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Elections (General) Regulation

individuals who wishes to do so from all inhabited islands.

- (c) The following information shall be included on the publicized electoral roll.
 - (1) Full name
 - (2) Date of birth
 - (3) Genders
 - (4) Permenant Address [specifying the address, atoll and island]

Complaints regarding the 4. electoral roll

In accordance with Section 10 of Law Number: 11/2008 (Elections (General) Act). Complaints regarding the electoral roll with respect to the information provided on the electoral roll, or an amendment that needs to be brought to the electoral roll, or a misinformation on the electoral roll shall be submitted to the focal points appointed by the Elections Commission or to the Elections Commission via the Complaint Submission form within the timeframe for complaint submission, The Elections Commission shall facilitate the availability of the Complaint Submission Form on the official website of the Elections Commission and secretariats of atoll/city/island councils.

Directing complaints 5. regarding the electoral roll to the Elections Commission

Complaints regarding the electoral roll received by the island/atoll/city focal points appointed by the Elections Commission and committees shall be directed to the Elections Commission on the same day as the receipt of it.

Amendments to the 6. electoral roll

- (a) No modifications shall be brought to the electoral roll except for the complaints

submitted in accordance with Section 10 of Law Number: 11/2008 [Elections (General) Act] and any amendments brought forth by the State entity responsible for overseeing matters related to national registration. No additional amendments shall be brought forth to the electoral other than those amendments brought within this period.

Amendments may be brought to the electoral roll with respect to requests for modification submitted in writing by the following means.

- (1) Following the verification from State entities, an individual may be added to the electoral roll upon the submission of a complaint regarding a name omitted from the list with an original or a copy of an official document confirming Maldivian citizenship that verifies that the individual will be 18 (eighteen) years of age on Election day. This document shall provide information on the full name, registered address, date of birth, gender, and national identity card number of the applicant.
- (2) An individual may be omitted from the electoral roll upon the submission of a complaint with an original or an attested copy of an official document confirming that the individual ought to be omitted from the electoral roll.

- (3) Information on the electoral roll may only be modified upon the submission of a complaint with an original or an attested copy of an official document confirming that that the proposed modification is valid.
 - (4) In order to omit the name of a deceased person from the electoral roll, only the death verification form, residents registry or any other official document issued by a State entity confirming the death of the individual shall be regarded as a valid document.
- (b) The Elections Commission shall archive and maintain records of the information relating to complaints received with respect to the electoral roll, identifying the type of complaint and action taken with respect to the complaint.
- (c) In accordance with Section 9 (a) of Law Number: 11/2008 [Elections (General) Act] the finalized electoral roll for all elections shall be publicized and shared with the political parties and candidates. Only individuals whose names are included in the final list publicized by the Elections Commission shall be eligible to cast their vote in any given elections. However, under circumstances where an individual's name has not been included on the electoral roll at the voting station due to an administrative error, but is included on the publicized electoral roll, the

Elections Commission shall facilitate the individual to cast vote in the elections.

- (d) The Elections Commission and the candidates or representatives of the candidates or a party appointed by a candidate shall affix their signature and thumbprint on the final version of the electoral roll acknowledging its validity. Under the circumstances where a candidate or a representative of a candidate or a party appointed by a candidate fails to affix their signature on the final version of the electoral roll within the given time frame, it would be presumed that they had renounced the right.

**Publication and use of the 7.
electoral roll**

- (a) The electoral roll published on the Government Gazette shall be published and available from the website of the Elections Commission, from the date of its publication on the Government Gazette until the publication of the final results of the presidential election results.
- (b) The registry of the voters who voted in any elections shall not be disclosed to any party, except as required under the authority of a court order.

**Registering to vote in an 8.
Island other than the
resident Island**

- (a) A person eligible for voting in accordance with Section 12 of Law No 11/2008 (Elections (General) Act on Elections), not residing in the Island registered as the permanent address of the person on the day of voting, and wishes to vote in any elections while, residing in another inhabited island of the Maldives or a Resort or

an industrial islands or in any other country designated for voting, such person(s) shall re-register at their place of residence on the day of voting, in accordance with sub-section (c) of this Section.

- (b) Ballot boxes may only be placed at locations designated by the Elections Commission in the Maldives and abroad. Ballot boxes may only be placed in resorts, industrial islands, or in foreign countries where the number of individuals requesting to re-register to vote at those places exceeds a set number determined by the Elections Commission.
- (c) Persons residing in islands or places other than their resident addresses, who wishes to register for voting shall submit their information to the Commission or a place designated by the Commission as per the instructions of the Commission publicly announced, using the form “Registration form for voting in an island other than the resident island” or through any other mechanism prescribed by the Commission, within the period prescribed by the Commission. Accordingly, since it would not be possible to verify the validity of the forms submitted directly to the Elections Commission or to another party designated by the Commission via email, forms submitted through those channels shall not be accepted.
- (d) In accordance with sub-section (a) of this Section, a person residing in a place other than

the registered residence of that person who is residing in a place in which a ballot box is to be placed by the Elections Commission, the person shall be registered for voting in that place, following an application for registration in that place being made within the time period prescribed by the Commission. And the Elections Commission shall make arrangements for that person to vote in that place on the voting day. Notwithstanding the aforesaid in this Section, that place shall be a place where the Elections Commission has decided to place a ballot box. The Elections Commission shall publicly announce the procedure to be followed by persons who have made submissions for registration to a place where the Elections Commission is not placing any ballot box.

- (e) A person having notified and registered in a place other than the place of registered residence with the Elections Commission in accordance with sub-section (c) of this Section shall not be able to vote on the day of voting in a place other than the place registered with the Elections Commission.
- (f) Under circumstances where the number of individuals requesting to re-register at a resort, industrial island, or foreign country within the given time frame does not exceed the numbers set by the Elections Commission, a ballot box shall not be placed at the location. The Elections Commission shall allow these individuals to re-

register at a location where a ballot box is set to be placed.

Registration for the second round of elections 9.

(a) Under circumstances where a second round of an elections requires to be held, only the individuals who wishes to cast their vote at a ballot box different from the one they had cast vote for in the first round, and individuals who have turned 18 (eighteen) years of age for the second round of elections shall re-register to vote at a location of their preference.

(b) Registration pursuant to sub-section (a) of this Section shall be carried out in accordance with the instructions published by the Elections Commission.

Notice of Elections 10.

The Elections Commission shall make a public announcement that the elections are being held in accordance with the manner specified in Section 13 of Law Number 11/2008 (Elections (General) Act).

Notice of candidates 11.

From the period commencing from date of expiry of the period granted to submit applications to contest in the elections until the period stipulated in the special law enacted for that particular election, the Elections Commission shall publicly announce the names of the candidates contesting in the election, in accordance with Section 14 of Law Number 11/2008 (Elections (General) Act) after ordering the names of the candidates.

Requirements of electoral candidates 12.

Where the Constitution of the Maldives or a legislation specifies the criteria to be satisfied by an

individual to contest for a specific election, such criteria have to be satisfied by individuals contesting for that election.

**Submission of application 13.
to contest in the elections**

When the Elections Commission announces calling out for applications to contest in the elections, those who wishes to contest in the elections shall submit their applications in accordance with such announcement. The Elections Commission shall grant the timeframe specified in the relevant special law on those particular elections, to candidates wishing to submit their applications.

**Approval of emblems to be 14.
used for campaigning**

A logo or emblem stipulated in Section 14 (1) (d) of Law Number 11/2008 (Elections (General) Act) shall be submitted to the Elections Commission for its approval. When approving the logo or emblem, if the same logo or emblem has been submitted by more than one parties, priority shall be given to the party who submitted it first. If a candidate is applying on behalf of a political party, the logo of that party can be used. The logo of a political party or a similar logo cannot be used by another person or party other than the party to whom the logo belongs to.

**Depositing the 15.
administrative fee**

(a) The Elections Commission shall issue a receipt acknowledging the deposit, once the candidates contesting in the elections has deposited the administrative fee required to be paid to the Elections Commission.

- (b) The administrative fee payable to contest in elections shall be made through the Government payment system.

**Communicating the 16.
decision regarding the
candidacy**

Where the candidacy of any person whose candidacy has already been accepted pursuant to Section 21 of Law Number 11/2008 (Elections (General) Act) gets rejected for any reason, the decision on the candidacy of that person will be made by the Supreme Court of the Maldives.

**Ordering the names of 17.
Candidates**

- (a) The ordering of names should be done through draw among the candidates eligible to stand for election in the presence of the candidates or their appointed representatives in accordance with this Regulation.

- (b) An announcement should be made by the Elections Commission informing the candidates of the date and time that the draw will be taken.

- (c) If the candidate appoints a representative on their behalf, the representative should be sent with documents of the appointment of the representative, along with a copy of the national identity card. The document should contain the full name, address and the national identity card number.

- (d) Where a candidate or a representative of the candidate is absent for the draw, the Elections

Commission shall appoint a representative on behalf of that candidate.

- (e) The ordering of names of candidates as per (a) of this Section shall be carried out only among those candidates whose candidacy has been accepted by the Elections Commission.
- (f) The draw shall be taken will be taken in order of the submission of the forms to the Elections Commission, from the candidates wishing to contest in that specific election.

18. Pursuant to the right to campaign granted for candidates by virtue of Section 28 of Law Number 11/2008 (Elections (General) Act), candidates may engage in the following as part of their campaign activities.

1. Meet and speak with people
2. Have peaceful assemblies
3. Use of the media
4. Send letters to the electorate of the electoral constituency or distribute photos, stickers or writings or display such items.
5. Use emblems or carry or use items with emblems on them.
6. Advertisements and use of billboards
7. Holding shows
8. Holding rallies and vehicle rounds
9. Using the internet and social media.

Code of conduct

19. (a) All persons working to gain support in the elections shall adhere to the code of conduct prescribed herein.

1. Not making propositions to any person of the nature that belonging to a particular region of Maldives, or speaking a particular dialect, or due to their faith in a particular sect of Islam or the basis of their gender differences to be regarded as a reason to vote or to abstain from exercising their right to vote.
2. A meeting held to obtain support for a party or a candidate shall be held in accordance with the relevant laws and regulations.
3. A speech of any kind shall not be given on different religious occasions, religious preaching and sermons to gain or diminish support for a particular candidate or party.
4. No efforts shall be made through lessons used in teaching institutions, colleges and universities to gain or diminish support for a particular candidate or a political party.
5. State office buildings and compounds other than teaching institutions and social centers shall not be used for

campaigning. The compound area and halls of teaching institutions shall be used after obtaining permission from those places. Permission to use such places for campaign purposes shall be given on an equivalent basis between all persons requesting for its use, in a manner not likely to disrupt the services being rendered in the place.

6. No candidate or person(s) supporting a candidate shall do an act to cause interference with a gathering being held to gain support for another candidate.
7. No candidate or person(s) supporting a candidate shall remove, damage or destroy a poster, logo or a symbol representing a candidate, placed by another candidate or the party representing the candidate or person(s) supporting the candidate for the purposes of gaining support.
8. A meeting shall not be arranged by a party representing a candidate or by person(s) supporting another candidate at the same time in the same place where another candidate or party representing a candidate is holding a campaign gathering or meeting.

9. The permission of the owner shall be obtained before placing any material used for campaigning in the election on another person's house, building or land (As such permission to place the said material on a state land, building or place shall be given equally to all persons requesting for permission).
10. It is the responsibility of the person/party who put up advertisements, billboards and banners and the similar items for gaining support in elections, to remove and clean the place within 10 (Ten) days from the date of announcement of the official election results.
11. At the time of a gathering being held to gain support, where any person disturbs the campaign and attempts to disrupt the arrangement of the place, the assistance of police services and relevant authorities shall be obtained to resolve disruptions caused rather than taking personal actions to resolve the matter.
12. An act likely to diminish the character of any person shall not be done in efforts made to gain support for a candidate.
13. No person shall force or threaten any person in any way by asking to vote or not to vote in a specific.

14. Money and gifts shall not be given to any person as bribery to vote or not to vote for a particular person. And any act or proposition to incur a financial or economic benefit shall not be done or made.
 15. Speech contradicting a tenet of Islam and acts causing disrespect to Islam shall not be done in efforts to gain support for a candidate.
 16. Any act contradicting the Maldivian Laws and Regulations shall not be committed in obtaining support for a candidate.
- (b) No person shall commit any act in any effort to support a candidate or to refrain from supporting a candidate, that will be detrimental to the electoral rights of any candidate. The following acts shall be deemed as acts that are detrimental to the electoral rights of the candidates.
1. Interfering with the personal life and personal matters of another candidate in a speech given by a candidate to gain support for a candidate or in any other way.
 2. Speaking based on unsubstantial allegations or in a manner so as to misrepresent an incident that has

occurred, in relation to a candidate or with regard to the political party to which a candidate belongs.

3. Inciting hatred and violence amongst people.
4. Interference by another candidate or supporters of another candidate to shows, rallies and vehicle rounds conducted by a candidate to gain support or held to gain support for a candidate.

Broadcasting

- 20.** (a) All broadcasters should act in accordance with the provisions stated in Section 30 of Elections (General) Act when broadcasting content related to the elections. It is the responsibility of Maldives Broadcasting Commission to set a system in place that will accommodate acceptance of a complaint and investigating non-compliance with the said rules.
- (b) If a complaint has been submitted to Maldives Broadcasting Commission under subsection (a) of this section, Elections Commission should be informed.

List of Individuals stationed at voting station (List of officials)

- 21.** (a) Only the full name, address and capacity at the voting station shall be shared when the list of individuals stationed at the voting stations (List of Officials) is shared with the candidates as per Section 33 of Law No: 11/2008

(Elections (General) Act), or when the list is published by the Elections Commission.

- (b) Individuals on the list shared with candidates and the list published by the Elections Commission should not be subjected to threats of violence or any other forms of intimidation in order to influence their actions or decisions.

Determining the area where ballot box is located

22. The Elections Commission shall determine and announce the number of ballot boxes and the voting stations and the voters who will be voting for the said ballot boxes in each island, based on the eligible voters for each island.

Voting Booth

23.

- (a) Each voting station shall have at least 1 (one) voting booth for marking the ballot. Voting booth shall be located at place where the marking of the elector on the ballot is not visible to others.
- (b) Voting booth shall be placed in a manner that is easily visible to the officials and observers at the voting station and where the movements of the elector (illegal acts such as photographing ballot) are easily visible or noticeable to officials and observers.

Observing Elections

24.

- (a) Elections Commission shall announce that application for individuals wishing to apply to participate in the elections as observers has been opened.
- (b) An individual seeking to be an observer must not have submitted an application for any other position within the elections.

**Observing of the Election 25.
by Maldivian parties**

- (a) Permits will be granted to Maldivian parties wishing to observe the election proceedings, provided that the applicants satisfy the criteria outlined in section (b) of this Section. The applications must be submitted in accordance within a mechanism established by the Elections Commission.

- (b) Maldivian parties seeking to observe the election must meet the following criteria.
 - 1. Must be a Maldivian citizen who has reached the age of 18 (eighteen) years.
 - 2. Must not be a convict serving sentence for a criminal offense.
 - 3. Except for political parties, civil societies and individuals intending to observe the election must not be registered with a political party.
 - 4. Must not be a person undertaking work related to an election on behalf of the Elections Commission.
 - 5. Must have read and agreed to abide by the code of conduct prescribed by the Elections Commission for individuals involved in the electoral process.
 - 6. Must not have been subjected to disciplinary action or convicted of an election related offense within the last 5 (five) years.

- (c) Observer passes allocated to Political Parties and Associations shall be distributed in such a

way that the number of passes issued to each Political Party and Association does not exceed 10 (Ten) percent of the total number of ballot boxes designated for voting in the election.

- (d) The observers permit issued to Political Parties and Associations must be used in a manner stipulated by the Elections Commission.
- (e) A second observer from a Political Party or Association shall not enter a voting area if another observer representing the same Political Party or Association is already present in that area.

**Observing of the Election 26.
by International parties**

- (a) An international party can observe the elections upon invitation by the Elections Commission or by applying when an announcement is made that application has been opened as per this regulation. provided that the applicants satisfy the criteria outlined in section (b) of this Section.
- (b) International parties seeking to observe the election must meet the following criteria.
 - 1. An individual who has reached the age of 18 (Eighteen).
 - 2. Shall be a person accredited by the international organization the person is representing.

3. Shall not be a person campaigning to gain support for any Political Party or a candidate.

(c) International Parties interested in observing must submit their applications using the form designated by the Elections Commission.

**Declaration of Observers, 27.
Code of conduct**

All individuals who participate in the elections as observers under this Regulation must abide by the code of conduct set forth under the regulations specific to the election. The code of conduct must be shared with the announcement made for that election.

Monitoring

28.

(a) Only individuals authorized by this Regulation and those appointed by a media and broadcaster registered under the appropriate authority are permitted to function as Reporters within the voting area and voting station, with the purpose of monitoring the voting proceedings.

(b) The Election Commission must publicly announce the initiation of the opportunity for individuals to engage as monitors and oversee the voting proceedings. Applicants who submit their application within the specified timeframe should be granted the permits in accordance with this Regulation, at least 10 (ten) days prior.

- (c) Permission to Monitor the voting proceedings as reporters will be granted to applicants that satisfy the criteria outlined in section (d) of this Section. The applications for permission to monitor the elections as reporters must be submitted in accordance with the procedure established by the Elections Commission.

- (d) Individuals who wish to monitor the elections as reporters must meet the following criteria.
 - 1. An individual who has reached the age of 18 (eighteen).

 - 2. Must not be a convict serving sentence for a criminal offense.

 - 3.
 - (a) Must be an individual verified by the Elections Commission, to be working for a Radio/TV Station registered under Maldives Broadcasting Commission.

 - (b) Must be an individual verified by the Elections Commission, to work for a newspaper registered under Law No: 47/78 (Publications Act).

 - (c) Must be an individual verified by the Elections Commission, to work for a international media outlet.

4. Must not be a person undertaking work related to an election on behalf of the Elections Commission.
 5. Must not be an individual who has applied for any other position within the elections.
 6. Must not have been subjected to disciplinary action or convicted of an election related offense within the last 5 (five) years.
 7. Must have read and agreed to abide by the code of conduct prescribed by the Elections Commission for individuals involved in the electoral process.
- (e) Permits will be granted to registered newspapers and media outlets in a manner that there will be no more than one of them at each voting and ballot counting area.
- (f) Individuals who have been given permit to monitor the elections may take photo, record video and audio of voting area as per rules below.
1. maintain a distance of at least 10 (ten) feet from the voting booth.
 2. Avoid causing disruptions to individuals who are in the process of counting votes at the polling station.

(g) Those who have been given permission to participate in the elections as monitors must display the permits provided by the Elections in their attire.

(h) Those who participate in the elections as monitors must comply with the code of conduct stipulated by the special regulation of the elections.

**Representative of 29.
Candidates**

(a) The Elections Commission must issue a public announcement giving opportunity to submit the names of the representatives of candidates who will be appointed to voting stations in accordance with section 42 of Law Number 11/2008 (Elections (General) Act).

(b) Permits will be given to representatives of candidates appointed to voting stations who apply within the specified timeframe as announced by the Elections Commission to those applicants who meet the qualifications under (c) of this section. The applications process will be carried out in accordance with the procedure prescribed by the Elections Commission.

(c) Representatives of candidates appointed to voting stations must meet the following criteria.

1. Must be a Maldivian citizen who has reached the age of 18 (eighteen) years.
2. Must not be a convict serving sentence for a criminal offense.
3. Must not be a person undertaking election related work on behalf of the Elections Commission.
4. Must not be a judge or a member/head of an independent commission
5. Must not be a member of the Maldivian Defense Force or Police Services.
6. Must not be an accused in detention.
7. Must not be an individual who has applied for any other position within the elections.

(d) Each candidate may only appoint one (1) representative for every voting station to oversee voting process and ballot counting on the voting day.

(e) Candidates' representatives designated to voting stations under this Regulation are required to display the permits issued by the Elections Commission on their attire while performing their duties within the designated voting area during the ballot process. These permits must be used in accordance with the guidelines stipulated by the Elections Commission.

(f) Those who participate in the elections as representative of the candidates must comply

with the code of conduct stipulated by the special regulation of the elections.

29-1 Regardless of whether individuals serving as observers, monitors, and candidates' representatives meet the qualifications outlined in this Regulation, if an individual has been convicted of an election-related offense within the preceding 5 (five) years or if the Elections Commission has determined that the individual has breached the electoral code of conduct, the Elections Commission reserves the right to withhold the issuance of permits for such individuals to fulfill roles as observers, monitors, and candidates' representatives.

**Code of conduct for 30.
representatives of
candidates, observers and
monitors**

- (a) All individuals engaged in monitoring and observing the electoral process must comply with the code of conduct stipulated by the Elections Commission.
- (b) Observers, monitors and representatives of candidates are allowed to be present during the voting process and ballot counting in a manner that will not disrupt the process.
- (c) Head Official of the voting station shall have the discretion to provide the observers, monitors, and representatives of candidates with the information regarding the number of individuals who have voted at any given time and the remaining number of ballot papers at the voting station.

- (d) Observers, monitors, and representatives of candidates shall provide full support and assistance in election related matters to the officials appointed by the Elections Commission. They shall not do anything to influence the work of the said officials.

**Violation of the Regulation 31.
by observers, monitors,
representations of the
candidates**

The Head Official of the voting station is authorized to revoke the permits of observers, monitors, and representatives of candidates and instruct them to leave the area, where they engage in or is ascertained that they will attempt to engage in activities in violation of Law Number 11/2008 (Elections (General) Act), Special Acts in relation to Elections, Presidential Elections Act, and this Regulation. In case of non-compliance with the instructions, security officials have the authority to confiscate the permit and escort the individual out.

**Announcement of voting 32.
process**

Election Commission shall announce details pertaining to the voting process, prior to the voting day.

**Things prohibited on the 33.
day of voting**

In addition to those acts prohibited on the voting day as stipulated in Section 44 of Law Number 11/2008 (Elections (General) Act), a person entering the voting station for the purpose of voting shall not bring anything other than a pen into the voting station. It is also prohibited to bring any devices such as phones, handbags, audio or video recording devices into the voting station that may infringe the rights of candidates.

- Preparations for Voting** **34.**
- (a) The individual appointed by the Elections Commission shall ensure that all necessary materials for voting are arranged and delivered to the voting stations, under the custody of officials of voting station, prior to the designated commencement time of the voting process.
 - (b) All voting stations shall have a list of eligible voters registered for voting in that station. The full name, gender, atoll, island, address, date of birth, and Maldivian identity card number of all persons in that list shall be included.
 - (c) Every voting center shall have mechanism to ensure identities of person wearing niqab or person whose face is covered.
- Assisting physically challenged persons to mark the ballot** **35.**
- (a) It is permissible for a person who is physically challenged to be assisted by another person to mark the ballot paper, with the permission of the official in charge of the ballot box.
 - (b) The following persons shall be considered as persons who are physically challenged to mark on the ballot paper, requiring assistance in voting.
 - 1. Persons who are blind or are visually impaired to place a mark on the ballot paper.
 - 2. Persons who are unable to use both hands.

3. Elderly persons, who are unable to use their hands to place a mark, due to frailty.

(c) Official in charge of voting station shall not, allow a person who is capable to mark on the ballot paper to use an assistant by regarding them to be physically disabled.

(d) The Election Commission shall arrange voting for persons who are blind or visually impaired in accordance with Section 45-1 of Law Number 11/2008 (Elections (General) Act).

(e) For the purposes of subsection (d) of this section, the relevant authorities shall provide full support and assistance to Elections Commission as required.

Handover of ballot paper 36.

(a) Prior to handover of the ballot paper, electors shall present an official document of to the official in charge of the voting station for the purposes of verification. The document so presented must not have been expired. An elector will be given the opportunity to cast their vote upon comparison of the photograph on their identification document with their face.

(b) The official handing over the ballot paper shall ensure that the correct ballot paper is issued.

- (c) Where an official fail to adhere to this section, necessary measures shall be taken under Section 74 of Law Number 11/2008 (Elections (General) Act).

37. **This clause has been removed and repealed by the 3rd Amendment to this Regulation.**

Responsibilities of those responsible for conducting the vote and counting of ballots

38. Duties related to conducting the vote and counting of ballots shall be stipulated in the Handbook of Election Officials.

Valid votes

39. Ballots marked in the following manner shall be deemed valid.

1. A ballot with check mark correctly on the space provided next to the name of candidates required or less than the requisite number of candidates to be elected.
2. A ballot with a mark that is recognizably to have been placed next to the name of one candidate.
3. A ballot with a mark next to the name of one candidate, which is recognizable as a correct mark, although the direction or the shape of the mark appears different.
4. A ballot with a proper mark next to the name of one candidate or on one candidate's

emblem, although not marked in the box allocated for marking.

5. A ballot deemed valid under a special Law or Regulation for the election.

**Announcement of 40.
preliminary results at the
voting center**

(a) Pursuant to Section 57(a) of the Elections (General) Act, once the preliminary results for the voting center is announced, a signed result sheet of the center shall be publicly displayed.

(b) Once the results of the voting are announced by the voting centers, and the results from the voting centers have been delivered to the main elections headquarters in Male', the Elections Commission shall publicly announce the results of the voting centers and the preliminary results of the electoral constituencies arrived at based on those results.

**Publishing provisional 41.
results of electoral
constituencies**

Announcement of provisional results of the election, in accordance with Section 60 of Elections (General) Act shall be done after verification that the results sent to the Elections Commission are the results that have been announced at the Voting Centers.

**Publishing the official 42.
results of the elections**

Elections Commission shall announce the official results of the election and publish it in the Government Gazette within the period stipulated in the relevant specific laws and regulations enacted for elections. Additionally, the individual elected from the election shall be disclosed in the announcement.

**Establishing Elections 43.
Complaints Bureaus**

- (a) A National Elections Complaints Bureau shall be established by the Commission on announcement of the opening up for applications of presidential candidacies, in accordance with Section 62 of Law number 11/2008 (Elections (General) Act). Additionally, an Elections Complaints Bureau shall be established in every City and Atoll other than in Male, 10 (Ten) days prior to the Election Day.
- (b) Upon the establishment of the Complaint Bureaus pursuant to subsection (a) of this section, the place of establishment of the bureaus, contact numbers, email addresses, and their opening hours shall be publicly announced.
- (c) Atleast 03 (Three) members in the Atoll/City Elections Complaint Bureau shall have educational or professional experience in the field of law.
- (d) Prior to the establishment of the Atoll/City Elections Complaints Bureau, National Complaints Bureau shall be responsible for receiving complaints submitted in Atolls or Cities relating to the Election and taking appropriate measures.

**Procedure on complaints 44.
submitted to Focal Points**

- (a) Where a complaint relating to the Election is submitted to the Focal Point/Committee,

necessary steps regarding the complaint shall be made on a day-to-day basis. Where the Focal Point/Committee is unable to resolve the issue, the advice of the Atoll/City Elections Complaint Bureau may be obtained if the Atoll/City Elections Complaint Bureau has been established and if where the Atoll/City Elections Complaint Bureau has not been established the advice of the National Complaints Bureau may be obtained.

(b) Complaints submitted to Focal Point prior to the establishment of the Atoll/City Elections Complaints Bureau, shall be carried as per the instructions of National Elections Complaints Bureau. Upon establishment of Atoll/City Elections Complaints Bureau, complaints submitted to Focal Point shall be carried as per the instructions from Atoll/City Elections Complaints Bureau.

(c) Election related complaints in Male' City shall be submitted directly to the National Elections Complaints Bureau.

(d) Complaints submitted prior to the establishment of the National Elections Complaints Bureau, shall be submitted directly to the Elections Commission.

**Term of Complaints 45.
Bureaus**

(a) The National Elections Complaint Bureau shall carry on from the date of its establishment, for a period of 14 (Fourteen)

days from the date on which the official election results are announced. Where a second round of the Election is required, the National Elections Complaint Bureau shall carry on for a duration decided by the Elections Commission following the date on which the official election results of the second round are announced.

- (b) Work of the Atoll/City Elections Complaints Bureau will carry on from 10 (ten) days prior to day of voting till a period of 7 (Seven) days after the elections has been concluded. And where a second round of the Elections is required, the Atoll/City Elections Complaint Bureau will carry on for a period of 07 (Seven) days following the completion of election.
- (c) The Elections Commission may extend the term of the Bureau to complete an incomplete work relating to the complaints.

Complaints Officer

- 46.**
- (a) The Chief of the Ballot box at every voting station shall fulfill the responsibilities of the complaints officer and shall be responsible for looking into complaints arising at the voting stations.
 - (b) The complaints submitted to the voting station shall be reviewed and resolved by the complaints officer. Assistance of the Island Focal Point or the Election Commission

Administration shall be sought where the officer is unable to resolve a complaint.

- (c) Complaints may be submitted to the Atoll/City Complaints Bureau or Island's Focal Point where the complainant is dissatisfied with the decision of the Chief of the ballot box or complaints officer in relation to the problems arising at the voting station. If it relates to a complaint in Male', it shall be referred to the National Complaints Bureau if in Male'.

Submission of complaints 47.

- (a) Complaints in relation to elections shall be submitted to the focal points/committees/atoll/city/Election Complaints Bureaus, the National Election Complaints Bureau and the Election Commission. Complaints from islands shall be submitted to focal points/committees established in that particular island. Resorts and industrial islands in atolls shall submit complaints to Atoll Complaints Bureau of that atoll. Complaints from Male', prisons and ballot boxes placed in foreign countries shall be submitted to the National Elections Complaints Bureau.
- (b) Complaints in relation to island focal points shall be submitted to the Atoll Complaints Bureau, if established. If prior to establishment of Atoll Complaints Bureaus, complaints shall be submitted to the Elections Commission. Complaints in relation to the

National Election Complaints Bureau, Atoll/City/Election Complaints Bureaus, Atoll/City/ Focal Points shall be submitted to the Elections Commission.

- (c) Where a complaint is to be lodged at the Elections Commission against of an act in violation of Law Number 11/2008 (Elections (General) Act), special elections Acts and regulations made under these Acts, the details of such complaints, together with the evidence shall be submitted within 5 (five) days from the date of election. Complaints submitted to Focal Points/Committees, Atoll/City/Election Complaints Bureaus, the National Election Complaints Bureau and the Election Commission shall also be treated as those complaints sent to Elections Commission.
- (d) When submitting complaints pursuant to this Section, name, address and a copy of National Identity card of the complainant shall be included. Complaints shall be submitted through the designated form of Elections Commission. If a complaint is to be made by a political party or association or an institution, the complaint form shall bear the stamp of that party and the signature of an authorised person.
- (e) Elections Commission shall inform the action taken in relation to a complaint referred to in this Section to the complainant within 5 (five)

**Investigating and taking 48.
action regarding the
complaints**

days from the date of submission of the complaint.

Immediate action shall be taken on complaints submitted to Focal points/committee/complaints officers at voting stations officers in charge of ballot boxes/Atoll/City, National Complaints Bureau, including with respect to complaints in relation to a violation against the Code of Conduct set forth in this Regulation.

**Registering and 49.
Maintenance of
Complaints**

(a) The Complaints Officers at focal points /committees complaints officers at /voting stations shall maintain a daily register of complaints lodged with the Atoll/City Election Complaints Bureaus and the National Election Complaints Bureau. The registration of complaints shall include the following information.

1. Full name, permanent address, current residential address and identity card number of the complainant;
2. Information of the recipient of complaint (name, address, identity card number if known);
3. Type of complaint filed (with a brief summary of the complaint);
4. Action taken or decision made.

(b) The Focal Point/Committee/Election Complaints Bureau shall investigate the complaints submitted, take appropriate action and send the complaints report of that day to

the National Election Complaints Bureau on a daily basis as directed.

- (c) A report containing the information referred to in subsection (a) of this Section shall be prepared on the complaints submitted to the Election Complaints Bureau and submitted to the Election Commission before the official results of the election are announced by the National Election Complaints Bureau.

**Circumstances where 50.
security envelopes may be
unsealed due to a
complaint**

Election Commission may unseal and recount the special security envelopes containing the ballot papers of voters in the following circumstances.

1. The Election Commission notices any problem in the preparation of the provisional results sent by a voting station.
2. If the Election Commission finds that there is sufficient evidence to investigate a complaint made by a person regarding the results of a voting station, for the purposes of such investigation.
3. A court of law issues an order against the Election Commission to open the special security envelope sealed with the ballot papers.

Any other circumstance that the Election Commission considers as presenting questions as to the validity of the vote.

**Procedure for unsealing 51.
special security envelopes**

- (a) Special security envelopes sealed with ballot papers of electorates shall be unsealed by a

person appointed by the Election Commission in the presence of the candidates or their representatives. The persons so appointed shall not do anything which may prejudice the rights of any candidate. During the counting of votes, no information about the election shall be disclosed to any person other than the Election Commission. However, where information is to be disclosed to a court of law, such circumstances shall be exempt from this provision.

- (b) If the security envelope is unsealed in circumstances provided in Section 50 of this Regulation, candidates shall be notified by email, SMS, letter or fax of the scheduled time and place of the security envelope, 3 (three) hours prior to the scheduled time.
- (c) If the security envelope is unsealed in circumstances prescribed in Section 50 of this Regulation, Election Commission shall allow candidates or persons designated by the candidates to enter a designated place for that purpose.
- (d) A report on the progress of unsealing of the special security envelopes sealed with the ballot papers and recounting of ballot papers shall be submitted to the Election Commission containing the following information, signed by the person in charge, the person who wrote the report and the person who checked it.

1. Voting Station Number.
2. Date and time when the security envelope was unsealed.
3. Time of commencement and completion of counting of the ballot papers in the security envelope.
4. Time at which the security envelope was resealed.
5. Name, address and identity card number of the persons appointed to unseal the security envelope.
6. If any candidate, or a representative of a candidate, arrives to observe the unsealing of the security envelope, the name, address and identity card number of such persons.
7. Number of valid ballot papers in the security envelope.
8. Number of invalid ballot papers in the security envelope.
9. Number of votes received by each candidate.
10. Reason for unsealing the security envelope and information of the person who authorized to unseal it.

- (e) If any candidate or a political party contesting in the election requests for a copy of the report prepared under subsection (d) of this Section, the Election Commission shall issue a copy of the report accordingly.

- (f) No one shall interfere with the work of any person participating in the recount the ballot papers in the security envelope. No documents or objects used in this work shall be touched by anyone other than those in charge of the work.
- (g) After completion of recount of the ballot papers in special security envelope in accordance with this Regulation, the ballot papers should be resealed in the special security envelope.

**Specific bank account for 52.
elections**

If stipulated in the special law or regulation relating to a particular election, each candidate shall open a special election account in their own name in a bank operated in the Maldives for the purposes of spending on election related expenses.

**Submitting election 53.
related financial
statements to the Election
Commission**

- (a) Candidates and political parties must maintain records of all expenses incurred in relation to the election on a daily basis, as directed by Elections Commission. Records of daily expenditure shall be maintained in accordance with the template prescribed by the Election Commission.
- (b) Unless otherwise stipulated by the Election Commission in relation to an ongoing investigation, or decided by a Court in relation to an ongoing matter, all financial records and documents relating to the election shall be

maintained for a period of 6 (six) months from the date of announcement of the official results. It is the duty of the candidate and the official election of the candidate to provide these documents if required by the Election Commission.

- (c) As provided in Section 73 of Law Number 11/2008 (Elections (General) Act) the financial report prepared in relation to elections shall be audited by an auditor registered at the relevant institution of the State. The financial report shall be submitted in the format published by the Election Commission with the announcement for the election.

- (d) In conducting the audit of the financial report in accordance with the manner specified in subsection (c) of this Section, in addition to the usual components of auditing financial statements, the auditor must also ensure that the candidate has managed, raised and used finances during election according to relevant election laws. As such, the following shall be considered.
 - 1. As specified in Section 67 (a) of Law Number 11/2008 (Elections (General) Act), a separate account has been opened in the name of the candidate to deposit financial contributions.

2. As specified in Section 68 (a) of Law Number 11/2008 (Elections (General) Act), financial contributions received by a candidate in relation to the election, has been accepted only by the candidate or official election agent of the candidate.
3. As specified in Section 68 (b) of Law Number 11/2008 (Elections (General) Act), money to be paid out or to be spent in relation to expenses incurred by a candidate has been paid directly or spent directly by the candidate or official election agent of the candidate.
4. As specified in Section 69 of Law Number 11/2008 (Elections (General) Act), the maximum amount of expenditure incurred in relation to the elections does not exceed the total value derived on the basis of MVR 2,000 (Two Thousand Maldivian Rufiyaa) per eligible electorate.
5. As specified in Section 72 (b) of Law Number 11/2008 (Elections (General) Act), the maximum amount of financial contribution given by an individual to a candidate shall be MVR. 2,000/- (Two Thousand Maldivian Rufiyaa) for each eligible electorate in the constituency contested

by the candidate. The contributions given by an individual to a candidate should not exceed more than 0.5% (zero point five percent) of this amount. The contributions given by a legal entity to the candidate for election expenses should not exceed by more than 2% (two per cent) of MVR. 2,000/- (two thousand) for each eligible electorate in the constituency contested by the candidate.

6. As specified in Section 73 (a) of Law Number 11/2008 (Elections (General) Act), the following shall be included in the financial report.

6.1. Details of expenditure incurred by the candidate including money and assets utilised;

6.2. Details of the expenditure indicating the amount spent to acquire support for the candidate in the election;

6.3. Details of how funds were raised to spend on the election;

6.4. Details of the persons and amounts contributed for election expenses by such persons;

6.5. Bank statement showing details of all transactions made from the bank account.

7. As specified in Section 73 (b) of Law Number 11/2008 (Elections (General) Act), receipts, invoices, bills and all other such documents and materials submitted as proof that information and materials submitted are a true account of the statement.

- (e) Where auditors does not comply with the provisions stipulated subsection (d) of this Section, and the guidelines in Schedule 2 to this Regulation, Election Commission shall forward the matter to the relevant authority for action to be taken against such auditors.
- (f) In checking the financial reports submitted to the Election Commission in relation to election, the Election Commission shall comply with the Standard Operating Procedure for the accepting and checking of financial reports of candidates contesting elections, as provided in Schedule 3 of this Regulation.
- (g) After checking the financial reports under subsection (f) of this Section, a report shall be prepared and submitted to the Commission in the format provided in Schedule 5 of this Regulation. Along with this report, the

checklist in Schedule 4 should also be completed.

**Investigation of bribery 54.
cases related to elections**

- (a) Offences of bribery related to elections shall be investigated by Anti-Corruption Commission. It is also within the discretion of that Commission to investigate such cases and forward it to the Prosecutor General for prosecution.
- (b) Upon completion of the case submitted to the Anti-Corruption Commission as referred to in subsection (a) of this Section, relevant report shall be sent to the Election Commission.

**Preparation of Report of 55.
the proceedings**

A report on election proceedings shall be prepared and published by the Election Commission within 90 (ninety) days of holding of the election.

**Code of Conduct for 56.
Election Officials**

Temporary and permanent employees of the Election Commission Office, members of committees and bureaus appointed to conduct elections, focal points, officials appointed by the Commission to work at voting stations and other persons entrusted with election related matters must adhere the code of conduct prescribed below.

1. To perform the duties assigned in accordance with the Constitution of the Maldives, Law Number 2008/11 (General Act on Elections), and this Regulation, special election Acts, subsequent regulations made

thereunder and Guidelines set by the Election Commission.

2. Refrain from doing anything that may infringe a right of voters, candidates, candidates' representatives, observers, monitors and political parties under the law.
3. To perform election related duties assigned by the Election Commission with honesty and sincerity.
4. To be free from any outside influence during the election process.
5. To not favour a particular candidate, or a person who supports or does not support a candidate during the election process.
6. To be impartial from the time of undertaking election duties.
7. To strive for and encourage elections to be free, fair, transparent and free from all undue influence.

Occurrence of an event not specified in law and regulation 57.

In circumstances where an event that has not been stipulated in the Elections (General) Act, special elections Acts and any subsequent regulations made thereunder, and this Regulation occurs, consequent action to be taken shall be determined by the Election Commission.

Commencement of the Regulation 58.

This Regulation shall come into effect from the date of publication in the Government Gazette.

Definitions

59. (a)
1. "Election" shall mean all elections to be conducted and managed by the Election Commission pursuant to the Constitution of the Maldives and other relevant laws.
 2. "Voting Centre" shall mean any designated place where a ballot box is placed for voting in an election. Activities relating to voting and counting of votes shall also be conducted at this centre.
 3. "Focal Point" shall mean the persons appointed by the Election Commission to conduct election related matters from Islands/Atolls/Cities.
 4. "Committee" shall mean the committees appointed from islands/atolls/cities by the Election Commission to conduct election related matters.
 5. "Voting booth" shall mean the booth designated for marking the ballot paper.
 6. "Observers" shall mean persons authorized by the Election Commission to observe an election in accordance with Law Number 11/2008

(Elections (General) Act) and this Regulation.

7. "Monitors" shall mean media personnel authorized by Election Commission as prescribed in Law Number 11/2008 (Elections (General) Act) and this Regulation, to monitor voting process at voting stations on Election Day.
8. "Party" or "Political Party" shall mean any political party registered at the Elections Commission pursuant to laws and regulations governing political parties in the Maldives.
9. "Election Officials" shall mean employees of Election Commission or persons appointed by the Commission who oversee all matters pertaining to voting and vote counting at an election.
10. "Official document of identification" shall mean an original photographic document such as National identity card, Passport card, Maldivian passport, or a valid Maldivian Driver's License, which has not expired, and contains the National identity card number of the individual.

11. "Complaints Officer" shall mean the Official in charge of the ballot box.

12. "Election Complaints Bureau" shall mean the units established to receive election-related complaints.

13. "Personal Information" shall mean National Identity card number, date of birth, phone number and photograph.

(b) Government holidays shall be included in counting duration in election related matters referred to in this Regulation.

(c) Unless otherwise stated in this Regulation, or the context requires otherwise, words denoting the singular shall include the plural and vice versa.

Number of Provisions **60.** This Regulation contains 60 (sixty) Sections.