned in Articles 142 through 144 shall be considered as crimes, and those mentioned in Article 145 as offences.

#### **Transitional and Final Provisions**

#### **Article 147**

The terms for the first elections for the composition of the representative bodies in the year 1987, shall, by way of exception, be determined by state decree.

#### **Article 148**

For the elections of 1987 of representative bodies, the Independent Electoral Council shall also function as Central Polling Authorities.

#### **Article 149**

1. This decree, which may be quoted as "Electoral Law", shall be published in the Official Gazette of the Republic of Suriname and shall become operative on a date to be determined by the President.
2. When this decree becomes operative, the Franchise Act shall be cancelled (valid text of Official Gazette 1977 no. 53).

\*) Became operative on 29 September 1987, in Official Gazette 1987 no.63.

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